HOUSE OF REPRESENTATIVES
COMMONWEALTH OF KENTUCKY

REPORT NO. 111

Referred to the House of Representatives of the Commonwealth of Kentucky for Consideration. A. C. HODGES, Printer. 1866.
At a General Assembly, begun and held for the Commonwealth of Kentucky, at the Capitol, in the city of Frankfort, on Monday, the 31st day of December, in the year of our Lord, one thousand eight hundred and fifty-five, and in the sixty-fourth 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—Nathan Gaither.
From the county of Anderson—James S. Littlepage.
From the county of Allen—William T. Anthony.
From the county of Barren—Robinson P. Beuchamp and Thomas H. M. Winn.
From the county of Bath—Hiram Hawkins.
From the county of Boone—James M. Corbin.
From the county of Bourbon—James T. Ware.
From the county of Boyle—George F. Lee.
From the county of Bracken—Laban J. Bradford.
From the county of Breckinridge—Gideon P. Jolly.
From the county of Bullitt—Philip Lee.
From the counties of Butler and Edmonson—Richard S. Thornton.
From the counties of Caldwell and Lyon—George B. Cook.
From the county of Calloway—John L. Irvin.
From the county of Campbell—William Riley.
From the counties of Carroll and Trimble—Benjamin Gullion.
From the county of Carter—Ephraim B. Elliott.
From the counties of Casey and Russell—McDowell Fogle.
From the county of Christian—Ben. Berry.
From the county of Clarke—John B. Huston.
From the counties of Cumberland and Clinton—Samuel Long.
From the county of Crittenden—Isaac N. Clement.
From the county of Daviess—Andrew Jones.
From the county of Estill—Benjamin F. Rice.
From the county of Fayette—Richard J. Spurr and Roger W. Hanson.

From the county of Fleming—Horatio W. Bruce and Alfred F. Graham.
From the county of Franklin—John M. Hewitt.
From the county of Gallatin—James A. Duncan.
From the county of Garrard—Joshua Dunn.
From the county of Grant—James Kinslaer.
From the county of Graves—Lucien Anderson.
From the county of Grayson—Anderson Gray.
From the county of Green—Fielding Vaughan.
From the county of Greenup—Richard Jones.
From the county of Hancock—Samuel B. Pell.
From the county of Hardin—Ben Hardin Helm and Robert B. English.

From the county of Harrison—Thomas H. Terry and David H. Raymond.
From the county of Hart—John S. Bohannon.
From the county of Henderson—Elijah W. Worsham.
From the county of Henry—Elijah F. Nutall.
From the counties of Hickman and Fulton—Richard B. Alexander.
From the county of Hopkins—William M. Morrow.
From the county of Jefferson—Frank. P. Deatherage.
From the county of Jessamine—James H. McCampbell.
From the counties of Johnson and Floyd—John B. Auxier.
From the county of Kenton—John W. Menzies and Robert Richardson.

From the counties of Knox and Harlan—James Culton.
From the county of Larue—David L. Thurman.
From the counties of Laurel and Rockcastle—Milton J. Cook.
From the county of Lawrence—Andrew J. Prichard.
From the county of Lewis—Francis M. Woods.
From the counties of Letcher, Pike and Perry—Colbert Cecil.
From the counties of Livingston and Marshall—Willie Waller.
From the county of Logan—Robert C. Bowling.
From the city of Louisville—William S. Bodley, John G. Lyon, Lamber- bert A. Whiteley.
From the county of Madison—William M. Miller and Coleman Cov- ington.
From the county of Marion—James M. Fogle.
From the counties of McCracken and Ballard—Thomas H. Corbett.
From the county of Meade—Erasmus O. Brown.
From the county of Mercer—Charles C. Smedley.
From the county of Monroe—Greenberry Hicks.
From the counties of Montgomery and Powell—James H. Turner.
From the counties of Morgan and Breathitt—John S. Hargis.
From the county of Muhlenburg—Joseph Ricketts.
From the county of Nicholas—George C. Faris.
From the county of Oldham—James M. Speer.
From the county of Ohio—William J. Berry.
From the county of Owen—Henry Giles.
From the county of Pendleton—Charles Duncan.
From the county of Pulaski—Andrew J. James.
From the county of Scott—Hiram Wood.
From the county of Shelby—Archibald C. Brown and Joshua Tevis.
From the county of Spencer—John B. Cochran.
From the county of Simpson—John C. McCreary.
From the county of Taylor—John B. Anderson.
From the county of Todd—James A. Russell.
From the county of Trigg—Gordon B. Grasty.
From the county of Union—Hiram McElroy.
From the county of Warren—George C. Rogers.
From the county of Washington—William B. Booker.
From the county of Wayne—Ephraim L. Vanwinkle.
From the county of Whitley—Pleasant W. Mahan.
From the county of Woodford—John K. Goodloe.

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

Mr. Bradford nominated Mr. John B. Huston as a suitable person to fill the office of Speaker; and Mr. McElroy nominated Mr. Nathan Gaither; and the vote being taken, it stood thus:

Those who voted for Mr. Huston, were

William B. A. Baker, George C. Faris, William M. Miller,
R. P. Beauchamp, McDowell Fogle, Samuel B. Pell,
Ben Berry, John K. Goodloe, Andrew J. Prichard,
William J. Berry, William S. Bodley,
Robert C. Bowling,
Laban J. Bradford,
Archibald C. Brown,
Erasmus O. Brown,
Horatio W. Bruce,
Milton J. Cook,
James M. Corbin,
Coleman Covington,
James Culton,
Frank P. Deatherage,
Charles Duncan,
James A. Duncan,
Joshua Dunn,
Robert B. English,
Alfred F. Graham,
Roger W. Hanson,
Ben Hardin Helm,
John M. Hewitt,
Greenberry Hicks,
Gideon P. Jolly,
Andrew Jones,
Richard Jones,
James Kinslaer,
George F. Lee,
Philip Lee,
Samuel Long,
John G. Lyon,
Charles A. Marshall,
Jas. H. McCampbell,
John W. Menzies,

Those who voted for Mr. Gaither, were

Richard Alexander, James M. Fogle,
Lucien Anderson, Henry Giles,
John B. Anderson, Gordon B. Grasty,
William T. Anthony, Anderson Gray,
John B. Auxier, Benjamin Guflion,
John S. Bohannon, John S. Hargis,
William B. Booker, Hiram Hawkins,
Colbert Cecil, John L. Irvan,
Isaac N. Clement, Andrew J. James,
John B. Cochran, James S. Littlepage,
George B. Cook, Pleasant W. Mahan,
Thomas H. Corbett, John C. McCreary,
Ephraim B. Elliott,

Mr. Houston 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 of order and decorum.

Mr. Bradford nominated Mr. John M. S. McCorkle as a suitable per-
son to fill the office of Clerk; and Mr. Cecil nominated Mr. Belvard J.
Peters: and the vote being taken, stood thus:

Those who voted for Mr. McCorkle, were

Mr. Speaker, (Houston,) Robert B. English, John W. Meuzies,
William B. A. Baker, George C. Faris, William M. Miller,
R. P. Beanbrough, McDowell Fogle, Samuel B. Pell,
Ben Berry, John K. Goodloe, Andrew J. Prichard,
William J. Berry, Alfred F. Graham, David H. Raymond,
William S. Bodley, Roger W. Hanson, Joseph Ricketts,
Robert C. Bowling, Ben Hardin Helm, George C. Rogers,
Laban J. Bradford, John M. Hewitt, James A. Russell,
Archibald C. Brown, Greenberry Hicks, Richard J. Spurr,
Erasmus O. Brown, Gideon P. Jolly, Thomas H. Terry,
Horatio W. Bruce, Andrew Jones, Joshua Tevis,
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Milton J. Cook, James M. Corbin, Coleman Covington, James Culton, Frank P. Deatherage, Charles Duncan, James A. Duncan, Joshua Dunn,

Richard Jones, James Kinslaer, George F. Lee, Philip Lee, Samuel Long, John G. Lyon, Charles A. Marshall, Jas. H. McCampbell,


Those who voted for Mr. Peters, were


James M. Fogle, Nathan Gaither, Gordon B. Grasty, Anderson Gray, Benjamin Gullion, John S. Hargis, Hiram Hawkins, John L. Irvan, Andrew J. James, James S. Littlepage, Pleasant W. Mahan, John C. Mccreairey,


Mr. McCorkle having received a majority of all the votes given, was declared duly elected Clerk; whereupon he took the oath prescribed by the Constitution.

Mr. Bradford nominated Mr. Joseph Gray as a suitable person to fill the office of Sergeant-at-Arms; and Mr. Rice nominated Mr. V. B. Young; and the vote being taken, stood thus:

Those who voted for Mr. Gray, were


George C. Farris, McDowell Pogue, John K. Goodloe, Alfred F. Graham, Roger W. Hanson, Ben Hardin Helm, John M. Hewitt, Greenberry Hicks, Gideon P. Jolly, Andrew Jones, Richard Jones, James Kinslaer, George F. Lee, Philip Lee, Samuel Long, John G. Lyon, Pleasant W. Mahan, Charles A. Marshall, Jas. H. McCampbell,

Those who voted for Mr. Young, were


Mr. Gray having received a majority of all the votes given, was declared duly elected Sergeant-at-Arms; whereupon he took the oath prescribed by the Constitution.

Mr. Bradford nominated Mr. William R. Campbell as a suitable person to fill the office of Door-keeper; and Mr. Nuttall nominated Mr. L. B. Stoughton; and the vote being taken, stood thus:

Those who voted for Mr. Campbell, were


Those who voted for Mr. Stoughton, were


Mr. Campbell having received a majority of all the votes given, was declared duly elected Door-keeper, whereupon he took the oath prescribed by the Constitution.

Mr. Philip Lee nominated Mr. Charles E. Nourse as a suitable person to fill the office of Assistant Clerk; and Mr. Smedley nominated Mr. Ben. C. Allin; and the vote being taken, stood thus:

Those who voted for Mr. Nourse, were


Those who voted for Mr. Allin, were


Mr. Nourse having received a majority of all the votes given, was declared duly elected Assistant Clerk; whereupon he took the oath prescribed by the Constitution.

Mr. Philip Lee moved the following resolution, viz;

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Resolved, That the rules of this House for the last session, be adopted as the rules that are to govern it until they be further altered or amended.

Which was adopted.

Mr. McElroy moved the following resolution, viz:

Resolved, That the Reporters of the different newspapers of the State, be permitted to occupy seats on the floor of this House during the present session, for the purpose of reporting its proceedings.

Which was adopted.

And then the House adjourned.

TUESDAY, JANUARY 1, 1856.

Mr. Daniel Garrard, the member returned to serve in this House from the counties of Clay and Owsley, appeared, and having taken the oath prescribed by the Constitution, took his seat.

A message was received from the Senate by Messrs. Walton and Harris.

Mr. Speaker: We are directed by the Senate to inform this House that the Senate having met, formed a quorum, and elected their officers, viz: J. Russell Hawkins, Secretary; George H. McKinney, Assistant Secretary; John D. McClure, Sergeant-at-Arms; and John W. Pratt, Door-keeper; 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 the House of Representatives, 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. Bodley, Nuttall, Bradford, Richardson, and Erasmus O. Brown, were appointed a committee to inform the Senate of the organization of the House, the names of its officers, and of its being ready to proceed to business.

Messrs. Menzies, Bowling, Bruce, Gaither, and James, were appointed a committee on the part of this House to wait on the Governor, in conjunction with the committee of the Senate, to inform him of their organization, and of their readiness to receive any communication, by way of message, he might think proper to make.
Ordered, That Mr. Menzies inform the Senate thereof.

After a short time, Mr. Menzies, from said committee, reported that they had performed the duty assigned them, and was informed by the Governor that he would forthwith make a communication to them in their respective chambers.

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

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, viz.:

Gentlemen of the Senate and House of Representatives:

You have convened according to the forms of the constitution to deliberate upon, and to provide for, the general welfare and interests of our common constituents. I tender to you my congratulations upon the happy and prosperous condition of our beloved Commonwealth. That heart must indeed be callous, that would not bow in humble and profound gratitude for the extraordinary blessings which have been conferred upon us by a merciful Providence. With the exception of a few localities, we have been blessed during the past year with unusual good health. A season of unprecedented abundance has rewarded the labors of the husbandman, and full and remunerating prices for all the products of the earth, have produced throughout our borders a state of almost unexampled prosperity. Our treasury is abundant and our public debt gradually becoming extinguished. Every pecuniary demand upon the State has been promptly met and discharged.

Blessed with peace—cultivating a soil of the richest and most prolific character, with the heritage of liberty as the birthright of every citizen, governed by a system of equal, just, and salutary laws—with the constitutional guaranty to every one to worship Almighty God according to the dictates of his own conscience—attached to a National Government, which has expanded into a Union of thirty-one sovereign republics, all alike free, inhabited by twenty-five millions of kindred citizens—our people have indeed cause to be grateful to God for his wonderful kindness to us as a State and Nation, and for the infinite wisdom with which he endowed our Fathers who achieved the independence and secured to us the liberty we enjoy.

The constitution of the State having prescribed biennial sessions of the Legislature, it becomes my duty, in giving to you information of the state of the Commonwealth, to refer you to the report of the Auditor for the year 1854, which will be laid before you.

It will be seen, as stated by my predecessor in his last message, that the balance in the treasury on the 10th of October, 1853, was
$187,632 23. The receipts into the treasury from the 11th October, 1853, to the 10th of October, 1854, amounted to $897,469 55—making an aggregate of $885,101 78. This includes not only the revenue for the ordinary expenses of the government, but the tax of five cents on the $100 for the Sinking Fund, and two cents for Common School purposes. The amount of expenditures for the same period was $773,381 47—leaving a balance in the treasury on the 10th of October, 1854, of $111,720 31. During this year, and out of these receipts, there was transferred to the Sinking Fund, for the five cents revenue, taxes on forfeited lands, and tax on insurance offices, $179,885 48; there was also transferred for surplus revenue, for the year ending 10th of October, 1853, $60,000—making, 10th of October, 1854, $239,845 48. During this year there was also transferred, in like manner, to the School Fund for the two cents revenue, dividends on bank stock, tax on bank stock, and interest on school bonds, the sum of $89,513 76.

The receipts into the treasury from the 11th of October, 1854, to the 10th of October, 1855, amounted to $883,707 49. To which the balance in the treasury on the 10th day of October, 1854, of $111,720 31, added, will make the sum of $995,427 80. The expenditures, including the transfers to the Sinking and School Funds, amounted to $739,696 25—leaving in the treasury on the 10th of October, 1855, the sum of $255,731 55. Of this sum there belonged to the Sinking Fund the sum of $104,687 54; to the School Fund, $56,839 90; to ordinary revenue, $94,204 11—making the total amount, as before stated, $255,731 55.

During the year there was transferred to the Sinking Fund for the five cents revenue, for taxes on forfeited lands, and on insurance offices, the sum of $194,846 65; and to the School Fund for the two cents revenue, dividends on bank stock, tax on bankstock, interest on school bonds, &c., $226,363 11. These items constitute a part of the aggregate expenditures reported for this year. Since the 10th of October, 1855, the above sum of $104,687 54 has been transferred to the Sinking Fund. Also, the surplus revenue at the close of the fiscal year, amounting to $76,518 55—leaving in the treasury on the 10th of October, 1855, as ordinary revenue, $17,685 56. The law requires a surplus to be left of ten thousand dollars, and the residue of the above sum was for outstanding balances against the treasury.

The receipts for the year ending the 10th day of October, 1855, are estimated by the Auditor as follows, viz: The revenue of 1855, amounts to $717,073 27. Charges, &c., will be about $50,000. Amount paid previous to the 10th of October, 1855, the sum of $5,746 79—leaving in the treasury the sum of $661,326 48. Of this sum,
$194,507 78 belongs to the Sinking Fund, and $77,803 12 belongs to the School Fund—making $272,310 90 to be deducted—leaving for ordinary revenue the sum of $389,015 58. Estimated receipts of ordinary revenue from other sources, $139,950. Balance in the treasury on the 10th of October, 1855, $17,685 56—making the aggregate sum of $546,651 14.

The estimated expenditures for 1856, $381,050; estimated debts to be paid, $160,000—making an aggregate of $541,050; which would leave a balance in the treasury, on the 10th day of October, 1856, of $5,601 14.

This view of our finances, while showing a sufficient amount for all the necessary purposes of an economical administration of the government, at the same time admonishes us against any extraordinary or lavish expenditure of the public money. While I would avoid parsimony, I cannot too strongly recommend the observance of a wise and salutary economy in all our public expenditures. A portion of the public revenue has been dedicated by the constitution to the payment of the interest upon the public debt and to its gradual extinction, and while it may be increased, cannot be diminished. It is the settled and fixed policy of our State to extinguish our public debt as rapidly as our resources will allow, and it is a source of gratification and pride, that the means already dedicated to that end, are ample to pay the interest as it accrues, and if wisely and prudently managed, to extinguish the principal at its maturity.

From the 31st of December, 1853, to the 4th of September, 1855, when the term of my predecessor expired there was paid of the principal of the State debt the sum of $162,009. Since I have been in office, $31,000, up to the 30th of November, 1855, have been paid—leaving the entire aggregate of our State debt on that day $5,991,576 73. Of this sum $600,000 are held by the Southern Bank of Kentucky, the interest upon which it is bound to pay, and for which the State holds that amount of stock, and $1,369,664 73, are held by the board of education, the interest upon which only may be considered a perpetual charge upon the Sinking Fund. The actual debt, the principal of which has to be provided for, is, therefore, $4,021,912. Since the 30th of November, 1855, up to which period the above statement is made, there has been redeemed of the public debt the sum of $14,000. The semi-annual interest due the 1st day of January, 1856, has been forwarded to New York, and will be promptly paid. For details with regard to the public debt, when the bonds were issued, under what law, and when maturing, and for a detailed statement of the resources of the Sinking Fund, I refer you to the report of the commissioners, which will be laid before you.
The total receipts of the Sinking Fund from 1st of January, 1854, to the 10th of October of the same year, including the balance then on hand, were $391,103 80. The expenditures during the same period were $242,695 05—leaving a balance in the treasury on the 10th of October, 1854, of $148,408 75. The receipts from the 10th of October, 1854, to the 10th of October, 1855, including the above balance, were $662,494 50. The expenditures during the same period were $519,015 87—leaving a balance in the Treasury on the 10th of October, 1855, of $143,478 63. From 11th of October, 1855, to 30th of November, 1855, there was transferred to the Sinking Fund, of the surplus revenue, $76,518 55, and for collection of revenue transferred, the sum of $104,687 54—the three sums making an aggregate amount of $324,684 72. The expenditures from the 11th of October, 1855, to 30th of November, $7,868 50—leaving a balance in the Sinking Fund on the 30th November, 1855, of $316,816 22. This balance is after the payment of the interest due 1st of January, 1856. This entire surplus may be safely used in purchasing the bonds of the State, and I have accordingly anxiously sought to make such investment. The holders of our bonds, however, seem reluctant to bring them into market, and comparatively a small amount only has been purchased. This fund, by law, remained on deposit in our banks without yielding anything to the Sinking Fund. The commissioners concurred with me that as long as it remained uncalled for in bank, it ought to command some reasonable interest. Accordingly an arrangement was made with the Bank of Kentucky, that it should keep the sum of $100,000 in the city of New York, without charge for its transfer, for the purpose of purchasing bonds of the State, upon which an interest of three per cent. per annum should be paid, and for the sum of $210,000 an interest of four cent. should be paid, the whole deposit of $310,000, or any part of it, to be subject to call by the commissioners, whenever wanted for investment or any other purpose. It is desirable that this fund should be used as speedily as practicable in redeeming our debt, and no pains will be spared to effect that object.

I am happy to inform you that the School Fund is in a healthy and prosperous condition. The interest upon the bonds of the State held by the Board of Education has been regularly and promptly paid by the Commissioners of the Sinking Fund, and all the means set apart and dedicated to common school education have been applied to that purpose. The system is in operation in every county in the Commonwealth. For the detailed operations of the system since the last meeting of the General Assembly, I refer you to the able and satisfactory report of the superintendent for the year 1854, and to the report he will lay before you for the year 1855. The annual resources of the
By the 3d section of article 1 of the common school law, it is directed that the balance to the credit of the counties, not called for each year, shall be transferred by the Board of Education to the Commissioners of the Sinking Fund, and that the Governor shall execute a bond of the State thereof to the Board of Education, redeemable at the pleasure of the Legislature, and not transferable, bearing six per cent. interest, payable annually, and specifying therein the amount due to each county. My predecessor, in pursuance of this provision of the law, on the 23d of August, 1855, issued to the Board of Education a bond of the State for $42,894 72, which added to the bonds previously held by the board, makes the aggregate of bonds $1,369,664 73. The interest upon these bonds, the dividends upon 735 shares of stock in the Bank of Kentucky, the tax on the capital stock of the Farmers Bank, and the Commercial Bank, and the revenue derived on two cents on the one hundred dollars worth of property in the State, constitute the available resources of this fund. The last Legislature, deeming that the system might be rendered more efficient and useful by additional active means, by an act approved March 7th, 1854, directed that the sense of the qualified voters of the Commonwealth should be taken upon the propriety and expediency of imposing an additional tax of three cents on each one hundred dollars worth of property in the State, for the purpose of increasing this fund. In pursuance of this act, a poll was opened throughout the State, at the last August election, which resulted in a vote of 82,765 for the tax, and 25,239 against it, giving a majority of 57,526 votes.

It will be your privilege to carry into effect this decisive and emphatic expression of the popular will. The means derived from this additional tax, with the other resources at command, will be amply sufficient to sustain and expand the system, which has already achieved so much good for the rising generation. No one who will travel through our State can see without pride and exultation, the great number of school houses which have sprung up in every part of our land, filled with happy and joyous children, eagerly imbibing the rudiments of learning. I need not here dwell upon the importance of education, as the surest guaranty for the perpetuity of our free institutions. With the feelings that are entertained in common by the great mass of our constituents, I am sure that I need not exhort you to foster and protect this great popular interest. It has intertwined itself with the popular heart, and the people have decreed that it shall be placed upon a permanent and enduring basis. With the extension of the system it has become more and more popular. The school-master is no longer
regarded as the hired pedant, but has accorded to him that high position in society which every public benefactor is entitled to. His is regarded as a high and honorable profession, and at no period in the history of our State has the public interest more imperiously demanded that this profession should be fostered and encouraged. The time has passed by when mere labor and bodily toil can make the successful farmer or artisan. The rapid and almost miraculous improvements in machinery, the railroads already constructed and projected, that thread our country, with their massive engines, requiring daily educated labor; the advance in agricultural chemistry; the application of science to the construction of almost every farming implement—all tell us, in language that cannot be mistaken, that the farmer, the artisan, and the day laborer ought to be educated. What can he expect who is thrown upon the world without means and without education; and what a boundless field for success does our country afford to him who is educated, honest and industrious! Yet it is not pretended that a high order of education is requisite for the enterprising young man to enter with success in this race. The elements of an education are all that is absolutely required. Open to him the book of knowledge; teach him how to learn; let him realize that he can become educated, and if gifted with a stout heart, and that iron will which is the element of all success, he will advance in improvement until qualified to fill the various stations in life to which he may be called.

In urging the importance of elementary or common school education, I do not wish by any means to intimate that it is all that the good of the country or the honor or necessities of the State demand. A higher grade of learning is necessary to meet the wants of society, and for a fair development of the genius of our people. As you cultivate the intellect, you aid in the general diffusion of knowledge; and manly sentiment, refined taste, and elevated thought have a self-diffusive influence wherever found. A higher order of education is necessary to sustain and improve the common school system. A popular demand for education—the first and necessary step for success—has already been created. That demand should be supplied by furnishing able and qualified teachers. In the report of the learned and distinguished Superintendent who did more than all others to mature and impart vitality to our present system, this view was suggested, and to my mind conclusively established, as an essential ingredient in the successful operation of our common schools. Dr. Breckincridge proposed that the State should re-organize Transylvania University, make it the head of the common school system, and erect it into a school for the special purpose of educating teachers—but with the collateral design of affording instruction to any who might apply for it.
For the details of his plan, I beg leave to invite your attention to his report for the year 1850. I submit the whole subject to your better judgment, promising my hearty co-operation to whatever may advance the cause of education, or give stability to, or increase the usefulness of, our common school system.

As much of the business of the Superintendent is necessarily connected with the revenue department of the government, I suggest the propriety of his removing his office to the seat of government, where more frequent meetings can be had of the Board of Education, and more efficiency imparted to the system.

The condition of our charitable institutions will be a subject for your inquiry and investigation. You will have before you the reports of those under whose superintendence they are placed, and it will be your duty to see that the humane and philanthropic object of their establishment has in no manner been misdirected or perverted, and if it has, to apply the necessary corrective.

The claim upon the public benevolence and sympathy in behalf of the lunatic and idiot, of the deaf and dumb, and of the blind, has kept pace with the advance of civilization. Our State was among the first to establish a hospital for the insane. It has been followed by the establishment of another. It has established an asylum for the deaf and dumb, and a school for the education of the blind.

The unfortunate mute, under the fostering care of kind and attentive teachers, has been taught the perfect command of written and printed language, and his advancement in the higher departments of learning is only limited by the degree of his application and genius. The blind have in like manner been instructed in reading, and made useful in various trades and domestic employments.

The asylum for the deaf and dumb is now in the thirty-third year of its existence. It is a State institution, and subject to its control. It has been managed with eminent skill and ability, and its blessings liberally diffused over the country. Its trustees, since the last meeting of the General Assembly, have erected a new and substantial edifice, large enough for their present and prospective wants, instead of attempting to make temporary additions to their old buildings. They will petition the Legislature for some aid to complete their edifice, and I cannot hesitate to commend their application to your favorable consideration.

While, however, modern philanthropy has achieved such triumphs for the mute and the blind, the neglected and loathed idiot, from a belief that his case is beyond the reach of benevolence, is still left in drizzling, and, in many cases, squalid imbecility; yet experience has fully established the fact that many if not most idiots are susceptible
of more or less and some of considerable improvement. The experiment of other communities has shown that largely more than half of them can be educated so as to make them self-supporting, and the condition of all greatly emeliorated. We are paying annually from our treasury upwards of $20,000 for the support of this poor and neglected class of our population. The propriety and expediency of some provision for their education is a subject well worthy of legislative inquiry.

Your particular and early attention is respectfully invited to the condition of our State Prison. The present Keeper came into office on the 1st of March, 1855. The number of prisoners then in confinement was 193. The number received since that time has been 118—making 311. Of this number 13 have died, and 61 been discharged by expiration of sentence and executive pardon—leaving 237 now in prison. The law contemplates the confinement of these prisoners in solitary cells at night; yet on examination, it will be found that there are not more than 126 cells which can be safely used. These cells are damp and unhealthy, and altogether unworthy of the spirit of the age. The hospital is confined, close, without the possibility of fresh air, and wholly unfit for the purpose. No bedding more than blankets has ever been supplied since it has been a prison. The present energetic and efficient Keeper complained of this almost as soon as he came into office, but the Commissioners of the Sinking Fund did not think that they had the power to remedy the oversight of past Legislatures, and declined to make provision for such bedding as seemed to be demanded by the public sentiment of the country. It will be your duty to take such action on this whole subject as in your wisdom you may deem right and proper. It is well worthy of your serious investigation, whether the partnership feature in the law, between the State and the Keeper may not be abolished with advantage to the Commonwealth. It involves a long and complicated and difficult settlement at the end of each Keeper’s term, and what has been an apparent profit to the State, usually dwindles to about the amount guarantied by the contract. I am inclined to think if a reasonable sum were agreed to be paid in gross by the Keeper, either annually or semi-annually, he paying all the expenses of the establishment, and holding the prison as it now is, subject to legislative management, it would be altogether preferable to the present system. It will be for you, however, to investigate this subject and to ascertain what may be done, and to pursue such course as will be most conducive to the public interest. For the operations and business of the institution, since the first of March last, I refer you to the report of the Keeper, which will be laid before you. Before dismissing this subject, I cannot omit to bear my testi-
mony to the fidelity with which the present Keeper has performed all
the duties of his office. It is believed that the prison never has been
in better condition, or more prudently managed.

The law of the last session of the General Assembly, abolishing
musters, has had the effect to destroy our militia system, and to place
the State in a defenseless condition in any sudden emergency. The
public arms which had been distributed to the militia, have been scat-
tered, and very many of them can never be restored to the State Arse-
nal. The requisition of the law of Congress upon the Adjutant Gen-
eral of each State, to make and forward to the President of the United
States annually, a return of the militia of the State, with their arms,
accoutrements, and ammunition, cannot be complied with. Under the
law of 1808, the annual distribution of arms was made according to
the strength of the militia reported according to law; but by an act of
the last Congress, the distribution is directed to be made according to
the number of Representatives and Senators in Congress, with a pro-
vision that the Secretary of War shall first equalize, as far as practi-
cable, the number of arms heretofore distributed, so that each State
which has received less than its pro rata shall receive a number sufficient
to make an equal proportion, according to the number of Representa-
tives and Senators. It is believed that this law will give a largely in-
creased distribution to this State. We have now in the public Arsenal
18 pieces of ordnance, and 3 reported in the hands of the militia;
7,305 stand of muskets, and 1,250 in the hands of the militia; 1,591
rifles, and 230 in the hands of the militia; 179 carbines, and 80 in the
hands of the militia; 1,436 swords, and 110 in the hands of the militia;
69 Colt’s revolvers, and 4 in the hands of the militia; and 1,975 pistols,
and one mortar. Many of these arms are worthless; but such as can
be made fit for use, I have ordered to be put and kept in proper condi-
tion. I recommend that a committee be appointed to ascertain what
proportion of these arms are useless, and what disposition should be
made of such as may be found unfit to be repaired.

By an act approved January 9th, 1852, “to provide for the registra-
tion of births, deaths, and marriages in Kentucky,” it was made the
duty of the Assessors, while making their lists of taxable property,
to ascertain and record in a separate list, all the births, marriages, and
deaths which shall have occurred in their respective counties in the
twelve months ending on the 31st day of December last preceding the
time of assessment, with all the items of time, place, &c. Under this
law three annual reports have been made, and although it is apparent
that the returns are not as full and as accurate as they ought to be,
from the highly complimentary notices of these reports by those skilled
in vital statistics, it is probable that we have been more successful in
collecting accurate information than any of our sister States in the same length of time. The advantages of such registration, when carefully made, and properly and skillfully digested, cannot fail to be seen by any reflecting mind. They may not be so apparent for the first few years, but with each additional year the deductions drawn from well established data will command more and more confidence. The collection of these statistics costs but little, and they teach us where the causes of mortality most abound, "and admonish us to adopt plans for removing malign influences, and for promoting health." They show the average of human existence in different localities, and furnish the basis for the more perfect computations of the chances of life, besides giving many facts of great value to the political economist, as well as the illustration of physiological laws. The reports already published give more or less perfectly the facts of 156,631 persons who have passed the epoch of birth, marriage, or death, viz: 79,226 births; 15,858 marriages; and 35,789 deaths. These records will show the relative health, longevity and fecundity of the free and the slave population of our State. They show how many have died of each disease, in each county, and in the whole State. When greater accuracy has been attained in collecting details, we shall have ascertained the grade of public health with as much certainty as we now know the value of the different kinds of property in the Commonwealth. The amount of time and labor, as well as the minute accuracy required in the formation of all the necessary tables from the mass of undigested returns of the assessors, compelled the Auditor to resort again to the aid of a skillful physician who has devoted special attention to this subject. I recommend that a fair allowance, as heretofore, be made for this service, and suggest that the propriety of passing some permanent law on the subject.

Under an act to provide for a Geological and Mineralogical Survey of the State, approved 6th of March, 1854, my predecessor appointed Mr. David D. Owen, an able and accomplished geologist of enlarged experience and great practical skill, to carry the law into effect. He has been diligently and most industriously engaged, and for the result of his labors I cannot do better than to refer you to the interesting and learned report herewith submitted. It will be seen that his explorations are yet unfinished. Of the importance and value of such a survey as will be made by one so justly celebrated in his profession, I cannot entertain a doubt, nor can I doubt that the incalculable benefit of such a survey will be properly appreciated by the representatives of the people. The development of the mineral wealth of the State, the opening of abundant and inexhaustible supplies of cheap fuel, the quantities, kinds, and varieties of minerals, their locality and geologi-
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Cal position, and that of the salt, saltpetre, coal, marble, building stone, and rock, the different soils and the means of their improvement and renovation, are some of the fruits to result from this survey. The successful completion of a work which has been inaugurated under such flattering auspices, will not merely advance the cause of science and learning, but cannot fail to add to the substantial riches of the State, and render regions now comparatively sterile and worthless prosperous and wealthy. I cannot hesitate to recommend that a sufficient appropriation be made to progress with or complete the survey.

My predecessor, in his last message, recommended to the Legislature, in order to encourage and foster the agricultural and mechanical interests of the State, that a sum of money should be appropriated for the purpose of dispensing premiums to those who might produce the best fruits, grains, vegetables, animals, agricultural implements, and products of domestic manufactures. I concurred with him in that recommendation when made, and in renewing it I beg that you will bestow upon it your most favorable consideration. These premiums could be awarded in a manner to be prescribed by law, at the mechanical and agricultural exhibitions now established in various parts of the State, and could not fail to be highly beneficial in awakening a friendly rivalry in the productions of mechanical skill, and in the various products of agricultural labor. The beneficial results in other States of our Union, of distributing State premiums at their industrial exhibitions have been felt and acknowledged.

For the present condition of our works of internal improvement, I must refer you to the report of the President of the Board, which will be laid before you at an early day. The dividends from these works are sacredly dedicated by the constitution to the Sinking Fund. No new debt can be contracted on behalf of the Commonwealth, unless provision be at the same time made to lay and collect an annual tax sufficient to pay the interest stipulated, and to discharge the debt within thirty years, nor can such debt be made until the law shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it. With this salutary constitutional prohibition, there can be no expenditures by the Legislature in new schemes of public improvement. The dividends from some of the public works might be greatly enhanced by their extension, and I recommend that the most liberal inducements should be offered to individuals and companies to effect such extension.

While we cannot increase our public debt, it is gratifying to know that the people of Kentucky are beginning to estimate properly the great advantages of extended railroad improvements, and are making
the most active and energetic movements to meet the iron arms that our sister States are extending towards our borders. It is not too visionary to look forward to the day when the road from the mouth of Big Sandy shall be completed to the Mississippi river, and constitute a link in the great Atlantic and Pacific route, which must sooner or later be made, in order to bind together by iron bands the now distant parts of this great confederacy.

The banks of our State are in a sound and prosperous condition. They have generally been judiciously conducted, and will compare favorably with similar institutions in any other State. They afford a currency of uniform value, and the public confidence in their solvency is unshaken. There is no subject in which the community is more vitally interested than in having a sound and convertible currency. To avoid the fictitious value too often attached to property, to prevent the multiplication of schemes of visionary speculation, to escape the indiscrетe betrayal into increased indebtedness and a more extended business, presenting that delusive, artificial, and transient prosperity which is so often the forerunner of bankruptcy, there ought to be no unnecessary or unsafe expansion of the currency. There is no fact in political economy better established than that an excess of paper issues leads to the exportation of the precious metals. It lessens the capacity of the banks to redeem their paper, and produces those constant fluctuations which are so disastrous to the best interests of the community. If not the direct cause, it is inseparably connected with those revolutions and monetary revolutions, which have visited our country at such short intervals.

With these convictions on my mind, I do not think that it would add anything to the prosperity of the State to increase the number of our banks. All the banks in the State have now the right to issue one dollar bills. I recommend a prohibition of the issue or circulation, after a specified time, of any bank note of a less denomination than five dollars. I do not doubt that the banks will conform to the legislative wish upon this subject. By making the measure prospective, gold and silver will soon supply the vacuum caused by the withdrawal of the small bills, and the wholesome change will be almost imperceptibly effected.

By section 24 of article 4 of the Constitution, the General Assembly, if they deem it necessary, may establish one additional judicial district every four years. In some parts of the State there are great complaints of the want of time to discharge the judicial business, and it has accumulated to such an extent as to be almost a denial of justice. I recommend, therefore, that you increase the judicial districts
of the State as far as you are authorized to do by the Constitution, and
equalize the labors of all as far as it may be in your power.

I am unwilling to close this communication without calling your
attention to the present condition of our federal relations. Kentucky
being a border slave State has had more cause to complain of the agi-
tations of fanaticism, and of the practical encroachments upon her
rights, than perhaps any other State of the confederacy, yet she has
manifested no other spirit than that of conciliation and calm forbear-
ance; and in those angry sectional conflicts which have convulsed the
nation she has stood almost as an arbiter between the north and the
south, and whenever the Union was supposed to be in danger she has
not hesitated to yield her opinions and her interests as a sacrifice upon
the altar of patriotism. With such feelings deeply imbedded in the
popular heart, she has witnessed with pain and mortification the alarming
strides that are making by a great and growing sectional party in
the north to obliterate the constitutional guaranty of her rights, and
to weaken if not to sever the ties by which we are bound together in
a common brotherhood. She has lamented and mourned over that
wild and reckless spirit which has hurried the descendants of the her-
oes of Bunker Hill and Lexington to a desecration of the Federal
Constitution, by an attempted nullification of a supreme law of the
land, made in pursuance of its provisions. She has seen with dismay
and consternation this spirit of discord enter into the sanctuary of our
national liberties. She still looks to the Union as the best if not the
only security for her peace and happiness, and a faithful and honest
support of the constitution as the only guaranty of liberty.

There are certain great and fundamental principles which are mo-
nopolized by no party, which rise above all party claim, and which it
would be profanation to surrender to party use. These principles lie
at the foundation of our government, and guaranty a perfect equality
of right to each and every State of this confederacy. It was the only
condition upon which the Union could have been formed, and it is the
only one upon which it can be preserved. It is the fundamental basis
not only of the general welfare, but in all human probability, of liber-
ty itself. The most emphatic words of the Father of his Country, and
the most impassioned declamation of the orator as to the value of the
Union, enunciate but the calmest truth. Its dissolution would be
like the breaking up of a gallant ship on a prosperous voyage, in order
that the crew might find greater safety on its loose, dismembered, and
scattered fragments. The real enemies of the Union are those who
persist in sectional agitation—those who are banded together to bring
the action of a common Federal Government for all the States into an
attitude of hostility to the property of a part—they are the practical
disunionists. They forget or disregard all the compromises which impart vitality to the constitution. The dark and rampant spirit of abolitionism and freesoilism, regardless alike of the admonitions of patriotism and the dictates of justice, is threatening, in its mad career, to destroy the very foundation of the Union.

The Federal Government, in its original organization, conformed itself most wisely to the then condition of the people and the property it was intended to protect. Slavery then existed in most of the States. The constitution did not pretend to make any change whatever in the relation of master and slave. The property in slaves, such as it was, pre-existed, and the constitution recognized it without limitation and extended to the owner its unqualified protection. It created no property, but recognized whatever was property in the States as such, and left it in the condition in which it was found. When it speaks of property, whatever was made so by any of the States, was what was intended. It did not undertake to define what was or was not property.

The Federal Government being one of limited powers, cannot impart to or take from anything its attribute of property. If it cannot establish slavery in a territory, it cannot destroy it. Whatever is property in any one of the States, if carried into a territory cannot lose its character of property by the action of the General Government.

I am deeply and profoundly impressed with the conviction, that the only safety to the Union, is the firm establishment of the doctrine that the Federal Government should abstain unconditionally from all hostile action upon the subject of slavery. It is a government for the slaveholding States as well as the free, and it has no right to throw even its moral influence against the tenure of property recognized as such by any of its constituent parts. It would be a gross prostitution of its powers and a departure from the objects of its organization to do so. As a common government for all the States, it never was intended by its framers, that it should discriminate between the property of one State or one section and another. Equality is the law of its existence. I deprecate as much as any one can, the formation of sectional or geographical parties. The ties of sympathy and interest which bind us together as one people, become weaker and weaker with the growth of unfriendly feelings arising from the existence of such parties, until finally we shall become aliens and strangers to each other. The existence of mere geographical parties is the first great step to disunion. To prevent that I was willing to unite with a party, whose principles were sufficiently broad and comprehensive and patriotic to entitle itself to the name of American. The great and leading and fundamental article of the political creed of this
organization was undying devotion to the Union of the States, and every other principle it held was but subsidiary to this. The perpetuity of this mighty Republic, with all its countless blessings, through generations which are to follow, was its end and aim. The same fell spirit of fanaticism which has produced schisms in other parties, has done its work here also. The crisis of our country's fate, though impending, is not yet come and I trust that the time is far, very far distant when the section to which we belong, shall feel compelled in sorrow and in anguish to calculate the value of the Union. To avert a crisis so dreadful I cannot doubt that the national men of all parties, however discordant may be their opinions on other points, will finally unite, and by their firm, determined and patriotic action save the country from the ruthless grasp of the enemies of the Union.

C. S. MOREHEAD.

JANUARY 1, 1856.

Mr. Bruce moved the following resolution:

Resolved. That the Public Printer forthwith print one hundred copies of the Governor's message for the use of each member of this House.

Mr. Nuttall moved to amend said resolution, by striking out the words "one hundred" and inserting the words "two hundred."

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

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

Mr. Nuttall moved the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the constitutional power of the Legislature to pass laws limiting the banks of this Commonwealth, in the amount they shall employ in dealing in bills of exchange, and that said committee, as early as convenient, report their opinion upon this subject.

Which was adopted.

Mr. Menzies moved the following resolution:

Resolved, That the Auditor be requested to furnish this House with the number of causes which have been commenced in the Circuit Courts of this Commonwealth from 1851 to 1855 inclusive, by counties, and by Judicial Districts, showing the number in every county, every year, since the formation of the present Districts.

Which was adopted.

Mr. Marshall moved the following resolution:

Resolved, That the committee on the Judiciary take into consideration the propriety of admitting the testimony of negroes in all criminal cases where the accused is a citizen of a State that allows negroes to testify against whites.

Which was adopted.

Mr. Richardson moved the following resolution:
Resolved, That the Speaker of this House be requested to invite the Ministers of the Gospel, resident in the city of Frankfort, to open the sessions of the House of Representatives each morning with prayer.

Which was adopted.

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

On motion of Mr. Nuttall—1. A bill declaring seduction a criminal offense, and to provide punishment therefor.

On motion of the same—2. A bill to punish negro stealers.

On motion of Mr. L. Anderson—3. A bill to increase the powers of the Trustees of the town of Mayfield.

On motion of Mr. Menzies—4. A bill to incorporate the North Kentucky Agricultural Association.

On motion of Mr. Richardson—5. A bill to amend the charter of the Covington and Taylor’s Mill Road Turnpike Company.

On motion of Mr. P. Lee—6. A bill for the benefit of School District No. 21, in Bullitt county.

On motion of Mr. Goodloe—7. A bill to legalize the subscription of the Woodford County Court, to the Versailles and Munday’s Landing Turnpike road.

On motion of Mr. Corbett—8. A bill for the benefit of Moses Stratton.

On motion of Mr. Irvan—9. A bill requiring non-resident landholders to list their lands for taxation in the county in which the land lies.

On motion of Mr. Winn—10. A bill to incorporate Allen Lodge Masonic Female College, at Glasgow.

On motion of Mr. R. Jones—11. A bill to incorporate the town of Ashland, in Greenup county.

On motion of Mr. Richardson—12. A bill to incorporate the Catholic Benevolent Society, of Covington.

On motion of Mr. Marshall—13. A bill changing the law of assignments to secure a more equitable distribution of the assets of bankrupts among the creditors.

On motion of Mr. Bruce—14. A bill to amend the Civil Code of Practice, on the subject of appeals to the Court of Appeals.

On motion of Mr. C. Duncan—15. A bill for the better protection of slave property in this State.

On motion of Mr. Corbin—16. A bill to amend the road law of Boone county.

On motion of Mr. E. O. Brown—17. A bill for the benefit of John G. Shacklet, of Meade county.

On motion of Mr. Bradford—18. A bill to charter the Union Agricultural and Improvement Association, of Mason and Bracken counties.
On motion of Mr. Speer—19. A bill to change the time of holding the Oldham County Court.


On motion of Mr. Helm—22. A bill for the benefit of Alfred Sturgeon, of Hardin county.

On motion of Mr. Corbett—23. A bill to provide for paying jurors in all cases.

On motion of Mr. Cecil—24. A bill repealing the law authorizing Justices of the Peace to tax attorney’s fees in their Courts.

On motion of Mr. Smedley—25. A bill for the benefit of Elizabeth Rucker, of Mercer county.

On motion of Mr. Culton—26. A bill repealing the act establishing a Police Court in the town of Barbourville.

On motion of Mr. Helm—27. A bill to change the time of holding the Quarterly Court of Hardin county.

On motion of Mr. McDowell Fogle—28. A bill to legalize the proceedings of the Casey County Court at its February term for 1852.

On motion of Mr. McElroy—29. A bill further to provide for the service of process on steamboats.

On motion of Mr. Irvan—30. A bill authorizing three cents additional tax to be levied for Common School purposes.

On motion of Mr. Grasty—31. A bill allowing additional compensation to petit jurors in the Circuit Courts in this Commonwealth.

On motion of Mr. Bruce—32. A bill changing the times of holding certain courts in the 10th Judicial District.

On motion of Mr. J. M. Fogle—33. A bill to amend the charter of the Louisville and Nashville Railroad Company.

On motion of Mr. Erasmus O. Brown—34. A bill to extend the terms of the Meade Circuit Court.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 9th, 10th, 11th, 13th, 15th, 21st, 23d, and 24th; Messrs. Menzies, Corbin, and Richardson, the 4th; Richardson, Smedley, and Menzies, the 5th; the committee on Education, the 6th, 20th, and 30th; the committee on County Courts, the 7th, 19th, and 27th; Messrs. Corbett, Gray, and Alexander, the 8th; Messrs. Richardson, Cochran, and Menzies, the 12th; the committee on the Code of Practice, the 14th, and 29th; Messrs. Corbin, Hanson, and Menzies, the 16th; Messrs. E. O. Brown, Helm, and P. Lee, the 17th; the committee on Agriculture and Manufactures, the 18th; the committee on Claims, the 22; Messrs. Smedley, Richardson, and Gaither, the 25th; Messrs. Culton, Bradford,
and Booker, the 26th; Messrs. McDowell Fogle, James, and Gaither, the 28th; the committee on Circuit Courts, the 31st, 32d, and 34th; and Messrs. J. M. Fogle, Gaither, and J. B. Anderson, the 33d.

And then the House adjourned.

WEDNESDAY, JANUARY 2, 1856.

Mr. Woodson C. Montgomery, the member returned to serve in this House from the county of Lincoln, appeared, and having taken the oath required by the Constitution, took his seat.

1. Mr. M. J. Cook presented the petition of sundry citizens of Rockcastle county, praying a change in the route of the Wilderness road in said county.

2. Mr. Pell presented the petition of sundry citizens of Ohio county, praying that a portion of said county may be attached to Hancock county.

3. Mr. Irvan presented the petition of citizens of Calloway county, praying the passage of an act authorizing the Calloway County Court to dispose of the unsold Seminary lands belonging to said county, and apply the proceeds to educational purposes in said county.

4. Also, the petition of the Common School Commissioners of Calloway county, praying the correction of an error in the report of School district No. 25, and the payment of $25,30, amount of said error due said district.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Propositions and Grievances; and the 3d and 4th to the committee on Education.

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

On motion of Mr. Ware—1. A bill to incorporate Benevolent Lodge No. 58, of Free and Accepted Masons.

On motion of Mr. G. B. Cook—2. A bill to amend an act incorporating the town of Princeton.

On motion of Mr. Irvan—3. A bill legalizing sales of seminary lands in Calloway county.

On motion of same—4. A bill exempting persons of the age of 60 years and over from paying poll tax.
On motion of Mr. McDowell Fogle—5. A bill to amend the charter of the Hustonsville and Columbia turnpike company.

On motion of Mr. Rice—6. A bill to incorporate certain turnpike road companies.

On motion of Mr. Spurr—7. A bill to arrest the demoralization of the slaves of this commonwealth.

On motion of Mr. Bruce—8. A bill to change the time of holding the January term of the Fleming Quarterly Court.


On motion of same—10. A bill to establish a conventional rate of interest.

On motion of Mr. R. Jones—11. A bill to incorporate Poage Lodge No. 325, of Free and Accepted Masons.

On motion of Mr. Helm—12. A bill requiring bonds for title to land to be recorded.

On motion of Mr. McCampbell—13. A bill authorizing the Jessamine County Court to sell a portion of the poor house land of said county.

On motion of Mr. Menzies—14. A bill to amend the laws regulating the county levy of Kenton county.


On motion of same—17. A bill to amend the laws regulating the duties of assessors.

On motion of Mr. Richardson—18. A bill to incorporate the town of Economy, in Kenton county.


On motion of Mr. Cecil—21. A bill for the benefit of John Friend, late sheriff of Floyd county, and Elisha Breeding, late sheriff of Letcher county.

On motion of Mr. Bodley—22. A bill to incorporate the German Mutual Insurance Association, in Louisville.

On motion of same—23. A bill to enlarge the criminal jurisdiction of the city court of Louisville.

On motion of same—24. A bill to amend the charter of the Louisville and Memphis Railroad company.
On motion of Mr. Whiteley—25. A bill for the benefit of Samuel Hyman, of Louisville.


On motion of same—27. A bill for the benefit of Jesse Bayless.

On motion of same—28. A bill for the benefit of George Early.

On motion of Mr. Miller—29. A bill to amend chapter 103 of the Revised Statutes.

On motion of Mr. James M. Fogle—30. A bill to extend the Mechanics' lien law to the county of Marion.

On motion of Mr. Waller—31. A bill to alter the charter of the city of Smithland.

On motion of same—32. A bill to charter a Dock company in the city of Smithland.

On motion of Mr. Turner—33. A bill to amend an act, entitled an act to extend the duty of commissioners of tax.

On motion of same—34. A bill to amend the 1st chapter of the Code of Practice—title, Jurisdiction of the Court of Appeals.

On motion of same—35. A bill for the benefit of Johnson A. Dawson, late sheriff of Powell county.

On motion of Mr. Hargis—36. A bill for the benefit of the county surveyors.

On motion of same—37. A bill repealing an act adding a part of Caney district to Hazlegreen district, in Morgan county.

On motion of same—38. A bill for the benefit of Samuel B. Hadix and his illegitimate children, Lewis, Sarah Ann, and Catharine Davis.

On motion of same—39. A bill to amend the road law of Breathitt county.

On motion of Mr. Ricketts—40. A bill establishing a general Mechanics' lien law.

On motion of same—41. A bill for the benefit of common school districts, Nos. 6 and 33, in Muhlenburg county.

On motion of same—42. A bill to incorporate the Green river Coal, Iron, and Manufacturing Company.

On motion of Mr. J. B. Anderson—43. A bill to charter the Muldrough's Hill and Green river turnpike road company.

On motion of Mr. Gullion—44. A bill to regulate the time of holding the Carroll county court.

On motion of same—45. A bill fixing the terms of the Carroll county court.

On motion of Mr. McElroy—46. A bill to change the time of holding the Union county court.
On motion of Mr. Rogers—47. A bill to incorporate the Cemetery Company at Bowlinggreen.

On motion of same—48. A bill to amend the law of execution in regard to the exemption of property.

On motion of Mr. Goodloe—49. A bill to place all notes for the direct payment of money, when made negotiable, upon the footing of bills of exchange.

On motion of same—50. A bill to amend chapter 42 of the Revised Statutes—title, Gaming.

On motion of Mr. P. Lee—51. A bill to change the time of paying in the revenue by sheriffs.

Ordered, That Messrs. Ware, Bodley, and Bradford prepare and bring in the 1st; Messrs. G. B. Cook, L. Anderson, and McElroy the 2d; the committee on Education the 3d and 41st; the committee on Ways and Means the 4th; the committee on Internal Improvement the 5th, 28th, and 32d; Messrs. Rice, Garrard, and Miller the 6th; the committee on the Judiciary the 7th, 10th, 11th, 12th, 15th, 26th, 30th, 40th, and 49th; the committee on County Courts the 8th, 44th, and 46th; Messrs. L. Anderson, G. B. Cook, and Morrow the 9th; Messrs. McCampbell, Tevis, and Turner the 13th; Messrs. Menzies, Richardson, and Gullion the 14th; Messrs. Menzies, Richardson, and C. Duncan the 16th, 19th, and 20th; the committee on Revised Statutes the 17th, 29th, 48th, and 50th; Messrs. Richardson, Riley, and Menzies the 18th; Messrs. Cecil, Auxier, and Hargis the 21st; Messrs. Bodley, Whiteley, and Lyon the 22d and 23d; Messrs. Bodley, Jolly, and W. J. Berry the 24th; the committee on Claims the 25th, 27th, and 35th; the committee on Propositions and Grievances the 31st; Messrs. Turner, McCampbell, and Spurr the 33d; the committee on the Code of Practice the 34th; Messrs. Hargis, Rice, and James the 36th; Messrs. Hargis, Rice, and Elliott the 37th; Messrs. Hargis, Cecil, and Rice the 38th; Messrs. Hargis, Cecil, and Garrard the 39th; Messrs. Ricketts, Whiteley, and Rogers the 42d; Messrs. J. B. Anderson, Vaughn, and J. M. Fogle the 43d; Messrs. Gullion, Nuttall, and J. A. Duncan the 45th; Messrs. Rogers, Bowling, and Wian the 47th; and the committee on Ways and Means the 51st.

And then the House adjourned.
THURSDAY, JANUARY 3, 1856.

Mr. S. A. Foss, the member returned to serve in this House from the county of Jefferson, appeared, and having taken the oath required by the constitution, took his seat.

Ordered, That a committee on Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. McElroy, McCampbell, Graham, Richard Jones, Gray, Jolly, and Alexander; 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, 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 Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. Gaither, Hicks, Kinslaer, Woods, Mahan, Auxier, and Long, 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 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 Claims be appointed: and a committee was appointed, consisting of Messrs. Philip Lee, Winn, Baker, Worsham, Wood, John B. Anderson, and Thurman; 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: and a committee was appointed, consisting of Messrs. Menziez, James, Bruce, Helm, Rogers, Corbin, and Rice, 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 then 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. Andrew Jones, Montgomery, Riley, Dunn, Waller, Thornton, and Giles, 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 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 of Ways and Means be appointed: and a committee was appointed, consisting of Messrs. Hanson, Hewitt, James M. Fogle, Pell, Archibald C. Brown, Lyon, and Anthony, who are to meet and adjourn from day to day, and take into consideration the revenue laws, and all other matters relative to, or connected with, the fiscal concerns of this Commonwealth, 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. Whiteley, Gulion, Montgomery, Culton, Corbett, Ware, and Littlepage, 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, 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. Bodley, Richardson, Turner, George F. Lee, Ben. Berry, Irvan, and Hargis, 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. Garrard, Long, Nuttall,
Hawkins, Hicks, Miller, and Bradford, who are to meet and adjourn from day to day, and take into consideration the militia laws of this State, and all other matters relating 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. Nuttall, Beauchamp, Ware, Anthony, McCampbell, Graham, and Gaither, who are to meet and adjourn from day to day, and take into consideration all matters in relation 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. Bradford, Spurr, Erasmus O. Brown, English, McCreary, Foss, and Cochrane, who are to meet and adjourn from day to day, and to take into consideration all matters relating to the Penitentiary, 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. Beauchamp, Spurr, Covington, Terry, Morrow, Grasty, and Prichard, who are to meet and adjourn from day to day, and take into consideration all matters relating 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. Hewitt, Marshall, Tevis, Lyon, Bowling, Bohannon, and McCreary, who are to meet and adjourn from day to day, and take into consideration all matters relating 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. Bowling, Deatherage, Smedley, William J. Berry, George B. Cook, and Winn, 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, towns, and cities, and the amount loaned to Directors, and their liabilities on bills of exchange, and the several amounts the fifty highest debtors owe in the cities; and to inquire 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. Charles Duncan, Milton J. Cook, Philip Lee, Elliott, and Vaughn, 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. Goodloe, William J. Berry, Jolly, and Clement, 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 condition and situation, 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. Erasmus O. Brown, Whiteley, Raymond, Cochran, and Cecil, 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. Marshall, James M. Fogle, Hanson, Vanwinkle, James A. Duncan, Lucien Anderson, and
Faris, 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 said committee shall have power to send for persons, papers, and records for their information.

Ordered, That a committee on the Court of Appeals be appointed: and a committee was appointed, consisting of Messrs. James, Bodley, George B. Cook, McDowell Fogle, and Ricketts, who are to meet and adjourn from day to day, and take into consideration all matters relating to, or connected with, the Court of Appeals, 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 Circuit Courts be appointed: and a committee was appointed, consisting of Messrs. Russell, Turner, Ben. Berry, Richardson, and Corbett, who are to meet and adjourn from day to day, and take into consideration all matters relating to, or connected with, the Circuit Courts, 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 County Courts be appointed: and a committee was appointed, consisting of Messrs. Tevis, Ricketts, Booker, Cecil, and Bruce, who are to meet and adjourn from day to day, and take into consideration all matters relating to, or connected with, the County Courts, 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 Revised Statutes be appointed: and a committee was appointed, consisting of Messrs. Vanwinkle, Goodloe, McDowell Fogle, Booker, and McElroy, who are to meet and adjourn from day to day, and take into consideration all matters relating to, or connected with, the revision of the statutes, 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 Code of Practice be appointed: and a committee was appointed, consisting of Messrs. Rogers, James A. Duncan, Lucien Anderson, Bohannon, and Charles Duncan, who
are to meet and adjourn from day to day, and take into consideration all matters relating to, or connected with, the Code of Practice, 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 Enrollments be appointed: and a committee was appointed, consisting of Messrs. Milton J. Cook, Miller Baker, Gray, and Speer.

1. Mr. Turner presented the petition of James R. Harris, Erastus G. H. Harris, and James Harris, Jr., indicted in the Morgan Circuit Court, praying a change of venue from the county of Morgan to the county of Floyd.

2. Mr. Gaither presented the petition of Nathan W. Curry, praying that the boundary line between the counties of Cumberland and Adair may be changed, so as to include him in Adair county.

3. Also, the petition of citizens of Columbia, Adair county, praying the passage of an act vesting the marshal of said town with all the powers of a constable.

4. Mr. James presented the petition of William Sayers, of Pulaski county, praying he may be permitted to peddle dry goods, in this State, without paying for a license.

5. Mr. Vaughn presented the petition of John Moore, jailer of Green county, praying compensation for keeping a pauper lunatic in said jail.

6. Mr. Riley presented the petition of citizens of the town of Brooklyn, praying the passage of an act granting them the privilege of working the streets and alleys of said town, instead of the county roads.

7. Mr. Auxier presented the petition of citizens of Johnson, Floyd, and Morgan counties, praying the formation of a new county out of parts of said counties.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on the Judiciary; the 2d and 7th to the committee on Propositions and Grievances; the 4th to the committee of Ways and Means; the 5th to the committee on Claims; and the 6th to the committee on Internal Improvements.

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

By Mr. Cecil—1. A bill for the benefit of Mosby Strattan, of Ballard county.

By Mr. Turner—2. A bill to amend an act, entitled an act to extend the duty of commissioners of tax, approved March 8, 1851.
By Mr. McDowell Fogle—3. A bill to legalize the proceedings of
the February term, 1852, of the Casey County Court.

By Mr. Whiteley—4. A bill to enlarge the criminal jurisdiction of
the city court of Louisville.

By Mr. Menzies—5. A bill to incorporate the North Kentucky Agri-
cultural Society.

By same—6. A bill to incorporate Olive Branch Encampment, No.
6, I. O. O. F., at Covington.

By same—7. A bill to incorporate Kenton Lodge, No. 24, of the I.
O. O. F., at Covington.

By same—8. A bill for the benefit of E. J. Starr, and his adopted
daughter, Laura.

By Mr. Ricketts—9. A bill to incorporate the Green river Coal, Iron,
and Manufacturing Company.

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

The rule of the House, constitutional provision, and sec-
ond reading
having been dispensed with—the 1st, 3d, 5th, and 8th were referred
the committee on the Judicial;
the 2d, 6th, and 7th to the committee
the Revised Statutes; and the 9th to the committee on Agriculture
and Manufactures.

Ordered, That the 4th bill be referred to the committee of the whole
House, and made the special order of the day for Saturday next.

A message was received from the Governor by Mr. Bibb, Assistant
Secretary of State, which is as follows:

EXECUTIVE DEPARTMENT,
January 3, 1856.

Gentlemen of the Senate

and House of Representatives:

In accordance with the requisition of the law, I herewith transmit to
you a copy of the official bond of the Treasurer of this Commonwealth.
It appearing from the official certificate of the Auditor that the sureties
are worth over $300,000, the bond has been approved by me and filed
in the office of the Secretary of State, accompanied with the certificate
of the oath of office.

Respectfully,

C. S. MOREHEAD.

A message was received from the Senate, by Mr. Wadsworth, an-
nouncing that they had passed bills of the following titles, viz:

An act to change the time of holding the February term of the Ma-
son Circuit Court.

An act to amend the charter of the Richmond and Irvine Turnpike
Road Company.

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

On motion of Mr. Gaither—1. A bill to incorporate the Columbia
Baptist College.
On motion of Mr. Corbett—2. A bill to amend the law in relation to runaway negroes.

On motion of same—3. A bill to amend the common school law.


On motion of Mr. Jolly—5. A bill for the benefit of James Taylor, of Breckinridge county.

On motion of Mr. Irvan—6. A bill for the benefit of Charles Linn, of Calloway county.

On motion of same—7. A bill to change the voting place in District No. —, in Calloway county.

On motion of Mr. Riley—8. A bill to change the time of holding the Quarterly Court of Campbell county.

On motion of Mr. McDowell Fogle—9. A bill to amend articles 6 and 7, of chapter 28, of the Revised Statutes.

On motion of Mr. Ben. Berry—10. A bill to amend the charter of the town of Hopkinsville.

On motion of same—11. A bill to incorporate the Christian county Agricultural and Mechanical Association.

On motion of Mr. Garrard—12. A bill to incorporate the town of Manchester.

On motion of same—13. A bill to amend the law concerning the Turnpike and Wilderness road.

On motion of Mr. Clement—14. A bill to incorporate Bigham Lodge No. 256, of Free and Accepted Masons.

On motion of Mr. Hewitt—15. A bill to divide the State into thirteen judicial districts.

On motion of Mr. James A. Duncan—16. A bill to amend an act, entitled, an act to amend the law in relation to schools and seminaries.

On motion of Mr. Lucien Anderson—17. A bill to amend the act incorporating the town of Mayfield, in Graves county.


On motion of same—19. A bill to alter the collection of taxes in Greenup county.

On motion of Mr. Vaughn—20. A bill to amend the charter of the Greensburg and Taylor county Turnpike Road Company.

On motion of Mr. English—21. A bill to change the time of commencing the common school year.

On motion of Mr. Raymond—22. A bill allowing dower to be relinquished before justices of the peace.

On motion of Mr. Nuttall—23. A bill to prevent mulattoes, negroes, and free negroes from preaching.
On motion of Mr. Cecil—24. A bill for the benefit of Isaac Plymal, of Pike county.

On motion of Mr. Montgomery—25. A bill to amend the law respecting trespasses upon lands.

On motion of Mr. James M. Fogle—26. A bill to legalize the sale of the Poor House, in Marion county, by the Marion County Court.

On motion of Mr. Marshall—27. A bill for the benefit of the late sheriff of Mason county.

On motion of Mr. Erasmus O. Brown—28. A bill to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.


On motion of Mr. Hargis—30. A bill to repeal the act incorporating the town of Jackson, in Breathitt county.

On motion of Mr. William J. Berry—31. A bill for the benefit of James S. Coleman, late sheriff of Ohio county.

On motion of Mr. Charles Duncan—32. A bill to render effectual the road law of Pendleton county.

On motion of Mr. James—33. A bill for the benefit of Hiram Keath, of Pulaski county.

On motion of same—34. A bill to amend the law on the subject of changes of venue in civil cases.

On motion of same—35. A bill to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.

On motion of Mr. John B. Anderson—36. A bill to charter the Green county and Muldrough's Hill Turnpike Road Company.

On motion of Mr. Castry—37. A bill to authorize the Trigg County Court to change the place of voting in Bethesda precinct in said county.

On motion of Mr. Gullion—38. A bill to regulate the fees of Justices of the Peace.

Ordered, That the committee on Education prepare and bring in the 1st, 3d, 16th, and 21st; the committee on the Judiciary the 2d, 10th, 14th, 23d, 23d, and 34th; the committee on Propositions and Grievances the 4th; Messrs. Jolly, Dunn, and Winn the 5th; Messrs. Irvan, George B. Cook, and Waller the 6th; Messrs. Irvan, Waller, and Grasty the 7th; the committee on County Courts the 8th, 15th, 24th, 26th, and 28th; the committee on the Revised Statutes the 9th, 25th, 32d, and 38th; the committee on Agriculture and Manufactures the 11th; Messrs. Garrard, Rice, and Hargis the 12th; the committee on Internal Improvements the 13th, 20th, and 36th; Messrs. Lucien Anderson, Irvan, and George B. Cook the 17th; the committee on Ways and
Means the 10th; the committee on Claims the 27th; the committee on Circuit Courts the 29th; Messrs. Hargis, Rice, and Giles the 30th; Messrs. William J. Berry, Beauchamp, and Ricketts the 31st; Messrs. James, James M. Fogle, and McElroy the 33d; Messrs. James, Montgomery, and Vanwinkle the 35th; Messrs. Grasty, George B. Cook, and Irvin the 37th; and a select committee of one member from each judicial district, and one for the State at large, the 15th.

A bill from the Senate, entitled, an act to change the time of holding the February term of the Mason 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 said bill do pass, and that the title thereof be as aforesaid.

Mr. McElroy moved the following resolution, viz:

Resolved, That the use of the Representative Hall be tendered to the democratic party, to hold their convention, on the 8th day of January instant.

Which was adopted.

Mr. James read and laid on the table the following resolutions, viz:

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the abrogation of the line known as the Missouri compromise line, and the repeal of the restriction as to slavery in the Territories by the compromise measures of 1850, and by the Kansas-Nebraska act, was right, necessary and proper.

2. Resolved, That the Constitution grants no power to Congress to inhibit or establish slavery in the Territories belonging to the United States.

3. Resolved, That it would be a palpable violation of the Constitution for Congress to refuse to admit into the Union any new State formed out of the Territories—the common property of all the States—merely because such new State might tolerate slavery.

4. Resolved, That the principle of non-intervention by Congress on the slavery question, as contained in the Kansas-Nebraska act, is the true policy of the General Government; and that any departure from it would, in our opinion, greatly endanger the existence of the Union.

5. Resolved, That regarding the Kansas-Nebraska act as a great national and constitutional measure, the thanks of the people of the south are especially due those members of Congress from the north who assisted in its passage, and to the President of the United States who approved it.

6. Resolved, That the repeal or modification of the fugitive slave law would also, greatly endanger the safety of the Union; and that the thanks of the people are due to the President of the United States for his firmness and efficiency in its execution.

7. Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to vote in accordance with the princi-
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pies of these resolutions; and not to vote for any man for office who is not willing to stand by and carry out the same.

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

Mr. Spurr moved the following resolution, viz:

Resolved, That so much of the Governor's Message as refers to the finances of the Commonwealth, be referred to the committee on Ways and Means.

That so much of said message as refers to the subject of education and the common school system, be referred to the committee on Education.

That so much of said message as refers to charitable institutions, be referred to the committee on Ways and Means.

That so much of said message as refers to the State Prison, be referred to the committee on the Penitentiary.

That so much of said message as refers to the militia, be referred to the committee on Military Affairs.

That so much of said message as refers to the registration law, be referred to the committee on Education.

That so much of said message as refers to the geological and mineralogical survey of the State, be referred to the committee on Agriculture and Manufactures.

That so much of said message as refers to agriculture and manufactures, be referred to the committee on Agriculture and Manufactures.

That so much of said message as refers to internal improvement, be referred to the committee on Internal Improvement.

That so much of said message as refers to Banks, be referred to the committee on Banks.

That so much of said message as refers to the judiciary, be referred to the committee on the Judiciary.

That so much of said message as refers to federal affairs, be referred to the committee on Federal Relations.

Which was adopted.

And then the House adjourned.
FRIDAY, JANUARY 4, 1856.

The Speaker laid before the House the annual report of the Keeper of the Penitentiary.

[For Report—see Legislative Documents.]

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

The Speaker laid before the House the biennial report of the trustees of the Kentucky Institution for the education of the deaf and dumb, at Danville.

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 1000 copies of said report—500 of which to be for the use of said Institution, and 500 copies for the use of the members of this House.

The Speaker appointed Messrs. Hewitt, Corbett, McElroy, Helm, Bowling, Vanwinkle, Bodley, George F. Lee, Richardson, Marshall, Bruce, Hanson, and Garrard a committee to prepare and bring in the bill to divide the State into thirteen judicial districts.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

- An act to establish an additional voting place in Hayes’ district, in Hickman county.
- An act to incorporate the Speedwell Turnpike Road Company, in Madison county.
- An act to incorporate Noah’s Dove Lodge, No. 29, Independent Order of Odd Fellows, of Newport.
- An act to confirm the establishment of the Louisville and Newburg road in Jefferson county, and to change the name thereof.
- An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

1. Mr. Bruce presented the petition of Joshua Oaks and others, praying the passage of an act authorizing said Oaks, who has purchased the Ferry over the Ohio river at Greenupspurg, to reside in the State of Ohio without forfeiting his ferry privilege.

2. Mr. Helm presented the petition of the trustees of school district No. 15, in Hardin county, praying they may be permitted to report for a school taught in said district for 1851, and receive their share of the school fund.

3. Mr. Beauchamp presented the petition of citizens of Barren,
Cumberland, Monroe, Adair, and Green counties, praying the formation of a new county out of parts of said counties.

Which were received, the reading dispensed with, and referred—the 1st to the committee on County Courts; the 2d to the committee on Claims, and the 3d 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 Agriculture and Manufactures—1. A bill to incorporate the Union Agricultural and Improvement Association of Mason and Bracken counties.

By Mr. Irvan—2. A bill for the benefit of Charles Linn, sen., of Calloway county.

By same—3. A bill to change the place of voting in Radford’s precinct, in Calloway county.

By Mr. Cecil—4. A bill for the benefit of John Friend and Elisha Breeding.

By Mr. McCampbell—5. A bill authorizing the Jessamine County Court to sell a portion of the Poor House land in said county.

By Mr. Grasty—6. A bill to change the place of voting in Bethesda precinct in Trigg county.

By Mr. James M. Fogle—7. A bill to amend an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company.

By Mr. Ware—8. A bill to incorporate Benevolent Lodge, No. 58, of Free and Accepted Masons.

By Mr. Smedley—9. A bill for the benefit of Elizabeth Rucker.

By Mr. Lucien Anderson—10. A bill to amend an act incorporating the town of Mayfield, Graves county.

By Mr. Hargis—11. A bill to repeal an act, approved February 18th, 1854, changing the boundary of Hazel Green district, in Morgan county.

By Mr. Bodley—12. A bill to incorporate the German Mutual Insurance Association in Louisville.

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, 6th, 9th, 10th, 11th, and 12th were severally ordered to be engrossed and read a third time; the 3d was referred to the committee on Propositions and Grievances; the 4th to the committee on Ways and Means, the 5th to the committee on County Courts; the 7th to the committee on Internal Improvement; and the 8th to the committee on the Judiciary.
The rule of the House, constitutional provision, and third reading of the 1st, 2d, 6th, 8th, 10th, 11th, and 12th bills having been dispensed with, and the same being engrossed.

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

The Speaker laid before the House the response of the Auditor to the resolution proposed by Mr. Menzies on Tuesday, which is as follows, viz:

AUDITOR'S OFFICE,
FRANKFORT, JANUARY 4, 1856.

Hon. John B. Huston,
Speaker of the House of Representatives:

Sir: In accordance with a resolution of the 1st instant, by the House of Representatives, I send report of Suits, &c.

I am, very respectfully,

THO. S. PAGE, Auditor.

FIRST DISTRICT.

<table>
<thead>
<tr>
<th>COUNTIES</th>
<th>Suits 1851 to 1855</th>
<th>Number of Suits for five years</th>
<th>Average number per year</th>
<th>Number of Judicial days</th>
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SECOND DISTRICT.

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### EIGHTH DISTRICT.

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### NINTH DISTRICT.

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### TENTH DISTRICT.

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### TWELFTH DISTRICT

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In making up the above table, I find a large number of the counties have failed to make full returns for all the years named; and in such cases the report of the previous year is substituted. The table is as near correct as can be made from the returns to this department.

Respectfully,

THO. S. PAGE, Auditor.

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

Bills from the Senate were taken up, of the following titles, viz:

1. An act to amend the charter of the Richmond and Irvine Turnpike Road Company.

2. An act to establish an additional voting place in Hayes' district, in Hickman county.

3. An act to incorporate the Speedwell Turnpike Road Company, in Madison county.

5. An act to confirm the establishment of the Louisville and Newburg road, in Jefferson county, and to change the name thereof.

6. An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with—the 1st, 3d, and 5th were referred to the committee on Internal Improvement; the 2d to the committee on Privileges and Elections; and the 6th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 4th bill having been dispensed with,

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

And then the House adjourned.

SATURDAY, JANUARY 5, 1856.

Mr. David R. Dugan, the member returned to serve in this House from the county of Nelson, appeared, and having taken the oath prescribed by the constitution, took his seat.

The Speaker laid before the House the biennial report of the Treasurer, viz:

TREASURY DEPARTMENT,
FRANKFORT, January 5, 1856.

To Hon. John B. Huston,
Speaker of the House of Representatives:

Sir: I have the honor to communicate to you the biennial report of this Department.

Very respectfully,
R. C. WINTERSMITH, Treasurer.

[For Report—see Legislative Documents.]

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

The Speaker laid before the House a report from the Secretary of State, in relation to the vote cast at the last August election on the school tax, viz:


HON. JOHN B. HUSTON,
Speaker of the House of Representatives:

Sir: In obedience to the provisions of an act approved 7th March, 1854, entitled, an act for the benefit of the common school system, and of an act approved March 10th, 1854, entitled, an act to amend the act authorizing an additional tax for common school purposes, I beg leave to report:

That it appears by the returns on file in this office that on the question submitted to the qualified voters of this commonwealth, on the first Monday in August last, viz: Are you for or against levying an additional tax of three cents on each one hundred dollars worth of property to increase the common school fund? the several counties in the State voted as follows, viz:

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<th>Against Tax</th>
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Total        | 83,736   | 25,756       |
All which is respectfully submitted.
I have the honor to be,
Your obedient servant,
MASON BROWN, Secretary of State.

The Speaker laid before the House reports of the Auditor, viz:
AUDITOR'S OFFICE, K.Y.,
FRANKFORT, January 5, 1856.

Hon. JOHN B. HUSTON,
Speaker of the House of Representatives:

Sir: I send reports from this Department, viz:
No. 1—Auditor's Report, 1854.
No. 2—Auditor's Report, 1855.
No. 3—Registration Report, 1854.
No. 4—Registration Report, 1855.

I am, very respectfully,
THO. S. PAGE, Auditor.

[For Reports—see Legislative Documents.]

Mr. Bruce presented the petition of citizens of Fleming, Morgan, and Carter counties, praying the formation of a new county out of parts of said counties.

Mr. Speer presented the petition of citizens of Shelby county, praying a change in the dividing line of Oldham and Shelby counties.

Which were received, the readings dispensed with, and referred to the committee on Propositions and Grievances.

Mr. Philip Lee, from the committee on Claims, reported a bill for the benefit of W. B. A. Baker, late sheriff of Mason county, 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 forty-seven dollars be and the same is hereby appropriated to reimburse W. B. A. Baker, late sheriff of Mason county, for his outlay in maintaining a jury of said county, by order of the Judge of the Mason Circuit Court, in the case of the Commonwealth vs. William Brookover.

SEC. 2. That the Auditor be, and he is hereby empowered and directed to draw his warrant upon the Treasurer, in favor of said Baker, for said sum of money, payable out of any moneys not otherwise appropriated.

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 be as aforesaid.

The yeas and nays being required on the passage of said bill, by Messrs. Philip Lee and Nuttall, were as follows, viz:

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) John S. Hargis, David H. Raymond,
John B. Anderson, Ben Hardin Helm, Robert Richardson,

Those who voted in the negative, were

Mr. Whiteley, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled, an act to confirm the establishment of the Louisville and Newburg road, in Jefferson county, and to change the name thereof, 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 said bill do pass, and that the title thereof be as aforesaid.

Mr. Menzies, from the committee on the Judiciary, to whom were referred bills of the following titles, viz:

A bill for the benefit of E. J. Starr, and his adopted daughter, Laura.

A bill to legalize the proceedings of the February term, 1852, of the Casey County Court.
A bill for the benefit of Moseby Strattan, of Ballard 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 be as aforesaid.

Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill to incorporate the North Kentucky Agricultural Society, reported the same, with an amendment, 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 several committees appointed to prepare and bring in the same, viz: 

By the committee on the Judiciary—1. A bill to incorporate Allen Lodge Masonic Female College.

By same—2. A bill to amend the law on the subject of changes of venue in civil cases.

By same—3. A bill prohibiting magistrates from taxing Attorney’s fees.

By same—4. A bill to amend the 8th section of the 13th chapter of the Revised Statutes.

By the committee on Internal Improvement—5. A bill to change the route of the Wilderness Turnpike Road.

By the committee on County Courts—6. A bill to legalize the subscription of the Woodford County Court to the Versailles and Monday’s Landing Turnpike Road.

By same—7. A bill for the benefit of Joshua Oaks.

By Mr. Rogers—8. A bill to incorporate the Copeley Cemetery Company, of Bowlinggreen.

By Mr. John B. Anderson—9. A bill to charter the Muldrough’s Hill and Green river Turnpike Road Company.

By Mr. George B. Cook—10. A bill to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

By Mr. Bodley—11. A bill to amend the charter of the Louisville and Memphis Railroad Company.

By Mr. Winn—12. A bill for the benefit of James Taylor, of Hardinsburg.
By Mr. Menzies—13. A bill to amend the laws relating to the County Court levy of Kenton county.

By Mr. James—14. A bill for the benefit of Hiram Keath, of Pulaski county.

By same—15. A bill to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.

By Mr. Hargis—16. A bill to change the road law of Breathitt county.

By same—17. A bill to legitimate the illegitimate children of Samuel B. Haddix.

By same—18. A bill to repeal the act incorporating the town of Jackson.

By same—19. A bill for the benefit of County Surveyors.

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, 10th, 12th, 14th, 15th, 17th, and 18th were severally ordered to be engrossed and read a third time; the 8th and 11th were referred to the committee on Internal Improvement; the 13th to the committee on County Courts; the 16th to the committee on Circuit Courts; and the 19th to the committee on the Library.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, 10th, 12th, 14th, 15th, 17th, and 18th bills having been dispensed with, and the same being engrossed, Resolved, That said bills do pass, and that the titles be as aforesaid.

Mr. Bulley moved that the committee of the whole be discharged from the consideration of the bill to enlarge the criminal jurisdiction of the city court of Louisville, and the same be referred to the committee on the Judiciary.

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

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That his Excellency, the Governor, be requested to order a salute to be fired on the 8th of January instant, in honor of the victory won at New Orleans over the enemies of our common country; and on the 22d of February next, in honor of the birthday of General Washington.

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.

Mr. Philip Lee moved the following resolution, viz:
Resolved, That the roll of the counties be called regularly every Monday.
Which was adopted.

Leave was given to bring in the following bills, viz:
On motion of Mr. Helm—1. A bill to amend the charter of the Louisville and Nashville Railroad Company.
On motion of Mr. Prichard—2. A bill to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company, approved February 10, 1852.
On motion of same—3. A bill to incorporate the Great Western Mining and Manufacturing Company.
On motion of Mr. Richardson—4. A bill to amend the charter of the city of Covington.
On motion of Mr. Winn—5. A bill for the benefit of D. C. Murphy, of Barren county.
On motion of Mr. Andrew Jones—6. A bill to incorporate the Owensboro' and Wolf Hill Railroad Company.
On motion of same—7. A bill to incorporate the Wolf Hill Coal and Mining Company.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, and 4th bills; the committee on Internal Improvement the 3d, 6th, and 7th; and the committee on Claims the 5th.

Mr. McElroy moved that the joint resolutions laid on the table, on Thursday, by Mr. James, be referred to the Committee of the Whole, and made the special order of the day for the 10th instant.

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

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

Those who voted in the affirmative, were
Richard B. Alexander, John C. McCreary,
Lucien Anderson, James M. Fogle,
John B. Anderson, Nathan Gaither,
William T. Anthony, Daniel Garrard,
John B. Auxier, Henry Giles,
John S. Bohannon, Gordon B. Grasty,
William B. Booker, Anderson Gray,
Colbert Cecil, Benjamin Gallion,
Isaac N. Clement, John S. Hargis,
John B. Cochran, Hiram Hawkins,
George B. Cook, John L. Irvan,
Thomas H. Corbett, Andrew J. James,
David R. Dugan, Jas. S. Littlepage,
Ephraim B. Elliott, Pleasant W. Mahan,
Those who voted in the negative, were

Mr. Speaker, (Huston,) George C. Fari s, W. C. Montgomery, 
William B. A. Baker, Sidney A. Foss, Samuel B. Pell, 
R. P. Beauchamp, John K. Goodloe, Andrew J. Prichard, 
William S. Bodley, Alfred F. Graham, David H. Raymond, 
Robert C. Bowling, Ben Hardin Helm, Joseph Ricketts, 
Laban J. Bradford, Greenberry Hicks, George C. Rogers, 
Archibald C. Brown, Gideon P. Jolly, James A. Russell, 
Erasmus O. Brown, Andrew Jones, Richard Spurr, 
Horatio W. Bruce, Richard Jones, Thomas J. Terry, 
Milton J. Cook, James Kinslaer, Joshua Tevis, 
James M. Corbin, George F. Lee, David L. Thurman, 
Coleman Covington, Philip Lee, James H. Turner, 
James Culton, Samuel Long, E. L. Vanwinkle, 
Frank P. Deatherage, John G. Lyon, James T. Ware, 
Charles Duncan, Charles A. Marshall, L. A. Whiteley, 
James A. Duncan, Jas. H. McCampbell, Thomas H. M. Winn, 
Joshua Dunn, John W. Menzies, Francis M. Woode, 

Mr. Bodley moved that said resolutions be referred to the committee on Federal Relations.

Mr. McElroy moved that the committee be instructed to report said resolutions to this House on the 10th instant, without amendment.

The question being then taken on Mr. McElroy’s motion to instruct the committee, it was decided in the negative.

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

Those who voted in the affirmative, were

Richard B. Alexander, James M. Fogle, John C. McCreadgey, 
Lucien Anderson, McDowell Fogle, Hiram McElroy, 
John B. Anderson, Nathan Gaither, William M. Morrow, 
William T. Anthony, Daniel Garrard, Elijah F. Nuttall, 
John B. Auxier, Henry Giles, Benjamin F. Rice, 
John S. Bohannon, Gordon B. Grasty, Robert Richardson, 
William B. Booker, Anderson Gray, William Riley, 
Colbert Cecil, Benjamin Gullion, Charles C. Smedley, 
Isaac N. Clement, John S. Hargis, James M. Speer, 
John B. Cochran, Hiram Hawkins, Richard S. Thornton, 
George B. Cook, John L. Irvan, Fielding Vaughan, 
Thomas H. Corbett, Andrew J. James, Willie Waller, 
David R. Dugan, Jas. S. Littlepage, Hiram Wood—41. 
Ephraim B. Elliott, Pleasant W. Mahan, 

Those who voted in the negative, were

Mr. Speaker, (Huston,) George C. Fari s, W. C. Montgomery, 
William B. A. Baker, Sidney A. Foss, Samuel B. Pell, 
R. P. Beauchamp, John K. Goodloe, Andrew J. Prichard, 
William S. Bodley, Alfred F. Graham, David H. Raymond, 
Robert C. Bowling, Ben Hardin Helm, Joseph Ricketts, 

The question being then taken on the adoption of Mr. Bodley’s motion, it was decided in the affirmative.

And then the House adjourned.

MONDAY, JANUARY 7, 1856.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:

An act for the benefit of Elizabeth Rucker.

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

An act to facilitate the trial of equity causes.

An act to amend section 900 of the Code of Practice in civil cases.

An act giving additional jurisdiction to the police judge of Owingsville.

An act for the benefit of Thomas Landrum, late sheriff of Daviess county.

An act to incorporate the Hopkins Mastodon Coal and Iron Mining and Manufacturing Company.

An act for the benefit of William J. Berry and Seth R. Moseley.

A resolution in relation to firing national salutes on the 8th of January and the 22d of February.

1. Mr. Beauchamp presented the petition of citizens of Nelson, Marion, Larue, and Hardin counties, praying the formation of a new county out of parts of said counties.

2. Mr. Woods presented the petition of citizens of Lewis county,
praying that William Harris be permitted to peddle without paying for a license.

3. Mr. Dugan presented the petition of citizens of Nelson county, praying the passage of an act setting apart all money collected by taxes of the free negroes in this State, as a fund to be used in sending emigrants from this State to Liberia.

4. Mr. Rogers presented the petition of John D. Mannen, praying the legislature to reimburse him in the sum of $100—alleged loss incurred in distributing public documents in 1854.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Ways and Means; the 3d to the committee on Religion; and the 4th to the committee on Claims.

Leave was given to bring in the following bills, to-wit:

On motion of Mr. Hawkins—1. A bill for the benefit of school district No. 37, in Bath county.

On motion of Mr. George F. Lee—2. A bill to incorporate Columbia College.

On motion of Mr. Bradford—3. A bill to amend the charter of the city of Augusta.


On motion of same—5. A bill to incorporate the 1st Presbyterian church, in the city of Augusta.

On motion of Mr. George B. Cook—6. A bill to incorporate the Princeton and Eddyville Turnpike Road Company.

On motion of same—7. A bill to authorize the Lyon County Court to establish an additional justices' district.

On motion of Mr. Irvan—8. A bill to amend the Code of Practice, so as to give Circuit Courts jurisdiction over roads and public highways, by presentment.

On motion of Mr. McDowell Fogle—9. A bill to empower the County Courts to regulate or change the places of voting in their respective counties.

On motion of Mr. Turner—10. A bill the better to protect the rights of married women, in certain cases.

On motion of same—11. A bill for the benefit of the railroad taxpayers of Clarke county.

On motion of same—12. A bill for the better protection and management of the State Library.

On motion of Mr. Garrard—13. A bill to incorporate the Paris and Cumberland Gap Railroad Company.
On motion of Mr. Long—14. A bill to change the time of meeting of the General Assembly.

On motion of same—15. A bill for the benefit of Vincent Taylor, of Cumberland county.

On motion of Mr. Clement—16. A bill to change the time of holding the Quarterly Courts in Crittenden county.

On motion of Mr. Rice—17. A bill to amend chapter 42, of the Revised Statutes.

On motion of same—18. A bill to amend the chapter on crimes and punishments, in the Revised Statutes.

On motion of Mr. Graham—19. A bill to empower justices of the peace to take acknowledgments of deeds.

On motion of Mr. Auxier—20. A bill declaring navigable that portion of Licking river which is in Floyd and Morgan counties.


On motion of Mr. Hewitt—22. A bill for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute.

On motion of same—23. A bill for the benefit of G. W. Kouns.

On motion of Mr. Vaughn—24. A bill to amend section 13, of article 17, of chapter 28, of the Revised Statutes.

On motion of Mr. English—25. A bill to amend the charter of the Louisville Turnpike Road Company.

On motion of Mr. Helm—26. A bill in aid of counties that have subscribed stock in railroads, and to promote internal improvement and common school education.

On motion of same—27. A bill to require the sale of slaves to be recorded.

On motion of Mr. Culton—28. A bill to take the sense of the citizens of Knox county, on the propriety of removing the county seat of said county.

On motion of Mr. Nuttall—29. A bill to enable Joseph Yeager, of Trimble county, to prosecute a writ of error from the decision of the District Court of the United States, for the State of Indiana, in the case of Yeager vs. Rowe, to the Supreme Court of the United States.

On motion of same—30. A bill for the benefit of clerks and sheriffs.


On motion of Mr. Foss—32. A bill for the benefit of parents and guardians, and students at colleges, academies, and military institutions.

On motion of Mr. McCampbell—33. A bill to authorize the Jessa-
mine County Court to purchase bonds of the Lexington and Danville Railroad Company.

On motion of Mr. Menzies—34. A bill to provide for the copying of the deed books of Kenton county.

On motion of same—35. A bill to amend the charter of the Southern Bank of Kentucky.

On motion of Mr. Richardson—36. A bill to enlarge the jurisdiction of magistrates in district No. 3, Kenton county.

On motion of same—37. A bill to establish a system of police regulation, in certain parts of Kenton county.

On motion of same—38. A bill to provide for the re-organization of Transylvania University.

On motion of Mr. Cecil—39. A bill to regulate the salaries of County Judges.

On motion of same—40. A bill to regulate the salaries of Commonwealth’s Attorneys.

On motion of Mr. Montgomery—41. A bill for the benefit of H. W. Faris and Ambrose Buford, of Lincoln county.

On motion of same—42. A bill in relation to the retailing of spirituous liquors.

On motion of Mr. Bowling—43. A bill to increase the jurisdiction of magistrates, and requiring them to execute bonds.

On motion of Mr. Miller—44. A bill to incorporate the Richmond and Big Hill Turnpike Road Company.

On motion of Mr. Erasmus O. Brown—45. A bill to regulate the standard weight of certain products.

On motion of Mr. Ricketts—46. A bill to reduce the number of jurors in Quarterly Courts, Police Courts, and Courts of Justices of the Peace, and providing for their compensation.

On motion of same—47. A bill for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

On motion of same—48. A bill to authorize the Muhlenburg County Court to re-district said county, and to create an additional constable’s district.

On motion of Mr. Dugan—49. A bill to amend the charter of Bardstown.

On motion of Mr. Charles Duncan—50. A bill to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

On motion of Mr. McCreary—51. A bill to amend an act, entitled, an act incorporating the Kentucky State Medical Society, approved November 24, 1851.

On motion of Mr. Booker—52. A bill to charter the Springfield Union Agricultural and Mechanical Association.
On motion of Mr. Vanwinkle—53. A bill for the benefit of C. Hays Buster, of Wayne, and Z. Rosenfield, of Pulaski county.

On motion of same—54. A bill to change the number of children in the school districts, and the school ages of children.

On motion of Mr. Goodloe—55. A bill for the benefit of Robert P. Pepper, of Woodford county.


On motion of Mr. Bodley—57. A bill reserving power to amend or repeal charters and other laws hereafter enacted.

On motion of same—58. A bill to amend the charter of the Protestant Episcopal Asylum, of the city of Louisville.

On motion of same—59. A bill to authorize the Louisville and Frankfort Railroad Company to fund its debts.

On motion of same—60. A bill to amend the charter of the Louisville and Frankfort Railroad Company.

On motion of Mr. Winn—61. A bill to amend the 27th chapter of the Revised Statutes.

Ordered, That the committee on Education prepare and bring in the 1st, 2d, 3d, 38th, and 54th bills; the committee on Propositions and Grievances the 4th, 28th, 41st, 53d, and 58th; Messrs. Bradford, Ricketts, and Goodloe the 5th; the committee on Internal Improvement the 6th, 13th, 29th, 44th, 59th, and 60th; the committee on County Courts the 7th, 9th, 16th, 33d, 34th, 39th, 46th, 48th, and 56th; the committee on the Code of Practice the 8th; the committee on the Judiciary the 10th, 11th, 14th, 19th, 27th, 30th, 31st, 32d, 36th, 37th, and 43d; the committee on the Library the 12th; the committee on Religion the 15th; the committee on Revised Statutes the 17th, 18th, 24th, 42d, 45th, 50th, 51st, 57th, and 61st; the committee on Ways and Means the 21st; Messrs. Hewitt, Grasty, and Prichard the 22d; Messrs. Hewitt, Elliott, and Richard Jones the 23d; Messrs. English, Helm, and Bruce the 25th; Messrs. Heim, English, and Bruce the 26th; the committee on Claims the 29th and 47th; the committee on Banks the 35th; the committee on Circuit Courts the 40th; Messrs. Dugan, Littlepage, and James M. Fogle the 49th; the committee on Agriculture and Manufactures the 52d; and Messrs. Goodloe, James M. Fogle, and Spurr the 55th.

A message was received from the Senate, announcing that they had concurred in a resolution of this House, in relation to firing salutes on the 8th of January and 22d of February.

On motion of Mr. Bradford,

Ordered, That the annual report of the Keeper of the Penitentiary be referred to the committee on the Penitentiary.
Mr. Menzies moved the following resolution, viz:

Resolved, That the select committee of 13, to divide the State into 13 judicial districts, be instructed to report a bill simply forming the 13 districts, without attempting to arrange the number of juridical days for the several counties, or the times for the commencement of the terms.

And the question being taken thereon, it was rejected.

Mr. McElroy moved the following resolutions, viz:

Resolved, That it shall be one of the rules of this House, during the balance of the present session, that on each Saturday it shall be the duty of the Speaker to cause a call of the counties to be made, in order to give the members an opportunity to obtain leave to bring in bills, introduce resolutions, and make reports from select committees.

Resolved, That the resolution heretofore passed, requiring the call of the counties every Monday, for the purpose aforesaid, be rescinded.

Which were adopted.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in this House, of the following title:

A resolution in relation to firing a national salute on the 8th of January and 22d of February,

And had found the same duly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

Bills from the Senate of the following titles, viz:

1. An act to facilitate the trial of equity causes.

2. An act to amend section 900 of the Code of Practice in civil cases.

3. An act giving additional jurisdiction to the police judge of Owingsville.

4. An act for the benefit of Thomas Landrum, late sheriff of Daviess county.

5. An act to incorporate the Hopkins Mastodon Coal and Iron Mining and Manufacturing Company.

6. An act for the benefit of William J. Berry and Seth R. Moseley. 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 3d were referred to the committee on the Judiciary; the 2d to the committee on the Code of Practice; the 4th to the committee on Ways and Means; and the 6th to the committee on Propositions and Grievances.

The rule of the House, constitutional provision, and third reading of the 5th bill having been dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
A resolution from the Senate, in relation to firing salutes on the 8th of January and the 22d of February, was then taken up, twice read, and rejected.

The House was then adjourned until Wednesday morning, at 10 o'clock.

WEDNESDAY, JANUARY 9, 1856.

Mr. Bodley presented a memorial from the Kentucky Colonization Society, asking the passage of an act appropriating $5,000 a year, for five years, out of the treasury, to aid in the emigration of free negroes to Liberia, from this State.

Said memorial reads as follows, to-wit:

To the General Assembly of the Commonwealth of Kentucky:

Your memorialists, the Board of Directors of the Kentucky State Colonization Society, ask leave to lay before your body the claims of African Colonization, in behalf of the free blacks of Kentucky.

The Kentucky State Colonization Society has been organized and sustained wholly and solely by Kentuckians living in the different counties of the State. It was incorporated by the Legislature of Kentucky in 1847. The design of the Society is to remove the free negroes of Kentucky to Liberia, on the Western coast of Africa. The Society, by the voluntary donations of citizens in the State, purchased a tract of Land in Liberia, 40 miles square, for $5,000. The land is rich, and yields abundantly to the cultivation of cotton, sugar cane, coffee, ginger, pepper, indigo, arrow root, cassada, yams, maize, rice, potatoes, &c. Dye stuffs can be extensively exported. Gums can be made a great branch of trade. Palm oil is easily obtained from the palm tree that flourishes in Liberia. The land has a southern boundary of 40 miles on the St. Paul's river, one of the largest navigable streams in Liberia. The Kentucky settlement is at this time one of the most prosperous settlements in Liberia. Every emigrant from Kentucky is entitled to the rights and privileges of the Government of Liberia. The head of each family from Kentucky, upon his arrival in Kentucky in Africa, has deeded to him five acres of land as his property. The same quantity of land is given to every unmarried adult from Kentucky.

Private benevolence has fostered this laudable undertaking. It knows of no sect in religion, nor no party in politics, in asking and receiving pecuniary aid to send emigrants annually from Kentucky to Liberia. But those who have contributed to this object, ask why does...
not the Legislature of the State make an annual appropriation to aid the free negroes in the State to go to Liberia. The State is able to do it, and ought to do it. The members of the Legislature know how their constituents regard this class of our population, and wish some humane measure to be taken to induce them to leave the State. And there is truth and propriety in such statements on this subject. Certainly the Legislature cannot ask for a stronger expression of public opinion on this subject than that which the people have given in the adoption of the Constitution of the State, which declares that the General Assembly has power to pass laws to prevent slaves, when emancipated by their masters, from remaining in the State. Will the people, who have thus decided, say they are indifferent whether those already free shall leave the State or remain in it. Their vote no doubt was based on the full belief that it was not a wise policy to have a class of negroes in the State whose presence added neither strength nor wealth to Kentucky. Shall then the free negroes in the State be encouraged by the Legislature (the organ to speak for the people) to remove hence, and find a home for themselves and their offspring in Liberia. Here they have no welcomed home. To find one in a free State in the United States, or in Canada, is a detriment to themselves as freemen, and unwise in its bearings upon the contentment of the slaves. The question now is, shall individual contributions be relied on to assist this class to go to Liberia, or shall Legislative aid be granted to do it? Upon the vote of the Legislature depends the answer.

It is not a novel measure for a Legislature to be asked by its own constituents to make an annual appropriation to this object, in reference to free blacks living within the limits of the State. Maryland gives annually $10,000; Virginia, $30,000; Tennessee, $3,000; Missouri, $3,000; Indiana, $3,000; Tennessee, $3,000; New Jersey, $2,000, and Connecticut, $2,000. The citizens of Ohio have contributed $6,000 to buy a tract of land in Liberia, that her black population may have land given to them upon emigrating there. And cannot Kentucky be added to this list of States? Cannot this Legislature make an appropriation of $5,000 a year for five years, to accomplish the same purpose in the bounds of the State? Is it too great a sum to protect the slave in his morals? Is it too high a value for guarding the morals of white children who come in contact with slaves who consort with free blacks? If the Legislature deem it best, instead of appropriating directly $5,000 a year for five years, from the treasury, let an act be passed setting apart all money collected by taxes of the free negroes in Kentucky, and paid into the treasury of the State, to be used by the Kentucky State Colonization Society in sending emigrants from Kentucky to Liberia. Provided the sum drawn from the Treasury from this source does not exceed $5,000 a year, for five years. The wisdom of the Legislature can decide upon the details of drawing the money, as well as the source of supply. We ask for this subject your consideration. We approach you as having authority in this matter. Upon your decision the plea is granted or refused. About 10,000 free blacks are residing in Kentucky. Measures have been taken by the people, through their Constitution, that this number shall not be increased by masters emancipating their slaves to remain in Kentucky. But no pe-
Cumiary measures have been taken by an act of the Legislature to aid those already in the State to seek a home in Liberia. They are now before you in their poverty as a body. Their freedom cannot be recalled. We, the proper organ of the benevolent who have fostered this cause, have now laid before you, as we trust, respectfully, this appeal. And as a part and parcel of those citizens of Kentucky who own slaves, and share in paying taxes to supply the treasury of the State to meet the expenses of its government, and to aid every wise, and necessary, and benevolent plan to better the moral, social, and political interest of the State, solicit, with others, an annual appropriation for State Colonization purposes.

H. Wingate, Secretary.


Which was received, the reading dispensed with, and referred to Messrs. Bodley, McElroy, Marshall, Bowling, Gaither, Vanwinkle, and Cochran.

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

1. Mr. Waller presented the memorial of the Board of Internal Improvement for Scott county, praying the passage of an act to protect the rights of the State and stockholders in the turnpike road from the Franklin county line to the Bourbon county line.

2. Mr. Russell presented the petition of citizens of Todd county, praying the passage of an act authorizing the Judge of the Todd Circuit Court, by appropriate decree, to cause a sale of slaves belonging to the estate of Doctor B. B. Chiles, late of said county.

3. Mr. Rice presented the petition of citizens of Estill county, praying that Milton G. Mize, of said county, be permitted to keep a coffee house in Irvine, and to retail liquors, by obtaining license and paying therefor.

4. Mr. Beauchamp presented the petition of citizens of Marion county, praying the formation of a new county out of parts of Nelson, Marion, Larue, and Hardin counties.

5. Mr. Richardson presented the petition of citizens of Campbell county, praying the passage of a law granting to the Campbell Circuit and County Courts similar court privileges to those now enjoyed by the Kenton Circuit and County Courts.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on the Judiciary; the 3d to the committee on County Courts; the 4th to the committee on Propositions and Grievances; and the 5th to the committee on Circuit Courts.

Ordered, That Mr. Ware have leave of absence, indefinitely.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:
An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.

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

An act for the benefit of William B. White, late sheriff of Whitley county.

An act for the benefit of R. C. Wintersmith.

Mr. Philip Lee, from the committee on Claims, to whom was referred leave to bring in a bill for the benefit of Samuel Hyman, asked to be discharged from the further consideration thereof, which was granted.

Mr. Menzie's, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to incorporate the Providence Mining, Manufacturing, and Shipping Company, reported the same with amendments, which were concurred in.

Ordered, That said bill, as amended, be re-committed to the committee on the Judiciary.

Mr. Menzie's, from the same committee, to whom was referred a bill to incorporate Benevolent Lodge, No. 58, of Free and Accepted Masons, 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 said bill was rejected.

Mr. Menzie's, from the same committee, who were appointed to prepare and bring in the same, reported a bill to increase the power, duties, and liabilities of the Marshal of the town of Columbia.

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 question being taken on the passage of said bill, it was decided in the negative; and so said bill was rejected.

Mr. Menzie's, from the same committee, who were appointed to prepare and bring in the same, reported a bill to declare seduction a crime, and fixing a punishment for it.

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. Nuttall offered a substitute for said bill.

Ordered, That said bill and substitute be referred to the committee on the Revised Statutes.

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 to amend the charter of the town of Hopkinsville.
By same—2. A bill to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

By same—3. A bill to authorize married women to convey real estate under power of attorney.

By the committee on County Courts—4. A bill to change the time of holding the County Court of Oldham county.

By same—5. A bill to regulate the time of holding the Carroll County Court.

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, and 5th were severally ordered to be engrossed and read a third time; and the 3d was referred to the committee on the Revised Statutes.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 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.

Mr. Whiteley, from the committee on Internal Improvement, to whom was referred leave to bring in a bill to repeal certain acts in relation to the Turnpike and Wilderness road, asked to be discharged from the further consideration thereof, which was granted.

Mr. Whiteley, 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 Richmond and Irvine Turnpike Road Company.

An act to incorporate the Speedwell Turnpike Road Company, in Madison 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.

Mr. Whiteley, from the same committee, to whom was referred a bill to amend an act, entitled, an act to charter the Louisville and Nashville Railroad Company, reported the same with an amendment, 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. Culton, from the same committee, reported a bill to incorporate the Great Western Mining and Manufacturing Company.

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. James moved an amendment to said bill.

Ordered, That said bill, and amendment, be referred to the committee on the Judiciary.

Mr. Beauchamp, from the committee on Agriculture and Manufactures, to whom was referred a bill to incorporate the Green River Coal, Iron, and Manufacturing Company, reported the same, with an amendment, 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.

A bill from the Senate, entitled, an act for the benefit of William B. White, late sheriff of Whitley county, 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 being dispensed with,

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

A bill from the Senate, entitled, an act for the benefit of R. C. Wintersmith, 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 it was decided in the negative; and so the bill was rejected.

And then the House adjourned.
THURSDAY, JANUARY 10, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to legalize the proceedings of the February term, 1852, of the Casey County Court.

An act to change the route of the Wilderness Turnpike Road.

An act to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.

That they had disagreed to a bill from this House, of the following title, viz:

An act to amend the 8th section of the 13th chapter of the Revised Statutes.

That they had concurred in the amendment proposed by this House to a bill from the Senate of the following title, viz:

An act to confirm the establishment of the Louisville and Newburg road in Jefferson county, and to change the name thereof.

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

An act to amend the law in relation to executors, administrators, and curators.

An act to amend the law in relation to guardians.

An act to legalize the subscription of the Garrard County Court to the Danville, Dix river, and Lancaster turnpike road.

An act to amend the 6th section of an act incorporating the Danville, Dix river, and Lancaster Turnpike road Company.

An act for the benefit of the Shelbyville and Louisville Turnpike road Company.

The Speaker laid before the House the report of the President of the Kentucky and Louisville Mutual Insurance Company; which is as follows, viz:

A general report of the business of the Kentucky and Louisville Mutual Insurance Company, up to and including the 30th November, 1855.

The whole number of Policies issued on real estate, since the 24th April, 1839, is 2,308, insuring property to the amount of $5,731,392.60

Deduct the amount insured by Policies expired, 3,280,963.88

Leaving at risk on Real Estate, Dec. 1, 1855, $2,440,428.62

There also have been insured Policies on Merchandise, since the 27th February, 1844, 45, insuring Merchandise to the amount of $89,160.00

Deduct the amount insured by Policies expired, 67,360.00

Leaving at risk, December 1, 1855, $21,300.00
The whole amount of Premium Notes taken is $411,995 17
Deduct amount of Premium Notes discharged is 216,385 92
Leaving in force, Dec. 1, 1855, as a fund liable to assessment, $195,609 95

Amount received for premium and fees for Policies on Real Estate, 40,548 11
Amount received for premium and fees for Policies on Merchandise, 2,814 63
Amount received for extra premium for increased risks, 999 56
Amount received for assessments on premium notes, 68,356 79
Amount due to agents, 39 73

$112,799 07

Paid for expenses since April, 1839, 99,901 55
Paid for losses, 76,884 81
Paid for commissions to agents, 1,905 07
Due from agents, 249 97
Cash balance, 3,767 37

$112,799 07

Amount of losses previous to the 30th November, 1854, 76,498 69
Amount of losses during last year, 386 21

$76,884 81

At a meeting of the Board of Directors of the Kentucky and Louisville Mutual Insurance Company, at their office in the city of Louisville, on the 7th January, 1856, the Secretary of said Company submitted to the Board a general report of the condition, progress and affairs of the company, which being 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 COMPANY
LOUISVILLE, January 9, 1856.

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

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 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 yours, &c.,
W. H. STOKES,
President pro tem.

1. Mr. Milton J. Cook presented the petition of citizens of Madison and Laurel counties, praying the formation of a new county out of parts of said counties, and Rockcastle, Clay, and Estill counties.

2. Mr. Smedley presented the petition of sundry stockholders in the Savings Institution of Harrodsburg, praying the passage of an act authorizing said Institution to issue bank notes.

3. Mr. Hargis presented the petition of citizens of Hazlegreen, Morgan county, praying the passage of an act incorporating said town.

4. Mr. Jolly presented the petition of citizens of the New District,
Breckinridge county, praying a change in the voting place in said district.

5. Mr. Hewitt presented the memorial of A. B. Calef, Treasurer of the State of Connecticut, praying that as Treasurer of said State, he may be reimbursed in the sum of $450, amount of lost coupons paid to the Bank of Commerce, of New London, on bonds of the State of Kentucky, owned by said bank and deposited in the Treasury of Connecticut, under the banking law of said State.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Banks; the 3d to the committee on Privileges and Elections; the 4th to the committee on County Courts; and the 5th to the committee on the Sinking Fund.

Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled, an act to facilitate the trial of equity causes, 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. Menzies, from the same committee, to whom was referred a bill, entitled, an act to incorporate the Great Western Mining and Manufacturing Company, 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. Whiteley, from the committee on Internal Improvement, to whom was referred a bill to amend the charter of the Louisville and Memphis Railroad Company, 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 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 to provide that a married woman may transact business in her own name.
By same—2. A bill to amend the act incorporating the Frankfort, Georgetown, and Paris Turnpike road.

By the committee on Internal Improvement—3. A bill to incorporate the Taylor County and Muldrough's Hill Turnpike Road Company.

By same—4. A bill to amend the charter of the Greensburg and Taylor County Turnpike Road Company.

By same—5. A bill to incorporate the Owensboro' and Wolf Hill Railroad Company.

By Mr. Hewitt—6. A bill for the benefit of George W. Kouns.

By Mr. William J. Berry—7. A bill for the benefit of James S. Coleman, late sheriff of Ohio county.

By Mr. Rice—8. A bill to incorporate certain turnpike road companies.

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—the 2d, 3d, 4th, and 5th were severally ordered to be engrossed and read a third time; the 6th was referred to the committee on Claims; the 7th to the committee on Ways and Means; and the 8th to the committee on Internal Improvement.

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 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.

Bills from the Senate of the following titles, viz:

1. An act to amend the law in relation to executors, administrators, and curators.

2. An act to amend the law in relation to guardians.

3. An act to legalize the subscription of the Garrard County Court to the Danville, Dix river, and Lancaster turnpike road.

4. An act to amend the 6th section of an act incorporating the Danville, Dix river, and Lancaster Turnpike road Company.

5. An act for the benefit of the Shelbyville and Louisville Turnpike road 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—the 1st and 2d were referred to the committee on the Judiciary; the 3d, 4th, and 5th to the committee on Internal Improvement.

A message was received from the Governor by Mr. Bibb, Assistant
Secretary of State, announcing that he had approved and signed an enrolled resolution, which originated in this House, of the following title, viz:

A resolution to fire a national salute on the 8th of January and 22d of February. Approved January 9, 1856.

Mr. James M. Fogle, from the select committee, who were appointed to prepare and bring in the same, reported a bill for the benefit of Robert P. Pepper, of Woodford county.

Which was read the first time.

Mr. Lucien Anderson 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 be read a second time? and it was decided in the affirmative.

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 Judiciary.

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

On motion of Mr. Corbett—1. A bill to incorporate the Ballard and Graves County Railroad Company.

On motion of Mr. Bradford—2. A bill to authorize the Governor to sell negroes belonging to the State, who have been pardoned.

On motion of Mr. Wood—3. A bill for the benefit of the Georgetown and Dry Ridge Turnpike Road Company.

On motion of same—4. A bill for the benefit of school district, No. —, in Scott county.

On motion of Mr. James M. Fogle—5. A bill for the benefit of the sureties of Berry Scruggs, late sheriff of Washington county.

Ordered, That the committee on Internal Improvement prepare and bring in the 1st and 3d bills; the committee on the Judiciary the 2d; the committee on Education the 4th; and the committee on Ways and Means the 5th.

Mr. Menzies, from the committee on the Judiciary, to whom was referred leave to bring in a bill to incorporate Oriental Lodge, No. 99, I. O. O. F., at Madisonville, asked to be discharged from the further consideration thereof, which was granted.

Mr. Menzies, from the same committee, moved the following resolution, viz:

Resolved, That the committee on the Judiciary be discharged from the further consideration of a leave referred to them to bring in a bill to prevent negro stealing.
Mr. Nuttall moved the following as a substitute for said resolution, viz:

Resolved, That the committee on the Judiciary be instructed to report to this House the following bill, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person or persons who shall hereafter counsel, aid, or assist any slave or slaves to escape from the service or labor of their master or owner, or from the service of any person or persons, who, for the time being, may be legally entitled to the same, shall be deemed guilty of felony, and, upon conviction thereof, shall suffer death.

SEC. 2. That any free negro or mulatto who shall be guilty of the offense described in the first section of this act, upon conviction thereof, shall likewise suffer death.

SEC. 3. This act shall take effect from the 1st day of April next.

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

The yeas and nays being required thereon, by Messrs. Nuttall and Lucien Anderson, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

The said resolution was then adopted.

Mr. George F. Lee moved the following resolution, viz:

Resolved, That the use of this Hall be granted on to-morrow night to the Superintendent of the Institution for the education of the deaf and dumb, for the purpose of holding an exhibition of pupils of that Institution.

Which was adopted.

Mr. McElroy moved the following resolution, viz:

Resolved, That the committee on Claims, to whom is referred a bill for the benefit of George W. Kouns, be instructed to inquire and report to this House—1st. By what authority the President of the Board of Internal Improvement made the contract with Kouns to improve said road; if by any statute or law of this Commonwealth, when enacted—and whether the same had not expired at the time that said contract was made? 2d. Whether or not the ordinary revenue of the State stands chargeable for the payment of the work done on said road? 3d. Why the Board of Internal Improvement annulled said contract, whether by any act or omission on the part of said Kouns?

Which was adopted.

And then the House adjourned.

FRIDAY, JANUARY 11, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the North Kentucky Agricultural Society.

An act to incorporate the Union Agricultural and Improvement Association, of Mason and Bracken counties.

An act to charter the Muldrough's Hill and Green River Turnpike Road Company.

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

An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.

An act to incorporate the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.
An act for the benefit of the Foster Turnpike Road Company.
An act to incorporate the Daviess County Agricultural and Mechanical Association.
An act to amend an act, entitled, an act to incorporate the Hickman and State line Plank Road Company.

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 to change the time of holding the February term of the Mason Circuit Court.


Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, and had found them truly enrolled, viz:

An act to change the time of holding the February term of the Mason Circuit Court.

An act to incorporate the Speedwell Turnpike Road Company, in Madison county.

An act to confirm the establishment of the Louisville and Newburg road in Jefferson county, and to change the name thereof.

An act to incorporate the Hopkins Mastodon Coal and Iron Mining and Manufacturing Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

1. Mr. Hanson presented the petition of certain livery stable keepers and others, of Lexington, praying the passage of a law, giving livery stable keepers a lien on horses kept at such stables, for the payment of the charges.

2. Mr. Menzies presented the petition of citizens of Glasgow and Barren county, praying the passage of a law, vesting the power of granting license to keep taverns in Glasgow, exclusively in the Barren County Court.

3. Mr. Hewitt presented the memorial of the La Grange Bank, at Lima, Indiana, praying the passage of an act, authorizing the payment to them of the amount of a lost coupon on a $1,000 bond, issued by the State of Kentucky, and owned by said Bank.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Revised Statutes; the 2d to the committee on Propositions and Grievances; and the 3d to the committee on the Sinking Fund.

The following bills were reported, without amendment, by the committees to whom the same had been referred, viz:
By the committee on the Library.—A bill for the benefit of the County Surveyors.

By the committee on the Revised Statutes.—A bill to incorporate the Olive Branch Encampment, No. 6, of the I. O. O. F., at Covington.

By same.—A bill to incorporate the Kenton Lodge, No. 24, of the I. O. O. F., at Covington.

And the question being taken on ordering said bills to be severally engrossed and read a third time, it was decided in the negative.

And so said bills were rejected.

The following bills from the Senate, were reported, without amendment, by the committees to whom the same had been referred, viz:

By the committee on the Code of Practice.—An act to amend section 900, of the Code of Practice, in civil cases.

By the committee on Privileges and Elections.—An act to establish an additional voting place in Hayes' district, in Hickman county.

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, without amendment, by the committees to whom the same had been referred, viz:

By the committee on County Courts.—A bill authorizing the Jessamine County Court to sell a portion of the Poor House land in said county.

By the committee on Revised Statutes.—A bill to amend an act, entitled, an act to extend the duty of commissioners of tax, approved March 8, 1851.

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 County Courts—1. A bill to incorporate McKee Lodge, No. 35, of I. O. O. F., at Versailles.

By same—2. A bill to change the time of holding the January term of the Fleming Quarterly Court.

By the committee on Revised Statutes—3. A bill to render effectual the road law in Pendleton county.
By same—4. A bill to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

By same—5. A bill to amend chapter 42, of the Revised Statutes—title, Gaming.

By same—6. A bill to amend the law respecting trespasses upon lands.

By same—7. A bill to amend articles 6 and 7, of chapter 28, of the Revised Statutes.

By same—8. A bill to regulate the standard weight of certain products.

By the committee on the Code of Practice—9. A bill to amend section 16 of the Code of Practice, in civil cases.

By the committee on Propositions and Grievances—10. A bill to amend the charter of the city of Smithland.

By same—11. A bill to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.

By same—12. A bill for the benefit of Nathan W. Curry.

By same—13. A bill for the benefit of William Hanna, of Bracken county.

By the committee on Claims—14. A bill for the benefit of John Moore, jailer of Green county.

By same—15. A bill for the benefit of Dixon C. Murphy, of Barren 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 2d, 3d, 4th, 8th, 10th, 11th, 12th, 13th, 14th, and 15th were severally ordered to be engrossed and read a third time; the 1st, 5th, 6th, and 7th were referred to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 4th, 8th, 10th, 11th, 12th, 13th, 14th, and 15th 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. McElroy,

Ordered, That the 9th bill be re-committed to the committee on the Code of Practice, with instructions to amend said bill, so as to give the right of appeal to the Court of Appeals, in all cases cognizable in the Circuit Courts, and report the same to this House.

Mr. McElroy, from the committee on Propositions and Grievances, reported a bill to establish the county of Rowan, which was read the first time, as follows, viz:

[Text continues on next page]
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the 1st day of May, 1856, so much of the counties of Fleming and Morgan as lies within the following boundary, shall be, and the same is hereby, erected into and established a separate and distinct county, to be called the county of Rowan, viz: Beginning at the Elk Lick, on the Licking river, near Fielding Cooper's, in Fleming county; running thence up the Licking river, to the mouth of the North fork of said river, in Morgan county; thence up said North fork of said river, to the mouth of a creek called Miner's creek; thence up said creek to the mouth of a branch running by the residence of Jedediah Day; thence up the said branch to the head thereof; thence down a creek called Laurel creek, to the mouth of Bates' branch; thence with the ridge east of Bates' branch to the head of the twin branches of Caney creek; thence with the ridge between said twin branches of Caney creek to the line of Carter county; thence with said boundary line of Carter county to the boundary line between Carter and Fleming counties; thence with said boundary line between Carter and Fleming counties to the point at which the boundary lines of Carter, Lewis, and Fleming counties intersect each other; thence with the boundary line between Fleming and Lewis counties to the head of the east fork of Fox's creek; and thence with the dividing ridge between the waters of Fox and Tripllett creeks to the beginning.

§ 2. The seat of justice for Rowan county shall be, and the same is hereby, located on the East fork of Tripllett, at a point to be agreed upon by the commissioners hereinafter appointed, between the residences of Dixon Clack and B. F. Powers, in said county; and the name of said seat of justice shall be Morehead. Harvey T. Wilson, William Mynheer, George W. Crawford, Mason Williams, and William Grannis—a majority of whom may act—are hereby appointed commissioners to locate said seat of justice. Said commissioners shall meet at the residence of Dixon Clack, on the 1st Monday of March, 1856; whence they shall, if necessary, proceed to make an examination of the ground between the residences above named; and shall perform the duties herein assigned to them, and execute and sign a written certificate of the same, in duplicate; one of which duplicates shall be transmitted by them to the Secretary of State, and the other shall be deposited in the hands of E. H. Logan or B. F. Powers, who shall deliver the same to the clerk of the County Court of Rowan county, whose duty it shall be to record the same in his office. The duplicate to be sent to the Secretary of State shall be carefully preserved by him, in his office.

§ 3. The county of Rowan shall be divided into four districts, in each of which there shall be elected two justices of the peace and one constable; which districts shall also be election precincts. Dixon Clack, Isaac E. Johnson, B. F. Powers, William Philips, T. W. Sanford, and M. C. Royse are appointed commissioners, who, after taking an oath faithfully to discharge their duties as such, shall lay off said districts and designate the place of voting in each. A majority of said commissioners may act. They shall meet at the residence of Dixon Clack, on the first Monday of March, 1856, or as soon thereafter as may be convenient, and proceed to perform the duties imposed upon
them by this act; and may adjourn from time to time, and from place to place, until they shall complete the same. They shall lodge a certified copy of the boundaries of said districts in the hands of E. H. Logan or Ben. F. Powers, who shall hold the same in safe keeping until a clerk of the County Court for said county shall have been elected; and then it shall be delivered to said clerk, who shall file and record the same in his office; and they shall forthwith transmit another certified copy thereof to the Secretary of State, who shall carefully preserve the same in his office. They shall also designate in each of said districts two suitable persons to act as judges, and one in each to act as clerk; one in each to act as sheriff of the election of a circuit court clerk, a county court clerk, a sheriff, an assessor, a surveyor, jailer, coroner, a presiding judge of the county court, a county attorney, two justices of the peace, and one constable for each district for said county; which election shall be held on the first Monday of May, 1856. Before entering on their duties, respectively, each judge, sheriff, and clerk of the election so designated, shall take an oath faithfully to discharge the duties imposed upon him by this act. Those who may act as sheriffs aforesaid, shall meet at the residence of Dixon Clack, in the county of Rowan, on the second day after said election, and after carefully comparing the polls, shall sign two certificates of the election, designating the name of each person having the highest number of votes, and the office to which he shall have been elected; one of which shall be lodged in the hands of said E. H. Logan or B. F. Powers, who shall cause it to be recorded in the clerk’s office of the county court of Rowan county, and the other of which they shall forthwith transmit, by mail or otherwise, to the Secretary of State—where it shall be carefully preserved—whose duty it shall be forthwith to cause commissions to be issued to those persons named in the certificate, to each for the office to which he shall have been elected.

§ 4. Each of said officers shall take an oath, and when by law required execute bond according to existing laws in reference to similar officers; and thereupon their official acts shall be obligatory, to all intents and purposes, if done in accordance with the laws of the State. They shall hold their respective offices until the next regular election for like officers, and until their successors shall have been elected and qualified: Provided, that the sheriff so elected shall hold his office for the term of two years, and until his successor shall be elected and qualified.

§ 5. The counties of Fleming and Morgan, before this act takes effect, shall have jurisdiction in all things as though this act had never passed.

§ 6. The presiding judge of the county court, and the justices of the peace of said county of Rowan—a majority of said justices being present—shall be, and they are hereby, authorized and required to make a suitable selection of lots or parcels of ground, at the place selected and determined upon for the seat of justice of said county; and purchase or accept the same on donation, if tendered by the owner or owners thereof, for the erection of public buildings for the seat of justice for said county; and it shall be the duty of said county court to make provision for the payment of the purchase money of said lots or
parcels of land, and cause a suitable court house and jail, and such other public buildings as they may think proper, to be erected at the expense of said county. The means for these public conveniences may be raised by a capitation tax on all those persons in said county subject to capitation tax by existing laws: Provided, that said tax shall not exceed two dollars per head, in any one year.

§ 7. That Wm. A. Kendall be, and he is hereby, appointed a commissioner, with such assistants as he may deem necessary to employ, to run and mark the division line, as designated in section first of this act. The county court shall have power to allow all the commissioners named in this act reasonable compensation for their services and expenditures in discharging the duties herein imposed upon them, to be paid out of the county levy of said county of Rowan.

§ 8. Said county of Rowan shall vote for Senator in the State Legislature with the thirty-fifth senatorial district, and for county representative with the county of Fleming, until changed by law; and the sheriffs of said counties, in all such elections, shall compare the polls of said counties as now prescribed by law.

§ 9. The county court of said county of Rowan shall hold its monthly sessions on the third Monday of every month; and the judge thereof shall hold the quarterly court on the third Mondays in March, June, September, and December.

§ 10. That the Secretary of State be, and he is hereby, directed to furnish to said county of Rowan, or the officers thereof, all the public books and statutes which are now directed by law to be furnished to the public officers of this commonwealth.

§ 11. That the county of Rowan shall have the use of the jail of Fleming county, until a jail be built in said county of Rowan; and the jailer of Fleming county shall receive all persons committed from Rowan county, in the same manner as if committed from Fleming county.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Robert B. English, John G. Lyon, Jas. S. Littlepage,
Richard B. Alexander, George C. Faris, Pleasant W. Mahan, Jas. H. McCampbell,
John B. Anderson, McDowell Fogle, John C. McCreary, W. C. Montgomery,
William T. Anthony, Sidney A. Foss, Elijah F. Nuttall,
John B. Auxier, Daniel Garrard, Samuel B. Pell,
William E. A. Baker, Henry Giles, Andrew J. Prichard,
R. P. Beaunchamp, John K. Goodloe, William B. Booker, Benjamin Gallion,
Mr. Gaither, from the committee on Privileges and Elections, to whom had been referred a bill to change the place of voting in Radford's precinct, in Calloway county, reported the same, with an amendment, 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 amended, so as to read as follows, viz.

An act to change the place of voting in Radford's precinct in Calloway county, and in Hayne's district in Graves county.

And then the House adjourned.
SATURDAY, JANUARY 12, 1856.

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 benefit of Charles Linu, sen., of Calloway county.
An act for the benefit of Wm. B. A. Baker, late sheriff of Mason county.
An act to change the time of holding the County Court of Oldham county.
An act to regulate the time of holding the Carroll County Court.
An act prohibiting Magistrates from taxing attorney's fees.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act to incorporate the Kentucky and Tennessee Mining and Manufacturing company.
An act for the benefit of James T. Garnett, of Christian county.
An act to authorize the County Court of McCracken county to change the Gray's ferry road.
An act to amend the 68th chapter of the Revised Statutes.
An act to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.
An act creating the office of Police Judge, in the town of Wyoming, in Bath county.
An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7, 1852; and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7, 1852.
An act to amend the charter of the Georgetown Turnpike Road Company.
An act appropriating money for the preparation of registration reports and tables.
An act for the benefit of the sureties of Charles Quirey, late sheriff of Jefferson county.
An act for the benefit of J. D. Mannin.
An act for the benefit of the late sheriffs and deputy sheriffs of Nicholas county.
An act for the benefit of the Keeper of the Penitentiary.
An act for the benefit of Abram Hite and Salina C. Hite.
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 to incorporate the Speedwell Turnpike Road Company, in Madison county.

An act to confirm the establishment of the Louisville and Newburg road in Jefferson county, and to change the name thereof.

An act to amend the charter of the Richmond and Irvine Turnpike Road Company.

An act to incorporate the Hopkins Mastodon Coal and Iron Mining and Manufacturing Company. Approved January 11, 1856.

1. Mr. Helm presented the petition of school district No. 46, in Hardin county, praying they may be allowed to draw their share of school fund, for a school taught in said district.

2. Mr. McElroy presented the petition of citizens of Hopkins and Union counties, praying the formation of a new county out of parts of said counties.

3. Mr. McElroy presented the remonstrance from citizen of Hopkins and Union counties, against the formation of a new county out of parts of said counties.

4. Mr. Bodley presented a memorial from the Walnut Street Methodist Episcopal church, in Louisville, praying a change in the charter of the Eastern Cemetery Company.

5. Mr. Jolly presented the petition of citizens of Breckinridge county, praying that Lorenzo D. Walls, of Stephensport, be permitted to retail spirituous liquors, without being required to pay for a license therefor.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Education; the 2d and 3d to the committee on Propositions and Grievances; the 4th to the committee on Religion; and the 5th to the committee on Ways and Means.

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

On motion of Mr. Philip Lee—1. A bill to change the place of voting, in Leach’s District, Bullitt county.

On motion of Mr. George B. Cook—2. A bill to amend the law regulating appeals from decisions of justices of the peace.

On motion of same—3. A bill for the benefit of James M. Bumpass, of Caldwell county.

On motion of same—4. A bill for the benefit of Thomas W. Picker ing, sheriff of Caldwell county.

On motion of Mr. Irvan—5. A bill more effectually to protect the right of suffrage.
On motion of Mr. Riley—6. A bill to authorize the Methodist Episcopal church, in Alexandria, Campbell county, to sell and convey a lot of ground.

On motion of Mr. McDowell Fogle—7. A bill for the benefit of Jas. Clark and Patrick W. Napier, late sheriffs of Casey county.

On motion of Mr. Ben. Berry—8. A bill to authorize the Christian County Court to establish a county road through lands of the Western Lunatic Asylum.

On motion of same—9. A bill to change the voting place in ---- district, in Christian county.

On motion of Mr. Long—10. A bill to amend the law in relation to elections.


On motion of Mr. Hanson—12. A bill further to regulate the duties and fees of commonwealth and county attorneys.

On motion of Mr. Auxier—13. A bill to declare Rockcastle creek, in Johnson county, navigable.

On motion of Mr. Hewitt—14. A bill for the benefit of Mrs. Margaret Leavy.


On motion of Mr. Dunn—16. A bill for the benefit of the Lancaster and Crab Orchard Turnpike road Company.

On motion of same—17. A bill to incorporate the town of Bryantsville.

On motion of Mr. Lucien Anderson—18. A bill to change the time of holding the Graves, Livingston, and Crittenden Circuit Courts.

On motion of same—19. A bill to incorporate the town of Baltimore, in Hickman county.


On motion of Mr. Richard Jones—21. A bill to incorporate the town of Catlettsburg.

On motion of Mr. Helm—22. A bill providing for the better security of negro property.

On motion of Mr. Culton—23. A bill for the benefit of school district, No. 36, in Harlan county.

On motion of same—24. A bill to change the mode of appointing overseers on the State road, in Knox county.

On motion of same—25. A bill to change a part of the Knox and Harlan county line.

On motion of Mr. Terry—26. A bill to increase the tax on Peddlers.
On motion of Mr. Worsham—27. A bill authorizing the Henderson County Court to appoint additional processers in said county.

On motion of Mr. Nuttall—28. A bill for the benefit of J. L. Jenkins, late sheriff of Henry county.


On motion of Mr. McCampbell—30. A bill to amend the charter of the Lexington and Daaville Railroad Company.

On motion of Mr. Menzies—31. A bill to provide a mode for the collection of the revenue.

On motion of same—32. A bill to authorize the increase of the county levy of Kenton county.

On motion of same—33. A bill to amend the charter of the Covington Fire, Life, and Marine Insurance Company.

On motion of same—34. A bill to abolish the Quarterly Courts of the County Judges.

On motion of Mr. Thurman—35. A bill authorizing John Doran to keep a coffee-house in Hodgenville.

On motion of Mr. Milton J. Cook—36. A bill to regulate the mode of collecting taxes by sheriffs.

On motion of same—37. A bill for the benefit of Mary G. Shivel and Ezra McCall.

On motion of same—38. A bill to amend the laws governing the Wilderness Turnpike road, and to regulate the tolls on said road.

On motion of same—39. A bill to increase the length of the terms of the Rockcastle and Laurel Circuit Courts.

On motion of Mr. Prichard—40. A bill to declare Wolf Creek, in Lawrence county, navigable.

On motion of Mr. Cecil—41. A bill for the benefit of John Friend, jailer of Floyd county.

On motion of Mr. Bowling—42. A bill for the benefit of Bethel High School, at Russellville.

On motion of same—43. A bill to transfer the title of certain lands to the trustees of Bethel High School, at Russellville.

On motion of same—44. A bill authorizing the State Librarian to subscribe for newspapers and periodicals, published in this State, and preserve them for the use of the State.

On motion of same—45. A bill to remove the remains of Gen. Geo. Rogers Clark to the Frankfort Cemetery, and erect a monument to his memory.

On motion of Mr. Lyon—46. A bill to change the eastern boundary of Louisville.
On motion of same—47. A bill to increase the number of election districts in the city of Louisville.

On motion of Mr. Bodley—48. A bill in relation to the Bourbon Academy.

On motion of same—49. A bill to incorporate Christ Church, Louisville.

On motion of same—50. A bill to incorporate the Peoples’ Insurance Company, of Louisville.

On motion of same—51. A bill to amend the laws regulating the sale of slaves.

On motion of same—52. A bill to enforce the law requiring suits before justices of the peace, to be brought in the district where the defendant resides.

On motion of Mr. Whiteley—53. A bill to incorporate the Powell Mining and Manufacturing Company.

On motion of same—54. A bill authorizing the advertisement of sales of property under execution or decrees of court.

On motion of same—55. A bill to incorporate a State Agricultural Association.

On motion of same—56. A bill to incorporate the Union Insurance Company of Louisville.

On motion of same—57. A bill defining the duties of the coroner of Jefferson county.

On motion of same—58. A bill to incorporate Young America Insurance Company, of Louisville.

On motion of Mr. James M. Fogle—59. A bill to amend the Code of Practice, as regards the duties of the County Court Clerks.

On motion of same—60. A bill to change the time of holding the Marion and Washington Circuit Courts.

On motion of same—61. A bill to amend the law of private passways.

On motion of Mr. Waller—62. A bill to increase the fees of constables.

On motion of same—63. A bill for the benefit of William Manley.

On motion of Mr. Erasmus O. Brown—64. A bill to change the law regulating working on roads.

On motion of Mr. Smedley—65. A bill for the benefit of the town of Salvisa.

On motion of Mr. Hicks—66. A bill for the benefit of Wm. Moody, late sheriff of Monroe county.

On motion of Mr. Hargis—67. A bill to amend an act, entitled, an act authorizing Daniel Breck, jr., and F. A. Ramsey, to build a dam
across the North fork of the Kentucky river, approved January 23, 1854.

On motion of Mr. Ricketts—68. A bill to increase the number of land processioners.

On motion of Mr. William J. Berry—69. A bill for the benefit of Edgar Brown, of Ohio county.

On motion of same—70. A bill to authorize the sale of the old Parsonage of the Methodist Episcopal Church South, at Hartford.

On motion of Mr. Giles—71. A bill to give further time to the sheriff of Owen county to collect the revenue tax.

On motion of same—72. A bill to increase the jurisdiction of the police judge of Monterey, in Owen county.

On motion of same—73. A bill for the protection of medical science and the annihilation of medical quackery.

On motion of Mr. Archibald C. Brown—74. A bill to regulate the fees of jailers.

On motion of Mr. Tevis—75. A bill to amend an act establishing the Shelbyville Fire, Life, and Marine Insurance Company.

On motion of same—76. A bill to incorporate Johnson Lodge, No. 82.

On motion of same—77. A bill for the benefit of Elizabeth Hyronemus.

On motion of same—78. A bill to charter the Shelby Savings Bank.

On motion of Mr. Cochran—79. A bill to authorize the Spencer County Court to sell or exchange the Poor House lands belonging to said county.

On motion of Mr. John B. Anderson—80. A bill amending the law as to justices of the peace and police judges.

On motion of Mr. Gullion—81. A bill for the benefit of L. B. Wilson, late sheriff of Carroll county.

On motion of Mr. Rogers—82. A bill incorporating the Warren county Agricultural and Mechanical Association.

On motion of same—83. A bill incorporating the Southern Kentucky Fair-ground Association.

On motion of Mr. Booker—84. A bill to incorporate the Deposit Bank of Springfield.

On motion of same—85. A bill to incorporate the Trustees of the Pleasant Grove Presbyterian Church, in Washington county.

Ordered, That Messrs. Philip Lee, Helm, and Erasmus O. Brown prepare and bring in the 1st bill; the committee on Circuit Courts the 2d, 18th, 39th, and 60th; the committee on Privileges and Elections the 3d, 9th, 10th, and 47th; the committee on claims the 4th, 28th, and 63d; the committee on the Revised Statutes the 5th, 7th, 11th, 12th,
51st, 57th, 61st, 74th, and 80th; the committee on the Judiciary the 6th, 19th, 20th, 22d, 33d, 37th, 41st, 56th, 58th, 62d, 75th, 76th, 77th, and 85th; the committee on Internal Improvement the 8th, 13th, 16th, 21st, 39th, 40th, and 47th; Messrs. Hewitt, Crasty, and Richardson the 14th; the committee on the Sinking Fund the 15th; the committee on County Courts the 17th, 27th, 32d, 34th, 52d, 59th, 64th, 65th, 72d, and 79th; the committee on Education the 23d, 48th, and 73d; Messrs. Culton, Booker, and Long the 24th and 25th; the committee on Ways and Means the 26th, 31st, 35th, 36th, 69th, 71st, and 81st; the committee on Banks the 29th, 78th, and 84th; Messrs. Bowling, Rogers, and Bodley the 42d, 43d, and 45th; the committee on the Library the 44th; Messrs. Lyon, Whiteley, and Bodley the 46th; the committee on Religion the 49th and 70th; Messrs. Bodley, Lyon, and Whiteley the 50th; the committee on Agriculture and Manufactures the 53d, 55th, 82d, and 83d; the committee on the Code of Practice the 54th; Messrs. Smedley, Menzies, and Cochran the 65th; and the committee on Propositions and Grievances the 68th.

Messages were received from the Governor, by Mr. Bibb, Assistant Secretary of State.

COMMONWEALTH OF KENTUCKY,
EXECUTIVE OFFICE,
January 12, 1856.

Gentlemen of the Senate and House of Representatives:
I herewith transmit the report made to me by the Commissioners appointed under an act, entitled, an act to pay the debts now due to contractors on the second Kentucky Lunatic Asylum, and to provide for the prosecution of the work to completion, approved March 10, 1854.

C. S. MOREHEAD.

[For Reports—see Legislative Documents.]

COMMOMWEALTH OF KENTUCKY,
EXECUTIVE OFFICE,
January 12, 1856.

Gentlemen of the Senate and House of Representatives:
I herewith transmit the report of the Superintendent and Managers of the Eastern and Western Lunatic Asylums, located at Lexington and Hopkinsville.

C. S. MOREHEAD.

[For Reports—see Legislative Documents.]

Ordered, That the Public Printer forthwith print the usual number of copies of each of said reports, 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. Corbin—1. A bill better to regulate the mode of working and opening roads in Boone county.
By Mr. Hewitt—2. A bill for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute.

By Mr. Cutlon—3. A bill to repeal an act incorporating the town of Barbourville.

By Mr. Marshall—4. A bill to impose additional duties upon the assessors of this Commonwealth.

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 3d bill was ordered to be engrossed and read a third time; the 1st was referred to the committee on the Judiciary; the 2d to the committee on Military Affairs; and the 4th to the committee on Revised Statutes.

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

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

A bill from the Senate, entitled, an act for the benefit of the sureties of Charles Quincy, late sheriff of Jefferson 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,

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

Mr. Spurr moved the following resolution, viz:

Resolved, That the committee on Internal Improvement be directed to inquire into the propriety of abolishing the office of President of the Board of Internal Improvement.

Which was adopted.

Mr. Nuttall moved the following resolution, viz:

Resolved, That the committee on the Judiciary be, and they are hereby, directed to report a bill providing for the establishment of courts of chancery, and the election of a chancellor in each judicial district in this Commonwealth—assigning all common law causes to the courts of common law, and all chancery and commonwealth causes to the courts of chancery, for adjudication.

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

"But the committee are not required to report the bill before the report of the committee of 13, to re-form the judicial districts, is made."

Mr. Hanson moved the following, as a substitute for the resolution and proposed amendment, viz:

Resolved, That the committee on the Judiciary be instructed to report
forthwith, to this House, a bill establishing equity and criminal courts in this State.

The question was then taken on the adoption of said substitute, and it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

Mr. Helm, from the committee on the Judiciary, in obedience to the instructions of the House, reported a bill to establish equity and criminal courts in the Commonwealth of Kentucky.

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 bills having been dispensed with—

Ordered, That said bill be referred to a committee of the whole, and made the special order of the day for the 21st instant.

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

Mr. Hanson moved the following resolutions, viz:

Resolved, That the select committee, appointed to prepare a bill establishing thirteen judicial districts, be and they are hereby instructed to report as soon as practicable, and before the 21st instant.

Mr. Rogers read and laid on the table the following resolutions, viz:

WHEREAS, The proper management of the Lunatic Asylums of Kentucky is a matter of very great importance to the people of this State, and in order to secure that public confidence so necessary to the effective good, and philanthropic purposes for which they have been erected—therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency, the Governor of this Commonwealth, be requested and empowered to appoint, without delay, three competent and experienced physicians as a Board of Visitors for the Eastern and Western Lunatic Asylums, whose duty it shall be to visit, at as early a day as practicable, both Asylums, and investigate thoroughly the condition and management of each, and report the same to the present General Assembly.

Resolved, That the members of said Board of Visitors shall be entitled to a compensation of five dollars per day, and their expenses, while engaged in the duties hereinbefore prescribed.

And then the House adjourned.
MONDAY, JANUARY 14, 1856.

1. Mr. Turner presented the petition of John W. White and others, praying the passage of an act chartering a Deposit Bank in Mount Sterling.

2. Mr. Bowling presented the petition of Ben. Bibb, a free man of color, asking the passage of an act granting him all the State's claim to a small house and lot in Russellville, owned at her death by his grandmother.

3. Mr. Bodley presented a memorial from Rev. R. J. Breckinridge and others—a committee for that purpose, of the Grand Division of the Sons of Temperance, asking the passage of an act repealing all laws licensing the retail traffic in liquors, and providing suitable penalties for the offense of retailing them.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Banks; the 2d to the committee on the Judiciary; and the 3d to Messrs. Bodley, Hanson, Goodloe, Hewitt, and Smedley.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found them truly enrolled, viz: An act to incorporate the North Kentucky Agricultural Society.
An act to charter the Muldrough's Hill and Green River Turnpike Road Company.
An act for the benefit of Elizabeth Rucker.
An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.
An act to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.
An act to change the route of the Wilderness Turnpike Road.
An act for the benefit of Wm. B. A. Baker, late sheriff of Mason county.
An act to legalize the proceedings of the February term, 1852, of the Casey County Court.
An act to incorporate the Union Agricultural and Improvement Association, of Mason and Bracken counties.
An act for the benefit of Charles Linn, sen., of Calloway county.
An act to change the time of holding the County Court of Oldham county.
And bills which originated in the Senate, of the following titles, viz:
An act to amend section 900 of the Code of Practice in civil cases.
An act to facilitate the trial of equity causes.
An act to establish an additional voting place in Hayes’ district, in Hickman county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

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 benefit of Moseby Strattan, of Ballard county.
An act for the benefit of E. J. Starr, and his adopted daughter, Laura.

An act to amend the charter of the town of Hopkinsville.
An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

With amendments to the last named bill.

That they had passed bills and a resolution of the following titles, viz:
An act to incorporate the First Presbyterian Church, of Ashland.
An act to incorporate the Washington Insurance Company, of Louisville.
An act providing for special judges.
An act allowing a change of venue in certain cases.

An act to charter the Tradewater Coal and Iron Mining Company.
An act to incorporate the Neptune Fire Engine and Hose Company, No. 2, of Maysville.

An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

An act authorizing the school commissioner of Calloway county to enlarge New Concord school district.

An act to establish two additional terms of the McCracken Circuit Court.

Resolution in relation to the inspection of tobacco, pork, and flour, in New Orleans.

On motion of Mr. McElroy,

Ordered, That the committee on Propositions and Grievances be discharged from the further consideration of a leave to prepare and bring in a bill for the benefit of C. Hays Buster, of Wayne county, and Z. Rosenfield, of Pulaski county, and that the same be referred to the committee on Claims.

Mr. McElroy, from the committee on Propositions and Grievances, reported a bill to establish the county of Jackson.
Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of May, 1856, so much of the counties of Rockcastle, Laurel, Clay, Owsey, Estill, and Madison, as lies within the following boundary shall be, and the same is hereby, erected into and established a separate and distinct county, to be called the county of Jackson, viz: Beginning at the mouth of Horse Lick creek, where the same enters into Rockcastle river; thence up Rockcastle river, with the meanders of the same and in the centre of its bed, to the forks of said river; thence up the South fork of said Rockcastle river, with the meanders of the same, and in the centre of its bed, to the mouth of Moore's creek; thence a direct line to a point where the Salt Works road crosses Terrill's creek; thence a direct line to the county line of Clay county; thence with the Clay county line to the gap of the hill where the path crosses the ridge that leads down Sexton's creek; thence a straight line to what is called the burned cabins, on Rader's fork of Sexton's creek; thence a straight line to the head of Maiden creek, where the road crosses the same; thence a straight line to the low gap, near James Bails', at the head of Island creek; thence a straight line to M. C. Hughes', and so as to include said Hughes in the county of Jackson; thence with the road to the Brushy mountain, to William Clarke's, leaving said Clarke in Owsey county; thence with Brushy mountain road to the Estill and Owsey line; thence to B. Philips', leaving him in Estill county; thence southwest a straight line, to the Madison county line; thence to the Indian spring; thence with the line that divides the voting precincts in Madison county, Nos. 5 and 9, to Robert Cox's spring, at the State road; thence with the State road to John Cates', on the top of the White Oak hill; thence a straight line to the mouth of the White Oak branch, where the same runs into Horse Lick creek; thence with Horse Lick creek to the beginning.

§ 2. The seat of justice of Jackson county shall be called McKee; and J. Newcum, of Rockcastle county, W. H. Randall, of Laurel county, William Williams, of Owsey county, and Silas Newland, of Madison county, are hereby appointed commissioners to locate the seat of justice of said county, a majority of whom may act. They shall meet at the house of Solomon Stephens, in said county, on the fourth Friday in January, 1856, and proceed to locate said seat of justice; and when located, they shall execute and sign a written certificate of the same, one copy of which shall be transmitted to the Secretary of State, and deposit the original in the hands of Isaac J. Forbes, who shall deliver the same to the clerk of the County Court of Jackson county, whose duty it shall be to record the same in his office; and the duplicate sent to the Secretary of State shall be carefully preserved by him, in his office.

§ 3. The county of Jackson shall be divided into five districts, in each of which there shall be elected two justices of the peace and one constable, which districts shall be voting precincts. Isaac J. Forbes, Robert Cox, Jesse McWhaeter, John Morris, and Thomas J. Engle are appointed commissioners to lay off said districts, who shall take an oath faithfully to discharge their duties; and shall proceed to lay off said districts.
districts, and designate the place of voting in each district; a majority of whom may act. They shall meet at the residence of Solomon Stephens, in Jackson county, on the Monday after the fourth Friday in February, 1856, or as soon thereafter as may be convenient, and proceed to perform the duties assigned them; and may adjourn from time to time, and from place to place, until they shall have completed their labors. They shall lodge a certified copy of the boundaries of said districts in the hands of Isaac J. Forbes, who shall safely keep and preserve the same, until a County Court clerk for the county of Jackson shall have been elected, and deliver the same to said clerk, who shall duly record the same in his office. The said commissioners shall forthwith send a certified copy of said districts to the Secretary of State, who shall carefully preserve the same in his office. They shall also designate two suitable persons in each of said districts to act as judges, and a suitable person in each to act as clerk, and one suitable person in each to act as sheriff, of the election of a circuit court clerk, a county court clerk, a sheriff, an assessor, a surveyor, a jailer, a coroner, a presiding judge of the county court, a county attorney, and a constable and two justices of the peace for each voting district for said county; which election shall be held on the first Saturday in May, 1856. The judges and clerks of the election, before entering upon the discharge of their duties, shall take an oath faithfully to discharge the same. The persons acting as sheriffs of said election shall meet on the Monday after said election, at the house of Solomon Stephens, in Jackson county, and compare the polls, and make out and sign certificates of the election of each officer elected, and lodge a copy of each certificate in the hands of Isaac J. Forbes or Solomon Stephens, who shall deliver the same to the county court clerk elected, after said clerk shall have qualified as such. And it shall be the duty of said clerk to record the same in his office. One copy of the certificate of election shall be delivered to each officer elected, and one copy of the certificate of election of each officer elected, shall be forthwith transmitted to the Secretary of State, which shall be carefully preserved in his office. And the Governor shall commission all of said officers elected now required by law to be commissioned.

§ 4. Each officer elected, before he enters upon the discharge of the duties of his office, shall take the oath required by law, and give the necessary bonds for such officers to give, required by existing laws. They shall hold their office until the next regular election held for like officers, and until their successors are qualified.

§ 5. The respective counties from which the county of Jackson was taken, shall have jurisdiction over the portion taken from each, until the second Monday in May, 1856, as though this act had not passed.

§ 6. The presiding judge of the county court of Jackson county, and the justices of the peace for said county, shall make provision for suitable lots in the town of McKee upon which to erect the public buildings; and shall, from time to time, make sufficient levies on the county, allowed by law, until they shall have erected a suitable court house, clerks' office, jail, and other public buildings that may be deemed necessary.

§ 7. Jesse Fish and Meredith Hughes are appointed to survey and
mark the division lines between the county of Jackson and the adjoining counties; they shall have power to employ all necessary assistants to assist them in running and marking said lines. All necessary expenses and fees in running and marking said lines shall be paid for out of the county levy of said county.

§ 8. The county of Jackson shall vote with the —— district for senator of Kentucky, and with the counties of ——— for members of the lower branch of the legislature of Kentucky, and shall be attached to the ——— judicial district, until the next apportionment, or until changed by law.

§ 9. The circuit courts of Jackson county shall commence on the first Mondays in ——— and ———, and continue six juridical days at each term, if the business requires it; and the county courts shall be held on the first Monday in each month, and the county judge shall hold his quarterly courts on the third Monday in July, October, January, and April, in each year.

§ 10. The Secretary of State is directed to furnish all the necessary books to the officers of said county that are allowed by law to the various offices and officers of each county in this commonwealth.

§ 11. The county of Jackson shall have the use of the jail of Rockcastle county, until said county gets a jail completed; and the jailer of Rockcastle county shall receive and keep all persons legally sent from Jackson county.

§ 12. The assessors of tax for the year 1856 shall assess that part of the county in which they reside, taken off and added to the county of Jackson, and return a list of the same to the county court of Jackson county; and it shall be the duty of the sheriff of Jackson county to collect the taxes imposed on each individual by the county from which he was taken.

§ 13. It shall be the duty of the county judge of Jackson county to provide a suitable and convenient house to hold the courts and transact other public business in, until the court house of said county shall have been erected. The county court of claims shall be held in the month of October or November in each year.

§ 14. It shall be the duty of the individual making the survey of the county to make out two complete maps of the same, and deliver one to the county court clerk of Jackson county, and transmit the other to the Secretary of State, whose duty it shall be to carefully keep and preserve the same; and it shall be the duty of the county court clerk of Jackson county to record the one delivered to him, in his office.

Ordered, That said bills be read a second time.

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

The question was then taken on engrossing said bill and reading it a third time, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Hewitt and Richard Jones, were as follows, viz:
Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Philip Lee, from the committee on Claims, to whom was referred a bill for the benefit of George W. Kouns, reported the same with an amendment.

Which was concurred in.

The question was then taken on engrossing said bill and reading it a third time, and it was decided in the negative.

And so said bill was rejected.

Mr. Philip Lee, from the committee on claims, reported the following bills, viz:

1. A bill for the benefit of Alfred Sturgeon, of Hardin county.
2. A bill for the benefit of Joseph Yeager.

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—the 1s was referred to the committee on Education, and the 2d to the committee on the Judiciary.
Ordered, That the Public Printer forthwith print 150 copies of the 2d bill, for the use of the members of the General Assembly.

Mr. Philip Lee, from the committee on Claims, reported a bill for the benefit of Johnson A. Dawson, late sheriff of Powell county.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,
That the Auditor be and he is hereby directed to issue his warrant upon the Treasurer, in favor of Johnson A. Dawson, late sheriff of Powell county, for the sum of ninety-one dollars.

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. Menzies and Lucien Anderson, were as follows, viz:

Those who voted in the affirmative, were

- Mr. Speaker, (Huston,) Joshua Dunn,
- John B. Auxier,
- William B. A. Baker,
- Ben Berry,
- Robert C. Bowling,
- Laban J. Bradford,
- Erasmus O. Brown,
- Horatio W. Bruce,
- Colbert Cecil,
- Isaac N. Clement,
- George B. Cook,
- Thomas H. Corbett,
- Coleman Covington,
- James Culton,
- Frank P. Deatherage,
- David R. Dugan,
- Pleasant W. Mahan,
- Jas. H. McCampbell,
- William M. Miller,
- W. C. Montgomery,
- Elijah P. Nuttall,
- Samuel B. Pell,
- Andrew J. Prichard,
- Benjamin F. Rice,
- William Riley,
- George C. Rogers,
- Charles C. Smedley,
- James H. Turner,
- Thomas H. M. Winn,
- Francis M. Woods,
- E. W. Worsham—47.

Those who voted in the negative, were

- Richard B. Alexander,
- Lucien Anderson,
- John B. Anderson,
- William T. Anthony,
- R. P. Beauchamp,
- William J. Berry,
- William S. Bodley,
- John S. Bohannon,
- William E. Booker,
- James M. Fogle,
- McDowell Fogle,
- Alfred F. Graham,
- Gordon B. Grasty,
- Benjamin Cullion,
- John M. Hewitt,
- Greenberry Hicks,
- John L. Irvan,
- James Kinslaer,
- Hiram McElroy,
- John W. Menzies,
- William M. Morrow,
- David H. Raymond,
- Robert Richardson,
- Joseph Ricketts,
- James A. Russell,
- James M. Speer,
- Richard J. Spurz,
The amendment proposed by the Senate to a bill from this House, entitled, an act prohibiting magistrates from taxing attorney's fees, was taken up, twice read, and concurred in.

The amendment proposed by the Senate to a bill from this House, entitled, an act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company, were then taken up.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled, an act to incorporate the Peach Orchard Coal Company, approved February 10, 1852, shall be and the same is hereby amended as follows, viz.:

§ 2. The president and directors of said company, or a majority of them are hereby authorized and empowered to borrow such sum or sums of money, at and for such time or times, upon such terms, and at such rate or rates of interest as they may deem expedient; and also to secure the payment of the same by pledge or mortgage of all or any part or parts of their property, real, personal, or of whatsoever nature, and to issue the bonds of said company, signed by the president thereof, with or without coupons attached, and convertible, in whole or in part, into the stock of the said company; and the capital stock of the said company, named in the first section of its act of incorporation, is hereby extended to such sum or amount as may at all times be sufficient to cover all such issues of stock as may be required by any and all holders of convertible bonds of the said company in the conversion thereof.

§ 3. The business authorized by the first section of the said act of incorporation is hereby extended so as to embrace boring for and manufacturing salt, and to the doing of all things properly connected therewith, and with the transportation, sale, or other disposition thereof; also so as to embrace the clearing up and cultivating of the lands of the said company, in such manner and for such purposes as the said company shall deem for their advantage with the manufacture, sale, or other disposition of the products thereof; also so as to embrace the building and construction of ships, steamboats, vessels, barges, and other water craft, and the manufacture and construction of all articles and things out of lumber and wood, in any and every form, with or without iron or other material connected therewith, and to do all things properly connected with the sale, transportation, or other disposition thereof, as the said company shall deem for their advantage; also so as to embrace the mining of iron ore and other mineral, and the manufacture thereof into any and all such forms, for all such uses and purposes as the said company shall deem for their advantage, and the same transport, sell, or otherwise dispose of for the best interest of the said company; also so as to embrace the building and construction, or purchase of all such buildings, machinery, or other improvement as may
be of advantage to the said company in establishing, conducting, and
perfecting each and every of the businesses above mentioned.
§ 4. The president and directors of the said company, or a majority
of them are hereby authorized and empowered to set apart and appro-
priate, from time to time, such part or parts of the capital stock of the
said company, to each or any department of business above named, as
they may deem expedient and sufficient for properly establishing and
conducting the same; and upon so doing they shall designate, by name
and style, the business with the capital stock set apart and appropria-
ted therefor, and shall file a statement thereof in the office of the coun-
ty clerk of the county where the same is to be conducted; and from
the time of filing such statement the capital stock so set apart and ap-
propriated to a particular business, as aforesaid, shall belong exclusive-
ly to the same, under the name and style so designated in the state-
ment filed as aforesaid; and the holders of the capital stock so set
apart and appropriated for a particular business, shall proceed to elect
officers for the management thereof, under the said name and style, in
the same manner, and under the same rules and regulations as the said
company do it; and thenceforth the said business, under the name and
style so designated, shall be managed and conducted by its officers,
with the same rights, powers, and privileges, and under the same re-
strictions as the general business of the said company; and each par-
ticular business, under the name and style so designated as aforesaid,
shall hold its capital stock, property, and effects, pay its debts and lia-
bilities, sustain its losses, and divide its profits, entirely independent
of, and unmixed with, the general capital stock and business of the said
company, or with any other name and style organized as aforesaid.
§ 5. The said company are hereby authorized and empowered to
make any subscription they may deem expedient, to the capital stock
of any railroad company, slackwater navigation company, or other
company for the improvement of the Big Sandy river, which may tend
to enhance the value of their lands and property, or to the improvement
of the valley of the Big Sandy river.
§ 6. The said company are hereby authorized to create a contingent
fund of such amount as they shall deem proper for the protection and
promotion of the interest of said company, and the same loan out in
such sums, payable at such times, with such rate or rates of interest as
they may agree upon, or otherwise invest the same in such manner as
the said company shall judge best, to the end of the prompt payment
and security of the creditors of the said company.
§ 7. The franchises and powers granted in and by the act of incor-
poration, to which this is an amendment, or herein granted, are hereby
made perpetual; subject, however, to be at any time repealed or
amended for a violation of the said franchises and powers; provided
that such repeal or amendment shall in no wise be made so as to pre-
judice the rights and interests of the creditors of the said company.
§ 8. A special meeting of the stockholders of the said company may
be called by the president and directors, or a majority of them, at any
time when they may think the interests of the company require it, by
a notice thereof published for four weeks in one or more newspapers
published in the city of Covington or Louisville; and if a majority of
the capital stock issued by the said company shall be represented and voted at any such meeting, the actings and doings thereof shall be valid and binding upon the said company.

§ 9. The General Assembly shall have power to alter or repeal this act.

The amendments proposed by the Senate to said bill were then twice read, as follows, viz:

Strike out of the 6th section the words, "with such rate or rates of interest," printed in italics.

Strike out the 9th section of said bill.

The question was then taken on concurring in the first amendment, and it was decided in the affirmative.

And so said first amendment was concurred in.

The question was then taken on concurring in the second amendment, and it was decided in the negative.

And so said second amendment was disagreed to.

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

Those who voted in the affirmative, were

Richard B. Alexander, Joshua Dunn, William M. Morrow,
John B. Auxier, Daniel Garrard, Andrew J. Prichard,
Horatio W. Bruce, John S. Hargis, Benjamin F. Rice,
Colbert Cecil, Hiram Hawkins, Robert Richardson,
James A. Duncan.

Those who voted in the negative, were

Mr. Speaker, (Huston,) Robert B. English, Charles A. Marshall,
Lucien Anderson, George C. Paris, Jas. H. McCammond,
John B. Anderson, James M. Fogle, John C. McCleary,
William T. Anthony, McDowell Fogle, Hiram McElroy,
William E. A. Baker, S. A. Foss, John W. Menzie,
R. P. Beauchamp, Nathan Gaither, William M. Miller,
Ben Berry, Henry Giles, W. C. Montgomery,
William J. Berry, John K. Goodloe, Elijah P. Nuttall,
William S. Bodley, Alfred F. Graham, Samuel B. Pell,
John S. Bohannon, Gordon B. Grasty, David H. Raymond,
William B. Booker, Anderson Gray, Joseph Ricketts,
Robert C. Bowling, Benjamin Gullion, William Riley,
Laban J. Bradford, Ben Hardin Helm, George C. Rogers,
Archibald C. Brown, Greenberry Hicks, James A. Russell,
Erasmus O. Brown, John L. Irvin, Charles C. Smedley,
Isaac N. Clement, Andrew J. James, James M. Speer,
George B. Cook, Gideon P. Jolly, Richard J. Spurr,
Milton J. Cook, Andrew Jones, Thomas J. Terry,
Thomas H. Corbett, Richard Jones, David L. Thurman,
James M. Corbin, James Kinlaer, James H. Turner,
Coleman Covington, George F. Lee, Willie Waller,
James Culton, Samuel Long, Thos. H. M. Winn,
Frank P. Deatherage, John G. Lyon, Francis M. Woods,

Bills from the Senate of the following titles, viz:
1. An act to incorporate the Mechanics’ Fire Company, No. 1, of Jersey City and Paducah, Kentucky.
2. An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.
3. An act for the benefit of the Foster Turnpike Road Company.
4. An act to incorporate the Daviess County Agricultural and Mechanical Association.
5. An act to amend an act, entitled, an act to incorporate the Hickman and State line Plank Road Company.
6. An act to incorporate the Kentucky and Tennessee Mining and Manufacturing company.
8. An act to authorize the County Court of McCracken county to change the Gray’s ferry road.
9. An act to amend the 68th chapter of the Revised Statutes.
10. An act to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.
11. An act creating the office of Police Judge, in the town of Wyoming, in Bath county.
12. An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7, 1852; and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7, 1852.
13. An act to amend the charter of the Georgetown Turnpike Road Company.
14. An act appropriating money for the preparation of registration reports and tables.
15. An act for the benefit of J. D. Mannin.
16. An act for the benefit of the late sheriffs and deputy sheriffs of Nicholas county.
17. An act for the benefit of Abram Hite and Salina C. Hite.
18. An act to incorporate the First Presbyterian Church, of Ashland.
19. An act to incorporate the Washington Insurance Company, of Louisville.
20. An act providing for special judges.
21. An act allowing a change of venue in certain cases.
22. An act to charter the Tradewater Coal and Iron Mining Company.
23. An act to incorporate the Neptune Fire Engine and Hose Company, No. 2, of Maysville.
24. An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.
25. An act authorizing the school commissioner of Calloway county to enlarge New Concord school district.
26. An act to establish two additional terms of the McCracken Circuit Court.

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, 7th, 11th, 17th, 19th, 20th, 21st, 23d, and 24th—were referred to the committee on the Judiciary; the 3d, 5th, 6th, 13th, and 22d to the committee on Internal Improvement; the 4th to the committee on Agriculture and Manufactures; the 8th and 10th to the committee on County Courts; the 9th to the committee on the Revised Statutes; the 14th and 15th to the committee on Claims; the 16th to the committee on Ways and Means; the 18th to the committee on Religion; and the 25th to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 12th and 26th 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 for the benefit of the Keeper of the Penitentiary,

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 being 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 as aforesaid.

The House then took up the resolution from the Senate in relation to the inspection of tobacco, pork, and flour, in New Orleans, which being twice read was referred to the committee on Federal Relations.

The House then took up the bill to provide that a married woman may transact business in her own name.

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

And then the House adjourned.

TUESDAY, JANUARY 15, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.

An act to amend an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company.

An act to incorporate the Great Western Mining and Manufacturing Company.

An act to incorporate the Taylor County and Muldraugh's Hill Turnpike Road Company.

An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.

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

An act for the benefit of Jane Carey.

An act for the benefit of Ambrose O'Bannon.

An act for the benefit of Conrod Carpenter.

An act to amend an act to incorporate the Perryville and Mitchellsburg Turnpike Road, approved March, 1854.

An act to amend the charter of the Helena Turnpike Road Company.

An act to amend the charter of the Knobb Lick Turnpike Road Company.

An act for the benefit of L. P. Bartlett, of Hickman county.

1. Mr. Gray presented the petition of the trustees of school district No. 5, in Grayson county, praying they may be permitted to draw pay for a double school term taught in said district.

2. Mr. Menzies presented the memorial of J. G. Shrock, trustee of
common schools in Covington, praying that the common schools in that city may be permitted to draw their share of the school fund.

3. Mr. Turner presented the petition of James Howard and others, praying a change in the time of holding the Montgomery and Powell County Courts.

4. Mr. Corbin presented the petition of citizens of the town of Florence, praying that the act incorporating said town may be repealed.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Education; the 3d to the committee on County Courts; and the 4th to the committee on the Judiciary.

Mr. Hanson presented a memorial of the trustees of Transylvania University, which was received and read, as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

The Superintendents of Public Instruction, in their reports to your honorable body, have repeatedly urged the propriety and importance of the state establishing an institution, where teachers may be prepared and qualified to take charge of the common schools, and where superior education could be obtained by the youth of the state, without passing beyond its limits. It is not the purpose of the trustees of Transylvania University, in this memorial, to discuss or elucidate the policy of such an institution, as intimately connected with, if not absolutely necessary to, the working of the common school system. They leave that subject to the wisdom of the general assembly, and to those whose appropriate duty it is to present it for your consideration.

Having charge of the oldest, if not the only state college, to which belong grounds and buildings well adapted for such an institution, with an amount of funds which would afford considerable aid to the object, the trustees have determined to tender to the commonwealth a surrender of the literary department of the university, with its property and funds, for the purpose and upon the condition of an institution of learning being organized under the control of the state, and permanently located upon the grounds so surrendered.

The present property of the university consists almost entirely of donations by the city of Lexington, and by individuals residing in its neighborhood. The endowment made by the state of Virginia was used in the erection of the old college edifice, which was destroyed by fire. Beyond a small grant of money to pay the debts of the university, made more than thirty years since, no donation is remembered to have been made by the state of Kentucky.

The property and funds proposed to be surrendered, are subject to certain trusts and conditions, of which the following are the most material:

1. The principal college edifice has the name of "Morrison Hall" affixed to it, by the founder, Col. James Morrison.

2. Twenty thousand dollars, donated by the same person, must be devoted to the perpetual endowment of a professorship, to be called "The Morrison Professorship."

3. The city of Lexington, and members of the Transylvania Insti-
tute, are entitled to send one student, free of tuition fees, for each sum
of five hundred dollars donated by them.

The trustees have no power of changing or violating these trusts or
conditions. The third condition above enumerated is protected by the
act of session 1838-9. By that act no change can be made by the
legislature, of the charter or organization of the university, without
the consent of a majority of its trustees, which consent, on the terms
herein contained, is given by this memorial.

The property and funds belonging to the literary department, are:

1. Ten acres of ground in the city of Lexington, on which Morrison
Hall is situated. The cost of ground and building was about $40,000.

2. Five acres of land adjoining, called the Blythe Lot, purchased
with funds donated by the city and individuals, at a cost of about
$5,000.

3. The dormitories erected on the above lots, at a cost of about
$10,000.

4. The old college lot, donated by citizens of Lexington about fifty
years ago—on which the only building at present is a janitor's house
and schoolroom.

5. Bonds and stock amounting to $58,919 47, yielding an income of
$3,567 38.

The property and funds may safely be estimated as exceeding in
value one hundred thousand dollars, and would only require a proper
organization by the state to be made immediately useful.

M. C. JOHNSON,
BENJ. GRATZ,
J. J. HUNTER,
G. B. KINKEAD,
R. W. WOOLLEY,
W. A. DUDLEY,
JOEL HIGGINS.

Ordered, That said memorial be referred to the committee on Educa-
tion.

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

The Speaker laid before the House the following letter from the
Auditor:

Auditor's Office,
FRANKFORT, January 15, 1856.

Hon. John B. Huston,
Speaker of the House of Representatives:

Sir: Enclosed I send you settlement of the Treasurer of the East-
tern Lunatic Asylum, at Lexington, for the years 1854 and 1855.

Respectfully,
THO. S. PAGE, Auditor.

[For settlement—see Legislative Documents.]

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

An act to incorporate the North Kentucky Agricultural Society.
An act to charter the Muldraugh's Hill and Green River Turnpike Road Company.
An act for the benefit of Charles Linn, Sen., of Calloway county.
An act to incorporate the Union Agricultural and Improvement Association of Mason and Bracken counties.
An act to legalize the proceedings of the February term, 1852, of the Casey County Court.
An act for the benefit of W. B. A. Baker, late Sheriff of Mason county.
An act to amend an act, entitled, an act to improve the road from Hall's Gap to Somerset.
An act to change the route of the Wilderness Turnpike Road.
An act to legalize the subscription of the Woodford County Court to the Versailles and Munday's Landing Turnpike Road.

On motion of Mr. Bruce, leave was given to bring in a bill to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike road Company, approved February 3, 1848.

Ordered, That Messrs. Bruce, Graham, and Helm prepare and bring in said bill.

Mr. Cecil moved a reconsideration of the vote by which the House refused to order to be read a third time the bill to establish the county of Jackson.

Mr. Hanson moved to lay said motion on the table.

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

The question was then taken upon the motion to reconsider said vote, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Spurr and Philip Lee, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Hewitt and Richard Jones, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Speaker, (Huston,) David R. Dugan, James S. Littlepage, James A. Duncan, John G. Lyon, Charles A. Marshall,
Mr. Helm, from the committee appointed to prepare and bring in the same, reported a bill to aid counties that have or may subscribe to the construction of railroads, and to promote internal improvement and common school education.

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 said bill was rejected.

Mr. Menzies, from the committee on the Judiciary, to whom were referred bills from the Senate of the following titles, viz:

1. An act to amend the law in relation to executors, administrators, and curators.

2. An act to amend the law in relation to guardians.

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—

The 2d bill was referred to the committee on the Revised Statutes.

Resolved, That the 1st bill do pass, and that the title thereof be as aforesaid.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, as amended, entitled,

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company,

Reported the same without further amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Alfred Towns, William Head, John D. Wyms, James R.
Johnson, John Wilson, James B. Barnhill, Kerney G. Rice, Thomas K. Givens, George W. Wyma, Fayette Posey, and Samuel Montgomery, their associates, successors, and assigns, he and they are hereby constituted a body corporate and politic, by the style and title of the Providence Mining, Manufacturing, and Shipping Company, with perpetual succession, and with power to contract and be contracted with, to sue and be sued in that name, in all courts and places; to have a common seal; to engage in the mining of coal, and all other minerals or metals upon the lands now owned, or which may hereafter be owned, by them, on the waters of Tradewater river, in the counties of Hopkins, Union, and Crittenden, south of the Crab Orchard fork of said river, and north of Clear creek, and in the manufacture of any other articles or commodities whatever, and in the transportation of the same to any market in or out of the United States; to hold their meetings in the State, and to exercise all authority, and have all powers which they may deem needful for the successful prosecution of their business, and for the execution of powers herein granted.

§ 2. That said corporators may organize said company, by the appointment of a president and four directors, and such other officers as they may think proper, at such time and place as they may designate by notice previously given; and when organized, said company shall have power to make such by-laws, rules, and regulations as they may deem necessary, from time to time, for the government, management, and prosecution of the business of said company, and enforce the same.

§ 3. The capital stock of said company shall be one million of dollars, with power to increase or diminish the same, from time to time, as the interest of the company may require, divided into shares of one hundred dollars each.

§ 4. Said company shall have the right to make slackwater navigation of Tradewater river, by putting in the necessary locks and dams in said river to give four feet water at all seasons of the year at Bellville, in Hopkins county; said lock pits to be made of substantial stone masonry and hydraulic lime, not less than one hundred and sixty feet long and forty feet wide in the chamber, and the dams not to be so high as to cause the water to flood the country. Said company is hereby required to have said locks attended to by competent hands, and pass all boats, water craft, or lumber, through said locks, for which they shall be allowed to charge and receive the same tolls that are charged at the locks on Green and Barren rivers; and all former laws giving the privilege of making slackwater navigation of said river are hereby repealed.

§ 5. That each stockholder shall be entitled to as many votes as he owns shares, which shall be given viva voce, or by proxy.

§ 6. Said company may build, buy, and own boats for the purpose of carrying on their business, and may dispose of their property, or any portion of it, by sale or otherwise; they may receive real estate or mining privileges in the payment of such part of their stock as they may deem advisable, and shall have the power to hold, either by purchase or otherwise, such real estate, mining right of way, or other property, as may be thought expedient by them, for the successful pros-
execution of their business, and the same, or any part thereof, to dispose of as the interest of the company may require.

§ 7. That it shall be lawful for the president and managers of said company, from time to time, to borrow or obtain on loans such sums of money, and on such terms, as they deem expedient, for the prosecution of the business of said company: Provided, That the president and managers shall never permit the liabilities of said corporation to exceed one-half of its capital stock; and to pledge or mortgage any part of the estate, improvements, privileges, effects, or assets, whatsoever of said company, for the repayment of said sums of money, so borrowed at such times as may be agreed upon.

§ 8. Said company shall have power to build railroads and other passways through their lands that they deem necessary, and through the lands of others, by paying for the same agreeably to the laws of the State in opening roads.

§ 9. Said company shall keep a record of all their business transactions, which shall be subject to the examination of any stockholder, or creditor, and allow extracts of the same to be taken by those interested in the same.

§ 10. That said company shall have the power to consolidate the mining interest and effects of any chartered company upon the waters of Tradewater river, whenever three-fourths of such company or companies shall agree to the terms proposed by this company.

§ 11. That said company shall possess and enjoy all powers, rights, privileges, and immunities which are right, necessary, and proper to carry out the objects of this association.

§ 12. This act shall take effect from and after its passage.

The amendments to said bill, adopted by the Senate, read as follows, viz:

Strike out section 3, and insert in lieu thereof the following, viz:

§ 3. The capital stock shall be five hundred thousand dollars, and may be increased by the company to one million of dollars, and shall be divided into shares of one hundred dollars each.

Amend section 4, by striking out the following words at the end of the section, viz: "And all former laws, giving the privilege of making slackwater navigation of said river are hereby repealed," and inserting in lieu thereof, the following words, viz: "But said company shall not make slackwater navigation of Tradewater river, unless it can make arrangements with the riparian owners of land where it may desire to make the necessary works."

Amend section 8, by striking out, at the end of the section, the following words, viz: "by paying for the same agreeably to the laws of the State in opening roads," and inserting in lieu thereof the following words, viz: "If the consent of the owners can be obtained."

Strike out section 10.

Add to the bill the following section, viz:

The general assembly may alter or repeal this charter, whenever it is deemed expedient.

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,

Mr. Morrow moved the following amendment, by way of engrossed rider, viz:

That all former acts of the general assembly, granting privileges to slackwater said stream, be and they are hereby repealed, unless complied with in two years from and after the passage of this act.

Mr. McElroy moved to lay said bill upon the table.

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

The yeas and nays being required thereon, by Messrs. McElroy and Richard Jones, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, Samuel B. Pell,
Richard B. Alexander, Alfred F. Graham, Andrew J. Pridye,
John B. Anderson, Anderson Gray, Robert Richardson,
William T. Anthony, Roger W. Hanson, William Riele,
John B. Auxier, John S. Hargis, George C. Rogers,
William B. A. Baker, Hiram Hawkins, James A. Russell,
Ben. Berry, Ben Hardin Helm, Richard J. Spurr,
John S. Bobannon, Greenberry Hicks, Thomas J. Terry,
William B. Booker, Andrew J. James, Joshua Tevis,
Robert C. Bowling, Gideon P. Jolly, Richard S. Thornton,
Laban J. Bradford, Andrew Jones, David L. Thurman,
Horatio W. Bruce, Richard Jones, James H. Turner,
Isaac N. Clement, James Kinslaer, E. L. Vanwinkle,
Milton J. Cook, George F. Lee, Willie Waller,
James Culton, James S. Littlepage, James T. Ware,
David R. Dugen, Samuel Long, L. A. Whiteley,
Joshua Dunn, John G. Lyon, T. H. M. Winn,
George C. Faris, Pleasant W. Mahan, Hiram Wood,
Sidney A. Foss, John C. McCready, Francis M. Woods,
Henry Giles, W. C. Montgomery.

Those who voted in the negative, were

Lucien Anderson, Coleman Covington, Jas. H. McCampbell,
R. P. Beauchamp, Frank P. Deatherage, John W. Menzies,
William S. Bodley, Ephraim B. Elliott, William M. Miller,
Archibald C. Brown, James M. Fogle, William M. Morrow,
Erasmus O. Brown, McDowell Fogle, Elijah F. Nuttall,
Colbert Cecil, Daniel Garrard, Benjamin F. Rice,
John B. Cochran, Gordon B. Grasty, Joseph Ricketts,
George B. Cook, Benjamin Gullion, Charles C. Smedley,
James M. Corbin, Philip Lee,

And then the House adjourned.
WEDNESDAY, JANUARY 16, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz.

An act to amend an act incorporating the town of Mayfield, Graves county.

An act to incorporate Allen Lodge Masonic Female College.

An act for the benefit of Joshua Oaks.

An act for the benefit of James Taylor, of Hardinsburg.

An act to legitimize the illegitimate children of Samuel Haddix.

An act to repeal the act incorporating the town of Jackson.

An act to incorporate the Owensboro and Wolf Hill Railroad Company.

An act to establish the county of Rowan.

An act for the benefit of William Hanna, of Bracken county.

An act for the benefit of Dixon C. Murphy, of Barren county.

An act to amend the charter of the Louisville and Memphis Railroad Company.

With an amendment to the last named bill.

That they had disagreed to bills from this House, of the following titles, viz:

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

An act for the benefit of Nathan W. Curry.

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

An act for the benefit of Philip B. Thompson.

An act to amend the charter of Bacon College.

An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.

An act to amend the road laws of this commonwealth.

An act to amend the charter of the Greenville Institute.

An act incorporating the Hustonville and McKinney Station Turnpike Road Company.

An act for the benefit of Reuben Smith, of Barren county.

An act for the benefit of Jacob Rice, late Sheriff of Carter county.

An act requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.

An act for the benefit of Wm. Winston, jr., of McCracken county.
An act for the benefit of the Kentucky Institution for the education of the deaf and dumb.

An act to amend the charter of the town of Georgetown.

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 to amend section 906 of the Code of Practice in civil cases.

An act to facilitate the trial of equity causes.

An act to establish an additional voting place in Hayes' district, in Hickman county.

Approved January 14, 1856.

Mr. Menzies presented the petition of N. B. Stephens, praying that the trustees of school district No. 16, in Kenton county, may be permitted to file their report and draw their share of the school fund.

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

Leave was given to bring in the following bills, to-wit:

On motion of Mr. Deatherage—1. A bill to incorporate the Jefferson Female Academy.

On motion of Mr. Hanson—2. A bill to incorporate the Winchester and Mount Sterling Central Turnpike road Company.

On motion of same—3. A bill to incorporate the Kiddville and Red river Turnpike road Company.

Ordered, That the committee on Education prepare and bring in the 1st bill; and the committee on Internal Improvement the 2d and 3d.

Mr. Bradford moved the following resolution, which was adopted, viz:

Resolved, That the use of this Hall be tendered to the Agricultural Convention, which is to assemble this afternoon for the purpose of forming a State Association.

Mr. Helm, from the committee on the Judiciary, reported a bill to amend the charter of the Louisville and Nashville Railroad Company.

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.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,
An act to incorporate the Washington Insurance Company, of Louisville,
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 being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid
Mr. Menzies, from the same committee, to whom was referred a bill
to amend articles 6 and 7 of chapter 28 of the Revised Statutes,
Reported the same, with an amendment.
Which was concurred in.
Said bill, as amended, reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken­
tucky, That articles 5, 6, and 7, of chapter 28 of the Revised Statutes,
be and the same are hereby so amended as to allow the clerks of the
several county courts of this Commonwealth ten cents for copying and
issuing each order appointing a survey or of a road, and that the sher­
iffs of the several counties aforesaid be and they are hereby allowed
twenty-five cents for serving each of said orders, to be paid out of the
county levy.
§ 2. That clerks of circuit courts in this Commonwealth are hereby
allowed to charge against the Commonwealth, in all prosecutions for
felony, for filing the indictment and other papers, making orders of
court, orders and copies for witnesses attendance, taking and recording
recognizances of the accused and of witnesses, issuing subpoenas and
orders of arrest, and swearing jurors and witnesses pertaining to the
prosecution of felony cases in their respective courts, the same fees
which, by law, they are permitted to charge and collect for like services
in civil or penal cases. Provided, the fees which are hereby allowed,
in addition to the fees heretofore allowed them by law, shall not exceed,
in any one year, the sum of forty dollars to any one clerk. And his
fee bill shall be made out and allowed by the judge of his court, and
certified to the auditor of public accounts, and paid out of the treasury
of this Commonwealth, as other claims on the treasury from his court.
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 it was
decided in the negative.
And so said bill was rejected.
The yeas and nays being required thereon, by Messrs. Garrard and
Gray, were as follows, viz:
Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Menzies, from the same committee, to whom was referred a bill to amend chapter 42 of the Revised Statutes, title, "gaming,”

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any person or persons shall, in any house, boat, float, tenement, or premises, without the permission of the owner, controller, occupier, or tenant, of any such house, boat, float, tenement or premises, engage in any hazard or game in which money or property is bet, won, or lost, such person or persons shall be subject to a fine of not less than twenty nor more than one hundred dollars; and shall, moreover, be liable to the owner, controller, occupier, or tenant of any such house, boat, float, tenement, or premises, for all damages and costs, legal and extraordinary, which he or she may sustain in consequence thereof.
§ 2. That if any person or persons shall engage in gambling for a livelihood, such person or persons shall be held and taken to be a common gambler, and shall be dealt with as now prescribed by law.

§ 3. That the last subdivision of section seven of this chapter, to which this act is an amendment, shall apply to prosecutions under the tenth section of said chapter.

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. Nuttall moved to amend said bill, by adding the following engrossed clause, by way of rider, viz:

§ 4. That if any owner of a faro bank, or other gaming table, shall knowingly permit any one under the age of twenty-one years to bet any money at his said bank or table, he shall be deemed guilty of a highly penal offense, and upon conviction thereof shall be fined and imprisoned in the discretion of a jury.

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

Mr. Vanwinkle moved further to amend said bill, by adding the following engrossed clause, by way of rider, viz:

§ 5. That whoever shall engage in any game of chance upon the public highway, at which money or property, or other thing of value shall be won or lost, shall, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars.

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

The question being then taken on the passage of said bill, it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris,
Richard B. Alexander, James M. Fogle,
Lucien Anderson, McDowell Fogle,
John B. Anderson, S. A. Foss,
John B. Auxier, Henry Giles,
William B. A. Baker, John K. Goodloe,
R. P. Beauchamp, Alfred F. Graham,
William J. Berry, Gordon B. Grasty,
William S. Bodley, Benjamin Gullion,
John S. Bohannon, John S. Hargis,
William B. Booker, Hiram Hawkins,
Robert C. Bowling, Ben Hardin Helm,
Archibald C. Brown, John M. Hewitt,
Erasmus O. Brown, Greenberry Hicks,
Colbert Cecil, Andrew J. James,
John W. Menzies,
William M. Miller,
W. C. Montgomery,
William M. Morrow,
Elijah F. Nuttall,
Samuel B. Pell,
Andrew J. Prichard,
Benjamin F. Rice,
Robert Richardson,
Joseph Ricketts,
William Relley,
George C. Rogers,
James M. Speer,
Richard J. Spurr,
Thomas J. Terry,

Those who voted in the negative, were


Mr. Menzie's, from the same committee, to whom was referred a bill to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles,

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. Menzie's, from the same committee, to whom was referred a bill to amend the law respecting trespasses on lands,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any person or persons shall willfully take or feed stock upon the lands of another, or shall cause the same to be done for the purpose of using them to said lands, he shall be liable to be indicted therefor; and upon conviction thereof shall be fined not less than five nor more than five hundred dollars, in the discretion of a jury.

§ 2. This act shall be in force from and after its passage.

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 yeas and nays being required thereon, by Messrs. Hawkins and Philip Lee, were as follows, viz:

Those who voted in the affirmative, were

William B. A. Baker, \(\cdots\) McDowell Fogle, \(\cdots\) John W. Menzies, \(\cdots\) William M. Miller, \(\cdots\) W. C. Montgomery, \(\cdots\) William M. Morrow, \(\cdots\) Andrew J. Prichard, \(\cdots\) Benjamin F. Rice, \(\cdots\) Robert Richardson, \(\cdots\) Joseph Ricketts, \(\cdots\) James A. Russell, \(\cdots\) James M. Speer, \(\cdots\) Joshua Tevis, \(\cdots\) David L. Tharman, \(\cdots\) E. L. Vanwinkle, \(\cdots\) James T. Ware, \(\cdots\) Thomas H. M. Winn, \(\cdots\) E. W. Worsham—48.

Those who voted in the negative, were

Mr. Speaker, (Huston,) James A. Duncan, \(\cdots\) Richard E. Alexander, \(\cdots\) George C. Faris, \(\cdots\) John C. McCreaery, \(\cdots\) Hiram McElroy, \(\cdots\) Elijah F. Nutter, \(\cdots\) Samuel B. Pell, \(\cdots\) William Reiley, \(\cdots\) George C. Rogers, \(\cdots\) Charles C. Smedley, \(\cdots\) Richard J. Spurr, \(\cdots\) Thomas J. Terry, \(\cdots\) Richard S. Thornton, \(\cdots\) James H. Turner, \(\cdots\) Fielding Vaughan, \(\cdots\) Willie Waller, \(\cdots\) Hiram Wood, \(\cdots\) Francis M. Woods—45.

Mr. Hanson moved a reconsideration of the vote by which the bill from the Senate, entitled, an act to incorporate the Providence Mining, Manufacturing, and Shipping Company was laid on the table.

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

Mr. Morrow then withdrew the engrossed rider, moved by him yesterday.

Mr. Morrow then moved to amend said bill, by adding the following engrossed clause, by way of rider, viz:

\[\text{§ } \text{— That all former acts of the General Assembly, granting privileges to slackwater said stream, be and are hereby repealed, unless complied with in four years from and after the passage of this act.}\]
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


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

A message was received from the Senate, asking leave to withdraw their report, announcing their disagreement to a bill from this House, entitled,

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

And the passage of a bill from this House, entitled,

An act for the benefit of James Taylor, of Hardinsburg.
Which was granted, and the same were withdrawn.

On motion of Mr. James A. Duncan.

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing their disagreement to the second amendment of the Senate to a bill from this House, intitled,

An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

After a short time the messenger returned with said bill.

Mr. McElroy moved a reconsideration of the vote disagreeing to said second amendment.

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

Ordered, That said bill, and amendment, be recommitted to the committee on the Judiciary.

The House then took up the resolution, read and laid on the table by Mr. Rogers, in relation to an examination of the Eastern and Western Lunatic Asylums.

The resolution was then read a second time, and adopted.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Robert B. English, Hiram McElroy,
Richard B. Alexander, George C. Faris, John W. Menzies,
John B. Anderson, Daniel Garrard, William M. Miller,
John B. Auxier, Henry Giles, W. C. Montgomery,
William E. A. Baker, John K. Goodloe, William M. Morrow,
R. P. Beauchamp, Alfred F. Graham, Samuel B. Pell,
Ben Berry, Gordon B. Grasty, David H. Raymond,
William J. Berry, Benjamin Gallion, Robert Richardson,
William S. Bodley, Roger W. Hanson, Joseph Ricketts,
John S. Bohannon, John S. Hargis, William Reiley,
William B. Booker, Hiram Hawkins, George C. Rogers,
Robert C. Bowling, Ben Hardin Helm, James A. Russell,
Archibald C. Brown, Greenberry Hicks, Charles C. Smeldley,
Erasmus O. Brown, Andrew J. James, James M. Spears,
Horatio W. Bruce, Gideon P. Jolly, Richard J. Spurr,
Colbert Cecil, Andrew Jones, Thomas J. Terry,
John B. Cochran, Richard Jones, Joshua Tevis,
George B. Cook, James Kinslaer, Richard S. Thornton,
Thomas H. Corbett, George F. Lee, David L. Thurman,
James M. Corbin, Philip Lee, James H. Turner,
Coleman Covington, Jas. S. Littlepage, E. L. Vanwinkle,
Frank P. Deatherage, John G. Lyon, James T. Ware,
David R. Dugan, Pleasant W. Mahan, Thomas H. M. Winn,
Joshua Duma, Charles A. Marshall, E. W. Worsham—74,
Ephraim B. Elliott, Jas. H. McCampbell.
Those who voted in the negative, were

William T. Anthony, Sidney A. Foss, Elijah F. Nuttall,
Isaac N. Clement, Nathan Gaither, Benjamin F. Rice,
Milton J. Cook, Anderson Gray, Fielding Vaughan,
James Culton, John L. Irvin, Willie Waller,
James M. Fogle, Samuel Long, Hiram Wood—17.
McDowell Fogle, John C. McCready.

And then the House adjourned.

THURSDAY, JANUARY 17, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the Green River Coal, Iron and Manufacturing Company.
An act for the benefit of John Moore, jailer of Green county.
An act to amend the charter of the Louisville and Nashville Railroad Company.
An act for the benefit of James Taylor, of Hardinsburg.
With an amendment to the last named bill.
That they had disagreed to the amendment of this House, to a bill from the Senate of the following title, viz:
An act for the benefit of the Keeper of the Penitentiary.
That they had passed bills and a resolution of the following titles, viz:
An act, entitled, an act to amend the charter of the Perryville Seminary.
An act to amend the 10th section of the 13th chapter of the Revised Statutes.
Resolution in relation to the election of Public Printer and Librarian.
1. Mr. Turner presented the petition of Robert S. Scott, of Clarke county, praying that he may be reimbursed out of the Treasury, in the amount of Tax overpaid by him.
2. Mr. E. O. Brown presented the petition of sundry citizens of Meade county, praying the passage of an act changing a portion of the State road from Brandenburg to Bowlinggreen.
3. Mr. Bodley presented a memorial from the Masonic Board of Fi-
ance, of the city of Louisville, praying the passage of an act exempting the Masonic Temple, in that city, from taxation.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d to the committee on Internal Improvement; and the 3d to the committee on Ways and Means.

On motion of Mr. Foss, leave was given to bring in a bill to amend an act authorizing the Oakland Plankroad Company to construct a branch road.

Ordered, That the committee on internal Improvement prepare and bring in said bill.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in this House, of the following title, and had found the same truly enrolled, viz:

An act to amend the charter of the Louisville and Nashville Railroad Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

Mr. Menziez, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported the following bills, viz:

A bill to amend the charter of the city of Covington.
A bill to require land to be listed for taxation in the counties in which they lie.

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. Hargis, from the committee on the Judiciary, to whom was referred a bill for the benefit of Joseph Yeager;

Reported the same without amendment.

Said bill reads as follows, viz:

Whereas, It is represented to the general assembly of the commonwealth of Kentucky, that Joseph Yeager, a citizen of Kentucky, recovered a judgment in the Trimble circuit court against one Rowe, for five thousand dollars, in an action of trespass; and whereas, it is further represented that said Yeager, to enforce this judgment, instituted suit thereon in the District Court of the United States of America, for the State of Indiana, and upon the trial of said cause the judge of said court decided that the courts of the State of Kentucky had no jurisdiction of trespass aforesaid. Therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
That the sum of one thousand dollars be, and the same is hereby appropriated, out of any unappropriated moneys in the public treasury, for the purpose of taking up said cause to the Supreme Court of the United States of America, that the question of boundary between the State of Kentucky and the State of Indiana may be settled.

§ 2. That the auditor of public accounts, upon the application of Elijah F. Nuttall—who is hereby appointed to superintend the preparation of the case, employ counsel, and pay the costs thereof—shall issue his warrant upon the treasury for the aforesaid sum of one thousand dollars: Provided, however, That it shall not be lawful for the said Nuttall, in any manner or shape, to pledge the faith of the State, directly or indirectly, to the appropriation of any more money for the purposes aforesaid.

§ 3. This act shall be in force from its passage.

Mr. Rice moved the following amendment as a substitute for said bill, viz:

WHEREAS, It is represented to the general assembly of the commonwealth of Kentucky, that Joseph Yeager recovered a judgment in the Trimble circuit court against one Rowe, a citizen of the state of Indiana, for five thousand dollars in an action of trespass; and, whereas, it is further represented that the said Yeager, to enforce this judgment, instituted suit thereon in the district court of the United States of America for the state of Indiana, and upon the trial of said cause the judge of said court decided that the courts of Kentucky had no jurisdiction of the trespass aforesaid, because process was served on a boat attached to the Indiana shore, though at a place within the boundary of Kentucky at low water, on the northwest bank of the Ohio river; and because the place where said process was served was a boat attached to the Indiana shore of the Ohio river; and, whereas, this commonwealth is entitled to, and intends to maintain, her jurisdiction to low water mark on the northwestern bank of said river—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one thousand dollars be, and the same is hereby appropriated, out of any unappropriated moneys in the treasury, for the purpose of taking up said cause to the supreme court of the United States of America, that the jurisdiction of the state of Kentucky to low water mark on the northwestern bank of the Ohio river may be vindicated and maintained.

§ 2. That the auditor of public accounts, upon the application of Elijah F. Nuttall—who is hereby appointed and empowered to superintend the preparation of the case, employ counsel, and pay all the costs thereof—shall issue his warrant upon the treasury, in favor of said Nuttall, for the aforesaid sum of one thousand dollars: Provided, however, That it shall not be lawful for the said Nuttall, in any manner or form, to pledge the faith of the state, directly or indirectly, to the appropriation of any more money for the purposes aforesaid.

§ 3. This act shall be in force from its passage.

Mr. Bedley moved to amend the substitute, by striking out the second section, and inserting in lieu thereof the following, viz:
§ 2. That the appeal hereinbefore mentioned shall not be prosecuted unless the attorney general, on examination, shall be of opinion that the question of jurisdiction is involved in the record; and the attorney general is authorized to employ agents, pay expenses, and superintend the appeal, and the auditor shall draw his warrant in favor of the attorney general to pay such expenses, not exceeding one thousand dollars.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Robert B. English, Andrew J. Prichard,
William B. A. Baker, Sidney A. Foss, Joseph Ricketts,
R. P. Beauchamp, Roger W. Hanson, James A. Russell,
William J. Berry, James Kinslaer, Richard J. Spurr,
William S. Bodley, George F. Lee, Joshua Tevis,
Archibald C. Brown, John G. Lyon, E. L. Vanwinkle,
Horatio W. Bruce, Jas. H. McCampbell, James T. Ware,
Milton J. Cook, John W. Menzies, L. A. Whiteley,
James M. Corbin, William M. Miller, Thos. H. M. Winn,

Those who voted in the negative, were

Richard Alexander, Nathan Gaither, Pleasant W. Mahan,
Lucien Anderson, Daniel Garrard, Charles A. Marshall,
John B. Anderson, Henry Giles, John C. McCreary,
William T. Anthony, John K. Goodloe, Hiram McElroy,
John B. Auxier, Alfred F. Graham, William M. Morrow,
Ben Berry, Gordon B. Grasty, Samuel B. Pell,
John S. Bohannon, Anderson Gray, David H. Raymond,
William B. Booker, Benjamin Gullion, Benjamjn F. Rice,
Robert C. Bowling, John S. Hargis, Robert Richardson,
Laban J. Bradford, Hiram Hawkins, William Reiley,
Erasmus O. Brown, Ben Hardin Helm, George C. Rogers,
Colbert Cecil, John M. Hewitt, Charles C. Smedley,
John B. Cochran, Greenberry Hicks, James M. Speer,
George B. Cook, John L. Irvan, Thomas H. Terry,
Thomas H. Corbett, Andrew J. James, Richard S. Thornton,
James C. Culton, Gideon P. Jolly, David L. Thurman,
David R. Dugan, Andrew Jones, James H. Turner,
James A. Duncan, Richard Jones, Fielding Vaughan,
Joshua Dunn, Philip Lee, Willie Waller,
Ephraim B. Elliott, James S. Littlepage, Hiram Wood,
George C. Faris, Samuel Long, E. W. Worsham—64.
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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Joshua Dunn, Samuel Long,
Richard B. Alexander, Ephraim B. Elliott, John G. Lyon,
Lucien Anderson, Robert B. English, Pleasant W. Mahan,
John A. Anderson, George C. Paris, John C. McCready,
William T. Anthony, James M. Fogle, William M. Miller,
John B. Auxier, Sidney A. Foss, W. C. Montgomery,
William B. A. Baker, Nathan Gaither, William M. Morrow,
R. P. Beauchamp, Daniel Garrard, Samuel B. Pell,
Ben. Berry, Henry Giles, David H. Raymond,
William S. Bodley, John K. Goodloe, Benjamin F. Rice,
John S. Bohannon, Alfred F. Graham, Joseph Ricketts,
William B. Booker, Gordon B. Grasty, William Reiley,
Robert C. Bowring, Anderson Gray, George C. Rogers,
Laban J. Bradford, Benjamin Gullien, Charles C. Smedley,
Archibald C. Brown, John S. Hargis, James M. Speer,
Erasmus O. Brown, Hiram Hawkins, Thomas J. Terry,
Horatio W. Bruce, Ben Hardin Helm, Richard S. Thornton,
Colbert Cecil, John M. Hewitt, David L. Thurman,
John B. Cochran, Greenbury Hicks, James H. Turner,
George B. Cook, John L. Irvan, Fielding Vaughn,
Milton J. Cook, Gideon P. Jolly, James T. Ware,
Thomas H. Corbett, Andrew Jones, Lambert A. Whiteley,
Coleman Covington, Richard Jones, Thomas H. M. Winn,
James Culter, James Kinser, Hiram Wood,
Frank P. Deatherage, George F. Lee, Francis M. Woods,
James A. Duncan, James S. Littlepage.

Those who voted in the negative, were

William J. Berry, Jas H. McCampbell, James A. Russell,
James M. Corbin, Hiram McElroy, Richard J. Spurr,
Roger W. Hanson, John W. Menzies, Joshua Tevis,
Andrew J. James, Andrew J. Prichard, E. L. Vanwinkle,
Charles A. Marshall, Robert Richardson, Willie Waller—15.

Resolved, That the title thereof be as aforesaid.

Mr. Menzies, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported a bill to provide against the demoralization of slaves.
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.

Ordered, That said bill, as amended, be referred to the committee on the Revised Statutes.

A message was received from the Governor by Mr. Bibb, Assistant 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 time of holding the County Court of Oldham county.

An act to amend the charter of the Louisville and Nashville Railroad Company. Approved January 17, 1856.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled,

An act to amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company.

With an amendment thereto.

And then the House adjourned.

FRIDAY, JANUARY 18, 1856.

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 benefit of Hiram Keath, of Pulaski county.

An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.

An act to change the place of voting in Bethesda precinct in Trigg county.

With an amendment to the last named bill.

That they had disagreed to bills from this House, of the following titles, viz:

An act to change the place of voting in Radford's precinct in Calhoun county, and in Hayne's district in Graves county.
An act to repeal an act, approved February 18, 1854, changing the boundary of Hazlegreen district, Morgan county.

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

An act to incorporate the Barren county and Mammoth Cave Plank-road Company.

An act to incorporate the Stony Hill Turnpike Road Company.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

An act for the benefit of Jonathan Vaneleve and Matthew Murphy, trustees of school district No. 75, of Daviess county.

An act for the benefit of William S. Rand, late Commissioner of the State of Kentucky, at the exhibition of the industry of all nations.

1. Mr. Jolly presented the petitions of citizens of Breckinridge and Meade counties, praying a change in the State road between Brandenburg and Bowlinggreen.

2. Mr. McElroy presented the petition of citizens of Union county, praying the establishment of a bank in Caseyville, in said county.

3. Also, the petition of citizens of voting district No. 5, Union county, praying a removal of the place of voting in said district.

4. Mr. Covington presented the petition of citizens of Vienna, Clarke county, praying that said town may be incorporated.

5. Mr. Ben. Berry presented the petition of citizens of Christian county, praying an increase in the compensation of jailers.

6. Mr. Menzies presented a memorial from the members of the bar of Grant county, praying the abolition of the Quarterly Courts of this State.

7. Mr. Kinslaer presented the petition of Elijah J. Green and others, praying that they may receive an additional allowance for distributing the public books in the 2d and 3d districts, in 1854.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Banks; the 3d to the committee on Privileges and Elections; the 4th to the committee on the Judiciary; the 5th to the committee on Ways and Means; the 6th to the committee on County Courts; and the 7th to the committee on Claims.

Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill for the benefit of Robert P. Pepper, of Woodford 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.
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 provide a police system for part of Kenton county.

By same.—A bill to amend the charter of the Covington Fire, Life, and Marine Insurance Company.

By the committee on Ways and Means.—A bill for the benefit of John Friend, late Sheriff of Floyd county.

By same.—A bill for the benefit of L. B. Wilson, late Sheriff of Carroll county.

By same.—A bill for the benefit of Elisha Breeding, late Sheriff of Letcher county.

By same.—A bill for the benefit of the sureties of Berry Scruggs, late Sheriff of Washington county.

By the committee on Internal Improvement.—A bill to incorporate the Richmond and Big Hill Turnpike Road Company.

By same.—A bill to amend an act, entitled, an act to incorporate the Hustonville, Liberty, and Columbia Turnpike Road Company.

By same.—A bill to authorize the Louisville and Frankfort Railroad Company to sell their bonds, for certain 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. Menzies, from the committee on the Judiciary, reported a bill to provide for ten per centum per annum interest, on written contracts for such or less rate.

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 bills having been dispensed with—

Mr. Nuttall moved an amendment to said bill.

Ordered, That said bill, and proposed amendment, be referred to a committee of the whole, and made the special order of the day for the 25th instant.

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

Mr. Hanson, from the committee on Ways and Means, to whom were referred the petitions of Wm. Sayers; of citizens of Lewis county, in favor of Wm. Harris; and of citizens of Breckinridge county, in favor of Lorenzo D. Walls, asked to be discharged from the further consideration thereof; which was granted.
Mr. Hanson, from the same committee, to whom was referred a bill for the benefit of James S. Coleman, late sheriff of Ohio 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. Hanson, from the same committee, to whom were referred bills from the Senate of the following titles, viz:

An act for the benefit of Thomas Landrum, late sheriff of Daviess county.

An act for the benefit of William B. White, late Sheriff of Whitley 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 being dispensed with,

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

A message was received from the Senate, announcing that they had passed a bill from this House, entitled,

An act to amend the charter of the city of Smithland.

With an amendment thereto.

Mr. Montgomery, from the committee on Internal Improvement, to whom were referred bills from the Senate of the following titles, viz: An act to legalize the subscription of the Garrard County Court to the Danville, Dix river, and Lancaster turnpike road.

An act to amend the 6th section of an act incorporating the Danville, Dix river, and Lancaster Turnpike Company.

An act for the benefit of the Shelbyville and Louisville Turnpike 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 aforesaid.

Mr. Whiteley, from the same committee, to whom were referred bills of the following titles, viz:

A bill to incorporate certain Turnpike Road Companies.

A bill to incorporate the Copeley Cemetery Company.
Reported the same, with amendments.
Which were concurred in.

Ordered, That said bills, as amended, 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. Culton, from the same committee, reported a bill to incorporate the Wolf Hill Coal and Mining Company.
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,

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. Marshall, from the committee on Federal Relations, to whom were referred the resolutions read and laid on the table by Mr. James, on the 3d instant, reported the same, with an amendment as a substitute for said resolutions.

Ordered, That said resolutions and substitute be referred to the committee of the whole, and made the special order of the day for the 24th instant.

Ordered, That the Public Printer forthwith print 150 copies of said substitute, for the use of the members of the General Assembly.
The amendments proposed by the Senate to bills from this House, of the following titles, viz:

An act to amend the charter of the Louisville and Memphis Railroad Company.
An act for the benefit of James Taylor, of Harrodsburg.
An act to amend the act incorporating the Frankfort, Georgetown, and Paris Turnpike road Company.
An act to change the place of voting in Bethesda precinct, in Trigg county.
An act to amend the charter of the city of Smithland.

Were taken up, twice read, and concurred in.

Ordered, That this House recede from their amendment proposed to a bill from the Senate, entitled,
An act for the benefit of the Keeper of the Penitentiary.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of Jane Carey.
2. An act for the benefit of Ambrose O'Bannon.
3. An act for the benefit of Conrod Carpenter.
4. An act to amend an act to incorporate the Perryville and Mitchellsburg Turnpike Road, approved March, 1854.
5. An act to amend the charter of the Helena Turnpike Road Company.
6. An act to amend the charter of the Knobbs Lick Turnpike Road Company.
8. An act for the benefit of Philip B. Thompson.
9. An act to amend the charter of Bacon College.
10. An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.
11. An act to amend the road laws of this commonwealth.
12. An act to amend the charter of the Greenville Institute.
13. An act incorporating the Hustonville and McKinney's Station Turnpike Road Company.
15. An act for the benefit of Jacob Rice, late Sheriff of Carter county.
16. An act requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.
18. An act for the benefit of the Kentucky Institution for the education of the deaf and dumb.
19. An act, entitled, an act to amend the charter of the Perryville Seminary.
20. An act to amend the 10th section of the 13th chapter of the Revised Statutes.
21. An act to incorporate the Barren county and Mammoth Cave Plankroad Company.
22. An act to incorporate the Stony Hill Turnpike road Company.
23. An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.
24. An act for the benefit of Jonathan Vancleve and Matthew Murphy, trustees of school district No. 75, of Daviess county.
25. An act for the benefit of William S. Rand, late commissioner for the State of Kentucky at the exhibition for the industry of all nations.

Wore 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 2d, 9th, 12th, and 14th were severally ordered to be read a third time; the 1st, 10th, and 19th were referred to the committee on the Judiciary; the 3d to the committee on County Courts; the 4th, 5th, 6th, 13th, 21st, 22d, and 23d to the committee on Internal Improvement; the 7th, 8th, 17th, 18th, and 25th to the committee on Claims; the 11th, 16th, and 20th to the committee on the Revised Statutes; the 15th to the committee on Ways and Means; and the 24th to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 2d, 9th, 12th, and 14th bills having been dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Ordered, That the committee on Claims be instructed to report the 18th bill to this House, on the 22d instant.

A bill from the Senate, entitled,
An act to amend the charter of the town of Georgetown,
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 it was decided in the negative.

And so said bill was disagreed to.

A resolution from the Senate, in relation to the election of Public Printer and Librarian,
Was taken up, twice read, and concurred in.

Mr. E. O. Brown, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of John G. Shackett.

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 on Claims.

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

On motion of Mr. Goodloe—1. A bill for the benefit of Richard Taylor and his adopted daughter, Mary Richard Taylor.

On motion of Mr. Winn—2. A bill to incorporate the Barren county Railroad Company.

On motion of Mr. Turner—3. A bill to transfer the jurisdiction, in cases of misdemeanors, from the Circuit to the County Courts.

Ordered, That Messrs. Goodloe, Hanson, and Marshall prepare and bring in the 1st; the committee on Internal Improvement the 2d; and the committee on Circuit Courts the 3d.

And then the House adjourned.
SATURDAY, JANUARY 19, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to render effectual the road law in Pendleton county.

An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

An act for the benefit of Johnson A. Dawson, late Sheriff of Powell county.

That they had disagreed to a resolution from this House, in relation to an examination of the Eastern and Western Lunatic Asylums.

That they had concurred in the amendment of this House, to a bill from the Senate, entitled,

An act to incorporate the Washington Insurance Company, of Louisville.

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

An act to incorporate the town of Ashland.

An act to incorporate the Hickman and Graves County Plank road Company.

An act authorizing the Surveyor's books of Wayne county to be transcribed.

An act for the benefit of Ann White.

An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1st, 1854.

An act for the benefit of the sheriff of Bath county.

An act for the benefit of John P. Campbell, Samuel Shryock, and James F. Buckner, late building commissioners of the Western Lunatic Asylum.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to establish the county of Rowan.

An act to incorporate the Green River Coal, Iron and Manufacturing Company.

An act to incorporate the Great Western Mining and Manufacturing Company.

An act prohibiting Magistrates from taxing attorney's fees.

An act to amend the charter of the town of Hopkinsville.

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An act to incorporate the Taylor County and Muldraugh's Hill Turnpike Road Company.
An act to repeal the act incorporating the town of Jackson.
An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.
An act for the benefit of E. J. Starr, and his adopted daughter, Laura.
An act for the benefit of Moseby Strattan, of Ballard county.
An act to legitimize the illegitimate children of Samuel B. Haddix.
An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.
An act to amend an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company.
An act to incorporate the Owensboro and Wolf Hill Railroad Company.
An act for the benefit of William Hauna, of Bracken county.
An act for the benefit of Dixon C. Murphy, of Barren county.
An act to amend an act to incorporate the town of Mayfield, Graves county.
An act to regulate the time of holding the Carroll County Court.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. M. J. Cook inform the Senate thereof.

1. Mr. McElroy presented the remonstrance of citizens of Hopkins county, against the formation of a new county out of parts of Hopkins and Union county.
2. Mr. Beauchamp presented the petition of citizens of Barren county, praying the formation of a new county out of parts of Barren, Adair, Green, Cumberland, and Monroe counties.
3. Mr. L. Anderson presented a petition from the trustees of school district No. 1, and others, in Graves county, praying the passage of an act legalizing all schools taught in Boydsville, Tennessee.
4. Mr. Winn presented a remonstrance of citizens of Barren county, against the formation of a new county out of parts of Barren, Adair, Green, Cumberland, and Monroe counties.
5. Also, the petition of citizens of Barren and other counties, praying the establishment of a criminal and chancery court in each judicial district.
6. Mr. James presented the petition of citizens of Pulaski county, praying the formation of a new justices' district and voting precinct in said county.
7. Also, the petition of citizens of Pulaski county, praying that the Pulaski County Court may be authorized to levy and collect an ad va-
lorem tax on the property of said county, and expend the same in improving the roads in said county.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 4th to the committee on Propositions and Grievances; the 3d to the committee on Education; the 5th to the committee on Circuit Courts; the 6th to the committee on Privileges and Elections; and the 7th to the committee on Internal Improvement.

Mr. Corbett, from the committee appointed to prepare and bring in the same, reported a bill to divide the State into thirteen judicial districts.

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. Bowling moved a substitute for said bill.

Ordered, That said bill and substitute be referred to the committee of the whole, and made the special order of the day for the 21st instant.

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

The Speaker laid before the House the following letter from the Auditor:

AUDITOR'S OFFICE,
FRANFORT, January 19, 1856.

Hon. John B. Huston,
Speaker of the House of Representatives:

Sir: Enclosed I send you report of the Treasurer of the Western Kentucky Lunatic Asylum, for the years 1854 and 1855.

Respectfully,
THO. S. PAGE, Auditor.

[For Report—see Legislative Documents.]

Leaf was given to bring in the following bills, to-wit:

On motion of Mr. Hawkins—1. A bill for the benefit of school district No. —, in Bath county.

On motion of Mr. Corbin—2. A bill to amend the act incorporating the Burlington and Florence Turnpike road Company.

On motion of same—3. A bill to incorporate the Union and Big Bone Turnpike road Company.


On motion of Mr. Ware—5. A bill to amend the charter of the North Middletown and Mount Sterling Turnpike road Company.

On motion of same—6. A bill to incorporate the Paris and Chilseburg Turnpike road Company.

On motion of Mr. Jolly—7. A bill to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.
On motion of Mr. G. B. Cook—8. A bill authorizing the Lyon County Court to establish an additional voting place in said county.

On motion of Mr. Reiley—9. A bill to amend the charter of the town of Alexandria.

On motion of same—10. A bill requiring jailers to furnish necessary clothing to criminals confined in county jails.

On motion of Mr. A. Jones—11. A bill for the benefit of Benjamin Alsup.

On motion of Mr. Rice—12. A bill to amend an act declaring Miller's creek, in Estill county, navigable.

On motion of Mr. Spurr—13. A bill to incorporate the Sayre Female Institute.


On motion of same—15. A bill to incorporate the Lexington and Frankfort Turnpike Extension Company.

On motion of Mr. Hanson—16. A bill to amend the charter of the Northern Bank of Kentucky.

On motion of Mr. Bruce—17. A bill for the benefit of common school district No. 49, in Fleming county.

On motion of same—18. A bill to amend the criminal laws of this commonwealth.

On motion of Mr. Auxier—19. A bill to reduce the price of vacant lands in the county of Floyd.

On motion of same—20. A bill to establish an additional election precinct in Floyd county.


On motion of Mr. Dunn—22. A bill for the benefit of Nicholas Sandifer.

On motion of same—23. A bill for the benefit of Thomas F. Tracey.

On motion of Mr. R. Jones—24. A bill for the benefit of school district No. 27, in Greenup county.

On motion of Mr. English—25. A bill to incorporate Taylor Lodge No. 34, I. O. O. F.

On motion of same—26. A bill for the benefit of the common schools of this Commonwealth.

On motion of same—27. A bill for the benefit of counties that have or may subscribe to the construction of railroads.

On motion of same—28. A bill requiring warning orders and sheriffs' sales to be published.

On motion of Mr. Culton—29. A bill for the benefit of school district No. 3, in Harlan county.
On motion of Mr. Worsham—30. A bill to change the time of holding the Henderson county Quarterly Court.


On motion of same—32. A bill to prohibit the intermarriage of first cousins.

On motion of same—33. A bill to increase the compensation of the members of the General Assembly.

On motion of Mr. Morrow—34. A bill for the benefit of the district schools in Hopkins county.

On motion of Mr. McCampbell—35. A bill for the benefit of Ion Lodge No. 301, of Free and Accepted Masons.

On motion of Mr. Menzies—36. A bill to amend the charter of the Bank Lick Turnpike road Company.

On motion of same—37. A bill to amend the charter of the Odd Fellows Hall Association, of Covington.

On motion of Mr. Richardson—38. A bill to amend the charter of the Covington and Lexington Railroad Company.

On motion of Mr. M. J. Cook—39. A bill for the benefit of Edmund M. Chesnut.

On motion of Mr. Woods—40. A bill for the benefit of James M. Todd, late sheriff of Lewis county.

On motion of same—41. A bill to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties.

On motion of Mr. Montgomery—42. A bill relative to tolls upon the different turnpike roads in this State.

On motion of Mr. Bowling—43. A bill to incorporate the Philomathean Society, at Russellville.

On motion of same—44. A bill for the benefit of Thomas B. Harrison, late sheriff of Logan county.

On motion of Mr. Whiteley—45. A bill to amend chapter 83, article 9, section 9, of the Revised Statutes.

On motion of same—46. A bill to amend chapter 38, article 7, section 1, of the Revised Statutes.

On motion of same—47. A bill to amend the law in relation to the duties and fees of sheriffs.

On motion of same—48. A bill authorizing the formation of, and protecting limited partnerships.

On motion of same—49. A bill to amend chapter 38, article 17, section 2, of the Revised Statutes.

On motion of same—50. A bill to incorporate the Ohio Falls Railroad Ferry Company.
On motion of same—51. A bill to amend chapter 83, article 9, section 6, of the Revised Statutes.

On motion of same—52. A bill to amend the laws authorizing the issuing and collecting of fee bills by the officers of this State.

On motion of same—53. A bill to amend chapter 36, article 14, section 1, of the Revised Statutes.

On motion of Mr. Bodley—54. A bill to amend the charter of the Franklin Savings Institution.

On motion of same—55. A bill to incorporate the Western Insurance Company.

On motion of same—56. A bill to authorize the licensing of billiard tables, at family residences.

On motion of Mr. Waller—57. A bill for the benefit of Littleton Helm.

On motion of Mr. Baker—58. A bill for the benefit of school district No. 5, in Mason county.

On motion of Mr. E. O. Brown—59. A bill for the benefit of Worden Kendall.

On motion of same—60. A bill for the benefit of E. C. Ashcraft.

On motion of same—61. A bill to incorporate Rusling Lodge, No. 112, I. O. O. F.


On motion of Mr. Ricketts—63. A bill for the benefit of W. H. C. Wing, clerk of the Muhlenburg County Court.

On motion of same—64. A bill to incorporate McLean Lodge, No. 120, I. O. O. F.

On motion of same—65. A bill for the benefit of C. F. Wing, clerk of the Muhlenburg Circuit Court.

On motion of Mr. Speer—66. A bill for the benefit of school district No. 23, Jefferson county.

On motion of same—67. A bill for the benefit of the mechanics and laborers of Oldham county.

On motion of same—68. A bill for the benefit of Brent Hopkins, clerk of the Oldham Circuit and County Courts.

On motion of Mr. James—69. A bill to amend the law in relation to attachments, in civil cases.

On motion of same—70. A bill to create an additional justices' district in Pulaski county.

On motion of Mr. A. C. Brown—71. A bill to incorporate the Bagdad and Harrisonville Turnpike road Company.

On motion of Mr. Tevis—72. A bill to incorporate a female college at Eminence.
On motion of same—73. A bill to incorporate the Shelbyville Female College.

On motion of Mr. Grasty—74. A bill to extend the jurisdiction of the Quarterly Courts.

On motion of Mr. McElroy—75. A bill to establish criminal and chancery courts in the 2d judicial district.

On motion of Mr. Rogers—76. A bill for the benefit of the sheriff of Warren county.

On motion of same—77. A bill for the benefit of the sheriff of Breckinridge county.

On motion of same—78. A bill to amend the Code of Practice in civil cases relative to the perpetuation of evidence.

On motion of Mr. P. Lee—79. A bill to amend section 1, of article 3, of chapter 33 of the Revised Statutes.

On motion of Mr. Winn—80. A bill to amend the law incorporating the town of Glasgow.

On motion of same—81. A bill to incorporate the Glasgow Bank of Kentucky.

Ordered, That the committee on Education prepare and bring in the 1st, 13th, 17th, 24th, 26th, 29th, 34th, 48d, 58th, 66th, 72d, and 73d; the committee on Internal Improvement the 2d, 3d, 5th, 6th, 12th, 15th, 27th, 38th, 50th, 62d, and 71st; the committee on Propositions and Grievances the 4th and 21st; the committee on Ways and Means the 7th, 11th, 19th, 31st, 33d, 40th, 44th, 56th, 67th, 68th, 76th, and 77th; the committee on Privileges and Elections the 8th, 20th, and 70th; the committee on the Judiciary the 9th, 18th, 25th, 28th, 32d, 35th, 36th, 37th, 39th, 48th, 61st, 64th, 69th, and 75th; the committee on the Revised Statutes the 10th, 45th, 46th, 47th, 49th, 51st, 52d, 53d, and 79th; the committee on the Sinking Fund the 14th and 42d; the committee on Banks the 16th, 54th, and 81st; the committee on County Courts the 22d, 23d, 30th, and 74th; the committee on Claims the 57th, 59th, 60th, 63d, and 65th; Messrs. Woods, Helm, and Bruce the 41st; Messrs. Bodley, Whiteley, and Lyon the 54th; the committee on the Code of Practice the 78th; and Messrs. Winn, Beauchamp, and Rogers the 80th.

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

By Mr. Garrard—1. A bill to incorporate the town of Manchester.

By Mr. Bruce—2. A bill to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

By Mr. Hewitt—3. A bill for the benefit of Mrs. Margaret Leavy.
By Mr. Culton—4. A bill to provide for appointing a gate-keeper and overseers on the Turnpike Road in Knox county.

By same—5. A bill for the benefit of school district No. 36, in Harlan county.

By Mr. Bowling—6. A bill to transfer the title of certain lands to the trustees of Bethel High School, at Russellville.

By same—7. A bill to authorize the trustees of Bethel High School to sell and convey lands.

By Mr. Whiteley—8. A bill to incorporate the Peoples' Insurance Company, of Louisville.

By Mr. Smedley—9. A bill for the benefit of the town of Salvita.

By Mr. P. Lee—10. A bill to change the place of voting in Leach's district in Bullitt 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, 9th, and 10th were severally ordered to be engrossed and read a third time; the 5th was referred to the committee on Education; and the 8th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 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.

Mr. Gaither moved the following resolution, viz:

Resolved, That the select committee upon the question of re-organizing the judicial districts, be instructed to propound to each of the twelve judges now in office, the following interrogatories: 1st. What number of weeks are you actually engaged in holding court in each of the counties of your district? 2d. Is your judicial business behind and waiting for hearing, and a hearing denied for want of sufficient time at your several courts? 3d. If the time were increased, or the number of terms in the counties where business on the docket is behind, and not tried, could you not dispose of the whole business ready for trial, during the fifty-two weeks?

Which was adopted.

Mr. Spurr moved the following resolution, viz:

Resolved, That the American party have the use of the Representative Hall on the evenings of Tuesday and Wednesday next.

Which was adopted.

Mr. J. M. Fogle read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the General Assembly adjourns on the 15th day of February next, said adjournment shall be sine die.
The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

The question was then taken on the adoption of said resolution, and decided in the negative.

The yeas and nays being required thereon, by Messrs. McElroy and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were

Lucien Anderson, William T. Anthony, William J. Berry, John S. Bohannon, Isaac N. Clement, George B. Cook, Milton J. Cook, Frank P. Deatherage, David R. Dugan, Joshua Dunn, Robert B. English, James M. Fogle, McDowell Fogle, Nathan Gaither, Henry Giles, Roger W. Hanson, Hiram Hawkins, Greenbury Hicks, Andrew J. James, Andrew Jones, James Kinslaer, James S. Littlepage, Samuel Long, Pleasant W. Mahan, John C. McCready,

Those who voted in the negative, were


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

Resolved by the General Assembly of the Commonwealth of Kentucky,
That when the two houses of the present General Assembly shall adjourn on the 20th day of February next, said adjournment shall be without day.

Ordered, That Mr. Wood have leave of absence for two days.

And then the House adjourned.
A message was received from the Senate, announcing that they had passed bills from this House; of the following titles, viz:

An act to incorporate the Wolf Hill Coal and Mining Company.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

With an amendment to the last named bill.

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

An act declaring the South Kentuckian an authorized newspaper.

An act for the benefit of constables.

An act to amend the charter of Louisville.

An act to amend the charter of the Bardstown and Louisville Railroad Company.

An act to incorporate the Burksville and Columbia Turnpike road Company.

An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.

An act in relation to the Bourbon Academy.

An act to incorporate the Ashland Female Academy.

An act to incorporate the Muhlenburg Mining and Manufacturing Company.

Mr. Turner presented a memorial from the president and directors of the Lexington and Big Sandy Railroad Company, which was received and read, as follows, viz:

To the Honorable General Assembly of the Commonwealth of Kentucky:

Your memorialists, the President and Directors of the Lexington and Big Sandy Railroad Company, would most respectfully represent—

That their company was incorporated by an act approved January 9, 1852, with the usual corporate privileges. That an organization of the company took place in June, 1852, since which time they have had all the necessary surveys and locations made, and, for about two years, have been engaged in constructing the road; that Lexington is the western, and the mouth of Big Sandy river, the eastern terminus of their road; that at Lexington, a connection is made with the road to Louisville, now in full operation; and at Louisville connections will be made with Nashville and Memphis, and the whole west and southwest. At Lexington connections are also made with the Covington road, leading north to Cincinnati, also in full operation; also with the Maysville road, leading northeast, which, although not completed, but for
the present the work suspended, yet with reasonable and prompt assistance may likewise be completed. Also connected at Lexington with the Danville road, now being pushed forward with energy towards completion, which leads south; and from the terminus at Danville, but little doubt is entertained a continuous road will be made to Knoxville, on the southeast, or through Glasgow to Nashville, or through McMinnville to Chattanooga, on the south. On the southwest, from Memphis and from Columbus, roads are being constructed to Little Rock, which are expected to be extended to the interior of Texas, and to the Pacific coast—that land of gold. Indeed, when a railway shall be made to the Pacific, it is almost certain that it will pass through Little Rock; and if so, it is positively certain that to reach the Atlantic seaboard, the shortest route will be through Kentucky, as well as the finest scenery and most salubrious climate.

At the month of Big Sandy—the eastern terminus of our road—a connection is formed with the Covington and Ohio railroad, of Virginia, of so great importance to that State to reach our own, that the whole two hundred and thirty miles is being constructed by the State of Virginia, without any individual or other aid. This road is but a continuation of the great Central railroad of that State, running from Richmond to Covington, towards the construction of which, the State of Virginia contributed three-fifths. Over these roads and their branches and connections, Norfolk, Richmond, and Washington city are reached; and through the latter, Baltimore, Philadelphia and New York are also reached. These Virginia roads also pass by, and in the neighborhood of, the fine mineral springs of that State.

Thus it is evident that the Lexington and Big Sandy railroad is one most important link in the line of travel and transport from the great west and southwest to the Atlantic seaboard. This line has not inaptly been designated, by a late chief executive officer of Virginia, as "the great continental highway."

As a general rule, our great paying roads are from east to west, or connecting the valleys of the Ohio and Mississippi with the seaboard. This is obviously the course of the trade of the country, and doubtless will be for ages yet to come.

From Memphis and from Louisville, and all intermediate points, the distance to Washington city, and thence to New York, is shorter over this line of road than over any other.

The Lexington and Big Sandy road passes through seven counties, in its length of one hundred and thirty-three miles, its pathway through four of which, is along a fine grazing and agricultural country, and the remaining distance through as fine a mineral region as is known in America. Common bituminous and cannel coal, lying in seams of from four to seven feet in thickness, and iron ore in unsurpassed quality and abundance, are found for many miles on either side of the line.

The estimated value of the pig iron annually produced in Greenup and Carter counties, through which the road passes, has recently been published as $1,120,000. There being no means of transporting the coal to market, it is of no present value, but prospectively of great value to the proprietors, and still more to the interior of the State, which, on the completion of the road, can be furnished with an abun
dant supply at less than half the present price of that article. The timber, such as poplar and oak, is most abundant and of the finest quality, along the line of the road for eighty miles.

In 1849 there were raised, in five of the counties through which the road runs, over seven millions of bushels of cereal grains. Last year it is believed, the quantity reached ten millions of bushels. The Indian corn raised in these counties, in 1849, was about six millions of bushels, which was about one-hundredth part of all that was raised in the United States. Of this large quantity of cereal grains, but little ever finds a market, but it has to be consumed at home, by being fed to mules, cattle, horses, hogs, &c. A market is needed for this large quantity of breadstuffs, and markets can be obtained, though to do so, this railroad must be made. And it is a fact, too, which cannot be disputed, that there is hardly to be found a railroad in the whole country, which the land owners, for ten miles upon each side, could not very well afford to pay $25,000 per mile for, rather than have the rails taken up and the track ploughed over. The enormous advance to agricultural lands lying along the line of a completed railroad, is a fact of too palpable a character to need any additional corroboration. Our farmers do not build our railroads—our railroads build our farmers.

The amount of subscriptions to our road, by companies, individuals, and corporations, is about $1,000,000—the county subscriptions $625,000. The people of the city of Lexington voted to subscribe $150,000, and those of the county of Fayette a like sum of $150,000; but these subscriptions have been refused by the authorities whose duty it was to make them. Suits were commenced against each, and judgments rendered in favor of our road, but thus far those judgments have proven unavailing.

Beyond the western terminus of our road, but in connection with it, we have a fair prospect of liberal assistance, and which, added to the stock already subscribed, and that for which we have judgments, will amount to between two and two and a half millions of dollars. The amount of work done on construction is over five hundred thousand dollars. The amount paid for lands, for depots, the right of way, and fencing, is near fifty thousand dollars; for engineering, over forty thousand dollars; and for cross ties, interest, exchange, salaries, printing, geological survey, &c., about seventy-five thousand dollars.—Making an aggregate of about seven hundred thousand dollars.

The counties of Greenup, Carter, Lawrence, Morgan, and the new county of Rowan, must be eminently manufacturing counties, as well as agricultural ones. The same may be said of the southern half of Bath county. It is true that the road does not pass through Lawrence or Morgan counties, but yet so near to both of them that the manufacture of iron will spring up in them extensively; and it is well known that the mineral lands in them, within twenty miles of the line of the road, have already risen in value several fold of their former estimate; even at the prospect of completing this road. The rise in the value of lands in these mineral counties, in three years after completing the road, would be greater than the whole cost of the road when completed. In some localities, lands which, four years ago, could have been purchased for two dollars an acre, cannot now be had for ten times that
sum. Notwithstanding this great rise, the proprietors of such lands, although willing to do so, are unable to contribute large sums towards the completion of the road.

The iron and coal are to make these counties, on the completion of this road, amongst the wealthy taxpaying counties of the State, whilst the road will afford equal facilities for taking to market the great surplus agricultural productions of the farmers of the fertile counties through, and in the neighborhood of which, it passes. A market for wheat, which was opened by one railroad during the past year, advanced the price of that article, within thirty miles of the road, from fifty to sixty per cent.

It has been ascertained that the amount of agricultural tonnage, transported on some roads, was equal to the whole agricultural production of the counties tributary to those roads before they were constructed. This would make a transport of near or quite ten millions of bushels of grain over this road per annum.

A geological survey of the line of the road was made by Professor Mather, more than two years ago. Mr. M. has been an eminent practical geologist for more than twenty years, and the statements, as to minerals, are taken from his report.

Your memorialists would state a few facts, from which inferences may be drawn by your honorable body, as to the amount of travel which will pass over this road. A straight line from Memphis to New York would pass near to Lexington, to the mouth of Big Sandy, to Washington city, to Baltimore, and to Philadelphia; and from Louisville to any of those Atlantic cities the shortest line would pass over this road. Under these circumstances, no apprehensions exist that a competing line can ever be built.

The tendency of this road will ever be to swell the tide of travel, to disburthen agriculture of high charges of transportation, to enliven commerce, to augment revenues, and to increase general prosperity and wealth.

Your memorialists believe that the State should give material aid towards the completion of many of the public works which are now being prosecuted within her borders. Railway improvements are progressing in Kentucky at a much slower pace than the business of the country demands, because of the want of means to press forward such works with more speed; some of these improvements will open up mineral regions of immense extent, and cause to spring up manufactures, giving employment to thousands of laborers, and thus increasing the value and importance of these neglected portions of the State, and greatly augmenting her aggregate wealth.

Whilst some of the States have adopted a policy to ignore all connection with railway enterprises, there are a number which have identified themselves with them.

Of the latter, are all in the southern portion of the confederacy, except Kentucky. In the southern States the population is not sufficiently dense, nor accumulated capital sufficiently abundant to provide the means of construction. The States must come to the aid of the roads or do without them.

The necessity of the case, therefore, sanctions a policy, which, by
some, might be considered objectionable under other circumstances. In the northern States, where abundant capital exists for all legitimate enterprises, it might be unwise and impolitic for States to interpose. Virginia has aided and is now aiding in constructing more than fifteen hundred miles of railroad, by subscribing three fifths of all the stock in the roads, besides constructing the Covington and Ohio road, two hundred and thirty miles long, as a grand avenue from the Ohio to the seacoast, wholly at the expense of the State.

Tennessee is loaning to all her prominent railroads, the sum of ten thousand dollars per mile for rails, spikes, chairs, &c., besides extending munificent aid in building bridges over the larger streams. This aid has been or is now being extended to at least fifteen hundred miles of railroad.

North Carolina, which before the meeting of her last Legislature, had contributed three millions of dollars towards railroad construction, by a law enacted by that Legislature, agreed to contribute, to different roads, the further sum of seven millions; the contribution to the longest road being two thirds, to one third by other stockholders.

Missouri, by an act of her last Legislature, appropriated ten millions of dollars towards building railroads, besides what had been previously subscribed by her.

Georgia has been most liberal in her contributions to railroads—perhaps may be considered as the pioneer in making large appropriations for those enterprises, and she has reaped a golden harvest in the almost unprecedented rise in the value of real estate—in the promotion of the growth of her staple—in building up manufactories and in advancing agricultural prosperity and wealth.

South Carolina and the other slave States, might also be named in this connection, but it is deemed unnecessary to do so. Because of the encouragement thus given by the other southern States, railway enterprises have rapidly advanced in them, whilst our own beloved Commonwealth, the oldest daughter of the original sisterhood, is left alone, progressing slowly and languidly, with such means as individual liberality and corporation aid may enable them to get along. Kentucky, lying with a border of 700 miles on the free States, is dependent on them for a way to reach the Atlantic seacoast. This should not be so, and we do not believe that the people of Kentucky are satisfied that it should continue so.

One of the most reliable commercial papers of the city of New York, in alluding to the Lexington and Big Sandy railroad, has said with much truth, that, "When we see what has been done by the States of New York, Massachusetts, Maryland, Virginia, Pennsylvania, and even the State of Missouri, in aid of their own railroads, it will be, to most persons, a matter of great surprise, that the solid, substantial, and conservative State of Kentucky, has not, already, contributed handsomely to one of the most important railroad movements of that State."

The several States, whose contributions and subscriptions have been so munificent to the railway enterprises within their borders, did so without submitting the question of policy, to the people of those States for ratification or rejection. Not so with Kentucky. Should your body pass a law for making such subscriptions, it has to be submitted to the
people for approval or rejection, and hence your memorialists present themselves, with the more confidence to the legislative wisdom, as nothing is asked to be subscribed, unless the people of the State are willing and desirous of such encouragement being extended to these public improvements. Your memorialists are satisfied, that your honorable body is fully alive to the prosperity of the State, and to the opinions of the great constituency, and will be willing to permit that constituency, at the polls, to manifest their wishes on the subject now presented for your consideration. Wherefore they pray for the passage of a law, making liberal subscriptions of stock to their railroad, and to such others in the State, as your body may deem worthy of consideration, which law may be submitted to the people.

R. APPERSON, President.

Thereupon, the committee on Internal Improvement was appointed to consider the subject and report to the House.

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

Ordered, That the committee on Ways and Means prepare and bring in said bill.

A message was received from the Governor, by Mr. Brown, Secretary of State, which was read as follows, viz:

EXECUTIVE DEPARTMENT, January 21, 1856.

Gentlemen of the House of Representatives:

A bill has been presented to me for my approval, entitled, "an act for the benefit of E. J. Starr, and his adopted daughter, Laura," in which it is enacted that she shall hereafter have the name of Laura Starr. By the 32d section of article 2d of the constitution of this State, it is declared that the General Assembly shall have no power to change the names of individuals by special legislation, but by general laws shall confer such power on the courts of justice. Such power has been conferred by law on the County Court. Believing that this provision of the bill violates the constitution of Kentucky, I cannot approve it, and therefore return it to the house in which it originated.

C. S. MOREHEAD

Said bill reads as follows, viz:

WHEREAS, it is represented to the General Assembly that an infant child called Laura, whose natural parents are not known, is now living
with E. J. Starr, in Covington, and that said Starr is desirous to adopt said child; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the child referred to in the preamble of this act, shall hereafter have the name of Laura Starr, and shall be capable of inheriting the property of E. J. Starr, of Covington, as if she were his natural and legitimate offspring.

The question was then taken on the passage of said bill, the Governor's objections to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being taken thereon, 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:

By the committee on Internal Improvement—1. A bill for the benefit of George Early.

By same—2. A bill to amend the charter of the Louisville and Frankfort Railroad Company.
By same—3. A bill to incorporate the Winchester and Mount Sterling Central Turnpike road Company.

By same—4. A bill declaring Wolf Creek, in Lawrence county, a navigable stream.

By same—5. A bill to regulate the rates of tolls on the Wilderness Turnpike Road.

By the committee on Agriculture and Manufactures—6. A bill to charter the Springfield Union Agricultural and Mechanical Association.

By same—7. A bill to incorporate the Christian County Agricultural and Mechanical Association.

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 2d, 4th, 5th, 6th, and 7th were severally ordered to be engrossed and read a third time; the 1st was referred to the committee on Claims, and the 3d recommitted to the committee on Internal Improvement.

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.

A message was received from the Governor by Mr. Bibb, Assistant 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 Dixon C. Murphy, of Barren county.
An act for the benefit of William Hanna, of Bracken county.
An act to repeal the act incorporating the town of Jackson.
An act to amend the charter of the Greensburg and Taylor County Turnpike Road Company.
An act prohibiting Magistrates from taxing attorney's fees.
An act to amend the charter of the town of Hopkinsville.
An act to incorporate the Taylor County and Muldraugh's Hill Turnpike Road Company.
An act for the benefit of Moseby Strattan, of Ballard county.
An act to incorporate the Green River Coal, Iron and Manufacturing Company.
An act to incorporate the Great Western Mining and Manufacturing Company.
An act to incorporate the Owensboro and Wolf Hill Railroad Company.
An act to establish the county of Rowan.
An act to amend an act to incorporate the town of Mayfield, Graves county.
An act to amend an act, entitled, an act to amend an act to charter the Louisville and Nashville Railroad Company.
An act to legitimize the illegitimate children of Samuel B. Haddix.
An act authorizing the Jessamine County Court to sell a portion of the poor-house land in said county.
An act to regulate the time of holding the Carroll County Court.
Approved January 19, 1856.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, and a resolution, which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Ambrose O'Bannon.
An act to legalize the subscription of the Garrard County Court to the Danville, Dix river, and Lancaster turnpike road.
An act to amend the law in relation to guardians.
An act to amend the 6th section of an act incorporating the Danville, Dix river, and Lancaster Turnpike Company.
An act to amend the charter of Bacon College.
An act for the benefit of Reuben Smith, of Barren county.
An act to amend the charter of the Greenville Institute.
An act for the benefit of the Keeper of the Penitentiary.
An act for the benefit of William B. White, late sheriff of Whitley county.
An act for the benefit of the sureties of Charles Quiry, late Sheriff of Jefferson county.
An act to establish two additional terms of the McCracken Circuit Court.
An act to incorporate the Washington Insurance Company, of Louisville.
An act for the benefit of the Shelbyville and Louisville Turnpike road Company.
An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7, 1852; and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7, 1852.
Resolution in relation to the election of Public Printer and Librarian.

The House then resolved itself into a committee of the whole, on the bill to divide the State into thirteen judicial districts, Mr. Bruce in the chair; and after some time spent therein the Speaker resumed the
chair, when Mr. Bruce reported that the committee, according to order, had under consideration the bill aforesaid, and made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

TUESDAY, JANUARY 22, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to change the time of holding the January term of the Fleming Quarterly Court.

An act for the benefit of Mrs. Margaret Leavy.

An act to repeal an act incorporating the town of Barbourville.

With an amendment to the last named bill.

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

An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.

An act authorizing the sale of certain streets in Simpsonville.

An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

An act authorizing the County Court of Shelby to sell the Poor-house and grounds of said county.

An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.

Resolution in relation to the remains of Ex-Governor Thomas Metcalfe, deceased.

1. Mr. Gray presented the petition of citizens of Hardin, Hart, and Grayson counties, praying the formation of a new county out of parts of said counties.

2. Mr. Gaither presented the petition of citizens of the town of Columbia, praying a repeal of the exclusive power granted the trustees of said town to license taverns.

3. Mr. G. F. Lee presented a remonstrance of citizens of Columbia, against the repeal prayed for in the last named petition.

Which were received, the reading dispensed with, and referred—
the 1st to the committee on Propositions and Grievances, and the 2d and 3d to the committee on the Revised Statutes.

Mr. Bowling, from the committee on Banks, asked to be discharged from the further consideration of leave to bring in the following bills, viz:

A bill to incorporate the Deposit Bank of Springfield.
A bill to charter the Shelby Savings Bank.
Which was granted.

Bills from the Senate were reported by the committees to whom the same had been referred, of the following titles, viz:

By the committee on Agriculture and Manufactures.—An act to incorporate the Daviess county Agricultural and Mechanical Association.

By the committee on County Courts.—An act to authorize the McCracken County Court to increase the county levy and to build a Court House and Jail.

By same.—An act to authorize the County Court of McCracken county to change the Gray's ferry road.

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 Agriculture and Manufactures.—1. A bill to incorporate the Warren county Agricultural and Mechanical Association.

By same.—2. A bill to incorporate the Southern Kentucky Fair Ground Association.

By the committee on Circuit Courts.—3. A bill to change the time of holding the Graves, Livingston and Crittenden Circuit Courts.

By same.—4. A bill to change the times of holding the Rockcastle Circuit Court.

By the committee on County Courts.—5. A bill to increase the jurisdiction of the Police Judge of Monterey, in Owen county.

By same.—6. A bill to authorize the County Court of Spencer to sell the Poor House lands in said county.

By same.—7. A bill to change the time of holding the Campbell Quarterly Courts.

By same.—8. A bill to change the time of holding the Crittenden Quarterly Courts.
By same.—9. A bill to ratify the sale made by the Marion County Court of the Poor House and farm.

By same.—10. A bill for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

By same.—11. A bill to provide for the increase of the county levy of Kenton county.

By same.—12. A bill to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

By same.—13. A bill to give further power to the Jessamine County Court

By same.—14. A bill to amend the law of passways.

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, 9th, 11th, 12th, and 13th, were severally ordered to be engrossed and read a third time; the 10th was referred to the committee on County Courts, and the 14th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 12th 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.

Mr. Russell, from the committee on Circuit Courts, reported a bill to regulate the fees of witnesses in the Circuit Courts of this Commonwealth, 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. Helm moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on the Judiciary.

Mr. Hanson, from the committee on Federal Relations, to whom was referred a resolution from the Senate in relation to the inspection of tobacco, flour and pork at New Orleans, reported the same without amendment, which was twice read and concurred in.

Mr. Tevis, from the committee on County Courts, to whom was referred a bill to amend the laws relating to the county levy of Kenton 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. Vanwinkle, from the committee on Revised Statutes, to whom was referred a bill to declare seduction a crime, and fixing a punishment for it, and the substitute therefor, offered by Mr. Nuttall, reported the same with an amendment to the original bill, which amendment was concurred in.

Said bill, as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person who shall seduce any white woman over ten years of age, and have carnal knowledge of her, shall be deemed guilty of a felony, and, upon conviction thereof, shall be confined in the Penitentiary for a period not less than one nor more than twenty years.

Mr. Nuttall's substitute reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any Roman Catholic Priest, preacher of the Gospel, Elder, or Deacon of any church within this Commonwealth, who shall hereafter seduce any married or single woman, being a member of the church to which said Priest, Preacher, Elder or Deacon may belong, shall be deemed guilty of felony, and, upon conviction thereof, shall be confined in the penitentiary for a period not less than ten nor more than twenty years, in the discretion of a jury.

§ 2. That any person who shall seduce his sister or half sister, his own daughter or step daughter or his ward or his niece, shall be deemed guilty of felony and, upon conviction thereof, shall suffer death.

§ 3. That any other person or persons, other than those mentioned in the first and second sections of this act, who shall seduce any woman, shall be deemed guilty of a highly penal offense, and, upon conviction thereof, shall be fined in the discretion of a jury: Provided, however, should the person seduced be under the age of fifteen years, the party seducing such person shall be deemed guilty of felony, and, upon conviction thereof, shall suffer death: Provided further, That in such case the seducer has arrived at the age of twenty-one years.

§ 4. This act is to take effect from and after the first day of June next.

Mr. Nuttall then withdrew his substitute.

Mr. Montgomery 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 negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Nuttall and P. Lee, were as follows, viz:
Those who voted in the affirmative, were
Richard B. Alexander, Nathan Gaither, William M. Morrow,
John B. Anderson, Daniel Garrard, Elijah F. Nuttall,
William T. Anthony, John K. Goodloe, Benjamin F. Rice,
R. P. Beanbrough, Anderson Gray, Joseph Ricketts,
William S. Bodley, Ben Hardin Helm, George C. Rogers,
John S. Bohannon, John M. Hewitt, James A. Russell,
William B. Booker, Greenbury Hicks, James M. Speer,
Erasmus O. Brown, Andrew J. James, Joshua Tevis,
John B. Cochran, Samuel Long, E. L. Vanwinkle,
James M. Corbin, John G. Lyon, Fielding Vaughn,
George C. Faris, Charles A. Marshall, Willie Waller,
James M. Fogle, John C. McCreary, James T. Ware,
McDowell Fogle, Hiram McLeroy, T. H. M. Winn,
Sidney A. Foss, John W. Menzies, Francis M. Woods—42.

Those who voted in the negative, were
Mr. Speaker, (Huston,) James A. Duncan, James S. Littlepage,
Lucien Anderson, Joshua Dunn, Pleasant W. Mahan,
John B. Auxier, Ephraim B. Elliott, Jas. H. McCampbell,
Ben Berry, Robert B. English, William M. Miller,
William J. Berry, Henry Giles, W. C. Montgomery,
Robert C. Bowling, Alfred F. Graham, Samuel B. Fall,
Archibald C. Brown, Gordon B. Grasty, Andrew J. Prichard,
Horatio W. Bruce, Roger W. Hanson, Robert Richardson,
Colbert Cecil, John S. Hargis, William Reiley,
Isaac N. Clement, Hiram Hawkins, Charles C. Smedley,
George B. Cook, John L. Irvan, Richard J. Spurr,
Milton J. Cook, Gideon P. Jolly, Thomas J. Terry,
Thomas H. Corbett, Andrew Jones, Richard S. Thornton,
Coleman Covington, Richard Jones, David L. Thurman,
James Culton, James Kinlaer, James H. Turner,
Frank P. Deatherage, George F. Lee, Lambert A. Whiteley,

The Speaker laid on the table the following letter from the President
of the Board of Internal Improvement, viz:

Hon. John B. Huston,
Speaker of the House of Representatives:

I herewith submit the annual report of the Board of Internal
Improvement for the year ending the 10th of October, 1855, which you
will do me honor to lay before the House of Representatives.

D. R. HAGGARD, P. B. I. I.

January 21st, 1856.

[For Report—see Legislative Documents.]
sideration the bill and substitute aforesaid, and had instructed him to report the bill to the House without amendment, which he handed in at the clerk's table.

Mr. Bowling offered an amendment to said bill, by way of a substitute.

And then the House adjourned.

WEDNESDAY, JANUARY 23, 1856.

A message was received from the Senate, announcing that they had concurred in an amendment of this House to a bill from the Senate, of the following title, viz:

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

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

A bill to incorporate the Copeley Cemetery Company, at Bowling-green.

An act to amend chapter 42 of the Revised Statutes, title "Gaming."

An act to incorporate certain Turnpike Road Companies

An act to amend the charter of the Covington Fire, Life and Marine Insurance Company.

An act for the benefit of L. B. Wilson, late sheriff of Carroll county.

An act for the benefit of the sureties of Berry Scruggs, late sheriff of Washington county.

An act to incorporate the Richmond and Big Hill Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty and Columbia Turnpike Road Company.

An act to authorize the Louisville and Frankfort Railroad Company to sell their bonds for certain purposes.

An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.
An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

An act for the benefit of John Friend, late sheriff of Floyd county.
An act for the benefit of Elisha Breeding, late sheriff of Letcher county.

With amendments to the last three named bills.

That they had passed bills of the following titles, viz:
An act to incorporate the Paducah and Blandville Turnpike Road Company.
An act to incorporate the Ashland Cemetery Company.
An act to incorporate the Neptune Fire Company, in Ashland.
An act to create an additional voting precinct in Campbell county.
An act to incorporate the Buena Vista Springs Company.
An act to reduce the number of trustees in the town of Hazard, in Perry county.
An act to increase the fees of Processioners.
An act for the benefit of Henry Grinstead, Sr., of Hart county.
An act for the benefit of the Judge of the Ohio County Court.
An act for the benefit of W. H. Ryan, of Calloway county.

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 Ambrose O'Bannon.
An act to amend the charter of the Greenville Institute.
An act for the benefit of Reuben Smith, of Barren county.
An act to amend the charter of Bacon College.
An act to amend an act, entitled, an act to authorize the town of Paducah to subscribe stock in certain railroads, approved January 7, 1852; and an act, entitled, an act to authorize the county of McCracken to subscribe stock in certain railroads, approved January 7, 1852.
An act for the benefit of Thomas Landrum, late sheriff of Daviess county.
An act to amend the law in relation to executors, administrators, and curators.
An act to legalize the subscription of the Garrard County Court to the Danville, Dix River and Lancaster Turnpike Road.
An act for the benefit of the sureties of Charles Quirey, late sheriff of Jefferson county.
An act to establish two additional terms of the McCracken Circuit Court.
An act to incorporate the Washington Insurance Company of Louisville.

An act for the benefit of the Keeper of the Penitentiary.
An act for the benefit of William B. White, late Sheriff of Whitley county. Approved January 21, 1856.

Mr. Nuttall moved a reconsideration of the vote rejecting the bill for the benefit of E. J. Starr and his adopted daughter Laura.

Ordered. That the further consideration of said motion be postponed until the 29th instant.

Mr. L. Anderson moved the following resolution, viz:

Resolved, That the use of the Representatives' Hall be tendered to the American Convention for to-day, and that this House do now adjourn.

Which was adopted.

And then the House adjourned.

THURSDAY, JANUARY 24, 1856.

The Speaker laid before the House the annual report of the Board of Visitors of the Kentucky Institution for the Education of the Blind. [For Report—see Legislative Documents.]

Ordered. That said report be referred to the committee on Education.

Ordered, That the Public Printer forthwith print 1500 copies thereof for the use of the members of the General Assembly.

1. Mr. Wood presented the petition of certain citizens of Scott county, stockholders in turnpike roads in that county, praying they may be exempt from working the county roads.

2. Mr. Waller presented the petition of citizens of Graves county, praying a change in the line dividing Graves and Marshall counties.

3. Mr. Morrow presented the petition of George H. Haysom, a contractor on the Second Lunatic Asylum, praying additional compensation for work done by him on said building.

4. Mr. Garrard presented the petition of George Stivers, Sr., praying the passage of an act authorizing him to collect fee bills and tax for past years due him.

5. Mr. Worsham presented the petition of citizens of the city of Henderson, praying an extension of its corporate limits.

6. Mr. M. J. Cook presented the petition of James D. Ballard, praying the remission of the balance due by him on his contract to rent the toll-gate on the Wilderness road.
7. Mr. R. Jones presented the petition of citizens of Catlettsburg, praying an act may be passed incorporating said town.
8. Also, a remonstrance of citizens of the same town against the passage of said act of incorporation.
Which were received, the reading dispensed with, and referred—the 1st and 5th to the committee on the Judiciary; the 2nd, 7th and 8th to the committee on Propositions and Grievances; the 3d to the committee on Claims; and the 4th and 6th to the committee on Ways and Means.
On motion of Mr. Marshall,
Leave was given to bring in a bill to incorporate the Maysville Life, Marine and Fire Insurance Company.
Ordered, That the committee on the Judiciary prepare and bring in said bill.
Mr. James moved the following resolution, viz:
Resolved, That the use of this Hall, for to-day, be tendered to the American Convention and that the House do now adjourn.
Which was adopted.
And then the House adjourned.

FRIDAY, JANUARY 25, 1856.

1. Mr. Bowling presented the memorial of the trustees of Bethel High School, praying that they may be incorporated with collegiate powers.
2. Mr. Gaither presented the petition of the Muldrough's Hill, Campbellsville and Columbia Turnpike Road Company, praying an amendment to their charter.
3. Mr. Gullion presented the petition of C. Deweese and others, praying the establishment of a State Agricultural School.
4. Mr. Rice presented the petition of citizens of Estill county, praying that an act may be passed requiring the proprietors of the Estill Steam Furnace to keep certain roads in order.
5. Mr. Tevis presented the petition of the trustees of school district No. —, in Shelby county, praying that they may be permitted to file their report and draw their share of the school fund.
6. Mr. Raymond presented the petition of the presiding judge and justices of Harrison county, praying that they may be authorized to sell the Poor-house in said county.

7. Also, a petition from the same, praying a change in the road law of Harrison county.

8. Mr. Bohannon presented the petition of certain stockholders of the Elizabcthtown and Bell's Tavern Turnpike road Company, praying a change in the charter of said company.

9. Mr. Bradford presented the petition of the trustees of school district No. 22, in Bracken county, praying they may be allowed to file their report, and draw their portion of the school fund.

10. Also, the petition of the President and Managers of the Dutch Ridge Turnpike Road Company, praying a change in their act of incorporation.

11. Mr. Deatherage presented the petition of William H. Young, praying that he may be permitted to peddle goods without a license.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 5th and 9th to the committee on Education; the 2nd, 4th, 8th and 10th to the committee on Internal Improvement; the 6th to the committee on County Courts; the 7th to Messrs. Raymond, Bradford and Terry; and the 11th to the committee on Ways and Means.

On motion Mr. Ben Berry.

Leave was given to bring in a bill to charter the Union Bank of Kentucky.

Ordered. That the committee on Banks prepare and bring in said bill.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined 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 Johnson Dawson, late sheriff of Powell county.

An act to render effectual the road law of Pendleton county.

An act to amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company.

An act for the benefit of Hiram Keath, of Pulaski county.

An act to incorporate the Wolf Hill Coal and Mining Company.

An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.

An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.

An act to incorporate Allen Lodge Masonic Female College.

An act for the benefit of James Taylor, of Hardinsburg.
An act for the benefit of Joshua Oaks.
An act for the benefit of John Moore, jailer of Green county.
An act to amend the charter of the city of Smithland.
An act to change the 32d chapter of the 11th article 3d section of the Revised Statutes.
An act to amend the charter of the Louisville and Memphis Railroad Company.
An act for the benefit of Mrs. Margaret Leavy.
An act to change the time of holding the January term of the Fleming Quarterly Court.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill of the following title, viz:

An act to amend chapters 4 and 95 of the Revised Statutes.

The Speaker laid before the House the following letter from the State Librarian:

OFFICE OF STATE LIBRARIAN.
FRANKFORT, JANUARY 25, 1856.

To Hon. John B. Huston,
Speaker of the House of Representatives:

I have the honor to communicate to you the subjoined biennial report of this office.

J. C. HENSLEY,
For E. HENSLEY.

[For Report—see Legislative Documents.]

Mr. Vanwinkle, from the committee on Revised Statutes, to whom was referred a bill to authorize married women to convey real property under power of attorney,
Reported the same, with an amendment.
Which was concurred in.
Said bill, as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That a married woman may convey any interest she may have in personal or real property in Kentucky by agent under a power of attorney: but, to make such conveyance effectual, the power of attorney must be made and acknowledged as deeds of married women are required to be made and acknowledged by the 21st and 22nd sections of chapter 24 of the Revised Statutes.

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 it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Nuttall and Speer, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title of said bill be amended to read as follows, viz:

An act to authorize married women to convey real and other property under power of attorney.

Mr. Vanwinkle, from the same committee, reported a bill reserving power to amend or repeal charters and other laws,

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 said bill was then amended by adding an engrossed clause by way of rider.

Ordered, That Messrs. Richardson and P. Lee inform the Senate that this House is now ready to proceed to the execution of the joint order in relation to the election of a Public Printer and Librarian.

A message was received from the Senate, by Mr. D. H. Smith, announcing that they were also ready to proceed with said election.

Mr. E. O. Brown nominated Mr. A. G. Hodges as a suitable person to fill the office of Public Printer; and Mr. Cecil nominated Mr. J. L. Gibbons; and, after interchanging nominations, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Hodges, were:


Those who voted for Mr. Gibbons, were:

Messrs. P. Lee and Helm were appointed a committee on the part of this House, to act in conjunction with a committee on the part of the Senate, and compare the joint vote and report the result.

After a short time Mr. P. Lee reported that the joint vote stood thus:

For Mr. A. G. Hodges, 84
For Mr. J. L. Gibbons, 47

Mr. A. G. Hodges, having received a majority of all the votes given, was declared duly elected Public Printer.

Mr. Bruce nominated Mr. John C. Hensley as a suitable person to fill the office of State Librarian.

And after interchanging nominations this House proceeded to take a vote, when Mr. Hensley received the unanimous vote of this House.

Messrs. Goodloe and Irvan were appointed a committee to compare the joint vote and report the result.

After a short time, Mr. Goodloe, from said committee, reported that Mr. Hensley had received the unanimous vote of both Houses.

Whereupon, Mr. John C. Hensley was declared duly elected State Librarian.

The House then took up the bill to divide the State into thirteen judicial districts and the substitute therein proposed by Mr. Bowling.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the State of Kentucky shall be divided into thirteen circuit court judicial districts, as follows:

First District. Fulton, Hickman, Ballard, McCracken, Marshall, Calloway, Graves, Livingston, and Crittenden counties.


Fourth District. Daviess, Hancock, Breckinridge, Meade, Hardin, Grayson, Larue, Bullitt, and Nelson counties.

Fifth District. Hart, Barren, Monroe, Cumberland, Adair, Green, Taylor, Marion, and Washington counties.

Sixth District. Boyle, Lincoln, Casey, Russell, Clinton, Wayne, Pulaski, Rockcastle, Laurel, and Whitley counties.

Seventh District. Anderson, Spencer, Shelby, Jefferson, and Oldham counties.

Eighth District. Madison, Garrard, Mercer, Jessamine, Fayette, and Woodford counties.

Ninth District. Franklin, Henry, Trimble, Carroll, Gallatin, Owen, Grant, and Boone counties.

Tenth District. Estill, Clarke, Bourbon, Scott, Harrison, and Nicholas counties.

Eleventh District. Mason, Bracken, Pendleton, Campbell, and Kenton counties.


Twelfth District. Montgomery, Powell, Bath, Fleming, Lewis, Green-up, Rowan, Carter, and Lawrence counties.


§ 2. The times of holding the circuit courts, and the number of juridical days in each county, shall be as follows:

FIRST DISTRICT.

In the county of Fulton, on the first Mondays of March and September, and continue each eighteen juridical days.

In the county of Hickman, on the fourth Mondays of March and September, and continue each twelve juridical days.

In the county of Ballard, on the second Mondays of April and October, and continue each twelve juridical days.

In the county of McCracken, on the fourth Mondays of April and October, and continue each eighteen juridical days.

In the county of Marshall, on the third Mondays of May and November, and continue each six juridical days.

SECOND DISTRICT.

In the county of Henderson, on the first Mondays of March and September, and continue each eighteen and the second twelve juridical days.

In the county of Union, on the Monday of May, and the Monday of October, and continue each twelve juridical days.

In the county of Hopkins, on the Monday of May, and the Monday of October, and continue the first eighteen and the second twelve juridical days.

In the county of Christian, on the Monday of May, and the Monday of October, and continue the first twenty-four and the second eighteen juridical days.

In the county of Caldwell, on the Monday of May, and the Monday of October, and continue each twelve juridical days.

In the county of Trigg, on the Monday of May, and the Monday of October, and continue each twelve juridical days.

In the county of Lyon, on the Monday of May, and the Monday of October, and continue each six juridical days.

THIRD DISTRICT.

In the county of Logan, on the Monday of May, and the Monday of October, and continue each juridical day.

In the county of Todd, on the Monday of May, and the Monday of October, and continue each juridical day.
In the county of Muhlenburg, on the Monday of and continue each juridical days.
In the county of Butler, on the Monday of and continue each juridical days.
In the county of Edmonson, on the Monday of and continue each juridical days.
In the county of Warren, on the Monday of and continue each juridical days.
In the county of Simpson, on the Monday of and continue each juridical days.
In the county of Allen, on the Monday of and continue each juridical days.
In the county of McLean, on the Monday of and continue each juridical days.
In the county of Ohio, on the Monday of and continue each juridical days.

FOURTH DISTRICT.

In the county of Daviess, on the Monday of and continue each juridical days.
In the county of Hancock, on the Monday of and continue each juridical days.
In the county of Breckinridge, on the Monday of and continue each juridical days.
In the county of Meade, on the Monday of and continue each juridical days.
In the county of Hardin, on the Monday of and continue each juridical days.
In the county of Grayson, on the Monday of and continue each juridical days.
In the county of Larue, on the Monday of and continue each juridical days.
In the county of Bullitt, on the Monday of and continue each juridical days.
In the county of Nelson, on the Monday of and continue each juridical days.

FIFTH DISTRICT.

In the county of Hart, on the Monday of and continue each juridical days.
In the county of Barren, on the Monday of and continue each juridical days.
In the county of Monroe, on the Monday of and continue each juridical days.
In the county of Cumberland, on the Monday of and continue each juridical days.
In the county of Adair, on the Monday of and continue each juridical days.
In the county of Green, on the Monday of and continue each juridical days.
In the county of Taylor, on the Monday of and continue each juridical days.
In the county of Marion, on the Monday of and the Monday of and continue each juridical days.

In the county of Washington, on the Monday of and the Monday of and continue each juridical days.

SIXTH DISTRICT.

In the county of Boyle, on the Monday of and the Monday of and continue each juridical days.

In the county of Lincoln, on the Monday of and the Monday of and continue each juridical days.

In the county of Casey, on the Monday of and the Monday of and continue each juridical days.

In the county of Russell, on the Monday of and the Monday of and continue each juridical days.

In the county of Clinton, on the Monday of and the Monday of and continue each juridical days.

In the county of Wayne, on the Monday of and the Monday of and continue each juridical days.

In the county of Pulaski, on the Monday of and the Monday of and continue each juridical days.

In the county of Rockcastle, on the Monday of and the Monday of and continue each juridical days.

In the county of Laurel, on the Monday of and the Monday of and continue each juridical days.

In the county of Whitley, on the Monday of and the Monday of and continue each juridical days.

SEVENTH DISTRICT.

In the county of Anderson, on the Monday of and the Monday of and continue each juridical days.

In the county of Spencer, on the Monday of and the Monday of and continue each juridical days.

In the county of Shelby, on the Monday of and the Monday of and continue each juridical days.

In the county of Jefferson, on the Monday of and the Monday of and continue each juridical days.

In the county of Oldham, on the Monday of and the Monday of and continue each juridical days.

EIGHTH DISTRICT.

In the county of Madison, on the Monday of and the Monday of and continue each juridical days.

In the county of Garrard, on the Monday of and the Monday of and continue each juridical days.

In the county of Mercer, on the Monday of and the Monday of and continue each juridical days.

In the county of Jessamine, on the Monday of and the Monday of and continue each juridical days.

In the county of Fayette, on the Monday of and the Monday of and continue each juridical days.

In the county of Woodford, on the Monday of and the Monday of and continue each juridical days.
### NINTH DISTRICT

- **Franklin**: Monday of and continue each juridical days.
- **Henry**: Monday of and continue each juridical days.
- **Trimble**: Monday of and continue each juridical days.
- **Carroll**: Monday of and continue each juridical days.
- **Gallatin**: Monday of and continue each juridical days.
- **Owen**: Monday of and continue each juridical days.
- **Grant**: Monday of and continue each juridical days.
- **Boone**: Monday of and continue each juridical days.

### TENTH DISTRICT

- **Estill**: Monday of and continue each juridical days.
- **Clarke**: Monday of and continue each juridical days.
- **Bourbon**: Monday of and continue each juridical days.
- **Scott**: Monday of and continue each juridical days.
- **Harrison**: Monday of and continue each juridical days.
- **Nicholas**: Monday of and continue each juridical days.

### ELEVENTH DISTRICT

- **Mason**: Monday of and continue each juridical days.
- **Bracken**: Monday of and continue each juridical days.
- **Pendleton**: Monday of and continue each juridical days.
- **Campbell**: Monday of and continue each juridical days.
- **Kenton**: Monday of and continue each juridical days.

### TWELFTH DISTRICT

- **Montgomery**: Monday of and the Monday of juridical days.
- **Powell**: Monday of and continue each juridical days.
- **Bath**: Monday of and continue each juridical days.
In the county of Fleming, on the Monday of and continue each juridical days.

In the county of Lewis, on the Monday of and continue each juridical days.

In the county of Greenup, on the Monday of and continue each juridical days.

In the county of Rowan, on the Monday of and continue each juridical days.

In the county of Carter, on the Monday of and continue each juridical days.

In the county of Lawrence, on the Monday of and continue each juridical days.

TILRTEENTH DISTRICT.

In the county of Morgan, on the Monday of and continue each juridical days.

In the county of Johnson, on the Monday of and continue each juridical days.

In the county of Pike, on the Monday of and continue each juridical days.

In the county of Floyd, on the Monday of and continue each juridical days.

In the county of Breathitt, on the Monday of and continue each juridical days.

In the county of Perry, on the Monday of and continue each juridical days.

In the county of Letcher, on the Monday of and continue each juridical days.

In the county of Harlan, on the Monday of and continue each juridical days.

In the county of Clay, on the Monday of and continue each juridical days.

In the county of Owsley, on the Monday of and continue each juridical days.

In the county of Knox, on the Monday of and continue each juridical days.

§ 3. There shall be a circuit judge elected in, and for every one of the thirteen districts established by this act, on the first Monday of August, 1856, agreeably to the election laws which may be then in force; and the business of the circuit courts shall be carried on until that time, as if this act had not been enacted.

The substitute proposed by Mr. Bowling, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the state is hereby divided into thirteen circuit court districts, as follows:

First District. Fulton, Hickman, Ballard, McCracken, Livingston, Marshall, Graves, Calloway, Lyon, and Trigg counties.

Second District. Christian, Todd, Hopkins, Crittenden, Union, Caldwell, and Henderson counties.

Third District. Muhlenburg, McLean, Daviess, Hancock, Breckinridge, Ohio, Grayson, Meade, and Hardin counties.


Sixth District. Mercer, Washington, Marion, Boyle, Garrard, Lincoln, Casey, and Rockcastle counties.

Seventh District. Whitley, Laurel, Knox, Clay, Owsley, Perry, Letcher, Harlan, Breathitt, Powell, Pike, and Floyd counties.


Ninth District. Mason, Nicholas, Harrison, Bracken, Pendleton, and Grant counties.

Tenth District. Campbell, Kenton, Boone, Owen, Gallatin, Carroll, and Trimble counties.


Mr. Lucien Anderson moved the previous question.

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

The question was then taken on the adoption of the substitute, and it was decided in the negative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Bodley moved a reconsideration of the vote rejecting said substitute.

Mr. Hanson moved to lay said motion on the table.

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

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Richard B. Alexander, George C. Fair, Hiram McElroy,
John B. Auxier, James M. Fogle, John W. Menzies,
William B. A. Baker, McDowell Fogle, W. C. Montgomery,
William S. Bodley, Sidney A. Foss, Elijah F. Nuttall,
Laban J. Bradford, John K. Goodloe, Joseph Ricketts,
Archibald C. Brown, Alfred P. Graham, William Rieley,
Erasmus O. Brown, Roger W. Hanson, Richard J. Spurr,
Horatio W. Bruce, John S. Hargis, Joshua Tevis,
Colbert Cecil, Hiram Hawkins, Richard S. Thornton,
Milton J. Cook, Ben Hardin Helm, James H. Turner,
Thomas H. Corbett, Greenberry Hicks, E. L. Vanwinkle,
James M. Corbin, Richard Jones, James T. Ware,
Frank P. Deatherage, George F. Lee, Hiram Wood,
Charles Duncan, Philip Lee, Francis M. Woods,
Joshua Duna, John G. Lyon, John C. McCreaey,
Robert B. English, Charles A. Marshall, William M. Miller,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, William M. Morrow,
Lucien Anderson, Nathan Gaither, Samuel B. Pell,
John B. Anderson, Daniel Garrard, David H. Raymond,
William T. Anthony, Henry Giles,
R. P. Beauchamp, Gordon B. Grasty,
Ben. Berry,  Anderson Gray,  Benjamin F. Rice,  
William J. Berry, Benjamin Gullion, Robert Richardson,  
John S. Bohannon, John M. Hewitt, George C. Rogers,  
William B. Booker, John L. Irvan, James A. Russell,  
Robert C. Bowling, Andrew J. James, Charles C. Smedley,  
Isaac N. Clement, Gideon P. Jolly, James M. Speer,  
John B. Cochran, Andrew Jones, Thomas J. Terry,  
George B. Cook, James S. Littlepage, Fielding Vaughan,  
Coleman Covington, Pleasant W. Mahan, Willie Waller,  

Ordered, That said bill have its third reading on to-morrow, at 12 o'clock, M.  
And then the House adjourned.

SATURDAY, JANUARY 26, 1856.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:  
An act better to regulate the standard weight of certain products.

That they had passed bills of the following titles, viz:  
An act to amend 9th section, 11th article, chapter 35, Revised Statutes, entitled, crimes and punishments.  
An act to amend the law in relation to crimes and punishments.  
An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.  
An act to amend the charter of the Lexington and Richmond Turnpike Company.  
An act to incorporate the South Kentucky Fair Grounds Association.  
An act to amend the charter of the Henderson and Hibbardsville Plankroad Company.

1. Mr. Nuttall presented the petition of Eliza Jane Campbell and her children, praying that their trustee may be permitted to sell and re-invest the estate devised for their use by Samuel Glass, sen., under the provisions of his will.
2. Mr. Thornton presented the memorial of the Edmonson County Court, praying they may be authorized to sell the Poor-house land of said county.

3. Also, the petition of Thomas J. Beasley, praying he may be permitted to peddle without a license.

4. Also, the petition of citizens of the town of Woodbury, praying an extension of the limits of said town.

5. Mr. G. B. Cook presented the petition of citizens of the town of Princeton, praying that the trustees of said town may be authorized to sell a certain street in said town.

6. Also, the petition of citizens of Princeton, praying a change in the act incorporating said town.

7. Mr. Marshall presented the petition of citizens of the town of Washington, praying that the trustees of Franklin Academy may be authorized to sell their house and lot and appropriate the proceeds to the Washington Female Seminary.

8. Mr. Worsham presented the remonstrance of citizens of the city of Henderson, against extending the limits of said city.

9. Mr. Bohannon presented the remonstrance of citizens of Hart county against including any part of said county in any proposed new county.

Which were received, the reading dispensed with, and referred—the 1st, 5th, 6th, and 8th to the committee on the Judiciary; the 2d and 9th to the committee on Propositions and Grievances; the 3d to the committee on Ways and Means; the 4th to the committee on County Courts; and the 7th to the committee on Education.

Ordered, That the amendment proposed by the Senate to a bill from this House, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton, be 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 Mr. Wima—1. A bill to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

By Mr. Bruce—2. A bill to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties.

By Mr. Culhun—3. A bill for the benefit of school district No. 3, in Harlan county.

By same—4. A bill to change the county line between Knox and Harlan counties.

By Mr. Bodley—5. A bill to extend the corporate limits of the city of Louisville.

By same—6. A bill to incorporate the Western Insurance Company.
By Mr. Goodloe—7. A bill for the benefit of Richard Taylor, and his adopted daughter, Mary Richard Taylor.

By the committee on Internal Improvement—8. A bill to incorporate the Winchester, Kiddville, and Red river Iron Works Turnpike road Company.

Which were severally 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, 7th, and 8th were ordered to be engrossed and read a third time; the 2d was referred to the committee on Internal Improvement; the 3d to the committee on Education; and the 5th and 6th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 4th, 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.

Mr. Bowling, from the committee appointed to prepare and bring in the same, reported a bill to preserve historic facts.

Which was read the first time, as follows, viz:

WHEREAS, a great and growing State should preserve materials for the illustration of her own history; and, whereas, newspapers and periodicals published cotemporaneously with the events they record contain much that is worthy of preservation, and important to history—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the State Librarian be, and he is hereby authorized and directed, to subscribe for and take, for the use and benefit of the State, three copies of each newspaper and periodical now published, or which may be hereafter published in this State.

§ 2. It shall be the duty of the Librarian carefully to preserve said newspapers and periodicals, and have the same bound, and keep them among the books of the State Library for future reference and examination.

§ 3. That the Auditor shall, upon the certificate of the Librarian, issue his warrant upon the Treasurer, who shall thereupon pay the same out of any moneys in the Treasury not otherwise appropriated, for a sum sufficient to cover whatever expenses the Librarian may incur in the faithful performance of the duties required of him by this act.

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. Menzies moved the following amendment thereto, viz:

Add to the first section the following words: "In the English language."
Mr. Menzies moved to refer said bill and amendment to the committee on the Library.

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

The yeas and nays being required thereon, by Messrs. Elliott and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Whiteley, from the committee on Internal Improvement, to whom was referred a bill to incorporate the Winchester and Mount Sterling Central Turnpike road Company, reported the same, with an amendment.

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.

A message was received from the Governor by Mr. Bibb, Assistant 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 amend an act incorporating the Frankfort, Georgetown and Paris Turnpike Road Company.
An act for the benefit of Hiram Keath, of Pulaski county.
An act for the benefit of Joshua Oaks.
An act for the benefit of James Taylor, of Hardinsburg.
An act to change the time of holding the January term of the Fleming Quarterly Court.
An act for the benefit of Mrs. Margaret Leavy.
An act to incorporate the Wolf Hill Coal and Mining Company.
An act to amend an act, entitled, an act to regulate the town of Falmouth, in Pendleton county.
An act to change the 32d chapter of the 11th article 3d section of the Revised Statutes.
An act to amend the charter of the Louisville and Memphis Railroad Company.
An act for the benefit of Johnson A. Dawson, late sheriff of Powell county.
An act to render effectual the road law of Pendleton county.
An act to amend the charter of the Protestant Episcopal Orphan Asylum, of the city of Louisville.
An act to incorporate Allen Lodge Masonic Female College.
An act to amend the charter of the city of Smithland.
An act for the benefit of John Moore, jailer of Green county.

Approved, January 25, 1856.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Copeley Cemetery Company.
An act to incorporate the Richmond and Big Hill Turnpike Road Company.
An act to authorize the Louisville and Frankfort Railroad Company to sell their bonds for certain purposes.
An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.
An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty and Columbia Turnpike Road Company.
An act for the benefit of the sureties of Berry Scruggs, late sheriff of Washington county.

An act to amend chapter 42 of the Revised Statutes, title "Gaming."

An act to incorporate certain Turnpike Road Companies

An act to amend the charter of the Covington Fire, Life and Marine Insurance Company.

An act for the benefit of L. B. Wilson, late sheriff of Carroll county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

On motion of Mr. Nuttall,

Ordered, That the Public Printer forthwith print 1000 copies of the report of the President of the Board of Internal Improvement for the use of the members of this House.

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

On motion of Mr. Anthony—1. A bill for the benefit of William Foster.


On motion of Mr. Littlepage—3. A bill explaining and limiting the powers of the municipal officers of the town of Lawrenceburg.

On motion of same—4. A bill for the benefit of school district No. 9, in Anderson county.

On motion of Mr. Winn—5. A bill to charter a High School in the Liberty and Bay's Fork Associations.

On motion of same—6. A bill to amend and reduce into one the several acts concerning the town of Bowlinggreen.

On motion of Mr. Hawkins—7. A bill to regulate the time and mode of changing the boundaries of magistrates' districts, and voting places therein.

On motion of Mr. Corbin—8. A bill for the benefit of R. C. Green.

On motion of Mr. Bradford—9. A bill to authorize the Bracken County Court to appoint a Treasurer for said county.

On motion of same—10. A bill to charter the Kentucky State Agricultural Society.

On motion of same—11. A bill for the benefit of the Augusta, Cynthia, and Georgetown Turnpike road Company.


On motion of Mr. Jolly—13. A bill for the benefit of school district No. 52, in Breckinridge county.


On motion of same—16. A bill to change the time of holding the Quarterly Courts of Washington county.

On motion of Mr. Thornton—17. A bill to change the time of holding the Quarterly Courts of Butler county.

On motion of Mr. Reiley—18. A bill to amend the charter of the Twelve Mile Turnpike road Company.

On motion of same—19. A bill to incorporate the Evangelical Church and School Association, at Alexandria.

On motion of same—20. A bill to amend the charter of the Campbell county Turnpike road Company.

On motion of Mr. McDowell Fogle—21. A bill to legalize the proceedings of the February term, 1854, of the Casey County Court.

On motion of same—22. A bill to incorporate the Lebanon and Maxville Turnpike road Company.


On motion of Mr. Ben Berry—24. A bill to pay the amount still due for work done on the Western Lunatic Asylum.

On motion of Mr. Rice—25. A bill to branch the Court of Appeals.

On motion of Mr. Spurr—26. A bill to amend the charter of the Kentucky Agricultural and Mechanical Association.

On motion of Mr. Hanson—27. A bill to incorporate Good Samaritan Lodge, No. 174, Free and Accepted Masons.

On motion of Mr. Bruce—28. A bill to incorporate the Kentucky and Virginia Coal Mining Company.


On motion of same—30. A bill for the benefit of Greenup county.


On motion of same—32. A bill to prevent devises and bequests, to a certain extent, to religious societies and charitable institutions.

On motion of Mr. Hewitt—33. A bill to amend the charter of the Farmers Bank of Kentucky.

On motion of same—34. A bill for the benefit of the county of Franklin.

On motion of Mr. Gray—35. A bill for the benefit of John Elison.

On motion of Mr. Pell—36. A bill to establish a Police Court and Marshal in the town of Lewisport.

On motion of same—37. A bill declaring Blackfort creek, in Hancock county, a navigable stream.
On motion of same—38. A bill to enlarge the corporate limits of the town of Lewisport.

On motion of Mr. Culton—39. A bill to incorporate the Southwestern Kentucky Coal Mining Company.

On motion of same—40. A bill for the benefit of the sheriff of Harlan county.

On motion of Mr. Behannon—41. A bill appointing trustees for the Hart county Seminary.

On motion of Mr. Worsham—42. A bill authorizing an additional constable in district No. 5, in Henderson county.

On motion of same—43. A bill to lengthen the time of holding the Henderson Circuit Court.

On motion of Mr. Menzie—44. A bill to increase the criminal jurisdiction of the Mayor's court of Covington.

On motion of same—45. A bill to amend an act incorporating the Deposit Bank of Covington.

On motion of same—46. A bill to amend an act incorporating the Kentucky Ship Building and Lumber Company.

On motion of Mr. Richardson—47. A bill to amend the 39th chapter of the Revised Statutes.

On motion of same—48. A bill to incorporate the Second Presbyterian Church, in Covington.

On motion of same—49. A bill to incorporate the Savings Bank of Kenton county.

On motion of Mr. Cecil—50. A bill for the improvement of the State road from Mount Sterling, by way of Prestonsburg and Pikeville, to the State line.

On motion of Mr. Lyon—51. A bill to incorporate Schiller Lodge, No. 60, I. O. O. F., of the city of Louisville.

On motion of same—52. A bill to incorporate Corinthian Lodge, No. 74, I. O. O. F., of the city of Louisville.

On motion of Mr. Bodley—53. A bill to incorporate Robinson Lodge, No. 266, of Free and Accepted Ancient York Masons.

On motion of same—54. A bill to amend the law of evidence as to printed statute laws.

On motion of same—55. A bill to incorporate the Home Insurance and Trust Company.

On motion of same—56. A bill to indemnify, in certain cases, owners of property in Louisville, that may be injured or destroyed by mobs.

On motion of Mr. Whiteley—57. A bill for the benefit of the Louisville and Oldham Turnpike road Company.

On motion of same—58. A bill to amend the charter of the Northern Kentucky Coal Mining Company.
On motion of same—59. A bill to amend the charter of the Kentucky and Louisville Mutual Insurance Company.

On motion of same—60. A bill to legalize the bonds of the Louisville and Portland Railroad Company.

On motion of Mr. Waller—61. A bill to incorporate the Livingston county Coal Mining Company.

On motion of Mr. Smedley—62. A bill to charter the Harrodsburg Hotel Company.

On motion of same—63. A bill to authorize the Mercer County Court to take stock in a turnpike from Munday's Landing to the Louisville, Frankfort, and Crab Orchard Turnpike road.

On motion of Mr. Hargis—64. A bill to extend the term for the reception of reports from trustees of common schools.

On motion of Mr. W. J. Berry—65. A bill extending the time of holding the Circuit Court in Ohio county.

On motion of same—66. A bill to amend an act, entitled, an act creating the office of town Marshal of Hartford, Ohio county.

On motion of Mr. Giles—67. A bill to amend the charter of the town of Owenton.

On motion of Mr. C. Duncan—68. A bill to amend section 26, chapter 2, of the Code of Practice, in civil cases.

On motion of same—69. A bill for the benefit of the clerk of the Pendleton Circuit and County Courts.

On motion of same—70. A bill to incorporate the Falmouth and Milford Turnpike road Company.

On motion of same—71. A bill to incorporate the Falmouth and Claysville Turnpike road Company.

On motion of Mr. James—72. A bill for the benefit of certain fractions of common school districts, in Pulaski county.

On motion of Mr. Cochran—73. A bill prohibiting the circulation of bank notes less than $20, unless issued by, and made payable at, a bank in this State.

On motion of Mr. Gullion—74. A bill for the benefit of certain officers of this Commonwealth.

On motion of Mr. Vanwinkle—75. A bill to change section 1, of article 8, of chapter 88, of the Revised Statutes.

Ordered, That the committee on County Courts prepare and bring in the 1st, 7th, 9th, 16th, 17th, 21st, 34th, and 67th bills; Messrs. Anthony, Nuttall, and McCready the 2d; Messrs. Littlepage, Booker, and Dugan the 3d; the committee on Education the 4th, 5th, 13th, 64th, and 72d; the committee on the Judiciary the 6th, 14th, 19th, 27th, 28th, 38th, 31st, 32d, 36th, 44th, 46th, 47th, 48th, 49th, 51st, 52d, and 59th; the committee on Claims the 8th, 24th, and 35th; the committee on
Agriculture and Manufactures the 10th and 26th; the committee on Internal Improvement the 11th, 12th, 18th, 20th, 22d, 28th, 30th, 50th, 57th, 58th, 60th, 61st, 70th, and 71st; the committee on Military Affairs the 15th; the committee on Ways and Means the 23d and 40th; the committee on the Court of Appeals the 25th; the committee on Banks the 33d, 45th, 55th, and 73d; Messrs. Pell, Helm, and Jolly the 37th and 38th; Messrs. Bohannon, Grasty, and Corbin the 41st; Messrs. Worsham, Russell, and Rogers the 42d; the committee on Circuit Courts the 43d and 65th; Messrs. Bodley, Lyon, and Whiteley the 53d and 56th; the committee on Revised Statutes the 54th, 69th, and 75th; Messrs. Smedley, Gaither, and Cochran the 62d and 63d; the committee on Privileges and Elections the 66th; the committee on the Code of Practice the 68th; and the committee on Propositions and Grievances the 74th.

Mr. Gaither moved the following resolution, viz:

Resolved, That the committee on Federal Relations be instructed to report to this House a resolution proposing to the States of this confederacy the propriety of an amendment to the Federal Constitution, providing a principle by which, if the House of Representatives of the Congress of the United States shall not, within a given time, organize and proceed to business, their seats shall be vacated, and the Governors of each State shall forthwith proceed to order an election to fill their vacancies.

Mr. Bodley moved the following amendment as a substitute for said resolution, viz:

Resolved, That the committee on Federal Relations be instructed to inquire and report on Wednesday next, what, if any, measures are proper to be adopted in reference to the subject of the failure of Congress to organize and proceed to business.

Ordered, That said resolution and substitute be referred to a committee of six members.

Mr. Bodley, from the committee appointed to prepare and bring in the same, reported a bill to aid in removing free negroes from this State to Liberia.

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, and made the special order of the day for the 31st instant.

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

Mr. McElroy read and laid on the table the following preamble and resolution, viz:
Whereas, it is the duty of the Government of the United States, at all times, and in a proper manner, to encourage loyalty and true patriotism, by rewarding the labors of those who were personally engaged in the trials and achievements of the Revolutionary War; and whereas, a bill having this object in view was introduced into the Senate of the United States, on the 6th day of February, 1854, by Senator Evans, from South Carolina; and whereas, there are numerous citizens of the Commonwealth of Kentucky entitled to the benefits of the provisions of said bill. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress are hereby respectfully requested, and, so far as we are authorized to do so, are instructed to vote for, and if possible, secure the passage of said bill during the present session.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

On motion of Mr. McElroy,

Ordered, That said preamble and resolution be referred to the committee on Federal Relations.

On motion of Mr. Reiley,

Ordered, That Mr. Giles have leave of absence, indefinitely.

And then the House adjourned.

MONDAY, JANUARY 28, 1856.

A message was received from the Senate, announcing that they had passed a bill of the following title, viz:

An act to incorporate the Bank of Ashland.

1. Mr. Alexander presented the petition of certain citizens of Fulton county, praying they may be attached to the State of Tennessee.

2. Mr. Baker presented the petition of William H. Robertson and others, praying that Minerva Seminary, in Mason county, may be incorporated.

3. Also, the petition of citizens of the town of Mayslick, praying the passage of an act authorizing the trustees of said town to invest certain funds in the Mayslick Male and Female Academy.

4. Mr. Gaither presented the petition of citizens of Adair county, praying an act may be passed incorporating a Fair Grounds Association.
Which were received, the reading dispensed with, and referred—
the 1st to the committee on Federal Relations; the 2d and 3d to the
committee on Education; and the 4th to the committee on Agriculture
and Manufactures.

The House then took up the bill reserving power to amend or repeal
charters and other laws.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That all charters and grants of or to corporations, or amend-
ments thereof, and all other statutes, shall be subject to amendment or
repeal, at the will of the Legislature, unless a contrary intent be oth-
erwise plainly expressed: Provided, that whilst privileges and fran-
chises so granted may be changed or repealed, no amendment or re-
peal shall impair other rights previously vested.

§ 2. That when any corporation shall expire or be dissolved, or its
Corporate rights and privileges shall cease, by reason of a repeal of its
charter or otherwise, and no different provision is made by law, all its
works and property, and all debts payable to it, shall be subject to the
payment of debts owing by it, and then to distribution among the
members, according to their respective interests; and such corporation
may sue and be sued as before, for the purpose of settlement and dis-
tribution as aforesaid.

§ 3. That the provisions of this act shall only apply to charters and
acts of incorporation to be granted hereafter; and that this act shall
take effect from its passage.

The question was then taken on the passage of said bill, and it was
decided in the affirmative.

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

Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) Richard B. English, John W. Menzies,
Richard B. Alexander, George C. Paris, William M. Miller,
William T. Anthony, McDowell Fogle, William M. Morrow,
John B. Auxier, John K. Goodloe, Samuel B. Pell,
William B. A. Baker, Alfred F. Graham, Benjamin F. Rice,
R. P. Beauchamp, Roger W. Hansou, Robert Richardson,
William S. Bodley, John S. Hargis, Joseph Ricketts,
John S. Bohannon, Hiram Hawkins, William Rieley,
Robert C. Bowling, Ben Hardin Helm, James A. Russell,
Laban J. Bradford, Greenberry Hicks, Charles C. Smedley,
Erasmus O. Brown, Andrew J. James, Richard J. Spurr,
Horatio W. Bruce, Gideon P. Jolly, Thomas J. Terry,
Colbert Cecil, Andrew Jones, David L. Thurman,
George B. Cook, Philip Lee, James H. Turner,
Milton J. Cook, Pleasant W. Mahan, E. L. Vanwinkle,
James M. Corbin, Charles A. Marshall, Fielding Vaughan,
Coleman Covington, John C. McCreaey, Hiram Wood—53,
Joshua Dunn, Hiram McElroy.
Those who voted in the negative, were

Lucien Anderson, James A. Duncan, Samuel Long,
John B. Anderson, Nathan Gaither, Jas. H. McCampbell,
Ben. Berry, Daniel Garrard, W. C. Montgomery,
William J. Berry, Gordon B. Grasty, Elijah F. Nuttall,
William B. Booker, Anderson Gray, George C. Rogers,
Isaac N. Clement, Benjamin Gullion, Joshua Tevis,
John B. Cochran, John M. Hewitt, Willie Wailer,
Thomas H. Corbett, John L. Irvan, T. H. M. Wun
James Clinton, Richard Jones, Francis M. Woods,

Resolved, That the title thereof be as aforesaid.

Mr. Vanwinkle, from the committee on Revised Statutes, to whom the same had been referred, reported bills from the Senate of the following titles, viz:

An act to amend the road laws of this commonwealth.
An act requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.
Without amendment.

Ordered, That said bills be read a third time.
The rule of the House, constitutional provision, and third reading of said bills being dispensed with,

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

Mr. Vanwinkle, from the same committee, to whom was referred a bill from the Senate, entitled,

An act to amend the 10th section of the 13th chapter of the Revised Statutes.

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—
The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was disagreed to.

Mr. Vanwinkle, from the same committee, to whom was referred a bill from the Senate, entitled,

An act to amend the 68th chapter of the Revised Statutes.

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,

Said bill was then amended by adding thereto an engrossed clause, by way of ryder.
The question was then taken on the passage of said bill, as amended, and it was decided in the negative.

And so said bill was disagreed to.

A message was received from the Senate, announcing that they had passed a preamble and resolutions in relation to the tobacco trade.

Said preamble and resolutions were then taken up, twice read, and concurred in.

Mr. Vanwinkle, from the committee on Revised Statutes, to whom were referred leave to bring in the same,

Reported the following bills, viz:

1. A bill for the benefit of Patrick Napier, late sheriff of Casey county.
2. A bill for the benefit of Jas. Clark, late sheriff of Casey county.
3. A bill to increase the fees of jailers.
4. A bill to provide for the service of process against steamboats.
5. A bill to amend chapter 103 of the Revised Statutes, title, "turnpike and plankroads."
6. A bill to amend the chapter on crimes and punishments, of the Revised Statutes.
7. A bill to amend the 43d chapter of the Revised Statutes.

Which were severally 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, and 6th were ordered to be engrossed and read a third time; the 4th was referred to the committee on the Code of Practice; the 5th to the committee on Internal Improvement; and the 7th to the committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 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. Vanwinkle, from the same committee, to whom was referred leave to bring in the same, reported a bill to regulate the sale of slaves.

Which was read the first time.

Mr. Bruce moved a re-consideration of the vote by which the bill to amend the chapter on crimes and punishments, of the Revised Statutes, was passed.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined an enrolled preamble and resolution,
which originated in the Senate, of the following title, and had found the same truly enrolled, viz:

Preamble and resolution in relation to the tobacco trade.

Whereupon, the Speaker affixed his signature thereto.

Ordered; That Mr. M. J. Cook inform the Senate thereof.

The House then took up the bill to divide the State into thirteen judicial districts.

Mr. McElroy 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. McElroy and Culton, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker, (Huston.)
Lucien Anderson,
John B. Anderson,
William T. Anthony,
R. P. Beauchamp,
Ben Berry,
William J. Berry,
John S. Bohannon,
William B. Booker,
Robert C. Bowling,
Archibald C. Brown,
Erasmus O. Brown,
Colbert Cecil,
Isaac N. Clement,
John B. Cochran,
George B. Cook,
Coleman Covington,
James Culton.

David R. Dugan,
Ephraim B. Elliott,
Nathan Gaither,
Daniel Garrard,
Gordon B. Grasty,
Anderson Gray,
John S. Hargis,
John M. Hewitt,
Greenbury Hicks,
John L. Irvan,
Andrew J. James,
Gideon P. Jolly,
Andrew Jones,
James S. Littlepage,
Samuel Long,
Pleasant W. Mahan,
John C. McCrery,
Hiram McElroy,
William M. Miller,
William M. Morrow,
Samuel B. Pell,
Benjamin F. Rice,
Robert Richardson,
George C. Rogers,
James A. Russell,
Charles C. Smedley,
James M. Speer,
Thomas J. Terry,
Joshua Tevis,
Richard S. Thornton,
Fielding Vaughan,
Willie Waller,
Lambert A. Whiteley,
T. H. M. Winn,
E. W. Worsham—53.

Those who voted in the negative, were:

Richard B. Alexander,
John B. Auxier,
William B. A. Baker,
William S. Bodley,
Laban J. Bradford,
Horatio W. Bruce,
Milton J. Cook,
Thomas H. Corbett,
James M. Corbin,
Charles Duncan,
James A. Duncan,
Joshua Dunn,
Robert B. English,
George C. Faris,

James M. Fogle,
McDowell Fogle,
Sidney A. Foss,
John K. Goodloe,
Alfred F. Graham,
Benjamin Gullion,
Roger W. Hanson,
Hiram Hawkins,
Ben Hardin Helm,
Richard Jones,
George F. Lee,
Philip Lee,
John C. Lyon,
Charles A. Marshall,

Jas. H. McCampbell,
John W. Menzies,
W. C. Montgomery,
Elijah F. Nuttall,
Joseph Ricketts,
William Reiley,
Richard J. Spurr,
David L. Thurman,
James H. Turner,
E. L. Vanwinkle,
James T. Ware,
Hiram Wood,
Francis M. Woods—41.
Mr. Bowling moved a reconsideration of the vote by which said bill was laid on the table.

Mr. Rogers moved to lay Mr. Bowling's motion to reconsider on the table.

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

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

Those who voted in the affirmative, were:


Those who voted in the negative, were:


A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:
An act to incorporate certain Turnpike Road Companies
An act to amend chapter 42 of the Revised Statutes, title "Gaming."

An act to amend an act, entitled, an act to incorporate the Hustonville, Liberty and Columbia Turnpike Road Company.

An act for the benefit of the sureties of Berry Scruggs, late sheriff of Washington county.

An act for the benefit of L. B. Wilson, late sheriff of Carroll county.

An act to incorporate the Copeley Cemetery Company, at Bowling-green.

An act to amend the charter of the Covington Fire, Life and Marine Insurance Company.

An act to amend an act, entitled, an act to incorporate the Flemingsburg and Poplar Plains Turnpike Road Company.

An act to authorize the Louisville and Frankfort Railroad Company to sell their bonds for certain purposes.

An act to incorporate the Richmond and Big Hill Turnpike Road Company.

Approved, January 28, 1856.

On motion of Mr. Hanson,
Ordered, That the committee of the whole be discharged from the consideration of the bill to establish Equity and Criminal Courts in the Commonwealth of Kentucky.

The House then took up said bill.

Mr. Hanson moved to lay said bill on the table.

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

Mr. Vanwinkle moved a re-consideration of the vote by which said bill was laid on the table.

Mr. Hanson moved to lay Mr. Vanwinkle's motion to re-consider on the table.

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

On motion of Mr. Nuttall,
Ordered, That the committee of the whole be discharged from the consideration of the bill to provide for ten per centum per annum interest on written contracts for such or less rates, and the amendment proposed by Mr. Nuttall to said bill.

The House then took up said bill and amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first of May, 1856, any written contract for the direct payment of money, in which the obligor shall promise to
pay interest at the rate of ten dollars upon one hundred dollars for a year, and at the same rate for a greater or less sum, and for a longer or shorter time, or any rate of interest less than ten per centum per annum, shall be binding on the obligor, and collectable by law in the same manner that other written obligations to pay money are enforceable; and the judgments rendered upon such written contracts shall bear the rate of interest which is expressed in the contract.

§ 2. So much of section 2, of chapter 53, of the Revised Statutes, as in inconsistent with this act, is hereby repealed.

Mr. Nuttall's amendment reads as follows, viz:

Add to the first section of said bill as follows, viz: Provided, however, that if in any contract hereafter made according to the provisions of this act, any outstanding debt, due by account, bond, note, bill, or in any manner whatever, before this act takes effect, shall, in the whole or in part, be included in any contract for conventional interest, the obligee, or his assigns, shall not be allowed to recover the same nor the interest thereon, in the same action, but shall be referred back to his original cause of action, pro tanto, which shall not be impaired by any of the provisions of this act: Provided, further, that more effectually to ascertain whether the proviso herein has been violated, the obligee, in every case where suit is brought upon any obligation containing conventional interest, before he files his action, shall file with the clerk of the court a written affidavit setting forth, if any, what amount of outstanding debt is included in the obligation sued on.

Mr. Menzie moved the following amendment to said bill viz:

§ 3. This act shall not apply to an obligation given to secure any liability which may exist on or before the last day of April, 1856.

And the question being taken on the adoption of the amendment proposed by Mr. Menzie, it was decided in the affirmative.

Mr. Gray moved to amend the first section of said bill, by striking out the word "ten," wherever it occurs, and inserting in lieu thereof the word "eight."

Mr. Helm 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. Helm and Ben Berry, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, Joshua Dunn, Samuel Long,
John B. Anderson, Ephraim B. Elliott, Pleasant W. Mahan,
William T. Anthony, Robert B. English, John C. McCreaery,
John B. Auxier, George C. Faris, Hiram McElroy,
R. P. Beauchamp, James M. Fogle, Elijah F. Nuttall,
Ben Berry, McDowell Fogle, Samuel B. Pell,
William J. Berry, Nathan Gaither, Benjamin F. Rice,
John S. Bohannon, Daniel Garrard, Robert Richardson,
ARCHIBALD C. BROWN,  
ERASMUS O. BROWN,  
COBERT CECIL,  
ISAAC N. CLEMENT,  
JOHN B. COCHRAN,  
MILTON J. COOK,  
THOMAS H. CORBETT,  
JAMES M. CORBIN,  
JAMES CULTON,  
DAVID R. DUGAN,  
CHARLES DUNCAN,

ANDERSON GRAY,  
BENJAMIN GALLION,  
ROGER W. HANSON,  
JOHN S. HARrys,  
BEN HARDIN HILL,  
GREENBERRY HICKS,  
JOHN L. IRVAN,  
ANDREW J. JAMES,  
GIDEON P. JOLLY,  
ANDREW JONES,  
JAS. S. LITTLEPAGE.

Those who voted in the negative were

MR. SPEAKER, (Huston,) HIRAM HAWKINS,  
LUCIEN ANDERSON,  
WILLIAM B. A. BAKER,  
WILLIAM S. BOYLEY,  
LABAN J. BRADFORD,  
HORATIO W. BRUCE,  
GEORGE B. COOK,  
COLEMAN COVINGTON,  
SIDNEY A. FOSS,  
JOHN K. GOODloe,  
GORDON B. GRASTY.

On motion of Mr. Haasen,

Leave was given to bring in a bill to divide the State into thirteen judicial districts.

Ordered, That the committee on Circuit Courts prepare and bring in said bill.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the town of Ashland.
2. An act to incorporate the Hickman and Graves County Plank-road Company.
3. An act authorizing the Surveyor’s books of Wayne county to be transcribed.
4. An act for the benefit of Anna White.
5. An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1st, 1854.
6. An act for the benefit of the sheriff of Bath county.
7. An act for the benefit of John P. Campbell, Samuel Shryock, and James E. Buckner, late building commissioners of the Western Lunatic Asylum.
8. An act declaring the South Kentuckian an authorized newspaper.
9. An act for the benefit of constables.
10. An act to amend the charter of Danville.
11. An act to amend the charter of the Bardstown and Louisville Railroad Company.
12. An act to incorporate the Burksville and Columbia Turnpike road Company.
13. An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.
15. An act to incorporate the Ashland Female Academy.
16. An act to incorporate the Muhlenburg Mining and Manufacturing Company.
17. An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.
18. An act authorizing the sale of certain streets in Simpsonville.
19. An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.
20. An act authorizing the County Court of Shelby to sell the Poorhouse and grounds of said county.
21. An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.
22. An act to incorporate the Paducah and Blandville Turnpike Road Company.
23. An act to incorporate the Ashland Cemetery Company.
25. An act to create an additional voting precinct in Campbell county.
26. An act to incorporate the Buena Vista Springs Company.
27. An act to reduce the number of trustees in the town of Hazard, in Perry county.
28. An act to increase the fees of Processioners.
30. An act for the benefit of the Judge of the Ohio County Court.
31. An act for the benefit of N. H. Ryan, of Calloway county.
32. An act to amend chapters 4 and 95 of the Revised Statutes.
33. An act to amend 9th section, 11th article, chapter 35, Revised Statutes, entitled, crimes and punishments.
34. An act to amend the law in relation to crimes and punishments.
35. An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.
36. An act to amend the charter of the Lexington and Richmond Turnpike Company.
37. An act to incorporate the South Kentucky Fair Grounds Association.
38. An act to amend the charter of the Henderson and Hibbardsville Plankroad Company.
39. An act to incorporate the Bank of Ashland.
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, 8th, 9th, 10th, 18th, 23d, 24th, and 26th were referred to the committee on the Judiciary; the 2d, 5th, 11th, 12th, 16th, 22d, 35th, 36th, and 38th to the committee on Internal Improvement; the 3d, 19th, 20th, and 21st to the committee on County Courts; the 4th, 7th, 29th, 30th, and 31st to the committee on Claims; the 6th to the committee on Ways and Means; the 13th to the committee on Religion; the 14th and 15th to the committee on Education; the 17th to the committee on the Penitentiary; the 25th to the committee on Privileges and Elections; the 27th, 28th, 32d, 33d, and 34th to the committee on Revised Statutes; the 37th to the committee on Agriculture and Manufactures; and the 39th to the committee on Banks.

A resolution from the Senate in relation to the removal of the remains of ex-Governor Thomas Metcalfe, deceased, was then taken up, twice read, and referred to the committee on Claims.

And then the House adjourned.

TUESDAY, JANUARY 29, 1856.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled,

An act to provide for appointing a gate keeper and overseer on the turnpike road in Knox county.

1. Mr. Garrard presented the petition of citizens of the 6th justices' district, in Clay county, praying a change in the voting place in said district.

2. Mr. Beauchamp presented the petition of citizens of Nelson county, praying the formation of a new county out of parts of Nelson, Larue, Hardin, and Marion counties.

3. Mr. Whiteley presented the petition of citizens of Louisville, praying the passage of a law to punish dog stealing.

4. Mr. J. M. Fogle presented the petition of citizens of Raywick, praying an amendment to the act incorporating said town.
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 to the committee on Agriculture and Manufactures; and the 4th to the committee on the Judiciary.

On motion of Mr. Turner,
Leave was given to bring in the following bills, viz:
1. A bill for the benefit of the Montgomery County Judge.
2. A bill amending the act organizing the County Courts.
3. A bill for the benefit of Montgomery county.
4. A bill to change the time of holding the Court of Claims in Montgomery county.
5. A bill regulating the fees of examining courts in cases of felony.

Ordered, That the committee on County Courts prepare and bring in the 1st, 2d, 3d, and 4th bills; and the committee on Revised Statutes the 5th.

The Speaker appointed Messrs. Gaither, Hanson, Marshall, Bowling, McElroy, and Cochran a committee on the resolution offered by Mr. Gaither on Saturday, and the substitute therefor, proposed by Mr. Bodley.

On motion of Mr. Corbett,
Ordered, That a message be sent to the Senate, asking to withdraw the report of this House, announcing their disagreement to a bill from the Senate, entitled,
An act to amend the 68th chapter of the Revised Statutes.

After a short time the messenger returned with said bill.
Mr. Corbett moved a re-consideration of the vote by which the House disagreed to said bill.
And the question being taken thereon, it was decided in the affirmative.

Said bill, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 2d section of the Revised Statutes be so amended as to amended as to authorize and empower the County Courts of this State to change the name or names of any infant, upon the motion of the mother of such infant, with whom the infant lives, the mother being divorced from the father of said infant.

§ 2. This act shall only extend to cases wherein divorces have been obtained at the instance or for the benefit of the mother.

The question was then taken on the passage of said bill, as amended, and it was decided in the negative.
And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Hanson and Montgomery, were as follows, viz:
Those who voted in the affirmative, were


Those who voted in the negative, were


The House then took up the bill to regulate the sale of slaves.

And after some discussion had theron, the hour of 12 o'clock arrived, when,

The House proceeded to the orders of the day.

The House then resolved itself into a committee of the whole, upon the resolutions moved by Mr. James, and the substitute therefor reported by the committee on Federal Relations, Mr. Menzies in the chair; and after some time spent therein the Speaker resumed the chair, when Mr. Menzies reported that the committee, according to order, had under consideration the resolutions and substitute 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. Hanson moved that the House take a recess until 3 o'clock, P.M.

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

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

WHEREAS, a portion of the citizens of Fulton county, residing in that portion called Madrid Bend, have petitioned the Legislature of Kentucky to be annexed to the State of Tennessee. Therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three on the part of the Senate and five on the part of the House of Representatives, be appointed by the respective Speakers thereof, to take the matters and things contained in said petition under consideration, and report to the General Assembly the result of their investigation, together with their opinion, as to the propriety or impropriety of said proposed annexation.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

Said preamble and resolution were twice read and adopted.

The House again resolved itself into a committee of the whole, upon the resolutions moved by Mr. James, and the substitute therefore reported by the committee on Federal Relations, Mr. Bradford in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. Bradford reported that the committee, according to order, had under consideration the resolutions and substitute 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.

WEDNESDAY, JANUARY 30, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to charter the Springfield Union Agricultural and Mechanical Association.
An act to incorporate the Christian county Agricultural and Mechanical Association.

An act to incorporate the Warren county Agricultural and Mechanical Association.

An act to incorporate the Southern Kentucky Fair Ground Association.

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

An act authorizing constables to execute process issuing from the Quarterly courts in civil cases.

An act for the benefit of John W. De Jarnett, late Sheriff of Grant county.

An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pendleton county.

An act for the benefit of Common School Districts in this Commonwealth.

An act for the benefit of School District, No. 6, in Fulton county.

An act to amend the charter of the Hickman and Obion railroad company.

An act to incorporate the Nashville and North Western railroad company.

That they had received official information from the Governor, that he had approved and signed an enrolled preamble and resolutions, which originated in the Senate, of the following title, viz:

Preamble and resolutions in relation to the tobacco trade.

Approved January 28, 1856.

1. Mr. Thurman presented remonstrances from citizens of Larue county against the formation of any new county out of any part of said county.

2. Mr. James presented the petition of Silas M. Hall, chairman of the board of trustees of common schools for Pulaski county, praying that fractions of certain common schools in said county may receive their share of the school fund for 1853.

3. Mr. Tevis presented a petition from citizens of Hardinsville, in Shelby county, praying the name of said town may be changed to Grelenburg, and incorporated by said name.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Education; and the 3d to the committee on the Judiciary.

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

On motion of Mr. Grasty—1. A bill to amend an act, entitled, an act concerning the Auditor’s office and the Treasurer’s office.
On motion of Mr. Corbett—2. A bill to authorize the McCracken County Court to change the name of the daughter of Emily Given.

On motion of Mr. C. Duncan—3. A bill to regulate the collection of revenue and county levy, in this Commonwealth.

On motion of same—4. A bill to amend section 10, of article 9, of chapter 33, of the Revised Statutes.

On motion of Mr. Dunn—5. A bill to incorporate the Lancaster and Buckeye Turnpike road Company.

On motion of same—6. A bill for the benefit of the citizens of the town of Lancaster.

On motion of same—7. A bill to incorporate the Bryantsville and Mercer county Turnpike road Company.

On motion of Mr. A. Jones—8. A bill authorizing the McLean County Court to change the location of their Court House, and other public buildings.

Ordered, That the committee on Public Offices prepare and bring in the 1st bill; the committee on County Courts the 2d, 6th, and 8th; the committee on Revised Statutes the 3d and 4th; and the committee on Internal Improvement the 5th and 7th.

A message was received from the Senate, asking leave to withdraw their report announcing their disagreement to a bill from this House, entitled,

An act to provide for appointing a gate keeper and overseers on the turnpike road, in Knox county.

Which was granted, and the said bill was withdrawn.

The House then took up the bill to regulate the sale of slaves.

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. Garrard moved an amendment to said bill.


Mr. Menzies, from the committee on the Judiciary, to whom was referred the second amendment proposed by the Senate to the bill from this House, entitled,

An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

Reported the same without amendment.

Said amendment was then concurred in.

Mr. Vanwinkle, from the committee on Revised Statutes, to whom was referred leave to bring in a bill to amend the laws regulating the
duties of Assessors, asked to be discharged from the further consideration of the same.

Which was granted.

Ordered, That the committee on the Judiciary prepare and bring in said bill.

A message was received from the Senate, announcing their concurrence in a resolution from this House in relation to annexing part of Fulton county to the State of Tennessee.

Mr. Vanwinkle, from the committee on Revised Statutes, to whom was referred a bill to provide against the demoralization of slaves, reported the same, with an amendment.

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. Vanwinkle, from the same committee, reported a bill to amend an act, entitled,

An act incorporating the Kentucky State Medical Society, approved November 24, 1851.

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 Messrs. Spurr, Montgomery, Foss, Faris, McCready, and E. O. Brown.

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

Mr. Vanwinkle, from the same committee, reported a bill to increase the duties of Assessors.

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 was then dispensed with.

Mr. Rogers, from the committee on the Code of Practice, to whom was referred a bill to amend section 16 of the Code of Practice, in civil cases,

Reported the same, with an amendment.

Which was concurred in.

The Speaker laid before the House, a communication from R. C. Wintersmith, Treasurer of the State of Kentucky, which is as follows, viz:
Hon. John B. Huston,

Speaker of the House of Representatives:

Dear Sir: In the Louisville Courier, of the 28th inst., an anonymous writer over the signature of Se De Kay, states that I acknowledged having appropriated $500 per annum of the State's money to my own use, without the shadow or pretext of authority; and that my excuse was, that I could not live on $1,700, my regular salary, and accordingly took the extra $500 to meet family expenses. Knowing that the public mind is justly sensitive on a subject of this kind, and feeling that my character is dearer to me than life itself, I desire to ask, through you, a prompt investigation of this foul and calumnious charge. That I ever acknowledged that I had appropriated this money to my own use, without the shadow or pretext of authority, is unequivocally false. By an act, approved March 9, 1854, it is enacted, that hereafter there shall be an additional allowance of $1,000 per annum for clerk's hire in the Auditor's office, and $500 per annum to the Treasurer, to enable him to employ the services of a clerk to aid him in the performance of his duties. The difference in the phraseology of the two appropriations made by this law, is apparent at a glance, and the construction given to it by me is fully justified by the history of its passage. This difference of phraseology was noticed during the progress of the law through the Legislature, and it is well known that a motion was made to confine the appropriation to the Treasurer to whatever he might actually pay for clerk hire, and it was voted down. All the members of that Legislature with whom I conversed, spoke of the law as an appropriation to the Treasurer, to be drawn by him and used for the hire of a clerk, or not, at his pleasure. I have drawn this $500 per annum from the time the law went into effect, considering that it was an appropriation to the Treasurer, and that it was given to enable him, whenever he thought proper to do so, to avail himself of the services of a clerk. I did not construe the law to mean that I was to expend the $500 for clerk hire, but to lessen my labors whenever they became too onerous, or to employ a clerk in case of sickness or inability to attend to the duties of the office. I have availed myself of the assistance of several different clerks during a pressure of business, which services were rendered for me and on my account gratuitously. I feel the proud consciousness of having discharged all my public duties faithfully and honestly, and I have taken only what the Auditor's warrant authorized me to draw, and not one farthing more. How I should expend that $500 per annum, I did not suppose was or could be a matter of concern to any one but myself. All that the public could ask would be the performance of all the duties of the office. This money was appropriated to me as Treasurer, to enable me to have these duties performed—in other words, to lessen my labors. If my poverty drove me to the performance of four hours extra labor a day, I supposed that it was the same as the employment of a clerk for four hours a day. At all events I know I acted honestly, believing that I was claiming nothing but what the law gave me in the plainest language. It would be painful to me to hold this money, if my right to do so was
the subject of an honest doubt. I feel all the pride which an upright custodian of the public treasure ought to possess in a pure and spotless integrity, and I have therefore deposited the whole amount I have received under the law in the hands of the Auditor, amounting to $906.94, subject either to the decision of the Legislature or the Attorney General of the State, as the Legislature may determine, as to my right to hold it.

Very respectfully,

R. C. WINTERSMITH.

Ordered, That said communication be referred to Messrs. Bruce, P. Lee, McElroy, Richardson, and Bowling.

Mr. Goodloe, from the committee on Public Offices, made the following report, viz:

The joint committee of the House of Representatives of the Kentucky Legislature would respectfully report—that they, in conjunction with the committee of the Senate, have examined the office of the Register of the Land Office of Kentucky. They find, that within the past year, the Land Office has been re-organized by the present Register, its papers chronologically arranged, placed in new and appropriate envelopes, and that the general condition of the office is now such, that its business is now greatly facilitated. Much, however, yet remains to be done to enable the Register properly to discharge the duties required of him by law, and which cannot be done without some action by the Legislature. There are, as we are informed, now on file in the Land Office more than 300,000 papers, on which titles from the State of Kentucky are founded. Of this number 103,888 are plats and certificates of surveys, and of that number 65,710 are not recorded. The preservation of these plats and certificates is all important to the landed interest of the country, they being the basis of title, and in cases of variance between the patent and survey the latter governs. Those familiar with land litigation in Kentucky know that discrepancies between patents and surveys are frequently discovered, and how often, in questions of boundary or title, the calls, courses or distances of the patent are corrected by those of the original survey. In case of the loss, destruction or defacement of the original an office copy stands in their place. From the frequent handling of these papers in making examinations or copies, they are very liable to defacement, and they may be lost or destroyed. The Legislature of Kentucky, in view of their great importance and the danger of their loss, destruction or defacement, passed an act many years ago, requiring the Register to record these plats and certificates of surveys, which law is still in force. See Littell's laws of Kentucky, vol. 1, page 415. But this law has not been complied with for near 40 years. This fact accounts for the vast accumulation of unrecorded plats and certificates in the Land Office, and it need hardly be said that the present Register, with the number of clerks in his office is unable to record them. Indeed, the clerks he has are barely sufficient to keep up the current business of the office. Your committee, therefore, recommend that an adequate appropriation be made to have these plats and certificates recorded, and if that should be refused, then they recom-
House of Representatives.

Jan. 30.

Mend, as an act of justice to the Register, that the law requiring them to be recorded be repealed. But of even greater importance, in the opinion of your committee, is the making of a cross alphabet to all the plats and certificates in the Land Office. The custom of the office has always been, (but by what authority is unknown to your committee,) on receipt of a certificate of survey which has been assigned, to erase the name of the person for whom the survey was made and to substitute that of the assignee, and it is registered in the name of the latter, without reference to the former, and so passes into grant. When a title comes into controversy in the courts, and it becomes necessary to trace it up, the name of the person for whom the survey was made is first ascertained, and the name with a copy of description of the survey obtained from the office of the county surveyor, is sent to the Land Office, but the same having been assigned all trace of it is lost. Without cross alphabets we think no search can be instituted with the certainty of success. When there were but few papers in the office, searches although tedious in all cases, might have been successful, but since the great accumulation of papers, in many cases search would be almost idle. Every portion of the country is interested in having cross alphabets, but especially that section where titles are derived chiefly from head right or receiver's certificates, Land Office warrants, or County Court orders. If the Register had these cross alphabets the work could be accomplished with promptness and precision. Your committee, therefore, recommend that whether an appropriation for recording the unrecorded plats and certificates of surveys now in his office be made or not, that he be allowed another clerk, at an adequate salary to enable him to have the cross alphabets made.

Your committee were not aware, until after a personal examination, of labor necessary to keep up the business of the land office. If any one supposes that its labors are light, or that it is merely a depository of useless and antiquated papers, they are mistaken. The business of the office has been increasing for fifteen years past, and within the last three years it has increased very largely. As an instance of the great labor and business of the office, we state that in 1854 there was received 2,239 surveys; in 1855, 2,191 in County Court orders alone. The number of patents issued during the past year was 2,253, and of copies made about 400, besides a large amount of labor upon the alphabets in arrear. This is in addition to the re-organization of the office referred to in a former part of this report. The vast and regular increase of the business of the Land Office may be accounted for in several ways. The abolition of the fee tax on the receipt into the office of plats and certificates of survey is one reason for the increase of its business; but the greatest impetus has been given to its business by the development, both by public and private enterprise, of the vast mineral wealth of the State, and the liberal appropriation of the State
to a thorough geological survey. Lands considered heretofore of little or no value, which have lain idle and unentered, which are unfit for the purposes of the agriculturist on account of the physical formation, which offered no inducements to the settler, being remote from the market and the thoroughfares of busy commerce, and whose wild and rugged sides frowned defiance and contempt upon, and discouraged the energies of the industrious husbandman, have by the light of science and restless energies of enterprise, been found to contain beneath their barren and uninviting surface mines of boundless wealth, repaying with a munificent hand every expenditure made upon them, developing new channels of labor and commerce, and adding to the wealth, prosperity and dignity of the State.

There are in the Registers Office 446 volumes of books, including 82 volumes of alphabets. There are ten sets of books or records in which surveys are registered with their appropriate alphabets. Of course the Register must have a thorough knowledge of each to enable him to make any intelligent examination. Lands in the same section of the State, as for instance, South of Green river, from its head waters to Cumberland Gap, thence to the mouth of Tennessee river, were subject to entry by warrants, by Virginia military officers and soldiers in both continental and State establishments, by tellico certificates, by head right certificates, by Kentucky Land Office warrants and by County Court orders. Entries made on any of the above were regulated in quantity by the person making the same, and with no other guide than the name, locality and number of acres, and in many cases the two latter unknown, the Register is required to find the patents or any paper connected therewith. This not only shows what the labors of the office are but furnishes an additional argument for the cross alphabet.

The correspondence of the Land Office is very large, much larger than your committee had any idea of. Your committee, in view of the amount and character of the labor necessarily performed by the Register of the Land Office, the great importance of having a faithful and competent officer to perform the duties of an office so important as is the Land Office of Kentucky, recommend that the salary of the Register at present only $1,250 be raised to $1,700.

Your committee further recommend that the Register be allowed to apportion the salaries of the clerks, as they think it would be for the public good to place that power in his hands.

In the opinion of your committee, the present Register is not at all responsible for the arrears of the business of the Land Office. The neglect which has caused it occurred long before he came into it. We would not do justice to Mr. McKinley, the Register, nor to our own feelings, were we to close this report without bearing our testimony to the ability, fidelity and efficiency with which the duties of his office are discharged by him. We have found Mr. McKinley a most accomplished officer, and we hereby acknowledge our indebtedness to him.
for the information with which he has furnished, and the politeness received at his hands.

JAMES SUDDUTH,
W. C. GILLIS,
Of the Senate.

JOHN K. GOODLOE,
I. N. CLEMENT,
WM. J. BERRY,
G. P. JOLLY,
Of the House of Representatives.

Ordered, That the consideration of said report be made the order of the day for the 4th of February.

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

Mr. Speer moved the following resolution, viz:

Resolved, That this House, for the purpose of facilitating the public business, from the 4th day of February next will meet at 9½ o'clock, A. M., and also hold evening sessions, commencing at 3 o'clock, P. M.

Which was adopted.

Mr. McElroy moved the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the southwest room of the basement story of the Capitol be and the same is hereby appropriated for the State geological collection of specimens, to be arranged by the State geologist; and that hereafter the office of the Board of Internal Improvement shall be in one of the rooms of the Auditor's office.

Resolved, That the said cabinet of specimens shall be under the care of the Librarian.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

Said resolutions were twice read and adopted.

Mr. Beauchamp moved the following resolution, viz :

Resolved, That Dr. David Dale Owen, the State geologist, be requested to address the members of the General Assembly, in this Hall, on any evening that may suit his convenience, upon the subject of the geology of the State.

Which was adopted.

Mr. Bodley moved the following resolution, viz:

Resolved, That the Kentucky State Colonization Society be allowed to use this Hall to-morrow (Thursday) night.

Which was adopted.

The House again resolved itself into a committee of the whole, upon the resolutions moved by Mr. James, and the substitute therefor proposed by the committee on Federal Relations, Mr. Bradford in the chair, and after some time spent therein, the Speaker resumed the
chair, when Mr. Bradford reported that the committee, according to order, had under consideration the resolutions and substitute aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again, which was granted.

And then the House adjourned.

THURSDAY, JANUARY 31, 1856.

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 benefit of Robert P. Pepper, of Woodford county.
An act to provide a police system for part of Kenton county.
That they had passed bills, and a preamble and resolution of the following titles, viz:

An act to establish the Peoples Bank.
An act to amend the 1st section, article 17, chapter 28, of the Revised Statutes, entitled, "penal offenses and punishments."
An act to amend an act creating a Sinking Fund for the county of Mason.
An act for the benefit of the sheriff of Harrison county.
An act for the benefit of the Circuit Court clerk of Harrison county.
Preamble and resolution, directing the Public Printer to publish preamble and resolutions in reference to the death of Henry Clay.

On motion of Mr. Hanson,

Ordered, That the committee on Federal Relations be discharged from the consideration of the petition of certain citizens of Fulton county, praying to be annexed to the State of Tennessee, and that the same be referred to Messrs. G. B. Cook, L. Anderson, Irvan, Grasty, and Corbett, as a committee on the part of this House.

1. Mr. Irvan presented the petition of the citizens of Calloway county, praying the passage of an act for the benefit of Edward Morris.
2. Mr. Garrard presented the petition of William Woodcock, praying he may be permitted to collect outstanding fee bills due him.
3. Mr. Faris presented the petition of citizens of Nicholas county, praying the formation of a new justices' district in said county.

4. Mr. Jolly presented the petition of citizens of the Bewleyville district, in Breckinridge county, praying that the voting place in said district may be changed.

5. Mr. Hanson presented the petition of a number of mechanics of the city of Lexington, praying an extension of the mechanics' lien law.

6. Mr. Bodley presented petitions from property owners and taxpayers of the city of Louisville, praying the passage of an act making cities and towns responsible for property destroyed by mobs therein.

Which were received, the reading dispensed with, and referred—

the 1st and 5th to the committee on the Judiciary; the 2d to the committee on Ways and Means; the 3d to the committee on County Courts; the 4th to the committee on Privileges and Elections; and the 6th to Messrs. Bodley, Lyon, and Whiteley.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in this House, of the following title, and had found the same truly enrolled, viz:

An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

The House then took up the bill to amend section 16 of the Code of Practice, in civil cases.

Said bill, as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,

That any plaintiff or defendant to a suit heretofore, or which may here-after be decided in any Circuit Court of this Commonwealth, shall have the right to prosecute an appeal to the Court of Appeals, with a view to reverse the final order, judgment, or decree of such Circuit Court, anything in the 16th section of the Code of Practice in civil cases to the contrary notwithstanding; and henceforth the Court of Appeals shall have appellate jurisdiction over all cases of which the Circuit Courts have jurisdiction: Provided, that nothing herein contained shall be construed to allow either party to prosecute an appeal to reverse a decree or judgment so far as the same may grant a divorce, or to change the law limiting the time within which appeals to the Court of Appeals are to be prosecuted.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were:


Those who voted in the negative, were:


Resolved, That the title thereof be as aforesaid.

Mr. Bohannon, from the committee on the Code of Practice, to whom was referred a bill to provide for the service of process against steamboats,

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 following bills from the Senate, were reported by the several committees to whom the same had been referred, viz:
By the committee on Education.—An act authorizing the commis-
sioner of Calloway county to enlarge New Concord school district.

By the committee on Propositions and Grievances.—An act for the
benefit of William J. Berry and Seth R. Moseley.

Without amendment.

Ordered, That said bills be read a third time.

The rule of the House, constitutional provision, and third reading
of said bills being dispensed with,

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

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

By the committee on Education—1. A bill imposing an additional
tax of three cents, for the purpose of increasing the common school
fund.

By same—2. A bill authorizing the sale and distribution of the Cal-
loway county seminary lands.

By same—3. A bill legalizing certain proceedings of the Calloway
County Court.

By same—4. A bill to incorporate the Columbia Baptist College.

By same—5. A bill to incorporate the Columbia Male and Female
High School.

By same—6. A bill to relieve common school districts not regularly
reported.

By same—7. A bill to incorporate Bethel College, at Russellville.

By same—8. A bill for the incorporation of the Philomathean Soci-
ey of Bethel College, in Russellville.

By same—9. A bill to incorporate the Barren River High School.

By same—10. A bill for the benefit of the Kentucky Institution for
the education of the blind.

By the committee on Propositions and Grievances—11. A bill for
the benefit of William Marshall, jailer of Bracken county.

By same—12. A bill for the benefit of G. P. Jolly, late sheriff of
Breckinridge county.

By same—13. A bill for the benefit of William Moody, late sheriff
of Monroe county.

By same—14. A bill for the benefit of the Edmonson County Court.

By same—15. A bill for the benefit of John Osman, of Boone coun-
ty.

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, 9th, 11th, 12th, 13th, 14th, and 15th bills were ordered to be
engrossed and read a third time; and the 10th was made the special order of the day for the 8th day of February next.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 14th, and 15th 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. McElroy, from the committee on Propositions and Grievances, to whom was referred the petitions of citizens of Barren county and the town of Glasgow, asked to be discharged from the further consideration thereof.

Which was granted.

On motion of Mr. Menzies,
Leave was granted to withdraw said petitions.

Mr. McElroy, from the committee on Propositions and Grievances, reported a bill to establish the county of ———.

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 was then dispensed with.

The hour of 12 o'clock having arrived,

The House again resolved itself into a committee of the whole, upon the resolutions moved by Mr. James, and the substitute therefor proposed by the committee on Federal Relations, Mr. Bradford in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. Bradford reported that the committee, according to order, had under consideration the resolutions and substitute 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 1, 1856.

A message was received from the Senate, announcing that they had disagreed to bills from this House, of the following titles, viz:

An act to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles.
An act to incorporate the town of Manchester.
That they had passed bills from this House of the following titles, viz:
An act to authorize the trustees of the Bethel High School to sell and convey lands.
An act to incorporate the German Mutual Insurance Association, in Louisville.
An act to authorize married women to convey real and other property under power of attorney.
An act to amend the charter of Covington.
With amendments to the three last named bills.
That they had passed bills of the following titles, viz:
An act to amend the several acts in relation to Peddlers.
An act to authorize the trustees of Olivet Church to sell the church and lot upon which it stands.
An act for the benefit of the heirs of Jacob Watson.
An act for the benefit of Turnpike Road Companies in Campbell county.
An act for the benefit of Harriet T. Williams.
1. Mr. McElroy presented the petition of Willis G. Hughes and others, of Union county, praying a company may be incorporated, with power to drain Cyprus pond, in said county.
2. Mr. Rogers presented the petition of W. P. Neale and others, praying he may be permitted to peddle without license.
3. Mr. Rice presented the petition of citizens of Irvine, Estill county, praying that John Waldon may be permitted to peddle goods without license.
Which were received, the reading dispensed with, and referred—the 1st to Messrs. McElroy, Ben Berry, and Clement; and the 2d and 3d to the committee on Ways and means.
A message was received from the Governor by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed an enrolled bill, which originated in this House, of the following title, viz:
An act to amend an act, entitled, an act to incorporate the Peach Orchard Coal Company.
Approved January 31, 1856.
A message was received from the Senate, asking to withdraw the announcement of their disagreement to a bill from this House, entitled, an act to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles; which was granted, and said bill was withdrawn.
Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act authorizing the school commissioner of Calloway county to enlarge New Concord school district.

An act for the benefit of William J. Berry and Seth R. Moseley.

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

An act requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.

An act to amend the road laws of this commonwealth.

An act to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.

An act to authorize the County Court of McCracken county to change the Gray’s Ferry road.

An act to incorporate the Daviess county Agricultural and Mechanical Association.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

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

On motion of Mr. Helm—1. A bill for the benefit of the Louisville and Nashville Railroad Company.

On motion of Mr. Ware—2. A bill supplemental to an act, entitled, an act to incorporate the Blue Licks Hotel and Water Company, approved March 1, 1854.

On motion of Mr. Wood—3. A bill for the benefit of A. L. Offutt, late sheriff of Scott county.

On motion of Mr. Dunn—4. A bill for the benefit of the town of Lancaster.

On motion of same—5. A bill to authorize the Garrard County Court to take stock in certain turnpike roads.

Ordered, That Messrs. Helm, Rogers, and Winn prepare and bring in the 1st bill; Messrs. Ware, Bodley, and Bradford the 2d; the committee on Ways and Means the 3d; and the committee on County Courts the 4th and 5th.

The House then resumed the consideration of the unfinished report from the committee on Propositions and Grievances, being the bill to establish the county of—

The bill was then amended to read as follows, viz:

A bill to establish the county of Metcalfe.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of May, 1856, so much of the
§ 1. That the several counties of Hopkins and Union as lies within the following boundary shall be and the same is hereby erected into and established as a separate county, to be called and known as the county of Metcalfe, to wit: Beginning at the mouth of Piburn's branch, on Tradewater river, thence a straight line to the house of Milton Sisk, including him; thence a straight line to the eight mile tree on the road from Providence to Madisonville; thence a straight line to Hoffmansville, including said village; thence to Winstead's steam mill, including it; thence down Deer creek to the mouth of Leathers' creek; thence up said creek to the corner of the counties of Hopkins, Henderson, and Union; thence with the Henderson line to White Lick bridge, on Highland creek; thence with Seigler's old trace to the crossing near Gilchrist; thence a straight line to the Chalybeate Spring; thence with the Chalybeate branch to the crossing of the new road from Morganfield to Madisonville, near E. Shelton's; thence a straight line to the Half Moon Lick, on Tradewater; thence up the river to the beginning.

§ 2. The seat of justice of Metcalfe county shall be called and known by the name of Barry, and shall be located as near the centre thereof as practicable, and not more than one mile therefrom under no circumstances; to be located by the commissioners hereinafter appointed, viz: William Spalding, of the county of Union, Isaac N. Clement, of the county of Crittenden, John Pritchett, of the county of Henderson, and William Bradley, of the county of Hopkins, who, or a majority, may meet at the residence of Miles Baker, on the first Monday in March, 1856, and proceed to locate said seat of justice of said county at the most eligible situation under the restrictions aforesaid; and said commissioners are required to make a written certificate of their action, in duplicate, one of which shall be by them transmitted to the Secretary of State, and the other shall be deposited with Edward Rice, who shall preserve the same, and deliver it over to the clerk of the county court of said county, to be by him recorded in his office.

§ 3. The county of Metcalfe shall be divided into four districts, in each of which there shall be elected two justices of the peace and one constable, which districts shall also be election precincts; and that Edward Skinner, Samuel B. Wallace, David Thomasson, and James D. Headley, are appointed commissioners, who, after taking an oath faithfully to discharge their duties, shall lay off said districts and designate the place of voting in each. A majority of these commissioners may discharge this duty. They shall meet at the residence of Isaac Barkers, on the first Monday in March, 1856, or as soon thereafter as may be convenient, and proceed to perform the duties herein assigned to them; and they may adjourn from day to day and from place to place, until the duty is performed. The shall lodge a report embracing the boundary of each district in the hands of said Rice, who shall hold the same in safe keeping until a clerk of the county court of said county shall have been elected; and then it shall be delivered over to said clerk, who shall record and file the same in his office; and said commissioners shall transmit another of their said report to the Secretary of State, who shall preserve the same in his office. And it shall also be the duty of said commissioners to appoint suitable persons in each district to act as judges, clerks, and sheriffs for the election of a cir-
circuit court clerk, a county court clerk, a sheriff, an assessor, a surveyor, a jailer, a coroner, a presiding judge of the county court, a county attorney, justices of the peace, constables, and all other county officers, which election shall be held on the first Monday in May, 1856. Said judges, clerks, and sheriffs shall severally take an oath faithfully to perform their duties herein enjoined. Those persons who may act as sheriffs shall meet at the house of Edward Rice on the second day after the election, and after carefully comparing the polls shall sign two certificates of the result of the election, designating the name of each person having the highest number of votes, and the office to which he shall have been elected; one of which shall be lodged with said Rice, who shall cause it to be recorded in the clerk’s office of said county, and the other they shall forthwith transmit to the Secretary of State, whose duty it shall be to cause commissions to be issued to those persons therein named that are required by law to be commissioned.

§ 4. That the several officers that shall be elected as before required, shall take the several oaths required by the constitution and laws of this State, and execute all necessary bonds, with security, as is now required by law, and shall hold their several offices until the next general election for like officers, and until their successors shall have been duly elected and qualified: Provided, the sheriff so elected shall continue in office two years, and until his successor shall be duly elected and qualified.

§ 5. The counties of Hopkins and Union, before this act takes effect, shall have jurisdiction in all things as though this act had not passed.

§ 6. The presiding judge and the justices of the peace of said county, or a majority thereof, shall purchase, or receive by donation, suitable ground upon which the public buildings shall be erected; and said county court shall cause to be erected suitable buildings on said ground at said county seat for a court house, jail, and clerks’ offices, which shall be erected by a charge on the county, to be levied for that purpose: Provided, said tax shall not exceed two dollars per head per year.

§ 7. That Charles C. Buckman be and he is hereby appointed a commissioner, with such assistant as he may call to his aid, to run and mark the boundary of said county, as aforesaid in the first section of this act; and the county court of said county is hereby required to allow and pay the several commissioners herein named for their services rendered as required in this act, reasonable compensation for the same, to be levied and collected from said county.

§ 8. The said county of Metcalfe shall vote for senator with the second senatorial district, and for representative it shall vote with the county of Union, until changed by law.

§ 9. The county court of said county shall sit the third Monday in each month; and the judge of said court shall hold his quarterly terms on the second Monday in March, June, September, and December, in each year.

§ 10. It shall be the duty of the Secretary of State to furnish to said county, or the officers thereof, all the public books and statutes which are now by law directed to be furnished to the public officers of this Commonwealth.
§ 11. That the said county shall have the use of the jail of Hopkins county until a jail shall be built in said county; and that said county shall be attached to the second judicial district.

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 it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) McDowell Fogle, Samuel B. Pell,
Richard B. Alexander, John K. Goodloe, Benjamin F. Rice,
William B. A. Baker, Alfred F. Graham, Robert Richardson,
R. P. Beuchamp, John S. Hargis, William Rieley,
Ben. Berry, John M. Hewitt, George C. Rogers,
Robert C. Bowling, Gideon P. Jolly, Charles C. Smedley,
John S. Bohannon, Andrew Jones, Thomas J. Terry,
Laban J. Bradf ord, Richard Jones, E. L. Vanwinkle,
Erasmus O. Brown, Samuel Long, Fielding Vaughan,
Horatio W. Bruce, Pleasant W. Mahan, Willie Waller,
James Cul to, Jas. H. McCamp bell, T. H. M. Winn;
Frank P. Deatherage, Hiram McElroy, Hiram Wood,
Charles Duncan, John W. Menzies, Francis M. Woods,
James A. Duncan, W. C. Montgomery, E. W. Worsham—44.

Those who voted in the negative, were

Lucien Anderson, Ephraim B. Elliott, Philip Lee,
John B. Anderson, Robert B. English, John S. Littlepage,
William T. Anthony, James M. Fogle, John G. Lyon,
John B. Auxier, Sidney A. Foss, John C. McCreary,
William J. Berry, Nathan Gaither, William M. Miller,
William S. Bodley, Daniel Garrard, William M. Morrow,
William B. Booker, Gordon B. Grasty, David H. Raymond,
Archibald C. Brown, Anderson Gray, Joseph Kicketts,
Colbert Cecil, Benjamin Gullion, James A. Russell,
Isaac N. Clement, Roger W. Hanson, James M. Speer,
John B. Cochran, Hiram Hawkins, Richard J. Spurr,
George B. Cook, Ben Hardin Helm, Joshua Tevis,
Milton J. Cook, Greenberry Hicks, Richard S. Thornton,
Thomas H. Corbett, John L. Irvan, David L. Thurman,
James M. Corbin, Andrew J. James, James T. Ware—47.

Coleman Covington, James Kinslaer,
Mr. McElroy, from the committee on Propositions and Grievances, reported bills of the following titles, viz:

A bill to change the boundary line between the counties of Shelby and Oldham.

A bill to take the sense of the people of Knox county as to the propriety of removing the county seat thereof.

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. McElroy, from the committee on Propositions and Grievances, reported a bill to establish the county of Bibb.

Which was read the first time, and ordered to be read a second time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the second Monday in May, 1856, all the parts of Barren, Adair, and Monroe counties lying within and included in the following boundary, shall be and the same is hereby stricken from said counties, and erected into one district or county, to be called, designated, and known as the county of Bibb, in honor of George M. Bibb, to-wit: Beginning one mile west from the Dripping Spring meeting house, in Barren county, running thence a straight line to include the late residence of Dr. John C. Green; thence on the same course to the Hart county line; thence with the Hart county line to the Green county line; thence with the Green county line to the Adair county line; thence with the Adair county line to the corner of the Eastfork district line; No. 6, in Adair county, near the widow Patsy Rogers'; thence with said district line, on the dividing ridge between Big creek and Adams' and Price's creeks, to intersect the Edmonton and Columbia road about half a mile easterly from Stephen Hopper's; thence a straight line to include the residence of George Breeding, jr.; thence a straight line toward Pleasant Garret's, near the head of Rennick's creek, to where said straight line will intersect the Adair and Cumberland county line; thence with the Cumberland county line to the Monroe county line; thence with the Monroe and Cumberland county line one mile from Barren; thence a straight line to intersect the Monroe and Barren county line where a due north line will strike the beginning.

§ 2. That the county of Bibb shall be laid off into four districts for the election of justices of the peace and constables; and there shall be elected two justices of the peace and one constable in each district. Said districts shall also be election precincts. James F. Keel, George A. Clark, J. P. Snider, Joseph F. Ray, and Samuel W. Thompson are appointed commissioners, who, or a majority of them, after taking an oath faithfully and impartially to discharge their duties, shall lay off
said districts and designate the place of voting in each. Said commissioners shall meet at the house of Joseph B. Stockton, in the town of Edmonton, on the first Monday in March next, or as soon thereafter as may be, and proceed to discharge the duties imposed on them by this act. They may adjourn from time to time and from place to place, until through. They shall lodge a certified copy the boundaries of said districts in the hands of William D. Courts, whose duty it shall be to hold it in safe keeping until there shall be an election of county court clerk for said county of Bibb; and then he shall deliver it to said clerk, who shall file and record the same in his office; and they shall forthwith transmit another certified copy to the Secretary of State, who shall carefully preserve the same in his office. Said commissioners shall also designate, in each of said districts, two suitable persons to act as judges, and one in each to act as clerk, and one as sheriff of the election of a circuit court clerk, a county court clerk, a sheriff, an assessor, a surveyor, a jailer, a coroner, a presiding judge of the county court, a county attorney, and two justices of the peace and one constable in each district for said county of Bibb; which election shall be held on the second Monday in May, 1856. The judges, clerks, and sheriffs appointed by the commissioners aforesaid, in each district to hold said election, before entering upon their duties as such, shall take an oath faithfully and impartially to discharge the duties imposed upon them by this act. Those who may act as sheriffs as aforesaid shall meet at the house of Joseph B. Stockton, in the town of Edmonton, on the second day after the election, and after carefully comparing the polls shall sign two certificates of the election, designating the name of each person having the highest number of votes, and the office to which he is elected; one of which shall be lodged in the hands of William D. Courts, who shall cause the same to be recorded in the county court clerk’s office of said county of Bibb, and the other they shall forthwith transmit to the Secretary of State, to be by him filed and carefully preserved in his office, whereupon said Secretary shall forthwith cause commissions to be issued to the several officers certified to be elected, who, before they enter upon the duties of their respective offices shall take an oath, and where by law required shall execute bond according to existing laws in reference to similar officers; and thereupon their official acts shall be obligatory to all intents and purposes, when done in accordance with the constitution and laws of the State. They shall hold their offices until the next regular election of like officers, and until their successors are elected and qualified.

§ 3. That J. M. S. McCorkle, of Green county, and William E. Munford, of Barren, are hereby appointed commissioners to select two of the most convenient and eligible points for the location of the seat of justice, near the centre of said county of Bibb, and shall meet for that purpose on the first Monday in April next, or as soon thereafter as may be, and proceed to discharge the duties imposed on them by this act, and for that purpose may adjourn from day to day and place to place, until said locations are fixed; when they shall make out their determin-
nation in writing, and hand it to James F. Keel, one of the district
commissioners, who shall cause the same to be advertised and a poll to
be opened on the second Monday in May next, for each place so select-
ed as a location for the county seat; and that place having the highest
number of legal voters in the county shall be declared to be, the per-
manent location of the county seat of Bibb. Should said commission-
ers not agree as to the points of said locations, they may call in a third
person, who shall decide the question.

§ 4. That the county court of said county of Bibb, a majority of the
justices concurring, shall have power to appoint commissioners to pur-
chase, or accept, if donated, the lots or parcels of ground selected by
commissioners appointed as aforesaid, and by the vote of the county
for the county seat, and to cause a deed or deeds to be made for the
same to said county of Bibb. Said county court aforesaid, a majority
of the justices concurring, shall have power to assess and levy a tax
upon each tythe now subject to county levies within said county, a
capitation tax not exceeding one dollar and fifty cents per tythe, in
any one year, and an ad valorem tax upon all the property now subject
to taxation for State revenue, any sum not exceeding ten cents in any
one year, upon each one hundred dollars worth of property, for the
purpose of raising the means necessary for the purchase of the public
grounds, and the erection of a court house and other public buildings
thereon. Said commissioners may also be empowered by the county
court to draft plans and specifications, let out and superintend the
erection of the public buildings aforesaid; and, until the public build-
ings aforesaid are erected, said county court of Bibb shall have power
to provide suitable rooms for the clerks’ offices, and for the holding the
county and circuit courts.

§ 5. That Joseph F. Ray be, and he is hereby appointed a commis-
sioner, with such assistants as he may deem necessary to employ, to
run and mark the boundary line of said county of Bibb, agreeably to
the first section of this act; and that said commissioner make out four
fair plats of said county, one of which he shall deposit with the clerk
of the county court of Bibb, and transmit one to each of the county
court clerks of Barren, Adair, and Monroe counties, in order that the
same may be recorded in each of the counties aforesaid. Said com-
misisoner shall be allowed ample compensation for his services—not
less that —— dollars per day, and his expenses to be paid by the coun-
ty court of Bibb.

§ 6. The county of Bibb shall vote for members of congress with,
and be a part of, the third congressional district; and shall vote at elec-
tions for State officers, that portion stricken from Barren with Barren,
that portion stricken from Monroe with Monroe, and that portion strick-
en from Adair with Adair, until the next apportionment of represent-
ation.

§ 7. The county courts of said county of Bibb shall be held on the
second Monday of each month, except in the months when the circuit
courts are directed to be holden. The county judge of the county
court shall hold his quarterly courts on the second Monday in Febru-
ary, May, August, and November.

§ 8. The assessors of tax and collectors of tax, and the clerks in
making out commissioners' books for the auditor for the present year, 1856, for the counties of Barren, Adair, and Monroe, shall all proceed as though this act had not passed, except the county levies collected of those persons stricken off and included in the boundary shall be account
ed for and paid over to the county court of Bibb; and the sheriffs or collectors of the county levy shall have credit therefor in their settlements with their respective county courts of Barren, Adair, and Monroe, for county levies collected in that portion of their respective counties stricken off and included in the county of Bibb as aforesaid. It is intended by this act that officers elected for the county on the second Monday in May are permanent officers for the county, and shall hold their offices for the terms prescribed in the constitution, and until their successors are elected and qualified.

§ 9. That said county shall have the use of the jail of Barren county, until the county court shall erect a jail in said county.

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 it was decided in the negative.

And so said bill was disagreed to.

The yeas and nays being required thereon, by Messrs. Speer and L. Anderson, were as follows, viz:

Those who voted in the affirmative, were

William B. A. Baker, Alfred F. Graham, John W. Menzies,
R. P. Beauchamp, Benjamin Gullion, W. C. Montgomery,
Ben Berry, Ben Hardin Helm, Elijah P. Nuttall,
John S. Bohannon, Gideon P. Jolly, Samuel B. Pell,
Archibald C. Brown, Andrew Jones, Benjamin F. Rice,
Erasmus O. Brown, Richard Jones, Joseph Ricketts,
Milton J. Cook, George E. Lee, William Reiley,
Coleman Covington, Samuel Long, George C. Rogers,
James Culin, Pleasant W. Mahan, Joshua Tevis,
Frank P. Deatherage, Jas. H. McCampbell, E. L. Vanwinkle,
McDowell Fogle, John C. McCrarey, Fielding Vaughan—34.

Those who voted in the negative, were

Mr. Speaker, (Huston,) Charles Duncan, James A. Duncan,
Richard B. Alexander, Joshua Dunn,
Lucien Anderson, Ephraim B. Elliott,
John B. Anderson, Robert B. English,
William T. Anthony, Nathan Gaither,
John B. Auxier, Daniel Garrard,
William J. Berry, John K. Goodloc,
William S. Bodley, Gordon B. Grasty,
Robert C. Bowling, Anderson Gray,
Laban J. Bradford, Richard C. Smedley,
Laban J. Bradford, James Speer,
Laban J. Bradford, Richard J. Spurr,
Laban J. Bradford, Richard S. Thornton,
A bill from the Senate, entitled, an act to establish the People's Bank,

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 was then dispensed with.

Ordered, That said bill be made the special order of the day for the 6th instant, at 12 o'clock, M.

On motion of Mr. Ben Berry,

Ordered, That the committee on Banks be discharged from the leave referred to them to prepare and bring in a bill to charter the Union Bank of Kentucky, and that Messrs. Ben Berry, McElroy, and Tevis prepare and bring in the same.

Mr. Hanson moved the following resolution, viz:

Resolved, That the Secretary of State be requested to furnish this House with a copy of the commissioners' report of the Western Lunatic Asylum, in reference to the expenditure of the appropriation of the last Legislature, for the completion of the buildings of said institution, in order that this House may be enabled to determine whether the law of the last Legislature has been complied with; also, that he be requested to furnish this House with a copy of the bond given by the said commissioner, for the faithful compliance with the requisition of said law in reference to said appropriation.

Which was adopted.

The House again resolved itself into a committee of the whole, upon the resolutions moved by Mr. James, and the substitute therefor proposed by the committee on Federal Relations, Mr. Bradford in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. Bradford reported that the committee, according to order, had under consideration the resolutions and substitute 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 leave of absence, indefinitely, be granted to Messrs. Dunn, Covington, and Hawkins.

And then the House adjourned.
A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend the laws relating to the county levy of Kenton county.

An act to change the time of holding the Graves, Livingston, and Crittenden Circuit Courts.

An act to change the time of holding the Rockcastle Circuit Court.

An act to change the time of holding the Crittenden Quarterly Courts.

An act to ratify the sale made by the Marion County Court of the poor house and farm.

An act to provide for increasing the county levy of Kenton county.

An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

An act imposing an additional tax of three cents for the purpose of increasing the common school fund.

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

An act to amend the charters of the Covington, and Lexington and Danville Railroad Companies.

An act to change the time of holding the February and August terms of the McCracken County and Quarterly courts.

An act in relation to the Seminary fund of McCracken county.

An act to authorize the County Court of Madison to sell the Poor House lands in said county.

An act authorizing the County Court of Larue to sell the Poor House lands of said county.

An act to incorporate Kenton Lodge, No. 24, I. O. O. F.

An act to incorporate Olive Branch Encampment, No. 6, I. O. O. F.

Mr. Gray presented remonstrances from citizens of Grayson county, against the formation of a new county out of parts of Grayson, Hardin, and Hart counties.
Which was received, the reading dispensed with, and 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. Corbin—1. A bill appointing trustees for the Hart County Seminary.

By Mr. Ware—2. A bill supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.

By Mr. Bradford—3. A bill to amend the road law of Harrison county.

By Mr. Ben Berry—4. A bill to incorporate the Union Bank of Kentucky.

By same—5. A bill to incorporate the Cypress Pond-draining Company.

By Mr. Helm—6. A bill declaring Blackford creek, in Hancock county, a navigable stream.

By same—7. A bill to extend the limits of the town of Lewisport.

By same—8. A bill for the benefit of the Louisville and Nashville Railroad Company.


By Mr. Bodley—10. A bill to incorporate Robinson Lodge, No. 266, of Free and Accepted Masons.

By same—11. A bill to amend the law regulating the sale of spirituous liquors.

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, 6th, 7th, 8th, and 10th bills were ordered to be engrossed and read a third time; the 4th was made the special order of the day for the 5th instant, at 11 o'clock; the 9th was referred to the committee on the Judiciary; and the 11th was made the special order of the day for the 12th instant.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 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 each of the 4th and 11th bills, for the use of the members of the General Assembly.

Mr. Littlepage, from the committee appointed to prepare and bring
in the same, reported a bill repealing an act extending the powers of the municipal officers of the town of Lawrenceburg.

Which was read the first time, as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the powers and duties of the municipal officers of the town of Lawrenceburg, be and the same are hereby limited and confined to said town, and that outside of the limits of the corporation of said town they shall exercise no official power whatever.*

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James M. Fogle, Samuel E. Pell,
Richard B. Alexander, McDowell Fogle, David H. Raymond,
Lucien Anderson, Nathan Gaither, Benjamin F. Rice,
John B. Anderson, Daniel Garrard, Robert Richardson,
William T. Anthony, Henry Giles, William Reiley,
John B. Auxier, Gordon B. Grasty, George C. Rogers,
William J. Berry, Anderson Gray, Charles C. Smedley,
John S. Bohannon, Benjamin Gullic, James M. Speer,
William B. Booker, John S. Hargis, Thomas J. Terry,
Horatio W. Bruce, John L. Irvan, Joshua Tevis,
Colbert Cecil, Andrew J. James, Richard S. Thornton,
Isaac N. Clement, James S. Littlepage, David L. Thurman,
John B. Cochran, Pleasant W. Mahan, Fielding Vaughan,
George B. Cook, John C. McCready, Willie Waller,
Thomas H. Corbett, Hiram McElroy, James T. Ware,
James M. Corbin, John W. Menzies, T. H. M. Winn,
James Culton, William M. Morrow, Hiram Wood,

Those who voted in the negative, were

William B. A. Baker, Sidney A. Foss, Philip Lee,
William S. Bodley, John K. Goodloe, Samuel Long,
Robert C. Bowling, Alfred F. Graham, John G. Lyon,
Laban J. Bradford, Ben Hardin Helm, William M. Miller,
Archibald C. Brown, John M. Hewitt, W. C. Montgomery,
Erasmus O. Brown, Greenbury Hicks, Joseph Ricketts,
Milton J. Cook, Gideon P. Jolly, James A. Russell,
Frank P. Deatherage, Andrew Jones, E. L. Vanwinkle,
Charles Duncan, Richard Jones, Lambert A. Whiteley,

Resolved, That the title thereof be as aforesaid.
Mr. Bodley, from the committee appointed to prepare and bring in the same, reported a bill to indemnify, in certain cases, the owners of property in Louisville, that may be injured, taken away, or destroyed by mobs.

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. Whiteley moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on the Judiciary.

Mr. McElroy, from the committee on Propositions and Grievances, asked to be discharged from the further consideration of sundry petitions for the formation of a new county out of parts of Nelson, Larue, Hardin, and Marion counties.

Which was granted.

On motion of Mr. McElroy,

Leave was given him to withdraw the petitions for, and the remonstrances against, the formation of said proposed new county.

And the same were withdrawn.

Mr. Rogers, from the committee appointed to prepare and bring in the same, reported a bill authorizing the election of an additional constable in district No. 5, in Henderson 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 said bill was disagreed to.

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

On motion of Mr. Corbett—1. A bill to allow justices of the peace to grant attachments in like cases with county judges.

On motion of same—2. A bill to increase the jurisdiction of justices of the peace.

On motion of same—3. A bill to increase the jurisdiction of county judges.

On motion of Mr. Beauchamp—4. A bill to incorporate the Woodsonville, Edmonton, and Burksville Turnpike road Company.

On motion of Mr. Corbin—5. A bill to incorporate the Union and Richwood Turnpike road Company.

On motion of Mr. Jolly—6. A bill for the benefit of sheriffs and clerks.

On motion of Mr. P. Lee—7. A bill for the benefit of the Louisville and Covington Railroad Company.
On motion of same—8. A bill to incorporate the Cook Coal-mining Company.

On motion of Mr. G. B. Cook—9. A bill incorporating College City, in Caldwell county.

On motion of Mr. Reiley—10. A bill to run and re-mark the line between the counties of Campbell and Pendleton.

On motion of same—11. A bill for the benefit of the Methodist Episcopal Church South, at Alexandria.

On motion of Mr. Elliott—12. A bill to appropriate $5,000 to the improvement of Little Sandy river, in Carter county.

On motion of Mr. McDowell Fogle—13. A bill for the benefit of school district No. 37, in Russell county.

On motion of same—14. A bill giving further time to the holders of plats and certificates of surveys to return them to the Register's office.

On motion of Mr. Ben Berry—15. A bill to incorporate the Lafayette Male Academy.

On motion of Mr. Auxier—16. A bill for the benefit of the late and present clerks of Floyd county.

On motion of same—17. A bill to declare the middle fork of Jenny's creek, in Johnson county, navigable.

On motion of Mr. J. A. Duncan—18. A bill to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

On motion of same—19. A bill to incorporate Napoleon Royal Arch Chapter, of Free and Accepted Masons.

On motion of Mr. Vaughan—20. A bill to amend an act, entitled, an act appropriating the revenue of Muldraugh's Hill Turnpike road to Taylor county, approved January 9, 1852.


On motion of Mr. Pell—22. A bill to charter the Kentucky Rough creek Coal and Iron Company.

On motion of same—23. A bill to charter the Green river Iron, Coal, and Mining Company.


On motion of Mr. Culton—25. A bill for the benefit of Zachariah B. Sailor, late sheriff of Harlan county.

On motion of Mr. Nuttall—26. A bill levying a tax upon slave property, for the purpose of providing an efficient patrol upon the Ohio river.

On motion of same—27. A bill to regulate actions upon contracts, agreements, and promises made upon the purchase or sale of goods.
wares, merchandise, and other property, raised, made, or manufactured in the State of Ohio.

On motion of same—28. A bill to amend an act, entitled, an act to incorporate the Louisville and Newport Branch Railroad Company.

On motion of same—29. A bill to amend the charter of the town of New Haven.

On motion of same—30. A bill to punish seduction.

On motion of Mr. Foss—31. A bill to amend the 3d section, of the 2d article, of the 32d chapter of the Revised Statutes.

On motion of same—32. A bill to increase the jurisdiction of magistrates in Louisville and Jefferson county.

On motion of same—33. A bill to appoint a deputy constable of Lower Ponds district, in Jefferson county.

On motion of Mr. Menzies—34. A bill to re-arrange the times of holding the circuit courts in the 8th judicial district.

On motion of Mr. M. J. Cook—35. A bill to submit to a vote of the people, whether the license and traffic in ardent spirits shall exist in this State or not.

On motion of same—36. A bill to authorize a change in the Wilderness Turnpike road, in Lincoln county.

On motion of same—37. A bill to provide for the payment of jurors, in rioting cases.

On motion of Mr. Cecil—38. A bill to authorize David Cooley, of Floyd county, to perform the rites of matrimony.


On motion of same—40. A bill for the protection of the public roads in certain counties.

On motion of Mr. Whiteley—41. A bill to amend the law in relation to the duties of constables.

On motion of same—42. A bill to incorporate the Mississippi Valley Mining and Manufacturing Company.

On motion of same—43. A bill to incorporate the Louisville Bridge Company.

On motion of same—44. A bill to amend an act, entitled, an act to incorporate the Louisville Water Company, approved March 6, 1854.

On motion of same—45. A bill to amend the charter of the Kentucky Mechanics' Institute, at Louisville.

On motion of same—46. A bill to amend section 1, chapter 7, Revised Statutes, entitled, "boats and navigation."

On motion of Mr. Bodley—47. A bill to incorporate Saint Paul's Church, at Louisville.
On motion of Mr. Baker—48. A bill to equalize districts Nos. 1 and 2, in Mason county, and to change the places of voting therein.

On motion of same—49. A bill for the benefit of the Methodist Episcopal Church South.

On motion of Mr. E. O. Brown—50. A bill for the benefit of J. S. Dorman, of Meade county.

On motion of same—51. A bill to legalize certain acts of the Marshal of the town of Brandenburg.

On motion of same—52. A bill to amend the charter of the town of Frederick.

On motion of Mr. Hicks—53. A bill to amend and reduce into one the several acts relating to the town of Tompkinsville.

On motion of Mr. Hargis—54. A bill to change the boundary line of Perry county.

On motion of same—55. A bill to change the time of holding the Breathitt county Quarterly court.

On motion of Mr. Ricketts—56. A bill to restore the jurisdiction of the Circuit Courts over certain penal offenses.

On motion of Mr. Giles—57. A bill to amend the charter of the New Liberty and Eagle Turnpike Company.

On motion of Mr. Cochran—58. A bill incorporating the Taylorsville and Bloomfield Turnpike road Company.

On motion of same—59. A bill to amend the charter of the Bloomfield and Springfield Turnpike road Company.

On motion of Mr. Rogers—60. A bill to incorporate the Green river Education Society.

On motion of Mr. Goodloe—61. A bill to amend the charter of the Versailles and Anderson Turnpike road Company.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 5th, 6th, 11th, 14th, 26th, 27th, and 37th bills; the committee on Internal Improvement the 4th, 7th, 8th, 12th, 17th, 20th, 21st, 22d, 23d, 36th, 43d, 44th, 57th, 58th, and 61st; Messrs. G. B. Cook, Ben Berry, and L. Anderson the 9th; the committee on Propositions and Grievances the 10th; the committee on Education the 13th, 15th, and 60th; the committee on County Courts the 16th, 32d, 33d, 39th, 40th, 48th, 49th, 51st, 52d, 54th, and 55th; the committee on Revised Statutes the 18th, 19th, 41st, and 46th; Messrs. Helm, Rogers, and Wiin the 24th; Messrs. Culton, Long, and M. J. Cook the 25th; Messrs. Nuttall, Menzies, and Richardson the 28th; Messrs. Nuttall, Dugan, and L. Anderson the 29th; Messrs. Nuttall, L. Anderson, and Irvan the 30th; the committee on Privileges and Elections the 31st; Messrs. Menzies, Speer, and Nuttall the 34th; Messrs. M. J. Cook, Long, and McElroy the 35th; the committee on Religion the 38th and
47th; the committee on Agriculture and Manufactures the 42d and 45th; the committee on Claims the 50th; Messrs. E. O. Brown, Ricketts, and Beauchamp the 52d; the committee on the Code of Practice the 56th; and Messrs. Cochran, Dugan, and Smedley the 58th.

The Speaker laid before the House the response of the Secretary of State, to the resolution proposed on yesterday, by Mr. Hanson, which is as follows, viz:

To Hon. John B. Huston,  
Speaker of the House of Representatives:

Sir: In obedience to a resolution of the House of Representatives, of February 1, 1856, I herewith return a copy of the bond on file, executed by the Commissioners of the Western Lunatic Asylum. It is not in my power to furnish a copy of the report of said Commissioners, in reference to the expenditures of the appropriation by the last Legislature, for the completion of buildings, &c., as the original report thereof, by the said commissioners, was communicated to the House of Representatives, with a message from the Governor, on the 12th day of January last, and is now in possession of the House.

Respectfully,

Mason Brown,  
Secretary of State.

We undertake and are bound to the Commonwealth of Kentucky in the sum of sixty thousand dollars, that Zachariah Glass, John Stites, and Robert McKee shall well and truly perform the duties of commissioners, as defined and required by an act of the General Assembly of the Commonwealth of Kentucky, entitled, an act to pay the debts now due to contractors on the Second Kentucky Lunatic Asylum, and to provide for the prosecution of the work to completion, approved March 10, 1854; and that the said Glass, Stites, and McKee shall faithfully apply the moneys appropriated by said act, as therein provided and prescribed.

Given under our hands this 18th day of August, 1854.

ZACH. GLASS,  
JOHN STITES,  
ROBERT McKEE,  
JOHN B. KNIGHT,  
M. MATTILL,  
SAMUEL D. BUCK,  
JOHN C. LATHAM,  
COALMAN BOYD,  
HOOSER & OVERSHINER,  
A. W. COPELAND,  
JAMES DUCKER,  
WILLIAM PEMBERTON,  
DAVID ANDERSON.

The securities whose names are signed to the bond or covenant on the first page of this sheet are amply sufficient, and would be accept-
ed and approved by any person or court, for the amount of sixty thousand dollars, in any character of bond or obligation.

August 19th, 1854.

I would accept of them as security in any bond required by law to be executed in the county court, for the sum of sixty thousand dollars. Given under my hand, as presiding judge of Christian county, this the day above written.

W. V. BERNARD, Presiding Judge.

EXECUTIVE OFFICE
FRANKFORT, August 23, 1854.

The securities to this bond are approved and the bond accepted.

L. W. POWELL.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to change the time of holding the Graves, Livingston, and Crittenden Circuit Courts.
An act to change the time of holding the Rockcastle Circuit Court.
An act to authorize the County Court of Spencer county to sell the poor house lands in said county.
An act to increase the jurisdiction of the Police Judge of Monterey, in Owen county.
An act to incorporate the Southern Kentucky Fair Ground Association.
An act to incorporate the Christian County Agricultural and Mechanical Association.
An act to authorize the trustees of the Bethel High School to sell and convey lands.
An act to amend the laws relating to the county levy of Kenton county.
An act to ratify the sale made by the Marion County Court of the poor house and farm.
An act to provide for increasing the county levy of Kenton county.
An act to charter the Springfield Union Agricultural and Mechanical Association.
An act to incorporate the Warren county Agricultural and Mechanical Association.
An act to change the time of holding the Campbell Quarterly Courts.
An act to change the time of holding the Crittenden Quarterly Courts.
An act for the benefit of Robert P. Pepper, of Woodford county.
An act to provide a police system for part of Kenton county.
An act imposing an additional tax of three cents for the purpose of increasing the common school fund.

An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

Mr. Beauchamp moved the following resolution, viz:

Resolved, That the committee on Banks be instructed to report the bill, chartering the Ashland Bank, to this House on Monday next, at 11 o'clock, A. M.

Which was adopted.

Mr. J. M. Fogle read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That said General Assembly do adjourn on the 21st instant without day.

Mr. Helm moved the following resolution, viz:

Resolved, That the Hall of the House of Representatives be tendered to the Hon. James Campbell for this evening, for the purpose of discussing the political questions of the day.

Which was adopted.

And then the House adjourned.

MONDAY, FEBRUARY 4, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate McKee Lodge No. 35, I. O. O. F., at Versailles, Kentucky.

An act to declaring Wolf creek, in Lawrence county, a navigable stream.

An act to give further power to the Jessamine County Court.

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

An act to incorporate the Barren County Railroad Company.

An act to incorporate the Kirksville Turnpike Road in Madison county.
An act to incorporate the Lowell and Back Creek Turnpike Road in Garrard county.
An act to incorporate the Hawkins Branch Turnpike Road Company.
An act for the benefit of the Columbus Masonic Seminary.
An act for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.
An act to regulate the duties of the Commissioner of the Louisville Chancery court.
An act to authorize a special election in the city of Louisville.
1. Mr. Grasty presented the petition of citizens of Trigg county, praying the establishment of a State road from Hopkinsville to Paducah.
2. Mr. Ricketts presented the petition of citizens of the town of Greenville, praying that the trustees of said town may have the exclusive privilege of granting license for the sale of liquors in said town.
3. Mr. L. Anderson presented remonstrances from citizens of Graves county, against adding any part of said county to Marshall county.
4. Mr. Bohannon presented a remonstrance from citizens of Hart county, against the formation of a new county out of any part of said county.
5. Mr. Beauchamp presented a memorial from the Liberty Association of United Baptists, praying a repeal of all laws granting license to retail ardent spirits.
6. Mr. Prichard presented the petition of citizens of voting district No. 3, in Lawrence county, praying that said district may be divided and added to the adjoining districts.

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

Leave was given to bring in the following bills, viz:
On motion of Mr. Ben Berry—1. A bill to provide for compensating the commissioners appointed by Governor Powell to settle with the building commissioners of the Western Lunatic Asylum.
On motion of Mr. Rice—2. A bill for the benefit of Wm. Chiles.
On motion of same—3. A bill to increase the liability of owners of steamboats.
On motion of Mr. W. J. Berry—5. A bill regulating the circuit courts in the 3d judicial district.
On motion of Mr. E. O. Brown—6. A bill to abolish a ferry on the Ohio river, in Meade county.
An motion of Mr. Spurr—7. A bill to protect the growers of sheep, in Fayette county.

On motion of Mr. Bradford—8. A bill to amend the several acts incorporating the town of Brookville.

Ordered, That the committee on Claims prepare and bring in the 1st bill; the committee on Ways and Means the 2d; the committee on the Judiciary the 3d, 4th, and 8th; Messrs. W. J. Berry, Ricketts, and Helm the 5th; Messrs. E. O. Brown, Beauchamp, and W. J. Berry the 6th; and the committee on Agriculture and Manufactures the 7th.

On motion of Mr. McElroy,

Ordered, That the committee on Propositions and Grievances be discharged from the further consideration of the petition of the widow and executors of James Moss, and that the same be referred to the committee on the Judiciary.

Mr. Philip Lee moved to re-consider the vote by which the bill to establish the county of Bibb was rejected.

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

Mr. McElroy, from the committee on Propositions and Grievances, to whom were referred the petitions of sundry citizens of Floyd, Johnson, and Morgan counties, reported a bill to establish the county of Metcalfe.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the first day of April, 1856, all those parts of the counties of Floyd, Morgan, and Johnson within the following boundaries, to wit: Beginning on the top of the dividing ridge between Licking river and Beaver creek, thence running along the top of said ridge, between Licking and Quicksand creek to the Breathitt county line; thence with the Breathitt county line to the Morgan county line; thence with the Breathitt and Morgan county line to the head of Red river; thence keeping the ridge between Red river and Johnson fork of Licking, to where the State road crosses the same; thence running along the top of the same ridge to the head of Canney creek; thence keeping the top of said ridge to where the Fork ridge of White Oak intersects the same; thence keeping down the Fork ridge of White Oak to a point opposite to where the county road crosses the gap, at the head of McCormick's branch, so as to include James Oney, on the left hand fork of White Oak; thence a straight course to Jas. Brown's sr., on the Rock House fork of Licking, so as to include said Brown; thence running a straight line to the top of the dividing ridge between Lacy's fork and the Rock House fork; thence along the top of said dividing ridge to the waters of Elk fork of Licking; thence keeping the top of said ridge, between the Rock House fork of Licking and said Elk fork, to the head of Brown's fork of Lacy's fork of Paint creek, the waters of Sandy river; thence down Brown's fork to its mouth, to
include all its waters; thence down Lacy's fork to its mouth, to the Johnson county line; thence a straight course to the head of the lower Little Mine fork or Tick Lick fork, including all its waters; thence running the dividing ridge between Literal's fork and others north of the same, to the head of said fork; thence a straight line to Blair May's, on Middle creek, so as to include said May; thence a southerly direction to the nearest point to the top of the dividing ridge between Middle creek and the waters of Licking river; thence with the said ridge to the beginning, shall be and the same is hereby stricken from said counties of Floyd, Morgan, and Johnson, and erected into one distinct county, to be called Metcalfe, in honor of Thomas Metcalfe, late Governor of this Commonwealth.

§ 2. The county of Metcalfe shall be laid off into four districts for justices of the peace and constables, which districts shall also be election precincts; Benjamin Hammon, Abner Salyer, John Power, Sam. May, and A. P. Cooper are appointed commissioners, who, after taking an oath faithfully and impartially to discharge their duties as such, shall lay off said districts and precincts, and designate the place of voting in each; they shall meet at William Adams' house, on the first Monday of April, 1856, or as soon thereafter as may be, and proceed to the discharge of the duties imposed upon them by this act; a majority of said commissioners shall be empowered to act in the premises; and they may adjourn from time to time, until they shall have discharged said duties. They shall lodge a certified copy of the boundaries of said districts and precincts in the hands of William Adams, whose duty it shall be to hold it in safe keeping until there shall be an election of a county court clerk for the said county of Metcalfe; and then he shall deliver it to said clerk, who shall file and record it in his office; and they shall forthwith transmit another certified copy to the office of the Secretary of State, directed to that officer, who shall carefully preserve the same in his office. They shall also designate in each of said districts two suitable persons to act as judges, and one in each to act as clerk, and one to act as sheriff, of the election of a circuit clerk, a county court clerk, a sheriff, assessor, surveyor, jailer, coroner, a presiding judge of the county court, a county attorney, and two justices of the peace and one constable for each district for said county, which election shall be held on the second Monday in April, 1856. Before entering upon their duties, each of the above named officers shall take an oath faithfully and impartially to discharge the duties imposed upon them by this act.

§ 3. Those who shall act as sheriffs of said election, shall meet at the house of the said William Adams, on the third day after said election; and after carefully comparing the polls, shall sign two certificates of the election of said officers, designating the name of each person having the highest number of votes, and the office to which he is elected; one of which shall be lodged in the hands of the said William Adams, who shall cause it to be recorded in the county court clerk's office of said county; and the other they shall forthwith trans
mit to the office of the Secretary of State, to him directed, where it shall be preserved; whose duty it shall be forthwith to cause commissions to be issued to those persons named in said certificate, to each for the office to which he shall have been elected. Each of said officers shall take an oath, and shall execute a bond according to existing laws, in relation to each office wherein a bond is required. They shall hold their offices until the next regular election of like officers, and until their successors are duly elected and qualified.

§ 4. That the counties of Floyd, Morgan, and Johnson, before this act takes effect, shall have jurisdiction in all things as though it had never passed.

§ 5. That Jno. Dennis, of Morgan, Jno. Davis, of Johnson, Joel Martin, of Floyd, Lewis Sowards, of Pike, and T. J. Frazier, of Breathitt county, be, and they are hereby made and appointed commissioners, whose duty it shall be to locate the county seat for the county aforesaid, on or before the second Monday in April, 1856. They are authorized and required to select suitable lots or parcels of ground, and purchase the same, in said county, for the erection thereon of public buildings for the seat of justice; and it shall be the duty of the county court of the county, to make provision for the payment of the purchase money for said lots and buildings, as said commissioners may see cause to erect, at the expense of said county; and until such buildings are erected, the court for said county shall be helden at the house of the said Wm. Adams in the town of Adamsville in said county. The means of paying for these public conveniences, shall be raised by a capitation or ad valorem tax, or both, on all those persons in said county subject to taxation for county or revenue purposes: Provided, that such tax shall not exceed, in any one year, more than one dollar and a half on the head, and twenty cents on each hundred dollars worth of property in the county.

§ 6. That William H. McNew be and he is hereby appointed commissioner, with such assistants as he may deem necessary to employ, to run and mark the boundary lines of said county of Metcalfe, who shall be allowed three dollars per day for his services, whilst so engaged, and one dollar and fifty cents per day shall be allowed to each of his assistants, to be paid out of the county levy of said county of Metcalfe.

§ 7. That the said county of Metcalfe shall vote at elections for members of congress with the sixth congressional district, for senator with the the thirty-seventh senatorial district, for member of the legislature with the counties of Floyd and Johnson; and the sheriff of said counties shall compare the polls of said counties as now prescribed by law. That the circuit court for said county, shall be held on the Mondays preceding the Owosley circuit court; and said county shall form a part of the twelfth judicial district. The county courts of said county shall be held on the third Monday in May, 1856, and on the third Monday in every month thereafter. The quarterly courts shall be held on the second Monday in January, April, July, and October.

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. McElroy moved to amend said bill, by striking out the word "Metcalfe, in honor of Thomas Metcalfe, late Governor of this Commonwealth," in the first section, and the word "Metcalfe" wherever else it occurs in said bill, and inserting in lieu thereof the word "Licking."

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

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 it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. P. Lee and R. Jones, were as follows, viz.:

Those who voted in the affirmative, were:


Those who voted in the negative, were:


On motion of Mr. McElroy,
Leave was given to withdraw the petitions of sundry citizens of Floyd, Johnson, and Morgan counties, praying the formation of a new county, and the same were withdrawn.

Mr. Gaither, from the committee on Privileges and Elections, who were appointed to prepare and bring in the same, reported the follow-bills, viz:

A bill authorizing the county court of Lyon county to establish an additional voting place in said county.
A bill creating an additional justices' district in the county of Pulaski.

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. Gaither, from the same committee, to whom was referred a bill from the Senate, entitled,

An act to create an additional voting precinct in Campbell 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. Bowling, from the committee on Banks, to whom was referred a bill from the Senate, entitled—

An act to incorporate the Bank of Ashland.
Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be and there is hereby created and established, at Ashland, in Greenup county, Kentucky, a bank, by the name of the Bank at Ashland, which shall continue in existence, from and after the passage of this act, until the first day of January, one thousand eight hundred and eighty-six.

§ 2. That the capital stock of said bank shall be four hundred thousand dollars, divided into shares of one hundred dollars each; but so soon as one hundred thousand dollars of said capital stock shall be subscribed, and fifty thousand dollars in gold and silver paid in, as hereinafter specified, it shall be lawful for said bank to commence operation under this charter.
§ 3. That Hugh Means, William T. Nichols, Lewis D. Ross, Kirk Valdemar, Hiram Ferguson, John N. Richardson, and Charles M. Wilson, or any three of them, be and they are hereby appointed commissioners to open books of subscription to the capital stock of said bank. Said books shall be opened by said commissioners in the town of Ashland, and at any other points they may deem necessary within this State, at such times as they may designate, of which at least three weeks notice shall be given in some newspaper printed in said county, or, if none be there published, then in some newspaper printed in the city of Maysville.

§ 4. It shall be lawful for any individual, company, or body corporate, to subscribe for any number of shares of said capital stock; and such individual, company, or corporation, at the time of making such subscription, shall pay to said commissioners, for the use and benefit of said bank, the sum of five dollars on each share of said stock so subscribed.

§ 5. Said commissioners shall keep said books open for the subscription of stock for the period of one week, unless the whole capital, before that time, shall have been subscribed. At the expiration of said week, if the amount of one hundred thousand dollars of said capital shall not have been subscribed, it shall be lawful for said commissioners to designate one of their own number to take charge of said subscription books, and to attend to receiving additional subscription, until the amount of one hundred thousand dollars of said stock, at least, shall have been taken. If, at the end of three months from the time of opening such books, there shall not have been subscribed to the amount of one hundred thousand dollars of said stock, then, immediately after that period, it shall be the duty of said commissioners to abandon the subscription already made, and to refund to such parties as may have subscribed, the sums paid by them respectively on account of their said subscriptions. So soon, after the expiration of the first week above named, as the amount of one hundred thousand dollars, at least, of said capital stock shall have been subscribed, it shall be the duty of said commissioners to fix upon a day for the election of directors of said bank, of which three weeks notice, at least, shall be given in some newspaper printed in the county of Greenup, or if none be there printed, then in some newspaper printed in the city of Maysville.

§ 6. Said subscribers and shareholders, their successors and assigns, shall be, and hereby are, created a body politic and corporate, by the name aforesaid, and by that name, under the restrictions hereinafter mentioned, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places, and in all matters whatsoever, as natural persons, with full power to acquire, hold, possess and enjoy, and the same to sell, convey, and dispose of at pleasure, all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of their business, or which may be conveyed to said bank, as security for any loan or debt, or purchase in satisfaction of any judgment or decree in favor of said bank, or in the purchase of any property on which said bank may have a lien. And
said bank may have and use a common seal, and change, alter, and 
renew the same at pleasure; and it may ordain and put in execution 
such by-laws, rules, and regulations, for the government of said bank, 
and the prudent and efficient management of its affairs, as may be 
thought most proper: Provided, that they be not contrary to the con- 
stitution and laws of this State or of the United States, or of the pro-
visions of this act.
§ 7. The business of said bank shall be to loan money, discount 
promissory notes and bills, and deal in exchange; and it may issue 
bills and bank notes, payable to bearer on demand, at either of its 
ofices of discount and deposit—but of not less denomination than five 
dollars; and it shall not issue any notes, bills, checks, or orders to cir-
culate as money, other than such as are payable on demand. The 
promissory notes, made payable to any other person or persons, and 
payable and negotiable at the principal office of discount and deposit, 
or branch of said bank, or at any other bank, and indorsed to, and dis-
counted by said bank, shall be, and they are hereby put on the same 
footing as foreign bills of exchange, and remedy may be had jointly 
or severally, against the drawers and indorsers, and with like effect, 
except as to damages, and except that in a regular course of adminis-
tration they shall have no other or greater dignity or priority of pay-
ment than other notes.
§ 8. The real and personal estate, business, property, funds, and pru-
dential concerns of said bank, and the administration of its affairs, 
shall be under the direction, management, and control of seven direc-
tors, all of whom shall be citizens of the United States and residents 
of the State of Kentucky, who, after the first election, shall be chosen 
annually on the first Monday in May. Each director shall be a stock-
holder, holding at least ten shares of stock in his own right. They 
shall hold their offices for one year, and until their successors shall be 
chosen—except the first directors, who shall hold their offices until 
the next regular annual election. The election shall be held at Ash-
land, and of the time and place of holding the election at least three 
weeks previous notice shall be given. The directors shall be chosen 
by the stockholders—each share of stock being entitled to one vote 
held in their own right up to fifty; and one vote for every five shares 
between fifty and one hundred; and one vote for every ten shares above 
one hundred; the election shall be by ballot, and shall be conducted 
under the direction of three stockholders, acting under oath, previously 
chosen or appointed by the directors, and who shall not be of their 
body. After the first election, no share shall entitle the holder to vote, 
unless the same has been held by him at least three months prior to 
that time, and so appears on the books of the bank. Any stockholder 
etitled to vote, may do so in person or by proxy—such proxy being 
granted to a person who is not a director or officer in said bank. If, 
from any cause, an election shall not take place on the day fixed by 
this charter, the corporation, for that cause, shall not be dissolved, but 
the stockholders may hold an election on any other day the by-laws 
shall direct. The stockholders, at an annual election, may, by a vote 
representing a majority of said stock, increase or diminish the number
of directors, so as, however, that there shall be never more than eleven, nor less than five.

§ 9. The directors shall, as soon as may be after the first and every annual or other election of directors, elect a president from their own body, who shall preside at the board until the next election; but in case of the death, absence, resignation, or vacation of the office of president, the residue of the directors shall choose a president pro tempore. They shall fill all vacancies which may occur in their own body during the time for which they were chosen. They shall appoint a cashier, and such other clerks and agents as they may deem proper, fix their compensation, define their powers, and prescribe their duties and may require them to give such bonds, in such penalties, and with such securities, as they may deem right, for the faithful performance of their respective duties. And all such officers and employees shall hold their places during the pleasure of the board.

§ 10. The directors shall hold stated meetings at least once a week, on such days and such hours as they may from time to time appoint, and at such other times as they may agree on. All questions before the board shall be decided viva voce, and on the request of any member, the yeas and nays on any proposition or question shall be entered or recorded on the journal of their proceedings; and no vote shall be reconsidered when a less number are present than when the vote was given. The president may, whenever he deems it necessary, call a special meeting of said board, in which case each director, unless absent from home, shall have a special notice.

§ 11. The directors shall allow the president such reasonable compensation for his services as they may deem just and proper; but no compensation shall be allowed to any director, for services as such, unless the same be voted by the stockholders at some regular meeting.

§ 12. A journal of the proceedings of said board shall be regularly kept, which shall at all times be open to the inspection of any of the stockholders, and of any committee appointed by the Legislature. And the Legislature shall have the right, from time to time, to investigate the affairs of said bank, by any committee they may think proper to appoint for that purpose.

§ 13. All notes issued by said bank shall be signed by the president and countersigned by the cashier thereof.

§ 14. The bank shall not at any time suspend or refuse payment in gold or silver of any of its notes, bills, or obligations due or payable, nor of any money received on deposit. And if said bank at any time shall refuse or neglect to pay any bill, note, or obligation issued by said bank, in gold or silver, when demanded within the usual hours, and at the proper place where the same is payable, according to the contract, promise, or undertaking therein expressed, or shall neglect or refuse to pay, on demand as aforesaid, any money received on deposit, to the person or persons entitled to receive the same, then, and in every such case, such bank shall be liable to pay damages at the rate of six per cent. per annum, besides interest at a like rate, on the amount thereof, from the time of such failure or refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same may be forfeited, and a scire facias may be sued
out, in the name of the commonwealth, by the attorney general, by
order of the Governor for the time being; and such proceeding may
be had as to declare such forfeiture by the judgment of a court; and
from and after the judgment of forfeiture, said corporation shall cease
to exercise any of the powers and privileges hereby granted: Provided,
said forfeiture shall not be construed to prevent said bank from suing
and being sued, and continuing its operations for the purpose of closing
its concerns, nor from making any contract that may be convenient and
proper for that purpose.

§ 15. Said bank shall not, directly or indirectly, engage in any other
business than banking, as herein authorized to be done; nor, shall
said bank at any time owe, whether by bond, bill, note or other con-
tract, an amount exceeding twice the amount of the capital stock ac-
tually paid in, exclusive of sums on deposit. And, in case of excess,
the president and directors, under whose administration it shall have
taken place, shall be liable for any or all of the debts of said bank, in
their individual capacities, by a joint or several action against them, or
any of them, their heirs, executors, or administrators, in any court
having jurisdiction thereof, by any creditor or creditors of said bank;
and may be prosecuted to judgment and execution, any condition or
agreement to the contrary notwithstanding: Provided; that, if the Pres-
ident or any of the directors may be absent when the excess shall be
contracted or created, or being present, shall dissent from the act by
which the excess is about to be contracted or created, he or they shall
not be liable, under this section, if he or they shall, within ten days from
the creation of such excess, or discovery thereof, make affidavit of their
absence or dissent, and file the same for record with the recording officer
of said county, and, shall moreover, within ten days, give notice thereof
in one public newspaper printed in this State, and transmit a copy
thereof to the Governor for the time being, and shall in said notice
call a meeting of the shareholders, which they are hereby authorized
to do.

§ 16. A majority of the Directors shall at all times constitute a quor-
um for the transaction of business.

§ 17. No dividends of the profits of said bank, shall be declared un-
til there shall be a surplus of ten thousand dollars, on every one hun-
dred thousand dollars of capital paid in over and above the amount
of the capital so paid; and the surplus or contingent fund so raised
shall never be reduced below that sum. It shall be lawful for said
bank to declare such dividends of the profits, over and above the con-
tingent fund aforesaid, among the stockholders thereof, as they may
deem prudent and advisable, payable on the first days of January and
July of each year—of which dividends, and the time and place of pay-
ment, notice shall be given.

§ 18. If the cashier, clerk, teller, agent or any other officer of said
bank, shall, without the authority of the directors of said bank, appro-
propriate any of the funds of said corporation to his own use, or that of
any other person, or shall knowingly and willfully fail to make entries
on the books of said bank, with the intent to cheat or defraud said
corporation, or any other person, to hide or conceal any improper ap-
propriation of the funds of said corporation, said person or officer to
offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of the State for a period of not less than five nor more than twenty years.

§ 19. It shall be the duty of the president and directors of the bank, during the first week of the session of the Legislature, in each year, to transmit to the Secretary of State an accurate and just statement of the condition of the bank, as it existed on the first day of the preceding month; which statement shall specify the amount of the capital stock actually paid in, and the amount not paid in, and the value of the real estate belonging to the bank; and its cost, the total amount of the debts due to and from the bank, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills in circulation, and the amount of bills on hand of other incorporated banks, the amount of notes in circulation of each denomination issued by the bank, the rate and amount of each dividend of profits made by the bank, with the amount of the surplus profits or the contingent fund; which statement the Governor of the commonwealth shall cause to be laid before the Legislature, and they shall, when required by the Legislature, report all bad and doubtful debts.

§ 20. The president, cashier, directors, clerks, and tellers, and other officers of the bank, previous to entering upon the discharge of their duties, shall take an oath before some justice of the peace of this State, faithfully, honestly, and impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices and stations, under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation.

§ 21. Said bank shall not contract for or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money, and interest on promissory notes, negotiable and payable at said bank; and their discount shall be calculated upon the true time such notes have to run, including three days of grace, and shall be paid in advance, and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 22. That certificates of stock shall be issued to the proper party entitled thereto, and the shares of the capital stock of said bank shall be considered and held in law as personal property, and assignable and transferable only in such manner and at such place or places as said directors shall, by their by-laws, provide; and said bank shall have and retain a lien on any unassigned stock against the holder thereof, for any sum or balance that may be owing by such holder to said bank.

§ 23. The certificates of deposit, bank bills, or notes, bills of exchange, or orders, issued by said bank, shall be signed by the president and countersigned by the cashier, promising or requesting the payment of money to any person or persons, and to order or bearer, as the case may be, and be obligatory on said bank, although not under its seal; and such of said notes or bills as shall be payable to order, shall be transferred by assignment, and those made payable to bearer, by delivery.

§ 24. That the annual meeting of said stockholders shall be held at Ashland, on the first Monday in May in each year, at the time of the
annual elections, to which meeting the president and directors of the bank shall present an accurate statement of the condition and affairs of the bank. And a general meeting of the stockholders may be called, as provided in this charter, or by the president and directors of the bank, when they esteem it desirable, or by any number of the stockholders the by-laws of the corporation shall require.

§ 25. The Franklin Circuit Court shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceeding shall be by scire facias, alleging and specifying the acts of forfeiture complained of, and shall only be sued out at the instance of the Attorney General, when directed to do so by order of the Legislature, or Governor for the time being.

§ 26. If the whole of the capital stock shall not be subscribed for, when the books of subscription shall be opened by the commissioners as hereinbefore provided, it shall be lawful for the directors of said bank, after the bank shall have gone into operation, from time to time to sell and dispose of any balance of stock that may remain, until the whole balance shall be disposed of: Provided, however, that the same shall not be sold at less than the par value of said stock.

§ 27. The payment of the shares of the capital stock shall be in gold and silver, at the times and in the manner following, to wit: five dollars on each share to the commissioners at the time of subscribing, as hereinbefore provided; and ten dollars on each share within ten days after the election of the first board of directors; and the residue shall be paid in such installments as the bank shall require, except that the first board of directors shall make such call on the amount of stock subscribed as shall produce the aggregate sum of fifty thousand dollars, at least; and after that not more than twenty dollars shall be called for, at any one time, on each share, nor shall the time between the calls be less than ninety days.

§ 28. Should any of the subscribers to the capital stock of said bank fail or refuse to pay for their stock, as hereinbefore provided, the president and directors, first giving public notice, in at least two public authorized newspapers in this State, for the space of thirty days, by a resolution entered on the records, may forfeit such stock, and proceed, at such time as they may deem expedient, to re-sell the same; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of the bank.

§ 29. So soon as one hundred thousand dollars of said capital stock shall have been subscribed for, and fifty thousand dollars have been paid in by said subscribers, in gold and silver, the president and directors shall cause the Governor of this commonwealth to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in as capital stock, and to take the oath of the president, and not less than three of the directors that the same has been paid in as stock bona fide, and make due return thereof to him. And on such appearing to be the fact, the Governor is authorized to issue his proclamation that the amount hereby required to be paid in, and in the funds required, has been done, and the said bank is authorized to commence operations as a banking institution; and from and
after the first proclamation, it shall be lawful for said bank to commence business.

§ 30. It shall not be lawful for the president or any of the directors of said bank to become bound as security or accommodation indorser on any note or bill discounted in said bank; and a violation of this provision shall subject the person violating the same to a penalty of one thousand dollars, to be recovered by action of debt, in the name of the corporation, and for their use and benefit.

§ 31. In consideration of the franchises granted herein, it shall be the duty of said bank, on the first day of July of each year, during the continuance of this charter, to pay to the Auditor of Public Accounts, fifty cents on each hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or other bonus or assessment: Provided, that no tax shall be paid until said bank shall go into operation; and that the amount of tax so paid shall be paid into the common school fund, and forever held inviolable for school purposes.

§ 32. That a branch, with a capital of two hundred thousand dollars over and above the four hundred thousand dollars hereinbefore provided, be and the same is hereby established and located at Shelbyville, in Shelby county: Provided, the stock is subscribed and taken within two years from the passage of this act: And provided further, that if the stock in said branch is not subscribed for in two years as aforesaid, then the president and directors of the mother bank shall have the power to establish said branch at some other eligible point in the State, of which the Governor of the State shall be informed by said president and directors.

§ 33. That books of subscription to the capital stock of said branch shall be opened at Shelbyville, under the superintendence of commissioners, to be appointed by the principal bank, at such time and in such manner as they may think proper to prescribe; and said principal bank shall have power to prescribe such rules and regulations for the government of such branch as they may deem right, and shall have power to enforce the same.

§ 34. The affairs of said branch shall be managed by five directors, subject to the restrictions aforesaid, who shall be stockholders in said branch, and shall be appointed by the directors of the principal bank. And said principal bank shall also appoint the cashier of said branch; and the directors of such branch shall elect one of their own number president; who shall hold his office for the same term of the president of the principal bank.

§ 35. Said bank shall not at the principal bank, or at its branch, hold and own at any time an amount of bills of exchange exceeding the amount of promissory notes held and owned at such time by such bank or branch; and all promissory notes payable at a different point from that at which they may be discounted, and from which a greater discount than at the rate of six per cent. per annum is taken, whether under color of exchange, charge for collection, or otherwise, shall, for the purposes of this section, be held and taken to be bills of exchange. But the bank shall not be held to have violated this provision if the amount of the promissory notes held and owned by the principal bank, or its branch, shall be at any time reduced by payments below the
amount of bills of exchange: Provided, no further purchases of bills are made for such bank or branch, until the amount of bills be reduced below that of promissory notes. Provided, however, said bank shall at no time charge a greater rate of exchange than the one-eighth of one per cent. a month on bills made payable in this State, or the one-fourth of one per cent. a month on bills made payable out of this State, and on no bill for any length of time a greater amount for exchange than one per cent., when payable out of this State; but this proviso shall not legalize any usurious charge for time, under color of charging for exchange; or affect the right of the General Assembly at any time to limit in any manner, the rate of discount for exchange on any bill of exchange, that may be discounted by said bank. Provided further, that said bank shall not at any time, buy or deal in that class of bills known by the name of kites, and should the officers of said bank, buy or deal in any such bill or bills, knowing the character thereof, or having it in their power to ascertain the character thereof, by proper diligence, the parties bound upon said bill shall be released from all liability thereon, and said bill shall be void and not collectable by law or otherwise, and said bank shall be liable to all other penalties affixed by this act, for a violation of the foregoing provisions.

§ 36. If at any time a forfeiture of the charter shall be declared, as provided for in section 14 of this act, in order to secure the payment of the debts of the bank, each stockholder shall be required to pay the full amount of his stock at that time remaining unpaid; and to that extent shall he be held personally liable for the debts due from said bank; and upon his failure to pay the remainder of said stock, suit may be instituted against him, in any court of competent jurisdiction, for the recovery of the same.

§ 37. The bills and notes of said corporation originally made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its notes in gold and silver on demand, unless otherwise directed by law.

Mr. Bowling moved the following amendment, viz:

Amend section 4, by inserting after the word "shares," the words, "not exceeding one hundred."

Mr. Tevis moved to amend the amendment, by striking out the word "one," and inserting in lieu thereof the word "two."

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

The said amendment, as amended, was then concurred in.

Mr. Elliott moved to amend said bill, as follows, viz:

In the 36th section strike out all after the word unpaid, and insert in lieu thereof the following, viz: And in addition thereto shall stand responsible, individually, for the sum of $100 on each share in the capital stock he or they may own, and to that extent shall be held personally liable for the debt due from said bank; and upon the failure thereof suit may be instituted against him or them in any court of competent jurisdiction, for the recovery of the same.
Mr. Menzies moved the following as a substitute for the amendment proposed by Mr. Elliott, viz:

Strike out of section 36, after the word “stock,” the remainder of the section printed in italics, and insert in lieu thereof the words, “to the creditors of the bank.”

The question was then taken on the adoption of the substitute of Mr. Menzies for the amendment proposed by Mr. Elliott, and it was decided in the affirmative.

The amendment of Mr. Elliott, as amended, was then concurred in.

Mr. Bowling moved to amend said bill by adding thereto the following, viz:

§ 38. That no loan shall be made by said Bank, directly or indirectly, to a non-resident of this State, or to a foreign company or corporation.

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

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

Those who voted in the affirmative, were

Richard B. Alexander, James M. Fogle, Philip Lee,
William J. Berry, Anderson Gray, James A. Russell—S.
Robert C. Bowling, John L. Irvin,

Those who voted in the negative, were

Mr. Speaker, (Huston,) McDowell Fogle, John W. Menzies,
John B. Anderson, Sidney A. Foss, William M. Miller,
William T. Anthony, Nathan Gaither, William M. Morrow,
John B. Auxier, Daniel Garrard, Elijah F. Nuttall,
William B. A. Baker, Henry Giles, Andrew J. Prichard,
R. F. Beauchamp, John K. Goodloe, David H. Raymond,
Ben Berry, Alfred F. Graham, Benjamin F. Rice,
John S. Bobbannon, Gordon B. Grasty, Robert Richardson,
William B. Booker, Benjamin Gullion, Joseph Ricketts,
Laban J. Bradford, John S. Hargis, William Reiley,
Archibald C. Brown, Ben Hardin Helm, George C. Rogers,
Erasmus O. Brown, John M. Hewitt, Charles C. Smedley,
Horatio W. Bruce, Greenberry Hicks, James M. Speer,
Cobert Cecil, Andrew J. James, Richard J. Spurr,
Isaac N. Clement, Gideon P. Jolly, Thomas J. Terry,
John B. Cochran, Andrew Jones, Joshua Tevis,
George B. Cook, Richard Jones, Richard S. Thornton,
Thomas H. Corbett, James Kinslaer, David L. Thurman,
James M. Corbin, Jas. S. Littlepage, James H. Turner,
James Culton, Samuel Long, Fielding Vaughan,
Frank P. Deatherage, John G. Lyon, James T. Ware,
Charles Duncan, Pleasant W. Mahan, Thomas H. M. Winn,
James A. Duncan, John C. McCreary, Francis M. Woods,
Mr. Tevis moved to amend said bill, as follows, viz:

Amend the 14th section by inserting after the word "money," printed in italic, the words, "or other thing."

Amend the 17th section by striking out the words "on every one hundred thousand dollars of capital paid in," printed in italic.

Amend the 23d section, by striking out the words "bank bills or notes," and the words, "by the president and countersigned," printed in italic.

Amend the 32d section, by striking out after the word "provided," the words printed in italic, and inserting in lieu thereof, the words "one hundred thousand dollars of said stock is subscribed and taken in one year."

Amend same section, after the word "subscribed," printed in italic, insert the words, "for and fifty thousand dollars in gold and silver paid in, subject to the same conditions of the principal bank."

Amend the same section, so as to make the second proviso read as follows, viz:

And provided further, That if the said one hundred thousand dollars of the stock in said branch is not subscribed in one year as aforesaid, then the president and directors of the mother bank, &c.

Strike out sections 33 and 34, and insert in lieu thereof the following, viz:

§ 33. That books of subscription to the capital stock of said branch shall be opened at Shelbyville, and James M. Bullock, M. D. McHenry, Josephus H. Wilson, Stephen H. Myles, I. S. Todd, Wm. S. Helm, Lewis Melone, Wm. T. Beckham, Wm. Threlkeld, James L. O'Neil, and Dr. R. B. Winlock, or any three of them, be appointed commissioners to open said books of subscription, and shall keep the said books open for two weeks, at which time, should the full amount of one hundred thousand dollars of said capital stock be not subscribed for, they shall appoint one of their number to keep said books open until the required amount is taken, within the provisions of this act.

§ 34. The principal bank shall appoint the cashier for said branch bank, and shall have power to prescribe such rules and regulations for the government of such branch as they may deem right, and shall have the power to enforce the same. The affairs of said branch shall be managed by seven directors, who shall be stockholders to the amount of not less than ten shares of said bank, and who shall be elected at the same time and place as the directors of the principal bank; one of whom shall be appointed president by the directors of the mother bank, and shall continue in office for the same term of the president of the mother bank; and said president and directors shall appoint such number of clerks and other officers as the directors of the principal bank may direct.

The said amendments were then concurred in.

Mr. Menzies moved to amend said bill as follows, viz:

Strike out of section 35 the words, "knowing the character thereof, or having it in their power to ascertain the character thereof, by proper diligence," printed in italic.
And the question being taken thereon, it was decided in the negative.

Mr. Menzies then moved to amend said bill by adding thereto the following, viz:

§ 38. All of the property of the stockholder, who may become liable to the creditors of the bank under the fourteenth and thirty-sixth sections of this act, shall also be liable for all of the debts of the bank to the extent of twice the amount of the stock he owns at the time of the forfeiture of the charter.

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

The yeas and nays being required thereon, by Messrs. J. M. Fogle and Gaither, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, McDowell Fogle, John G. Lyon,
John B. Anderson, Nathan Gaither, Pleasant W. Mahan,
William T. Anthony, Daniel Garrard, Hiram McElroy,
John B. Auxier, Henry Giles, John W. Menzies,
William B. A. Baker, Alfred F. Graham, William M. Miller,
Ben Berry, Gordon B. Grasty, David H. Raymond,
William J. Berry, Anderson Gray, Benjamin F. Rice,
John S. Bohannon, John S. Hargis, Robert Richardson,
William B. Booker, Ben Hardin Helm, William Reiley,
Robert C. Bowling, Greenbury Hicks, James A. Russell,
Colbert Cecil, John L. Irvan, Richard S. Thornton,
George B. Cook, Andrew J. James, David L. Thurman,
Milton J. Cook, James Kinlaer, Fielding Vaughan,
James M. Corbin, Philip Lee, Willie Waller,
Ephraim B. Elliott, James S. Littlepage, E. W. Worsham—47.
James M. Fogle, Samuel Long,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Sidney A. Foss, Joseph Ricketts,
Lucien Anderson, John K. Goodloe, George C. Rogers,
R. P. Beauchamp, Benjamin Gullion, Charles C. Smedley,
Laban J. Bradford, John M. Hewitt, James M. Speer,
Archibald C. Brown, Gideon P. Jolly, Richard J. Spurr,
Erasmus O. Brown, Andrew Jones, Thomas J. Terry,
Horatio W. Bruce, Richard Jones, Joshua Tevis,
John B. Cochran, John C. McCready, James H. Turner,
Thomas H. Corbett, W. C. Montgomery, James T. Ware,
James Culley, William M. Morrow, Lambert A. Whitley,
Frank P. Deatherage, Elijah P. Nuttall, T. H. M. Winn,
Charles Duncan, Andrew J. Prichard, Francis M. Woods—37.
James A. Duncan,

Mr. James moved to amend said bill by adding thereto the following, viz:

§ 39. The president and directors shall cause a count to be made of the cash on hand, and a comparison of the same with the cashier's
book, by a committee of directors at the branch as well as at the principal bank, once every three months, and a report thereof to be recorded at length on the record of proceedings of the principal bank, which shall at all times be open to inspection of any person interested in said bank, either as a stockholder, bill holder, or other creditor of the corporation.

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

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Ricketts moved a re-consideration of the vote by which the bill to establish the county of Metcalfe was rejected on Friday last.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five on the part of the House of Representatives, and three on the part of the Senate, be appointed, whose duty it shall be to inquire into the expediency of removing the seat of government from Frankfort to the city of Louisville; and to inquire, by correspondence or otherwise, as to the terms which can be made for the removal of the same to said city of Louisville, and what would be the cost or charges to the Commonwealth of said removal.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

Mr. J. M. Fogle moved to amend said resolution, by striking out the words "city of Louisville," and inserting in lieu thereof the words "the centre of the State, geographically considered."

Mr. E. O. Brown moved to lay said resolution and proposed 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. J. B. Anderson and Gray, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan, Andrew J. Prichard, Richard B. Alexander, Richard S. Thornton, W. C. Montgomery,
William T. Anthony, Sidney A. Foss, Robert Richardson, William M. Merrow, George F. Rice,
Ben Berry, Daniel Garrard, William Reiley, Joseph Ricketts, George C. Rogers,
Robert Beauchamp, John K. Goodloe, Richard J. Spurr, Richard J. Spurr,
Robert C. Bowling, John L. Irvan, Thomas J. Terry, John L. Irvan,
Erasmus O. Brown, Andrew Jones, James T. Ware, Erasmus 0. Brown,
John B. Cochran, William M. Miller, Charles Duncan, Elijah F. Nuttall,
Andrew J. James.

Those who voted in the negative, were

Richard B. Alexander, Henry Giles, W. C. Montgomery,
Lucien Anderson, Alfred F. Graham, William M. Merrow,
John B. Anderson, Gordon B. Grasty, Samuel B. Pell,
John B. Auxier, Anderson Gray, Benjamin F. Rice,
William J. Berry, Ben Hardin Helm, James A. Russell,
Archibald C. Brown, John S. Hargis, James M. Speer,
Isaac N. Clement, Ben Hardin Helm, James M. Speer,
George B. Cook, Greenberry Hicks, Richard S. Thornton,
Milton J. Cook, Andrew J. James, David L. Thurman,
Thomas H. Corbett, Gideon P. Jolly, James H. Turner,
James Culton, Richard Jones, Fielding Vaughn,
Frank P. Deatherage, Samuel Long, Willie Waller,
Ephraim B. Elliott, Pleasant W. Mahan, Francis M. Woods,
McDowell Fogle.
Mr. Nuttall asked for a division of the question.

The question was then taken on striking out the words, "city of Louisville," and it was decided in the negative.

The question was then taken on the adoption of the resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Richard B. Alexander, Frank P. Deatherage, John G. Lyon,
Lucien Anderson, Charles Duncan, Hiram McElroy,
John B. Anderson, James A. Duncan, W. C. Montgomery,
William T. Anthony, James M. Fogle, William M. Morrow,
John B. Auxier, McDowell Fogle, Benjamin F. Rice,
William B. A. Baker, Sidney A. Foss, Joseph Ricketts,
R. P. Beauchamp, Henry Giles, James A. Russell,
William J. Berry, Alfred F. Graham, James M. Speer,
John S. Bohannon, Gordon B. Crasty, Richard S. Thornton,
William B. Booker, Anderson Gray, David L. Thurman,
Archibald G. Brown, Greenberry Hicks, Willie Waller,
Isaac N. Clement, Gideon P. Jolly, L. A. Whiteley,
George B. Cook, Andrew Jones, Thomas H. M. Winn,
Milton J. Cook, Richard Jones, Francis M. Woods,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Ben Hardin Helm, Andrew J. Prichard,
Ben Berry, John M. Hewitt, Robert Richardson,
Robert C. Bowling, John L. Irvan, William Reiley,
Erasmus O. Brown, Andrew J. James, George C. Rogers,
Horatio W. Bruce, James Kinslaer, Charles C. Smedley,
Colbert Cecil, Pleasant W. Mahan, Richard J. Spurr,
John B. Cochran, John C. McCrearey, Thomas J. Terry,
Ephraim B. Elliott, John W. Menzie, Joshua Tevis,
Nathan Gaither, William M. Miller, James H. Turner,
Daniel Garrard, Elijah P. Nuttall, Fielding Vaughan,
John K. Goodloe, Samuel B. Pell, James T. Ware—34.

On motion of Mr. E. O. Brown,

Leave was given to withdraw the petitions of sundry citizens of
Barren, Adair, and Cumberland counties, praying the formation of a
new county, and the same were withdrawn.

The amendments proposed by the Senate to bills from this house, of
the following titles, viz:

An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

An act for the benefit of John Friend, late sheriff of Floyd county.
An act to incorporate the German Mutual Insurance Association in Louisville.
An act for the benefit of E. Breeding, late sheriff of Letcher county.
An act to amend the charter of the city of Covington.
Were taken up, twice read, and concurred in.
The amendment proposed by the Senate to a bill from this House, entitled,
An act to authorize married women to convey real or other property under power of attorney.
Was taken up, twice read, and disagreed to.
The amendment proposed by the Senate to a bill from this House, entitled,
An act to repeal an act incorporating the town of Barboursville.
Was then taken up.
Ordered, That said amendment be referred to the committee on the Judiciary.

Bills from the Senate of the following titles, viz:
1. An act authorizing constables to execute process issuing from the Quarterly courts in civil cases.
2. An act for the benefit of John W. De Jarnett, late Sheriff of Grant county.
3. An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pendleton county.
5. An act for the benefit of School District, No. 6, in Fulton county.
6. An act to amend the charter of the Hickman and Obion railroad company.
7. An act to incorporate the Nashville and North Western railroad company.
8. An act to amend the 1st section, article 17, chapter 28, of the Revised Statutes, entitled, "penal offenses and punishments."
10. An act to amend an act creating a Sinking Fund for the county of Mason.
11. An act for the benefit of the sheriff of Harrison county.
12. An act for the benefit of the Circuit Court clerk of Harrison county.
13. An act to amend the several acts in relation to Peddlers.
14. An act to authorize the trustees of Olivet Church to sell the church and lot upon which it stands.
15. An act for the benefit of the heirs of Jacob Watson.
16. An act for the benefit of Turnpike Road Companies in Campbell county.
17. An act for the benefit of Harriet T. Williams.
18. An act to amend the charters of the Covington and Lexington, and Lexington and Danville Railroad Companies.
19. An act to change the time of holding the February and August terms of the McCracken County and Quarterly courts.
21. An act to authorize the County Court of Madison to sell the Poor House lands in said county.
22. An act authorizing the County Court of Larue to sell the Poor House lands of said county.
23. An act to incorporate Kenton Lodge, No. 24, I. O. O. F.
24. An act to incorporate Olive Branch Encampment, No. 6, I. O. O. F.
25. An act to incorporate the Barren County Railroad Company.
26. An act to incorporate the Kirksville Turnpike Road Company in Madison county.
27. An act to incorporate the Lowell and Back Creek Turnpike Road Company in Garrard county.
28. An act to incorporate the Hawkins Branch Turnpike Road Company.
29. An act for the benefit of the Columbus Masonic Seminary.
30. An act for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.
31. An act to regulate the duties of the Commissioner of the Louisville Chancery court.
32. An act to authorize a special election in the city of Louisville.

Whereas the bills 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, 15th, 17th, and 31st bills were referred to the committee on the Judiciary; the 4th, 5th, and 29th to the committee on Education; the 7th, 9th, and 18th to the committee on Internal Improvement; the 8th, and 13th to the committee on Revised Statutes; and the 2d, 3d, 6th, 10th, 11th, 12th, 14th, 16th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 30th, and 32d were severally ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 6th, 10th, 11th, 12th, 14th, 16th, 19th, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 30th, and 32d bills having been dispensed with—

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
A preamble and resolution from the Senate, directing the public printer to publish preamble and resolutions in reference to the death of Henry Clay.

Was taken up, twice read, and concurred in.

And then the House adjourned.

TUESDAY, FEBRUARY 5, 1856.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:

An act to incorporate the Cypress Pond Draining Company.

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

An act to legalize the proceedings of a special term of the Harlan county court.

An act authorizing the railroad collector of McCracken county to appoint one or more deputies.

An act for the benefit of Edwin Trimble, late clerk of Floyd county.

An act for the benefit of James Trimble, clerk of Floyd county.

1. Mr. M. J. Cook presented the petition of citizens of Whitley county, praying a repeal of the charter of the town of Williamsburg.

2. Also, a remonstrance from citizens of Laurel county, against the relief prayed for by James D. Ballard.

3. Mr. McElroy presented the petition of William Harman and S. B. Hughes, praying compensation for taking a lunatic to the Western Lunatic Asylum.

4. Mr. Bradford presented a petition from citizens of Bracken county, praying that the Seminary fund of said county may be placed under the control of the Bracken County Court.

5. Mr. Thornton presented the petition of citizens of Ohio and Butler counties, praying a change in the common school laws.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Ways and Means; the 3d to the committee on Claims; and the 4th and 5th to the committee on Education.

On motion of Mr. Gaither,
Ordered, That the committee on Privileges and Elections be discharged from a leave referred to them to prepare and bring in a bill to amend an act, entitled, an act creating the office of Town Marshal of Hartford, Ohio county; and that the committee on County Courts 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 the committee on Privileges and Elections—1. A bill to change the place of voting in the 5th District, in Union county.

By the same—2. A bill to change the place of voting in the 6th District, in Clay county.

By same—3. A bill for the benefit of James M. Bumpass, of Caldwell county.

By same—4. A bill to authorize the Christian County Court to change the place of voting in district No. 4, in said county.

By same—5. A bill to incorporate the town of Hazlegreen.

By same—6. A bill to increase the number of election districts in Louisville.

By same—7. A bill to amend the law in relation to elections.

By Mr. Booker—8. A bill to incorporate the Springfield, Maxville, and Willisburg 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 reading of said bills having been dispensed with, the 5th bill was referred to the committee on the Judiciary; and the 1st, 2d, 3d, 4th, 7th, and 8th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 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 6th bill, for the use of the members of the General Assembly.

Mr. Hicks, from the committee on Privileges and Elections, who were appointed to prepare and bring in the same, reported a bill to change the place of voting in Bewleyville to the Big Spring, in Breckinridge county.

Which was read the first time.

Mr. E. O. Brown moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.
Mr. Winn, from the committee on Claims, to whom were referred bills from the Senate of the following titles, viz:

An act for the benefit of N. H. Ryan, of Calloway county.
An act for the benefit of Ann White.
An act for the benefit of Henry Grinstead, Sr., of Hart county.
An act for the benefit of L. P. Bartlett, of Hickman 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.

Mr. Winn from the committee on Claims, to whom was referred a bill from the Senate, entitled,

An act for the benefit of the Judge of the Ohio County Court.

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,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required on the passage of said bill, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Henry Giles, W. C. Montgomery,
Richard B. Alexander, John K. Goodloe, Elijah F. Nuttall,
Lucien Anderson, Alfred F. Graham, Samuel B. Pell,
John B. Anderson, Gordon B. Grasty, Andrew J. Richard,
John B. Auxier, Anderson Gray, David H. Raymond,
William B. A. Baker, Benjamin Gullion, Benjamin F. Rice,
R. P. Beauchamp, Ben Hardin Helm, Robert Richardson,
Ben Berry, John M. Hewitt, Joseph Ricketts,
William J. Berry, Greenberry Hicks, William Reiley,
John S. Bohannon, John L. Irvan, George C. Rogers,
William B. Booker, Andrew J. James, James A. Russell,
Robert C. Bowling, Gideon P. Jolly, James M. Speer,
Laban J. Bradford, Andrew Jones, Richard J. Spurr,
Archibald C. Brown, Richard Jones, Thomas J. Terry,
Erasmus O. Brown, James Kinslaier, Joshua Tevis,
Horatio W. Bruce, Philip Lee, Richard S. Thornton,
Cobert Cecil, Jas. S. Littlepage, David L. Thurman,
Isaac N. Clement, Samuel Long, James H. Turner,
John E. Cochran, John G. Lyon, E. L. Vanwinkle,
George B. Cook, Pleasant W. Mahan, Fielding Vaughan,
Milton J. Cook, Charles A. Marshall, Willie Waller,
Those who voted in the negative, were

William T. Anthony, McDowell Fogle, John S. Hargis,
James M. Corbin, Daniel Garrard, Wm. M. Morrow—7.
James M. Fogle,

Resolved, That the title thereof be as aforesaid.

Mr. P. Lee, from the same committee, to whom was referred a bill from the Senate, entitled,

An act appropriating money for the preparation of registration reports and tables.

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,

The question was then taken on the passage of said bill, and it was decided in the affirmative

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, Samuel B. Pell,
Richard B. Alexander, Alfred F. Graham, Andrew J. Prichard,
John B. Anderson, Benjamin Gullion, David H. Raymond,
William B. A. Baker, Ben Hardin Helm, Robert Richardson,
R. P. Beauchamp, Greenberry Hicks, Joseph Ricketts,
Ben Berry, Gideon P. Jolly, William Reiley,
William J. Berry, Andrew Jones, George C. Rogers,
John S. Bohannon, Richard Jones, James A. Russell,
Robert C. Bowling, James Kinslaer, Richard J. Spurr,
Laban J. Bradford, Philip Lee, Thomas J. Terry,
Erasmus O. Brown, Samuel Long, Joshua Tevis,
Horatio W. Bruce, John G. Lyon, David L. Thurman,
Colbert Cecil, Jas. H. McCampbell, James H. Turner,
John B. Cochran, Hiram McElroy, E. L. Vanwinkle,
Frank P. Deatherage, John W. Menzies, L. A. Whiteley,
Charles Duncan, W. C. Montgomery, Thos. H. M. Winn,
James A. Duncan, Elijah F. Nuttall, E. W. Worsham—52.
Daniel Garrard,

Those who voted in the negative, were

Lucien Anderson, James Culton, James S. Littlepage,
William T. Anthony, Ephraim B. Elliott, Pleasant W. Mahan,
Resolved, That the title thereof be as aforesaid.

Mr. P. Lee, from the same committee, to whom was referred a bill from the Senate, entitled,

An act for the benefit of J. D. Mannin.
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—
The question was then taken on the passage of said bill, and it was decided in the negative.
And so said bill was rejected.

Mr. P. Lee, from the same committee, to whom was referred a bill from the Senate, entitled,

A act for the benefit of Philip B. Thompson.
Reported the same without amendment.
Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be and he is hereby required to draw his warrant upon the Treasurer in favor of Philip B. Thompson, of Mercer county for the sum of one hundred and fifty-three dollars and thirty cents, as a compensation for services rendered as the agent of the Commonwealth, against Fletcher, in the Mercer Circuit Court.

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 it was decided in the negative.
And so said bill was rejected—
The constitution requiring a majority of the votes of all the members elected.
The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Andrew J. James, Benjamin F. Rice,
John B. Anderson, Gideon P. Jolly, Robert Richardson,
William B. A. Baker, Andrew Jones, Joseph Ricketts,
Those who voted in the negative, were


Mr. P. Lee, from the same committee, to whom was referred a bill from the Senate, entitled,

An act for the benefit of the Kentucky Institution for the education of the Deaf and Dumb.

Reported the same without amendment.

Ordered, That said bill be made the special order of the day for the 8th instant, at 11 o'clock, A.M.

Mr. P. Lee, from the same committee who were appointed to prepare and bring in the same, reported a bill for the benefit of C. Hays Buster and Z. Rosenfield.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be and he is hereby directed to draw his warrants on the Treasurer in favor of C. Hays Buster and Z. Rosenfield, for the sum of two hundred dollars for expenses incurred while acting as agents of the State in attempting the apprehension of James Young, the imputed murderer of Fice Newman; said warrants to be paid out of any money in the Treasury not otherwise appropriated; and that this act shall take effect from its passage.

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 it was decided in the negative.

And so said bill was disagreed to.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

<table>
<thead>
<tr>
<th>Philip Lee</th>
<th>Thomas J. Terry</th>
<th>James H. Turner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elijah F. Nuttall</td>
<td>David L. Thurman</td>
<td>E. W. Worsham</td>
</tr>
</tbody>
</table>

Those who voted in the negative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, James M. Fogle, John C. McCrea
Richard B. Alexander, James M. Fogle, Hiram McElroy
Lucien Anderson, McDowell Fogle, John W. Menzies
John B. Anderson, Sidney A. Foss, William M. Miller
William T. Anthony, Nathaniel Gaither, W. C. Montgomery
John B. Auxier, Daniel Garrard, William M. Morrow
William B. A. Baker, Henry Giles, Samuel B. Pell
R. P. Beansbamp, Alfred F. Graham, Andrew J. Prichard
Ben Berry, Gordon B. Grasty, David H. Raymond
William J. Berry, Andersen Gray, Benjamin F. Rice
John S. Bohannon, John S. Hargis, Robert Richardson
William B. Booker, Ben Hardin Helm, Joseph Ricketts
Robert C. Bowling, Greenbury Hicks, William Reiley
Laban J. Bradford, John L. Irvan, George C. Rogers
Erasmus O. Brown, Andrew J. James, James A. Russell
Horatio W. Bruce, Gideon P. Jolly, Charles C. Smedley
Colbert Cecil, Andrew Jones, James M. Speer
Isaac N. Clement, Richard Jones, Richard J. Spurr
John B. Cochran, James A. Speer, Joshua Tevis
George B. Cook, James Kinslack, Richard S. Thornton
Milton J. Cook, James S. Littlepage, E. L. Vanwinkle
Thomas H. Corbett, Samuel Long, Fielding Vaughan
James M. Corbin, John G. Lyon, Willie Walker
James Culton, Pleasant W. Mahan, Lambert A. Whiteley
Frank P. Deatherage, Charles A. Marshall, T. H. M. Winn
Charles Duncan, Jas. H. McCampbell, Francis M. Woods—79.

On motion of Mr. Tevis,

Ordered, That the bill to incorporate the Union Bank of Kentucky, be made the special order of the day for the 7th instant, at 12 o'clock, M.

Mr. Nuttall moved the following resolution, viz:

Resolved, That the committee on Ways and Means be and they are hereby instructed to report to this House, on Saturday next, a bill to raise the pay of members of the General Assembly from three to five dollars per day.
The question being then taken on adopting said resolution, it was decided in the negative.

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

Those who voted in the affirmative, were


Mr. Beauchamp moved the following resolution, viz:

Resolved, That the Public Printer forthwith print 1,500 copies of the synopsis of the general Report of the State Geologist, prepared by him, for the use of the members of this House.

Which was adopted.

Mr. McElroy moved the following resolution, viz:

Resolved, That the committee on Agriculture and Manufactures be instructed to report a bill, providing for a further prosecution of the Geological survey of the State of Kentucky.

Which was adopted.

The House again resolved itself into a committee of the whole, up-
on the resolutions moved by Mr. James, and the substitute therefor proposed by the committee on Federal Relations, Mr. Bradford in the chair, and after some time spent therein, the Speaker resumed the chair, when Mr. Bradford reported that the committee, according to order, had under consideration the resolutions and substitute 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.

WEDNESDAY, FEBRUARY 6, 1858.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:

An act to amend the charter of the Louisville and Frankfort Railroad Company
With an amendment to said bill.
That they had passed a bill of the following title, viz:
An act to divide the State into thirteen Judicial Districts.

1. Mr. Bohannon presented a remonstrance from the citizens of Hart county, against the formation of any new county out of the territory of said county.

2. Mr. R. Jones presented petitions from citizens of Greenup and Lewis counties, praying the formation of a new county out of parts of said counties.

3. Mr. M. J. Cook presented the petition of citizens of Rockcastle county, praying the passage of an act to incorporate Pennel College.

4. Mr. Tevis presented the petition of the members of Bland Ballard Lodge, No. 38, I. O. O. F., praying said Lodge may be incorporated.

5. Mr. Bodley presented the remonstrance of citizens of Louisville against the passage of an act authorizing the Portland and Louisville Railroad Company to continue their road through said city, to the depot of the Louisville and Frankfort Railroad.

6. Mr. Mahan presented the petition of citizens of School District,
No. 41, Whitley county, praying that John S. Smith may be compensated for a school taught in 1854, and not reported.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Propositions and Grievances; the 3d and 6th to the committee on Education; the 4th to the committee on the Judiciary, and the 5th to the committee on Internal Improvement.

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

On motion of Mr. Cecil—1. A bill for the benefit of Nicholas Combs, late sheriff of Perry county.

On motion of Mr. Spurr—2. A bill to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.

On motion of Mr. Thurman—3. A bill for the benefit of J. T. Miller.

On motion of Mr. Smedley—4. A bill for the benefit of Philip B. Thompson.

On motion of Mr. R. Jones—5. A bill to incorporate Poage Lodge, No. 325, of Free and Accepted Masons.

Ordered, That the committee on County Courts prepare and bring in the 1st bill; the committee on Internal Improvement the 2d; the committee on Education the 3d; the committee on Claims the 4th; and the committee on the Judiciary the 5th.

On motion of Mr. P. Lee,

Ordered, That the committee on Claims be discharged from the further consideration of the petition of George H. Rayson, and leave to bring in a bill for the benefit of William Manley, which had been referred to them, which was granted.

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 E. C. Ashcraft.

By same—2. A bill for the benefit of Worden Kendall.

By same—3. A bill for the benefit of Thomas W. Pickering, sheriff of Caldwell county.

By same—4. A bill for the benefit of J. L. Jenkins, late sheriff of Henry county.

By the committee on the Judiciary—5. A bill for the benefit of justices' district No. 3, of Kenton county.

By same—6. A bill for the benefit of Edmund W. Chestnut, of Laurel county.

By same—7. A bill to amend the charter of the Dry Creek and Covington Turnpike road Company.

By same—8. A bill to amend and reduce into one all the acts concerning the town of Bowlinggreen.
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By same—9. A bill to amend the charter of the town of Alexandria.

By same—10. A bill for the benefit of the estate of R. W. Waring, deceased, late sheriff of Greenup 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, 5th 6th, 7th, 8th, 9th, 10th, and 11th bills were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th, and 11th 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 further consideration of the 4th bill be postponed until to-morrow, at 10 o'clock, A. M.

Mr. Winn, from the committee on Claims, who were appointed to prepare and bring in the same, reported a bill for the benefit of Littleton Helm.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor be, and he is hereby directed to issue his warrant on the treasurer in favor of Littleton Helm, for the sum of forty dollars, said Helm having paid that amount to the treasurer, on the 13th day of January, 1830, for land west of the Tennessee river, which land, by due course of law, has been proven to be within the bounds of Richard Harrison's survey.

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 it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. J. M. Fogle and Garrard, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Greenberry Hicks, Benjamin F. Rice,
Richard B. Alexander, John L. Irvan, William Reiley,
Lucien Anderson, Gideon P. Jolly, George C. Rogers,
Those who voted in the negative, were

William T. Anthony, Joshua Dunn, Samuel Long,
John B. Auxier, Ephraim B. Elliott, John G. Lyon,
Ben Berry, James M. Fogle, Charles A. Marshall,
William J. Berry, McDowell Fogle, John C. McCreaey,
William S. Bodley, Sidney A. Poss, John W. Menzies,
William B. Booker, Nathan Gaither, William M. Miller,
Robert O. Bowling, Daniel Garrard, W. C. Montgomery,
Laban J. Bradford, Alfred F. Graham, Samuel B. Pell,
Archibald C. Brown, Anderson Gray, Andrew J. Prichard,
Erasmus O. Brown, Benjamin Gullion, Robert Richardson,
Colbert Cecil, Roger W. Hanson, Joseph Ricketts,
Milton J. Cook, John S. Hargis, James M. Speer,
James M. Corbin, Andrew J. James, Richard J. Spurr,
James Culton, Andrew Jones, Fielding Vaughan,
Charles Duncan, James Kinslaer, James T. Ware—47.
James A. Duncan, Jas. S. Littlepage,
John M. Hewitt,}

The following bills were reported by the several committees to whom the same had been referred, viz:

By the committee on Claims—1. A bill for the benefit of John G. Shacklett.

By the committee on the Judiciary—2. A bill to incorporate the Savings Bank of Kenton.

The 1st without, and the 2d with an amendment.

Which was concurred in.

Ordered, That said bills, the 2d as amended, 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. P. Lee, from the committee on Claims, to whom was referred a bill for the benefit of George Early.

Reported the same with an amendment, as a substitute for said bill.

Said bill reads as follows, viz:
WHEREAS, It has been represented and made manifest to the General Assembly, that George Early is entitled to be remunerated by this Commonwealth for damages sustained by him in the loss of the steamboat Sophia, in lock No. 3, on Green River, on the 7th February, 1864; Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be, and hereby directed to issue his warrant on the Treasurer in favor of George Early for —— dollars, to be paid out of any money in the Treasury not otherwise appropriated; and that this act take effect from and after its passage.

The substitute reported by the committee, reads as follows, viz:

WHEREAS, Capt. George Early, of the city of Louisville, was the owner and commander of the steamer Sophia, and said steamboat was wrecked on the night of the 7th of February, 1864, at Lock No. 3, in Green river, by having come in contact with the unfinished cribbing at the entrance of the race of said Lock, and said boat, together with the moneys, papers, and cargo thereon having been entirely lost by said disaster; therefore, for the purpose of ascertaining whether or not the Commonwealth of Kentucky is liable for damages sustained by reason of said loss—

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said George Early be, and he is hereby authorized, to institute suit in the Jefferson Circuit Court against the Commonwealth of Kentucky, for the recovery of damages sustained by said disaster; and it shall be the duty of the Commonwealth's Attorney for that judicial district to defend said suit upon the part of the Commonwealth.

§ 2. That if said Early should obtain a judgment upon suit instituted as aforesaid, then, and in that case, it shall be the duty of the Auditor to issue his warrant upon the Treasury for the amount of said judgment, to be paid out of any money in the Treasury not otherwise appropriated.

Mr. J. M. Fogle moved to amend the substitute by adding thereto the following, viz:

Provided, That either party may take an appeal from the judgment of the Jefferson Circuit Court, to the Court of Appeals.

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

The question was then taken on the adoption of the substitute, as amended, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. McElroy and P. Lee, were as follows, viz:

Those who voted in the affirmative, were

| John B. Anderson | Sidney A. Foss | Samuel B. Pell |
| Ben Berry       | John K. Goodloe | Andrew J. Prichard |
| William S. Bodley | Ben Hardin Helm | Joshua Tevis |
| Robert C. Bowling | John M. Hewitt | L. A. Whiteley |
| Horatio W. Bruce | Philip Lee | T. H. M. Winn |

Frank P. Deatherage, Elijah F. Nuttall,

Those who voted in the negative, were


Ordered, That said bill be re-committed to the committee on Claims.

Mr. L. Anderson moved to re-consider the vote by which the bill from the Senate, entitled, an act for the benefit of Philip B. Thompson, was rejected.

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

The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Ordered, That the committee on Revised Statutes be discharged from the leave to bring in a bill in reference to the duties and fees of Commonwealth Attorneys; and that Messrs. Hanson, Nuttall, and Tevis prepare and bring in said bill.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by this House to a bill from the Senate, entitled, an act to incorporate the Bank of Ashland, except the 14th, and had disagreed to said 14th amendment.

Said amendment reads as follows, viz:

§ 38. All of the property of the stockholders, who may become liable to the creditors of the Bank, under the 14th and 36th sections of this act, shall also be liable for all of the debts of the Bank, to the extent of twice the amount of the stock he owns at the time of the forfeiture of the charter.

The question was then taken on receding from said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Bowling and R. Jones, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) Benjamin Gallion, Elijah F. Nuttall,
Lucien Anderson, Ben Hardin Helm, Andrew J. Prichard,
Ben Berry, John M. Hewitt, Joseph Ricketts,
Laban J. Bradford, Greenberry Hicks, George C. Rogers,
Those who voted in the negative, were

Richard B. Alexander, Daniel Garrard,
John B. Anderson, Henry Giles,
John B. Auxier, Alfred F. Graham,
William J. Berry, Gordon B. Grasty,
John S. Bohannon, Anderson Gray,
William B. Booker, Roger W. Hanson,
Robert C. Bowling, John S. Hargis,
Colbert Cecil, John L. Irven,
Milton J. Cook, Andrew J. James,
James M. Corbin, James Kinslaer,
Ephraim B. Elliott, Jas. S. Littlepage,
McDowell Fogle, Charles A. Marshall,
James M. Fogle, John C. McCreary,
Nathan Gaither,

John W. Menzies, William M. Miller,
Samuel B. Pell, David H. Raymond,
Benjamin F. Rice, Robert Richardson,
William Reiley, James A. Russell,
David L. Thurman, Fielding Vaughan,
Willie Waller, Hiram Wood,
E. W. Worsham—40.

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

An act to incorporate the Southern Kentucky Fair Ground Association.

An act to incorporate the Christian County Agricultural and Mechanical Association.

An act to amend the laws relating to the county levy of Kenton county.

An act to authorize the trustees of Bethel High School to sell and convey lands.

An act to amend an act authorizing the citizens of Brandenburg to elect a Police Judge and Marshal.

An act imposing an additional tax of three cents for the purpose of increasing the common school fund.

An act to change the time of holding the Crittenden Quarterly Courts.

An act to change the time of holding the Campbell Quarterly Courts.
An act to incorporate the Warren county Agricultural and Mechanical Association.

An act to charter the Springfield Agricultural and Mechanical Association.

An act to ratify the sale made by the Marion County Court of the poor house and farm.

An act to provide for increasing the county levy of Kenton county.

An act to authorize the County Court of Spencer county to sell the poor house lands in said county.

An act to increase the jurisdiction of the Police Judge of Monterey, in Owen county.

An act for the benefit of Robert P. Pepper, of Woodford county.

An act to provide a police system for part of Kenton county.

An act to change the time of holding the Graves, Livingston, and Crittenden Circuit Courts. Approved February 5, 1856.

The House then took up the bill from the Senate, entitled,

An act to establish the Peoples' Bank.

Mr. J. M. Fogle moved to amend said bill, as follows, viz:

Amend section 16, by striking out all after the word "Kentucky," down to and including the word "paid," and insert in lieu thereof the following words, viz: "the real and personal estate and choses in action of each stockholder, shall be responsible for all the debts and liabilities of the Bank."

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

Mr. Bowling moved to amend said bill by adding thereto the following, viz:

§ 23. That the true meaning and construction of the 16th section of this charter is, that each stockholder shall be individually liable for one hundred dollars on each share of stock which he may own, in addition to the capital stock which he may have subscribed for in said bank.

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

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

Those who voted in the affirmative, were

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James M. Corbin, John L. Irvan, James T. Ware,
Ephraim B. Elliott, Andrew J. James, Hiram Wood—30.

Those who voted in the negative, were

Mr. Speaker, (Huston,) John M. Hewitt, Samuel B. Pell,
William T. Anthony, Greenberry Hicks, Andrew J. Prichard,
Ben Berry, Gideon P. Jolly, Benjamin F. Rice,
William S. Bodley, Andrew Jones, Robert Richardson,
Laban J. Bradford, Richard Jones, Joseph Ricketts,
Archibald C. Brown, George F. Lee, William Reiley,
Erasmus O. Brown, Philip Lee, George C. Rogers,
Horatio W. Bruce, Samuel Long, Charles C. Smiddy,
Colbert Cecil, John G. Lyon, Richard J. Spurr,
John B. Cochran, Pleasant W. Mahan, Thomas J. Terry,
Milton J. Cook, Charles A. Marshall, Joshua Tevis,
Frank P. Deatherage, Jas. H. McCampbell, David L. Thurman,
Charles Duncan, John C. McCreaery, James H. Turner,
James A. Duncan, Hiram McCleary, E. L. Vanwinkle,
Joshua Dunn, William M. Miller, L. A. Whiteley,
John K. Goodloe, W. C. Montgomery, Thos. H. M. Winn,
Anderson Gray, Elijah F. Nuttall, Francis M. Woods,
Roger W. Hanson, Samuel B. Pell, E. W. Worsham—55.
Ben Hardin Helm, Andrew J. Prichard,

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 it was
decided in the affirmative

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, Elijah F. Nuttall,
William T. Anthony, Roger W. Hanson, Samuel B. Pell,
Ben Berry, Ben Hardin Helm, Andrew J. Prichard,
John S. Bohannon, John M. Hewitt, Joseph Ricketts,
Laban J. Bradford, Greenberry Hicks, George C. Rogers,
Archibald C. Brown, Gideon P. Jolly, Charles C. Smiddy,
Erasmus O. Brown, Andrew Jones, Thomas J. Terry,
Horatio W. Bruce, Richard Jones, Joshua Tevis,
John B. Cochran, James Kinslaer, David L. Thurman,
Milton J. Cook, George F. Lee, E. L. Vanwinkle,
James C. Dalton, John G. Lyon, L. A. Whiteley,
Frank P. Deatherage, Pleasant W. Mahan, Thomas H. M. Winn,
Charles Duncan, Jas. H. McCampbell, Francis M. Woods,
James A. Duncan, John C. McCreaery, E. W. Worsham—44.
Joshua Dunn, W. C. Montgomery,
Those who voted in the negative, were

Richard B. Alexander, Daniel Garrard, William M. Miller,
John B. Anderson, Henry Giles, Wm. M. Morrow,
John B. Auxier, Alfred F. Graham, David H. Raymond,
William J. Berry, Gordon B. Grasty, Benjamin F. Rice,
William S. Bodley, Anderson Gray, Robert Richardson,
Robert C. Bowling, John S. Hargis, William Reiley,
Colbert Cecil, John L. Irvan, James A. Russell,
Isaac N. Clement, Andrew J. James, James M. Speer,
George B. Cook, Philip Lee, Richard J. Spurr,
James M. Corbin, Jas. S. Littlepage, James H. Turner,
Ephraim B. Elliott, Samuel Long, Fielding Vaughan,
James M. Fogle, Charles A. Marshall, Willie Waller,
McDowell Fogle, Hiram McElroy, James T. Ware,
Nathan Gaither, John W. Menzies, Hiram Wood—42.

Resolved, That the title thereof be as aforesaid.

The committee on the Judiciary, to whom were referred bills from the Senate of the following titles, viz:

1. An act to incorporate the Buena Vista Springs Company.
2. An act allowing a change of venue in certain cases.
3. An act creating the office of Police Judge in the town of Wyoming, in Bath county.
4. An act to authorize the sale of certain alleys in the town of Prestonburg, in Floyd county.

Reported the same, the last three 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 said bills do pass, and that the titles thereof be as aforesaid.

Mr. Speer moved the following resolution, viz:

Resolved, That the use of the Representative Hall be tendered to the Hon. Saml. H. Buskirk, of Indiana, to deliver an address, at 7 o'clock, this evening.

Which was adopted.

Mr. Lyon moved the following resolution, viz:

Resolved, That Mr. Patten, Superintendent of the Kentucky Institution for the education of the Blind, be invited to give an exhibition of the attainments of his pupils in this Hall, to-morrow night.

Which was adopted.

The House again resolved itself into a committee of the whole, upon the resolutions moved by Mr. James, and the substitute therefor proposed by the committee on Federal Relations, Mr. Bradford in the
chair, and after some time spent therein, the Speaker resumed the chair, when Mr. Bradford reported that the committee, according to order, had under consideration the resolutions and substitute aforesaid, and had instructed him to report the same to the House.

Ordered, That said resolutions and substitute be made the special order of the day for the 8th instant, at 12 o'clock, M.

Bills from the Senate of the following titles, viz:

An act to legalize the proceedings of a special term of the Harlan county court.

An act authorizing the railroad collector of McCracken county to appoint one or more deputies.

An act for the benefit of Edwin Trimble, late clerk of Floyd 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 said bills do pass, and that the titles thereof be as aforesaid.

A bill from the Senate, entitled,

An act for the benefit of James Trimble, clerk of Floyd county,

Was read the first time, and ordered to be read a second time.

Said bill was then amended.

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

A bill from the Senate, entitled,

An act to divide the State into thirteen Judicial Districts.

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. Hanson moved that said bill have its third reading on to-morrow, at 11 o'clock, A. M.

Mr. Montgomery 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. Irvan and L. Anderson, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan,       William M. Miller,
William B. A. Baker, Joshua Dunn,               W. C. Montgomery,
Ben Berry,                                     Samuel B. Pell,
William J. Berry,                               Andrew J. Prichard,
The question was then taken on ordering said bill to be read a third time to-morrow at 11 o'clock, A. M., and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. L. Anderson and Menzies, were as follows, viz:

Those who voted in the affirmative, were

<table>
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<tr>
<th>Mr. Speaker, (Huston.)</th>
<th>James A. Duncan</th>
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<td>Charles Duncan</td>
<td>John C. McCreary</td>
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Those who voted in the negative, were

| Richard B. Alexander   | Henry Giles     | Hiram McElroy   |
| Lucien Anderson        | Gordon B. Grasty| William M. Morrow |
| John B. Anderson       | Andersen Gray   | Elijah F. Nuttall |
| William T. Anthony     | Benjamin Gullion| Benjamin F. Rice |
| John B. Auxier         | John S. Hargis  | Robert Richardson |
| John S. Bohannon       | Hiram Hawkins   | Joseph Ricketts |
| Colbert Cecil          | John M. Hewitt  | William Reiley |
| Isaac N. Clement       | John L. Irvan   | Charles C. Smedley |
| George B. Cook         | Andrew J. James | James M. Speer |
| Ephraim B. Elliott     | James S. Littlepage | Fielding Vaughan |
| Nathan Gaither         | Pleasant W. Mahan | Willis Waller |
| Daniel Garrard         | John C. McCreary |                 |

L. C. Menzie,
Those who voted in the negative, were

Richard B. Alexander, Henry Giles, William M. Morrow,
Lucien Anderson, Gordon B. Grasty, Elijah F. Nuttall,
John B. Anderson, Anderson Gray, Benjamin F. Rice,
Wm. T. Anthony, Benjamin Gullion, Robert Richardson,
John B. Auxier, John S. Hargis, Joseph Ricketts,
John S. Bohannon, Hiram Hawkins, William Reiley,
Colbert Cecil, John L. Irvan, Charles C. Smedley,
Isaac N. Clement, Andrew J. James, James M. Speer,
George B. Cook, James S. Littlepage, James H. Turner,
Ephraim B. Elliott, Pleasant W. Mahan, Fielding Vaughan,
McDowell Fogle, John C. McCreary, Willie Waller,

And then the House adjourned.

THURSDAY, FEBRUARY 7, 1856.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz:

An act repealing an act extending the powers of the municipal officers of the town of Lawrenceburg.

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

An act reserving power to amend or repeal charters and other laws.

An act for the benefit of Richard Taylor, and adopted daughter Mary Richard Taylor.

An act to increase the fees of Jailers.

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

An act to incorporate the Board of Trustees of the Kentucky Female College.

An act to increase the powers and jurisdiction of the Mayor of the city of Newport.

Resolution directing the printing of the common school laws in pamphlet form.
Preamble and resolution in relation to the removal of the remains of Governor James Clarke to the Frankfort Cemetery.

The Speaker laid on the table a communication from the special committee on invitations, of the citizens of Cincinnati, inviting the House of Representatives to participate in their celebration of the ensuing anniversary of the birth-day of Washington.

1. Mr. P. Lee presented the petition of citizens of Bullitt county, praying a repeal of the act authorizing William Bell and others to erect and keep up a fish dam in Salt river.

2. Mr. Foss presented petitions from members of the bar and sundry citizens of the city of Louisville, praying an increase in the jurisdiction of Magistrates of said city and county of Jefferson.

3. Also, the petition of voters of the Oakland precinct, in Jefferson county, praying a change in the voting place in said precinct.

4. Mr. Ricketts presented remonstrances from citizens of McLean county, against removing the location of the county buildings.

5. Mr. Nuttall presented a memorial from the president and managers of the New Castle and Eminence Turnpike Company, praying an amendment to their charter.

6. Mr. Bowling presented the petition of citizens of Gordonsville, Logan county, praying that said town may be incorporated.

7. Also, the petition of members of Gordonsville Lodge, No. 217, of Free and Accepted Masons, praying their Lodge may be incorporated.

8. Mr. Bohannon presented remonstrances from citizens of Hart county, against the formation of any new county out of part of said county.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the committee on Internal Improvement; the 2d to the committee on the Revised Statutes; the 3d to the committee on Privileges and Elections; the 4th and 6th to the committee on County Courts; the 7th to the committee on the Judiciary; and the 8th to the committee on Propositions and Grievances.

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

On motion of Mr. Reiley—1. A bill for the benefit of the Circuit Court clerk of Campbell county.

On motion of Mr. Grasty—2. A bill to authorize the Trigg County Court to change the State road leading from Hopkinsville to Columbus.

On motion of Mr. P. Lee—3. A bill for the benefit of James W. Thurman.

On motion of Mr. Ben Berry—4. A bill to authorize the several County Courts to take from the custody and bind out the children of drunkards.
Ordered, That Messrs. Reiley, Giles, and Bohannon prepare and bring in the 1st bill; Messrs. Grasty, Waller, and Irvan the 2d; and the committee on the Judiciary the 3d and 4th.

Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,

An act giving additional jurisdiction to the police judge of Owingsville,

Reported the same, with an amendment.
Which was concurred in.
Said bill, as amended, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the police judge of the town of Owingsville, in addition to the jurisdiction heretofore conferred by law, shall have, and is hereby invested with concurrent jurisdiction, for police purposes in business arising in said town, with the presiding judge of the Bath County Court.

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 it was decided in the negative.
And so said bill was disagreed to.
The yeas and nays being required thereon, by Messrs. Hawkins and Speer, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ben Hardin Helm, W. C. Montgomery,
Ben Berry, Greenberry Hicks, Samuel E. Pell,
William J. Berry, Gideon P. Jolly, Andrew J. Prichard,
William S. Bodley, Andrew Jones, David H. Raymond,
Robert C. Bowling, Richard Jones, Joseph Ricketts,
Laban J. Bradford, James Kinslaer, Charles C. Smedley,
Archibald C. Brown, George F. Lee, Thomas J. Terry,
Erasmus O. Brown, Philip Lee, Joshua Tevis,
Horatio W. Bruce, Samuel Long, David L. Thurman,
Coleman Covington, John G. Lyon, James H. Turner,
Frank P. Deatherage, Charles A. Marshall, E. L. Vanwinkle,
James A. Duncan, Jas. H. McCampbell, James T. Ware,
S. A. Foss, John W. Menzies, L. A. Whiteley,
John K. Goodloe, William M. Miller, Francis M. Woods—42.

Those who voted in the negative, were

Richard B. Alexander, Ephraim B. Elliott, Jas. S. Littlepage,
Lucien Anderson, George C. Faris, Pleasant W. Mahan,
John B. Anderson, James M. Fogle, John C. McCreeary,
William T. Anthony, McDowell Fogle, Hiram McElroy,
John B. Auxier, Nathan Gaither, William M. Morrow,
The House then took up the bill for the benefit of J. L. Jenkins, late sheriff of Henry county.

Said bill reads as follows, viz:

WHEREAS, J. L. Jenkins, late sheriff of Henry county, while collecting the revenue of 1854, due from said county, received two hundred and thirty dollars of the Newport Safety Fund Bank of Kentucky, in discharge of the revenue due by the citizens of said county, the charter of said bank making this money receivable in discharge of the revenue, but before the revenue became due, the said bank failed, and the Treasurer would not receive the same from him; and in consequence thereof, the said sheriff will suffer losses. For remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby authorized, to grant said sheriff a quietus in full for the revenue of 1854, as the said two hundred and thirty dollars has already been filed with the Auditor, and the same placed by him in the hands of the commissioner appointed by the Campbell Circuit Court to wind up bank; and said two hundred and thirty dollars shall be charged to said bank by the Auditor, and shall remain for settlement with the commissioner of said bank.

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 it was decided in the affirmative.

The yeas and nays being required on the passage of said bill, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan, Pleasant W. Mahan, Charles A. Marshall,
Richard B. Alexander, Joshua Dunn, Jas. H. McCampbell, Hiram McElroy,
Lucien Anderson, Ephraim B. Elliott, Elijah F. Nuttall, Samuel B. Fell,
John B. Anderson, George C. Faris,
William B. A. Baker, Sidney A. Foss,
Ben. Berry, Nathan Gaither.

The House then took up the bill for the benefit of J. L. Jenkins, late sheriff of Henry county.

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WHEREAS, J. L. Jenkins, late sheriff of Henry county, while collecting the revenue of 1854, due from said county, received two hundred and thirty dollars of the Newport Safety Fund Bank of Kentucky, in discharge of the revenue due by the citizens of said county, the charter of said bank making this money receivable in discharge of the revenue, but before the revenue became due, the said bank failed, and the Treasurer would not receive the same from him; and in consequence thereof, the said sheriff will suffer losses. For remedy whereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby authorized to grant said sheriff a quietus in full for the revenue of 1854, as the said two hundred and thirty dollars has already been filed with the Auditor, and the same placed by him in the hands of the commissioner appointed by the Campbell Circuit Court to wind up bank; and said two hundred and thirty dollars shall be charged to said bank by the Auditor, and shall remain for settlement with the commissioner of said bank.

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 it was decided in the affirmative.

The yeas and nays being required on the passage of said bill, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan, Pleasant W. Mahan, Charles A. Marshall,
Richard B. Alexander, Joshua Dunn, Jas. H. McCampbell, Hiram McElroy,
Lucien Anderson, Ephraim B. Elliott, Elijah F. Nuttall, Samuel B. Fell,
John B. Anderson, George C. Faris,
William B. A. Baker, Sidney A. Foss,
Ben. Berry, Nathan Gaither.
Resolved, That the title thereof be as aforesaid.

The House then took up the motion of Mr. Ricketts, to reconsider the vote by which the bill to establish the county of Metcalfe was rejected, on Friday last.

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

The yeas and nays being required thereon, by Messrs. Cochran and L. Anderson, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

The House then took up the motion of Mr. Ricketts, to reconsider the vote by which the bill to establish the county of Metcalfe was rejected, on Friday last.

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

The yeas and nays being required thereon, by Messrs. Cochran and L. Anderson, were as follows, viz:

Those who voted in the affirmative, were

The question was then taken on the passage of said bill, and it was decided in the affirmative.

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

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<th>Those who voted in the affirmative, were</th>
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<td>Mr. Speaker, (Huston,)</td>
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<td>Richard B. Alexander,</td>
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<td>Joshua Dunn,</td>
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<td>George C. Farris,</td>
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<td>McDowell Fogle,</td>
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Those who voted in the negative, were

| Lucien Anderson, | Charles Duncan, | Andrew J. James, |
| John B. Anderson, | Ephraim B. Elliott, | Philip Lee, |
| William T. Anthony, | James M. Fogle, | Pleasant W. Mahan, |
| John B. Auxier, | Nathan Gaither, | William M. Miller, |
| William S. Bodley, | Daniel Garrard, | William M. Morrow, |
| William B. Booker, | Henry Giles, | Robert Richardson, |
| Colbert Cecil, | Gordon B. Grasty, | William Reiley, |
| John B. Cochran, | Benjamin Gullion, | James M. Speer, |
| Milton J. Cook, | Hiram Hawkins, | Richard J. Spurr, |
| Thomas H. Corbett, | Greenberry Hicks, | Willie Waller, |
| James M. Corbin, | | T. H. M. Winn—35. |

| James H. Turner, | E. L. Vanwinkle, | Fielding Vaughan, |
| James T. Ware, | L. A. Whiteley, | Hiram Wood, |
Resolved, That the title thereof be as aforesaid.

The House then took up the bill from the Senate, entitled,
An act to divide the State into thirteen Judicial Districts.
Said bill was then read a third time.

Mr. Smedley moved to refer said bill to the committee on Circuit Courts.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Henry Giles, William M. Morrow,
Richard B. Alexander, Gordon B. Grasty, Elijah F. Nuttall,
Lucien Anderson, Anderson Gray, Benjamin F. Rice,
John B. Anderson, Benjamin Gullion, Robert Richardson,
William T. Anthony, John S. Hargis, Joseph Rickets,
John B. Auxier, Hiram Hawkins, William Reiley,
John S. Bohannon, John M. Hewitt, Charles C. Smedley,
Colbert Cecil, Greenberry Hicks, James M. Speer,
Isaac N. Clement, John L. Irvan, James H. Turner,
Thomas H. Corbett, Andrew J. James, Fielding Vaughan,
Ephraim B. Elliott, Richard Jones, Willie Waller,
McDowell Fogle, James S. Littlepage, Hiram Wood,
Nathan Gaither, John C. McCreary, Francis M. Woods,

Those who voted in the negative, were

William B. A. Baker, James A. Duncan, Jas. H. McCampbell,
Ben Berry, Joshua Dunn, John W. Menzies,
William J. Berry, George C. Faris, William M. Miller,
William S. Bodley, James M. Fogle, W. C. Montgomery,
William B. Booker, Sidney A. Foss, Samuel B. Pell,
Robert C. Bowling, John K. Goodloe, Andrew J. Prichard,
Laban J. Bradford, Alfred F. Graham, David H. Raymond,
Archibald C. Brown, Roger W. Hanson, George C. Rogers,
Erasmus O. Brown, Ben Hardin Helm, James A. Russell,
Mr. Hewitt 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. Rice and Irvan, were as follows, viz:

Those who voted in the affirmative, were

- Horatio W. Bruce
- John B. Cochran
- George B. Cook
- Milton J. Cook
- James M. Corbin
- Coleman Covington
- James Culton
- Frank P. Deatherage
- Charles Duncan
- Gideon P. Jolly
- Andrew Jones
- James Kinslaer
- George F. Lee
- Philip Lee
- Samuel Long
- John G. Lyon
- Pleasant W. Mahan
- Charles A. Marshall
- Richard J. Spurr
- Thomas J. Terry
- Joshua Tevis
- David L. Thurman
- E. L. Vanwinkle
- James T. Ware
- L. A. Whiteley

Those who voted in the negative, were

- Lucien Anderson
- William T. Anthony
- John B. Auxier
- Colbert Cecil
- Isaac N. Clement
- John B. Cochran
- George B. Cook
- Thomas H. Corbett
- Ephraim B. Elliott
- Nathan Gaither
- Daniel Garrard
- Henry Giles
- Alfred F. Graham
- Gordon B. Grasty
- Anderson Gray
- Benjamin Gullion
- John S. Hargis
- Hiram Hawkins
- John M. Hewitt
- John L. Irvan
- Andrew J. James
- Jas. S. Littlepage
- John C. McCreaey
- Hiram McElroy
- Wm. M. Morrow
- Benjamin F. Rice
- Robert Richardson
- William Reiley
- Charles C. Smedley
- James M. Speer
- James H. Turner
- Fielding Vaughan
- Willie Waller
- James T. Ware
- L. A. Whiteley
The question was then taken on the passage of said bill, and it was
decided in the affirmative.

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

Those who voted in the affirmative, were

William B. A. Baker,             Sidney A. Foss,  William M. Miller,
Ben. Berry,                      John K. Goodloe,    W. C. Montgomery,
William S. Bodley,              Alfred F. Graham,  Samuel B. Pell,
Laban J. Bradford,              Roger W. Hanson,   David H. Raymond,
Archibald C. Brown,             Ben Hardin Helm,   Joseph Ricketts,
Erasmus O. Brown,               Gideon P. Jolly,   George C. Rogers,
Horatio W. Bruce,               Andrew Jones,      James A. Russell,
Milton J. Cook,                 James Kinslaer,    Richard J. Sparr,
James M. Corbin,                George F. Lee,     Thomas J. Terry,
Coleman Covington,              Philip Lee,        Joshua Tevis,
James Culton,                   Samuel Long,       David L. Thurman,
Frank P. Deatherage,            John G. Lyon,      E. L. Vanwinkle,
Charles Duncan,                Pleasant W. Mahan,  James T. Ware,
James A. Duncan,                Charles A. Marshall, L. A. Whiteley,
Joshua Dunn,                    Jas. H. McCampbell, T. H. M. Winn,

Those who voted in the negative, were

Mr. Speaker, (Huston,) McDowell Fogle,  John C. McCreaey,
Richard E. Alexander,              Nathan Gaither,    Hiram McElroy,
Lucien Anderson,                   Daniel Garrard,    William M. Morrow,
John B. Anderson,                  Henry Giles,      Elijah F. Nuttall,
William T. Anthony,               Gordon B. Grasty,  Andrew J. Prichard,
John B. Auxier,                   Anderson Gray,    Benjamin F. Rice,
John S. Bohannon,                 Benjamin Gullion,  Robert Richardson,
Robert C. Bowling,               John S. Hargis,    William Reiley,
Colbert Cecil,                   Hiram Hawkins,    Charles C. Smedley,
Isaac N. Clement,                 John M. Hewitt,   James M. Speer,
John B. Cochran,                  Greenberry Hicks,  James H. Turner,
George B. Cook,                   John L. Irvan,     Fielding Vaughan,
Thomas H. Corbett,                Andrew J. James,   Willie Waller,
Ephraim B. Elliott,              Richard Jones,     Hiram Wood,

Resolved, That the title thereof be as aforesaid.

And then the House adjourned.
FRIDAY, FEBRUARY 8, 1856.

1. Mr. Foss presented the memorial of the President and Managers of the Louisville and Cane run Plankroad Company, asking that a portion of the Salt river Turnpike may be relinquished to them.

2. Mr. M. J. Cook presented a remonstrance from citizens of Williamsburg, Whitley county, against a repeal of the act incorporating said town.

3. Mr. Garrard presented the petition of citizens of Owsley county, praying a change in the law respecting millers.

4. Mr. Turner presented the petition of citizens of Mount Sterling, praying an increase in the powers of the Marshal of said town.

5. Mr. Bruce presented a remonstrance from citizens of Greenup county, against a division of said county.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Foss, Bodley, and Russell; the 2d and 5th to the committee on Propositions and Grievances; the 3d to Messrs. Garrard, Covington, and Long; and the 4th to Messrs. Turner, Rogers, and Kinslaer.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the Winchester and Mount Sterling Central Turnpike Road Company.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

An act to incorporate the Winchester, Kiddville, and Red river Iron Works Turnpike road Company.

An act supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.

An act to incorporate Robinson Lodge, No. 266, of Free and Accepted Masons.

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

An act to amend the laws limiting the time of commencing certain actions.

An act to increase the power and jurisdiction of the Mayor of the city of Newport.

An act to establish Olivet University.

An act supplemental to an act to incorporate the Bank of Ashland.
An act supplemental to an act to establish the People's Bank.
Resolutions in relation to the repeal of the Missouri Compromise.
Leave was given to bring in the following bills, viz:
On motion of Mr. Nuttall—1. A bill for the benefit of the trustees of the Methodist Episcopal Church South, in the county of Henry.
On motion of Mr. Waller—2. A bill for the benefit of Geo. Miller.
On motion of Mr. M. J. Cook—3. A bill to regulate the fees of Judges of Quarterly Courts and Sheriffs in appeal cases.
On motion of same—4. A bill to change the August term of the Laurel Quarterly Court.
On motion of Mr. Hawkins—5. A bill to amend the Militia laws.
On motion of same—6. A bill to amend the Usury laws.
On motion of Mr. Goodloe—7. A bill further to regulate the two Lunatic Asylums.
On motion of Mr. McElroy—8. A bill to incorporate the Rough and Ready Coal Mining Company.
On motion of Mr. Cochran—9. A bill to amend and reduce into one the several acts relating to the town of Taylorsville.

Ordered, That the committee on the Judiciary prepare and bring in the 1st and 6th bills; Messrs. Waller, Irvan, and Grasty the 2d; Messrs. M. J. Cook, James, and McElroy the 3d; Messrs. M. J. Cook, Montgomery, and Dunn the 4th; the committee on Military Affairs the 5th; the committee on Revised Statutes the 7th; Messrs. McElroy, Worsham, and Clement the 8th; and Messrs. Cochran, Speer, and Smedley the 9th.

Mr. Goodloe, from the committee on Public Offices, reported a bill to increase the salary of the Register of the Land Office,
Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the salary of the Register of the Land Office be increased to the sum of seventeen hundred dollars per annum; which sum he is authorized to draw quarterly from the treasury. All former appropriations for salary to the Register of said office, are hereby repealed. This act to take effect from its passage.

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. L. Anderson moved to amend said bill, by striking out the words "seventeen hundred," and inserting in lieu thereof the words "fifteen hundred."

Mr. Goodloe called for a division of the question.
The question was then taken on striking out the words "seventeen hundred," and it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Hawkins and Grasty, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, James M. Fogle, Samuel Long,
Lucien Anderson, McDowell Fogle, Pleasant W. Mahan,
William T. Anthony, Nathan Gaither, John C. McCreary,
John B. Auxier, Daniel Garrard, Hiram McElroy,
R. P. Beauchamp, Henry Giles, William M. Morrow,
Ben Berry, Gordon B. Grasty, Andrew J. Prichard,
John S. Bohannon, Anderson Gray, James M. Speer,
Archibald C. Brown, Benjamin Gullion, Fielding Vaughan,
Colbert Cecil, John S. Hargis, Willie Waller,
Milton J. Cook, Hiram Hawkins, T. H. M. Winn,
Thomas H. Corbett, Greenberry Hicks, Hiram Wood,
James M. Corbin, John L. Irvan, Francis M. Woods,
Joshua Dunn, Andrew J. James, E. W. Worsham—41.
Ephraim B. Elliott, James S. Littlepage,

Those who voted in the negative, were

Mr. Speaker, (Huston), Sidney A. Foss, David H. Raymond,
John B. Anderson, John K. Goodloe, Benjamin F. Rice,
William J. Berry, Alfred F. Graham, Robert Richardson,
William S. Bodley, John M. Hewitt, Joseph Ricketts,
Laban J. Bradford, Gideon P. Jolly, William Reiley,
Erasmus O. Brown, Andrew Jones, George C. Rogers,
Horatio W. Bruce, James Kinlaer, James A. Russell,
Isaac N. Clement, George F. Lee, Charles C. Smedley,
John B. Cochran, Philip Lee, Richard J. Spurr,
George B. Cook, John G. Lyon, Thomas J. Terry,
Coleman Covington, Charles A. Marshall, Joshua Tevis,
James Culton, Jas. H. McCampbell, David L. Thurman,
Frank P. Deatherage, John W. Menzies, James H. Turner,
Charles Duncan, William M. Miller, James T. Ware,
George C. Faris, Samuel B. Pell,

Mr. Rice moved to amend said bill by adding thereto the following, viz:

This act shall take effect from and after the 1st day of September, 1859.

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

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 it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Grasty and M. J. Cook, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, W. C. Montgomery,
R. P. Beauchamp, Sidney A. Foss, Samuel P. Pell,
Ben Berry, John K. Goodloe, Robert Richardson,
William J. Berry, Alfred F. Graham, Joseph Ricketts,
William S. Bodley, Ben Hardin Helm, William Reiley,
Robert C. Bowling, John M. Hewitt, George C. Rogers,
Laban J. Bradford, John L. Irvan, James A. Russell,
Erasmus O. Brown, Gideon P. Jolly, Charles C. Smedley,
Horatio W. Brace, Andrew Jones, Richard J. Spurr,
Isaac N. Clement, James Kinslaer, Thomas J. Terry,
John B. Cochran, George F. Lee, Joshua Tevis,
George B. Cook, Philip Lee, David L. Thurman,
Coleman Covington, John G. Lyon, James H. Turner,
James Dalton, Charles A. Marshall, James T. Ware,
Frank P. Deatherage, Jas. H. McCampbell, L. A. Whiteley,
Charles Duncan, John W. Menzies, T. H. M. Winn—50.
James A. Duncan, Wm. M. Miller,

Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, James S. Littlepage,
Lucien Anderson, McDowell Fogle, Samuel Long,
John B. Anderson, Nathan Gaither, Pleasant W. Mahan,
Wm. T. Anthony, Daniel Garrard, John C. McCready,
John B. Auxier, Henry Giles, Hiram McElroy,
John S. Bohannon. Gordon B. Grasty, William M. Morrow,
Archibald C. Brown, Anderson Gray, Benjamin F. Rice,
Colbert Cecil, Benjamin Gullion, James M. Speer,
Milton J. Cook, John S. Hargis, Fielding Vaughan,
Thomas H. Corbett, Hiram Hawkins, Willie Walker,
James M. Corbin, Greenberry Hicks, Hiram Wood,
Joshua Dunn, Andrew J. James, Francis M. Woods,

Resolved, That the title thereof be as aforesaid.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the German Mutual Insurance Association in Louisville.

An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

An act to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles.

An act to amend the charter of Covington.
An act for the benefit of John Friend, late sheriff of Floyd county.
An act for the benefit of E. Breeding, late sheriff of Letcher county.
An act to declaring Wolf creek, in Lawrence county, a navigable stream.
An act to incorporate the Cypress Pond Draining Company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

The House then took up the bill to incorporate the Union Bank of Kentucky.

Said bill was then amended so as to read as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby established a bank by the name and style of the "Union Bank of Kentucky," with a capital of three hundred thousand dollars. Said capital shall be divided into shares of one hundred dollars each, to be subscribed for and paid in by individuals, companies, and corporations, as hereinafter directed; which subscribers and stockholders, their successors and assigns, are hereby created a body corporate and politic, by the name of the Union Bank of Kentucky, and shall so continue until the first day of January, 1887; and by that name shall be capable of suing and being sued, pleading and being impugned, to answer and be answered, to defend and be defended, in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, hold, occupy, and possess, also, to sell, convey, and dispose of all such real estate, goods, effects, and chattels, as shall be convenient or necessary for the transaction of its business, or which may be conveyed to said bank as security for or in payment of any debt, or purchased in satisfaction of any judgment or decree in favor of the bank, or in purchase of any property on which the bank may have a lien.

§ 2. Said bank may have a common seal, change, alter, or renew the same at pleasure; may ordain such by-laws and regulations for its good government as may be thought proper from time to time, provided they be not contrary to the laws and constitution of this State or the United States.

§ 3. Said bank shall keep its office of discount and deposit in the city of Hopkinsville, county of Christian, with the privilege of establishing two branches at such places in the State as the board of directors may select; and in case such branches are located, an addition of two hundred and fifty thousand dollars to each branch may be added to the capital stock.

§ 4. The business of said bank shall be discounting notes and other evidences of debt, receiving deposits, dealing in gold and silver bullion, foreign coins, uncurreant money, bills of exchange, scrip or bonds of the State or the United States, and such other incidental powers as may be usual to carry on the business of banking.

§ 5. There shall be elected by the stockholders not more than seven nor less than five directors, on the first Monday in April, 1856, and annually thereafter, at the office of the company; and the directors thus elected shall hold their offices till their successors are chosen. Said
directors shall choose one of their number president, and shall have power to control and govern the affairs of said bank, appoint cashiers, tellers, and other officers or agents necessary to carry on the business of the corporation. In all elections, each stockholder shall have one vote for each share of stock he may hold in his or her own right; and any stockholder may vote by proxy duly authorized by a power of attorney.

§ 6. The cashier shall enter into a bond, to be approved of by the president and directors, for the safe keeping of the moneys of the bank, under the direction of the directors; which bond, made payable to the president and directors of the bank, shall be deposited with the Secretary of State for safe keeping.

§ 7. If the cashier, teller, agent, or other officer shall, without the consent of the president and directors, appropriate any of the funds of the corporation to his own use or that of any other person, or shall wilfully fail to make correct entries on the books of the bank, or shall make false entries with intent to defraud or cheat the corporation or any other person, or hide or conceal or in any other manner make improper appropriations of the funds of the corporation, the officer or person so offending shall be guilty of felony; and shall, upon conviction thereof, be confined in the jail or penitentiary of this State for a period of not less than five nor more than twenty years.

§ 8. The president and directors shall keep a record of all their proceedings, which they shall produce to the stockholders when by them demanded at any regular meeting; and they shall be open to inspection to any committee appointed by the Legislature. The president, cashier, directors, agents, and other officers, previous to entering on the discharge of their duties, shall take an oath before some justice of the peace, faithfully, honestly, and justly, and to the best of their skill and judgment, to discharge all duties incumbent on them by this charter, and by-laws and regulations of the corporation.

§ 9. That Thos. S. Bryan, John W. Breathitt, W. J. Davie, W. A. Glass, and Ambrose Davie, any three of whom may act, are hereby constituted and appointed commissioners to open books at Hopkinsville to receive subscriptions to the capital stock, and superintend the election of the first board of directors, and said commissioners may re-open said books of subscription at such times and places as they may deem advisable, and close the same when they see fit, till the entire capital stock shall be subscribed; and in case the capital stock is not all subscribed before the first election of directors, then the directors may re-open the books from time to time, at such places as they may deem advisable, for subscription to the capital stock.

§ 10. Every stockholder, when he or she may subscribe, shall pay ten per cent. to the commissioners or directors on their stock subscribed, in gold and silver, and the balance in such manner as the directors may order.

§ 11. Said bank shall not commence business till one hundred thousand dollars in bona fide stock is taken, and fifty thousand dollars paid in.

§ 12. Said bank shall have bank notes, signed by the president and attested by the cashier, of such denominations as is now authorized in
this State, to an amount equal to twice the stock subscribed and ac-
tually paid in, and no more; which issue may be used as currency,
and shall be redeemed by the bank in gold and silver, at par, when any
portion may be presented at the office of the corporation where the
same is made payable, between the hours of 10 o’clock, A. M. and 2
o’clock, P. M. Said issue shall be receivable for all dues to the State
so long as said notes are redeemed in gold and silver.

§ 13. The promissory notes made payable to any person or persons,
and payable and negotiable at the Union Bank of Kentucky, and in-
dorsed and discounted by said bank, are hereby put on the same footing
as foreign bills of exchange, and remedy may be had jointly and sev-
erally against drawers and indorsers, and with like effect, except as to
damages.

§ 14. Every subscriber to the capital stock shall make oath before
some duly authorized justice of the peace, that he or she is worth and
able to pay double the amount of stock so subscribed; and all stock
shall be held as personal property, and transferable and assignable
only in such places and manner as the directors shall by their by-laws
prescribe: Provided, That the person, persons, company, or corpo-
rations so buying shall also be worth double the amount of stock so
bought; and should it at any time be made to appear by seicra facies or any
other judicial proceeding in any of the courts of record in this State,
that said corporation has violated this charter by exceeding the amount
of issues herein authorized to be made, or in any other manner, so that
the bill holders of said bank may be injured thereby, then in that case
the stockholders shall be liable in their property, both real and per-
al, to an amount equal to twice their respective stock, to make up
such loss or injury to said bill holders; Provided, however, That said
individual liability shall not be enforced against the respective stock-
holders so long as said bank continues to redeem its notes, or pay its
debts at its usual place of doing business, nor until judgment shall
have been regularly first obtained against said bank, and execution
duly returned unsatisfied, and no property of said bank can be found
to satisfy the same.

§ 15. Should any of the subscribers to the capital stock fail or refuse
to pay for the stock, as herein provided, and as prescribed by the com-
mis sioners or directors, then the president and directors, by first giving
public notice in one or more public newspapers in this State for the
space of thirty days, may, by resolution entered on the records, forfeit,
and may proceed, at such time and place as they may deem expedient,
to re-sell the same; and all partial payments made on stock which shall
be forfeited, shall be held for the benefit of the bank.

§ 16. The Franklin circuit court shall have jurisdiction to try the
forfeiture of this charter for a violation of any of the provisions of
the same; the proceedings shall be by seicra facies, alleging and specifying
the acts of forfeiture relied on, and shall only be sued out at the in-
stance of the Attorney General, when ordered to do so by the Legisla-
ture or the Governor for the time being; and from and after the judg-
ment of forfeiture, said corporation shall cease to exercise any of the
privileges hereby granted; Provided, That said forfeiture shall not be so
construed as to prevent said bank from suing and being sued, and con-
tinining its operations for the purpose of closing its concerns, nor for making any contract that may be convenient or proper for that purpose.

§ 17. The "Union Bank of Kentucky" shall pay annually one-half of one per cent. on her capital stock subscribed, to the State of Kentucky, in consideration of this charter, which shall be in lieu of all other taxation; which said tax shall be paid into the sinking fund.

§ 18. No dividend shall be declared until a surplus contingent fund of twenty thousand dollars has been created and set apart for any extraordinary demand; and said contingent fund shall at no time be reduced below ten thousand dollars.

§ 19. Not more than one-third of the assets of this bank shall at one time be employed in bills of exchange running to maturity; nor shall more than one-eighth of one per cent. per month be taken from the face of any time bill of exchange made payable within the State; nor more than one-fourth of one per cent. per month be taken from the face of any time bill made payable out of this State and within the United States, by way of exchange; nor shall exchange on any bill made in the United States exceed one per cent.

§ 20. That said bank shall establish a branch of said bank at the town of Caseyville, in the county of Union, with a capital of one hundred and twenty thousand dollars, provided the citizens of said town shall subscribe or cause to be subscribed and paid in, a sufficient and proportional amount of stock, as is required to be done under the provisions of this charter authorizing the mother bank to go into operation; which subscription of stock and the payment thereof shall be done in the same manner, and under the same restrictions and conditions as before directed; and that John Casey, George W. Simpson, Daniel Brooks, Benjamin Winston, W. S. Person, W. M. Riddell, and James W. Finnie are hereby appointed commissioners to open books and receive subscription for the stock of said branch, and to superintend the election of the board of directors and all other officers necessary for said branch bank; a majority of said commissioners may act, and they are hereby authorized, on the 1st day of April, 1856, or at any other time within twelve months thereafter, having given not less than thirty days notice thereof, to open books at some suitable place in the said town of Caseyville, also in the town of Marion, in the county of Crittenden, for the subscription of the capital stock of said branch, for the purpose of putting into full operation said branch; and said commissioners shall perform the same kind of duties and be governed by the same rules as the former named commissioners; and when said branch shall be established and the officers elected and installed in the same manner as is required in this charter for the principal bank, said branch shall be subject to the control of the principal bank. That said branch shall have a president, cashier, and the directors, and such other officers as the mother bank shall direct and prescribe; and such officers shall take such oaths and execute such bond and surety as shall be prescribed by the mother bank.

§ 21. This act shall be in force from and after its passage.

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 it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

R. P. Beanbamp, John M. Hewitt, Elijah F. Nuttall,
Ben Berry, Gideon P. Jolly, Samuel B. Pell,
Laham J. Bradford, Andrew Jones, George C. Rogers,
Erasmus O. Brown, Richard Jones, James A. Russell,
Horatio W. Bruce, James Kingler, Joshua Tevis,
Thomas H. Corbett, George F. Lee, E. L. Vanwinkle,
James Cufion, Jas. H. McCampbell, T. H. M. Winn,
Benjamin Guilion, W. C. Montgomery,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, Charles A. Marshall,
Richard B. Alexander, George C. Faris, John C. McCreary,
Lucien Anderson, James M. Fogle, John W. Menzie,
John B. Anderson, Sidney A. Foss, William M. Miller,
William T. Anthony, Nathan Gaither, William M. Morrow,
John B. Auxier, Daniel Garrard, Benjamin F. Rice,
William J. Berry, Henry Giles, Robert Richardson,
William S. Bodley, Alfred F. Graham, Joseph Rickets,
John S. Bohannon, Gordon B. Grasty, William Reiley,
William B. Bookor, Anderson Gray, James M. Speer,
Archibald C. Brown, John S. Hargis, Richard J. Spurr,
Colbert Cecil, Hiram Hawkins, Thomas J. Terry,
Isaac N. Clement, Greenberry Hicks, David L. Thurman,
George B. Cook, John L. Irvan, James H. Turner,
Milton J. Cook, Andrew J. James, Fielding Vaughn,
James M. Corbin, James S. Littlepage, Willie Waller,
Coleman Covington, Samuel Long, James T. Ware,
Frank P. Deatherage, John G. Lyon, Hiram Wood,
James A. Duncan, Pleasant W. Mahan, Francis M. Woods—58.
Joshua Dunn,

Mr. Graham moved a re-consideration of the vote by which a bill from the Senate, entitled,
An act giving additional jurisdiction to the police judge of Owingsville,
Was rejected.
And the question being taken thereon, it was decided in the affirmative.
The question was then taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

Mr. Garrard from the select 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—

Said bill was then referred to the committee on the Revised Statutes.
The House then took up the bill from the Senate, entitled,
An act for the benefit of the Kentucky Institution for the education of the Deaf and Dumb.

Mr. J. M. Fogle moved to amend said bill, by striking out all after the enacting claims, and inserting in lieu thereof the following, viz:

That the sense of the people of Kentucky be taken at the next August election, upon the propriety of levying an additional tax of — cents on each one hundred dollars worth of property, for the purpose of aiding the trustees of the Kentucky Institution, at Danville, for the education of the Deaf and Dumb, to enable them to complete the building now in progress of erection; and that said votes shall be taken by the same persons, at the same time and manner as the State, District, and County officers are elected.

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

The yeas and nays being required thereon, by Messrs. J. M. Fogle Phil. Lee, were as follows, viz:

Those who voted in the affirmative, were

William T. Anthony, James M. Fogle, James S. Littlepage,
Thomas H. Corbett, John S. Hargis, John C. McCreary,
James M. Corbin, Hiram Hawkins, Wm. M. Morrow—11.
Ephraim B. Elliott, Greenberry Hicks,

Those who voted in the negative, were

Mr. Speaker, (Huston,) McDowell Fogle, W. C. Montgomery,
Richard B. Alexander, Sidney A. Foss, Elijah F. Nuttall,
Lucien Anderson, Nathan Gaither, Samuel B. Pell,
John B. Anderson, Daniel Garrard, Andrew J. Prichard,
John B. Auxier, Henry Giles, David H. Raymond,
William B. A. Baker, John K. Goodloe, Benjamin F. Rice,
R. P. Beauchamp, Alfred F. Graham, Robert Richardson,
Ben Berry, Gordon B. Grasty, Joseph Ricketts,
William J. Berry, Anderson Gray, William Reiley,
William S. Bodley, Benjamin Gullion, George C. Rogers,
William B. Booker, Ben Hardin Helm, James A. Russell,
Robert C. Bowling, John M. Hewitt, Charles C. Smedley,
Laban J. Bradford, John L. Irvan, James M. Speer,
Archibald C. Brown, Andrew J. James, Richard J. Spurr,
Erasmus O. Brown, Gideon P. Jolly, Thomas J. Terry,
Horatio W. Bruce, Andrew Jones, Joshua Tevis,
Colbert Cecil, Richard Jones, David L. Thurman,
Isaac N. Clement, James Kinlacer, James H. Turner,
John B. Cochran, George F. Lee, E. L. Vanwinkle,
George B. Cook, Philip Lee, Fielding Vaughan,
Milton J. Cook, Samuel Long, Willie Waller,
Coleman Covington, John G. Lyon, James T. Ware,
James Gilton, Pleasant W. Mahan, L. A. Whiteley,
Frank P. Deatherage, Charles A. Marshall, Thos. H. M. Winn,
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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Recessed. That the title thereof be as aforesaid.
The House then took up the resolutions moved by Mr. James, and the preamble and resolutions reported as a substitute therefor by the committee on Federal Relations.

The resolutions moved by Mr. James read as follows, viz:

§ 1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the abrogation of the line known as the Missouri compromise line, and the repeal of the restriction as to slavery in the Territories by the compromise measures of 1850, and by the Kansas-Nebraska act, was right, necessary and proper.

2. Resolved, That the Constitution grants no power to Congress to inhibit or establish slavery in the Territories belonging to the United States.

3. Resolved, That it would be a palpable violation of the Constitution for Congress to refuse to admit into the Union any new State formed out of the Territories—the common property of all the States—merely because such new State might tolerate slavery.

4. Resolved, That the principle of non-intervention by Congress on the slavery question, as contained in the Kansas-Nebraska act, is the true policy of the General Government; and that any departure from it would, in our opinion, greatly endanger the existence of the Union.

5. Resolved, That regarding the Kansas-Nebraska act as a great national and constitutional measure, the thanks of the people of the south are especially due those members of Congress from the north who assisted in its passage, and to the President of the United States who approved it.

6. Resolved, That the repeal or modification of the fugitive slave law would, also, greatly endanger the safety of the Union; and that the thanks of the people are due to the President of the United States for his firmness and efficiency in its execution.

7. Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to vote in accordance with the principles of these resolutions; and not to vote for any man for office who is not willing to stand by and carry out the same.

The preamble and resolutions reported as a substitute therefor, by the committee on Federal Relations, read as follows, viz:

Whereas, The passage of the Kansas-Nebraska act by Congress has been followed by increased irritation in the public mind upon the subject of slavery, which irritation it is the duty of patriots to allay, but the object of demagogues to foster and continue: And whereas, it is right and proper to express the views of the people of Kentucky on other important topics now agitating the public mind, and we but echo their voice, as spoken at the late election, when we announce their unqualified approbation of the principles embodied in the Philadelphia platform of the American party. Therefore—

§ 1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That we look to the union of these States as the best, if not the only, security for our peace and happiness, and as the main support in the edifice of our liberty. That we cherish a cordial, habitual, and immovable attachment to it, and that we will unite in opposition to all
attempts to weaken and subvert it, and to every principle or policy that can endanger it.

2. **Resolved.** That the systematic agitation of the slavery question has brought our institutions into peril, and we hold it to be the duty of every American patriot to unite for the purpose of suppressing this agitation, and thereby giving peace to the country and perpetuity to the Union. And we solemnly believe it to be the best guarantee of common justice and future peace, to abide by and maintain the existing laws upon the subject of slavery as a final and conclusive settlement of that subject in spirit and in substance.

3. **Resolved.** That Congress has no right to exclude any State from admission into the Union, because its constitution may, or may not, recognize slavery as a part of its social system.

4. **Resolved.** That the public domain is the common property of the people of all the States, and is held by the General Government in trust for their common good, and that any legislation invidiously restricting, or in any manner interfering with the equal enjoyment thereof by the citizens of the different States, would be inconsistent with the spirit and true intent of the trust, of questionable constitutionality, and dangerous to the harmony of the Union.

5. **Resolved.** That to perpetuate the countless blessings of this Union, we are deeply impressed with the necessity of the cultivation and development of American nationality and of American feeling; that we are utterly opposed to all legislation by the General Government for the territories which shall give the right of suffrage, the right to hold office, or any portion of the public domain, to any persons who are not citizens of the United States; and that so much of the Kansas-Nebraska act as confers the right of suffrage and the right to hold office on aliens, is a gross departure from all true American principle, places in foreign and unfit hands the legislation of the territories, and ought never to have been incorporated in the act.

6. **Resolved.** That notwithstanding the obnoxious alien feature of the Kansas-Nebraska act, that we are opposed to its repeal, because it has settled the policy of the government in reference to slavery in the territories, and we believe the interest and safety of the Union require that it should not be disturbed.

7. **Resolved.** That the fugitive slave law ought to be fully maintained and firmly enforced by every public functionary, and that any material change of that law, calculated to impair the guarantees of slave property, would greatly endanger the safety of the Union.

8. **Resolved.** That we condemn the transmission to our shores of felons and paupers, and while we recognize as brothers those foreigners, who, from love of liberty, or hatred of oppression, have sought an asylum in our midst, we are convinced that it is detrimental to the best interests of the country that the foreign immigration should be, as we believe it now is, greater than can be conveniently absorbed by the native population; and we are, therefore, in favor of a radical revision and modification of the laws regulating immigration and naturalization.

9. **Resolved.** That obedience to the constitution of the United States, as the supreme law of the land, is sacredly obligatory upon every cit-
izan, and we utterly reprobate and condemn the advancement of any person to political station who acknowledges civil allegiance, directly or indirectly, to any foreign power, whether civil or ecclesiastical.

10. Resolved, That a copy of the foregoing resolutions be transmitted to each of our Senators and Representatives in Congress.

Mr. Bruce 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. Irvan and Waller, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


The question was then taken on adopting the substitute in lieu of the original resolutions proposed by Mr. James, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Vanwinkle and Gray, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Sidney A. Foss, W. C. Montgomery,
R. P. Beauchamp, John K. Goodloe, Samuel B. Pell,
Ben Berry, Alfred F. Graham, Andrew J. Prichard,
William J. Berry, Ben Hardin Helm, David H. Raymond,
William S. Bodley, John M. Hewitt, Joseph Ricketts,
Robert C. Bowling, Greenberry Hicks, George C. Rogers,
Laban J. Bradford, Gideon P. Jolly, James A. Russell,
Archibald C. Brown, Andrew Jones, Richard J. Spurr,
Erasmus O. Brown, Richard Jones, Thomas J. Terry,
Horatio W. Bruce, James Kinslaer, Joshua Tevis,
Milton J. Cook, George F. Lee, David L. Thurman,
James M. Corbin, Philip Lee, James H. Turner,
Coleman Covington, Samuel Long, E. L. Vanwinkle,
James Culton, John G. Lyon, James T. Ware,
Frank P. Deatherage, Charles A. Marshall, L. A. Whiteley,
Charles Duncan, Jas. H. McCampbell, T. H. M. Winn,
James A. Duncan, John W. Menzies, Francis M. Woods,
McDowell Fogle.

Those who voted in the negative, were

Richard B. Alexander, George C. Faris, Pleasant W. Mahan,
Lucien Anderson, James M. Fogle, John C. McCreaey,
John B. Anderson, Nathan Gaither, Hiram McElroy,
Wm. T. Anthony, Daniel Garrard, William M. Morrow,
John B. Auxier, Henry Giles, Elijah F. Nuttall,
John S. Bohannon, Gordon B. Grasty, Benjamin F. Rice,
William B. Booker, Anderson Gray, Robert Richardson,
Colbert Cecil, Benjamin Gullion, William Reiley,
Isaac N. Clement, John S. Hargis, Charles C. Smedley,
John B. Cochran, Hiram Hawkins, James M. Speer,
George B. Cook, John L. Irvan, Fielding Vaughan,
Thomas H. Corbett, Andrew J. James, Willie Waller,

The question then recurred upon adopting the resolutions as amended.

Mr. McElroy called for a division of the question.
The question was then taken on the adoption of the first resolution of the substitute,
And it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. McElroy and Bodley, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James M. Fogle, Hiram McElroy,
Richard B. Alexander, McDowell Fogle, John W. Menzies,
The question was then taken on the adoption of the second resolution of the substitute, and it was decided in the affirmative.

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

*Those who voted in the affirmative, were*


In the negative—none.

The question was then taken on the adoption of the third resolution of the substitute, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

In the negative—none.

The question was then taken on the adoption of the fourth resolution of the substitute.

And it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

George B. Cook, John L. Irvin, Fielding Vaughan,
Thomas H. Corbett, Andrew J. James, Willie Waller,
Ephraim B. Elliott, Jas. S. Littlepage, Hiram Wood—43.
George C. Faris,

The question was then taken on the adoption of the fifth resolution
of the substitute,
And it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Helm and Nuttall, were as follows, viz:

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) George C. Faris, William M. Miller,
R. P. Beauchamp, McDowell Fogle, W. C. Montgomery,
Ben Berry, Sidney A. Foss, Samuel B. Pell,
William J. Berry, John K. Goodloe, Andrew J. Prichard,
William S. Bodley, Alfred F. Graham, David H. Raymond,
Robert C. Bowling, Ben Hardin Helm, Joseph Ricketts,
Laban J. Bradford, John M. Hewitt, George C. Rogers,
Archibald C. Brown, Greenberry Hicks, James A. Russell,
Erasmus O. Brown, Gideon P. Jolly, Richard J. Spurr,
Horatio W. Bruce, Andrew Jones, Thomas J. Terry,
John B. Cochran, Richard Jones, Joshua Tevis,
Milton J. Cook, James Kinslacer, David L. Thurman,
James M. Corbin, George F. Lee, James H. Turner,
Coleman Covington, Philip Lee, E. L. Vanwinkle,
James Culton, Samuel Long, James T. Ware,
Frank P. Deatherage, John G. Lyon, L. A. Whiteley,
Charles Duncan, Charles A. Marshall, T. H. M. Winn,
James A. Duncan, Jas. H. Mc-Campbell, Francis M. Woods,
Joshua Dunn, John W. Menzies, E. W. Woesham—57.

Those who voted in the negative, were
Richard B. Alexander, Nathan Gaither, John C. McCreaey,
Lucien Anderson, Daniel Garrard, Hiram McElroy,
John B. Anderson, Henry Giles, William M. Morrow,
William T. Anthony, Gordon B. Grasty, Elijah F. Nuttall,
John B. Auxier, Anderson Gray, Benjamin F. Rice,
John S. Bohannon, Benjamin Gullion, Robert Richardson,
William B. Booker, John S. Hargis, William Reiley,
Colbert Cecil, Hiram Hawkins, Charles C. Smedley,
Isaac N. Clement, John L. Irvan, James M. Speer,
George B. Cook, Andrew J. James, Fielding Vaughn,
Thomas H. Corbett, James S. Littlepage, Willie Waller,
Ephraim B. Elliott, Pleasant W. Mahan, Hiram Wood—37.
George C. Faris,

The question was then taken on the adoption of the sixth resolution
of the substitute,
And it was decided in the affirmative.
The years and nays being required thereon, by Messrs. Hawkins and Phil. Lee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) S. A. Foss, R. P. Beauchamp, Ben Berry, William J. Berry, William S. Bodley, Robert C. Bowling, Laban J. Bradford, Archibald C. Brown, Erasmus O. Brown, Horatio W. Bruce, John B. Cochran, Milton J. Cook, James M. Corbin, Coleman Covington, James Culton, Frank P. Deatherage, Charles Duncan, James A. Duncan, Joshua Dunn, George C. Faris, McDowell Fogle,


Those who voted in the negative, were


The question was then taken on the adoption of the seventh resolution of the substitute,

And it was decided in the affirmative.

The years and nays being required thereon, by Messrs. Hawkins and P. Lee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James M. Fogle, Richard B. Alexander, McDowell Fogle, Lucien Anderson, Sidney A. Foss, John B. Anderson, Nathan Gaither,

Hiram McElroy, John W. Menzies, William M. Miller, W. C. Montgomery.

In the negative—none.

The question was then taken on the adoption of the eighth resolution of the substitute,

And it was decided in the affirmative.

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

Those who voted in the affirmative, were

Those who voted in the negative, were

Richard B. Alexander, Nathan Gaither, John C. McCreary, James T. Ware,
Lucien Anderson, Daniel Garrard, Hiram McElroy, L. A. Whiteley,
John B. Anderson, Henry Giles, William M. Morrow, T. H. M. Winn,
William T. Anthony, Gordon B. Grasty, Elijah F. Nuttall, Francis M. Woods,
John S. Bohannon, Benjamin Gullion, Robert Richardson,
Colbert Cecil, John S. Hargis, William Reiley,
Isaac N. Clement, Hiram Hawkins, Charles C. Smedley,
John B. Cochran, John L. Irvan, James M. Speer,
George B. Cook, Andrew J. James, Fielding Vaughan,
Thomas H. Corbett, James S. Littlepage, Willie Waller,
Ephraim B. Elliott, Pleasant W. Mahan, Hiram Wood—37.
James M. Fogle, 

The question was then taken on the adoption of the ninth resolution
of the substitute,

And it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Rice and P.
Lee, were as follows, viz: 

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James M. Fogle, John W. Menzies,
Richard B. Alexander, McDowell Fogle, William M. Miller,
Lucien Anderson, Sidney A. Foss, W. C. Montgomery,
John B. Anderson, Nathan Gaither, Wm. M. Morrow,
William T. Anthony, John K. Goodloe, Elijah F. Nuttall,
R. P. Beauchamp, Alfred F. Graham, Samuel B. Pell,
Ben Berry, Gordon B. Grasty, Andrew J. Prichard,
William J. Berry, Anderson Gray, David H. Raymond,
William S. Bodley, Benjamin Gullion, Robert Richardson,
John S. Bohannon, John S. Hargis, Joseph Ricketts,
William B. Booker, Hiram Hawkins, William Reiley,
Robert C. Bowling, Ben Hardin Helm, George C. Rogers,
Laban J. Bradford, John M. Hewitt, James A. Russell,
Archibald C. Brown, Greenberry Hicks, Charles C. Smedley,
Erasmus O. Brown, John L. Irvan, James M. Speer,
Horatio W. Bruce, Andrew J. James, Richard J. Spurr,
Isaac N. Clement, Gideon P. Jolly, Thomas J. Terry,
John B. Cochran, Andrew Jones, Joshua Tevis,
George B. Cook, Richard Jones, David L. Thurman,
Milton J. Cook, James Kinlaer, James H. Turner,
Thomas H. Corbett, George F. Lee, E. L. Vanwinkle,
James M. Corbin, Philip Lee, Fielding Vaughan,
Coleman Covington, James S. Littlepage, Willie Waller,
The question was then taken on the adoption of the tenth resolution of the substitute.

And it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Speer and Rice, 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 preamble to the substitute, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. McElroy and P. Lee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) McDowell Fogle, W. C. Montgomery, James M. Fogle,
R. P. Beauchamp, Sidney A. Foss, Samuel B. Pell, John K. Goodloe,
Ben Berry, Robert Poor Beauchamp, Alfred F. Graham, Andrew J. Prichard,
William J. Berry, Benjamin S. Bodley, Ben Hardin Helm, David H. Raymond,
Robert C. Bowling, Hiram B. Moore, John M. Hewitt, Joseph Ricketts,
Laban J. Bradford, Greenberry Hicks, George C. Rogers,
Archibald C. Brown, Gideon P. Jolly, James A. Russell,
Erasmus O. Brown, Andrew Jones, Richard J. Spurr,
Horatio W. Bruce, Richard Jones, Thomas J. Terry,
Milton J. Cook, James Kinlaier, Joshua Tevis,
James M. Corbin, George F. Lee, David L. Thurman,
Coleman Covington, Philip Lee, James H. Turner,
James Culton, Samuel Long, E. L. Vanwinkle,
Frank P. Deatherage, John G. Lyon, James T. Ware,
Charles Duncan, Charles A. Marshall, L. A. Whiteley,
James A. Duncan, Jas. H. McCampbell, T. H. M. Winn,
Joshua Dunn, John W. Menzies, Francis M. Woods,
George C. Faris, William M. Miller, E. W. Worsham—56.

Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, John C. McCreaery,
Lucien Anderson, Nathan Gaither, Hiram McElroy,
John B. Anderson, Daniel Garrard, William M. Morrow,
William T. Anthony, Henry Giles, Elijah F. Nuttall,
John B. Auxier, Gordon B. Grasty, Benjamin F. Rice,
John S. Bohannon, Anderson Gray, Robert Richardson,
William B. Booker, Benj. Gullion, William Reiley,
Colbert Cecil, John S. Hargis, Charles C. Smedley,
Isaac N. Clement, Hiram Hawkins, James M. Speer,
John B. Cochran, John L. Irvan, Fielding Vaughn,
George B. Cook, Andrew J. James, Willie Waller,
Thomas H. Corbett, James S. Littlepage, Hiram Wood—38,
Ephraim B. Elliott, Pleasant W. Mahan, Hiram Wood—38.

Mr. Ben. Berry moved a re-consideration of the vote by which the bill for the benefit of Littleton Helm was rejected.

And the question being taken thereon, it was decided in the affirmative.
Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Whiteley moved the following resolution, viz:

Resolved, That the use of this Hall be tendered to Dr. Banning, on Saturday and Tuesday evenings next, for the purpose of delivering lectures on the philosophy of the human voice, and physical education.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky,
That in regard to the power which Congress had to pass the Missouri Compromise, or to establish a geographical line, by which slavery was inhibited in the Territories north of that line, we indorse and adopt the following extract from Governor Morehead's Message:

"The Federal Government, in its original organization, conformed itself most wisely to the then condition of the people and the property it was intended to protect. Slavery then existed in most of the States. The constitution did not pretend to make any change whatever in the relation of master and slave. The property in slaves, such as it was, pre-existed, and the constitution recognized it without limitation, and extended to the owner its unqualified protection. It created no property, but recognized whatever was property in the States as such, and left it in the condition in which it was found. When it speaks of property, whatever was made so by any of the States was what was intended. It did not undertake to define what was or was not property.

"The Federal Government being one of limited powers, cannot impart to or take from anything its attribute of property. If it cannot establish slavery in a Territory, it cannot destroy it. Whatever is property in any one of the States, if carried into a Territory cannot lose its character of property by the action of the General Government.

"I am deeply and profoundly impressed with the conviction, that the only safety to the Union is the firm establishment of the doctrine, that the Federal Government should abstain unconditionally from all hostile action upon the subject of slavery. It is a government for the slaveholding States, as well as the free, and it has no right to throw even its moral influence, against the tenure of property recognized as such by any of its constituent parts. It would be a gross prostitution of its powers and a departure from the objects of its organization to do so. As a common government for all the States, it never was intended by its framers that it should discriminate between the property of one State or one section and another. Equality is the law of its existence."

Mr. E. O. Brown read and laid on the table the following, as a substitute for said resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That obedience to the constitution of the United States, and all laws passed by Congress in pursuance thereof, is sacredly obligatory upon
the citizens of the States, and that the Supreme Court of the United States is the proper tribunal in the last resort, to determine the constitutional enactments of Congress: and that we utterly repudiate the higher-law doctrines of the North, as well as the seceding and nullifying doctrines of the South and North, as exhibited first by the South in the attempt by South Carolina to evade the tariff laws, and more recently by Massachusetts in her effort, by State authority, to evade the fugitive slave act.

At a quarter past 2 o'clock, P. M., Mr. Philip Lee moved an adjournment.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) McDowell Fogle, William M. Miller,
Lucien Anderson, Sidney A. Foss, W. C. Montgomery,
R. P. Beauchamp, John K. Goodloe, Samuel B. Pell,
Ben. Berry, Anderson Gray, Andrew J. Prichard,
William J. Berry, Ben Hardin Helm, Robert Richardson,
William S. Bodley, Greenberry Hicks, Joseph Ricketts,
William B. Booker, Gideon P. Jolly, William Reiley,
Robert C. Bowling, Andrew Jones, James A. Russell,
Laban J. Bradford, Richard Jones, Richard J. Spurr,
Archibald C. Brown, James Kinslaer, Thomas J. Terry,
Erasmus O. Brown, George F. Lee, Joshua Tevis,
Horatio W. Bruce, Philip Lee, David L. Thurman,
James M. Corbin, Samuel Long, James H. Turner,
Coleman Covington, John G. Lyon, James T. Ware,
James Culton, Pleasant W. Mahan, L. A. Whiteley,
James A. Duncan, Charles A. Marshall, T. H. M. Winn,
Joshua Dunn, Jas. H. McCampbell, Francis M. Woods—52.

Those who voted in the negative, were

Richard B. Alexander, Nathan Gaither, Hiram McElroy,
John B. Anderson, Daniel Garrard, John W. Menzies,
William T. Anthony, Henry Giles, William M. Morrow,
John B. Auxier, Alfred F. Graham, David H. Raymond,
John S. Bohannon, Gordon E. Grasty, Benjamin F. Rice,
Colbert Cecil, Benjamin Gullion, George C. Rogers,
Isaac N. Clement, John S. Hargis, Charles C. Smedley,
John B. Cochran, Hiram Hawkins, James M. Speer,
George B. Cook, John L. Irvan, E. L. Vanwinkle,
Milton J. Cook, Andrew J. James, Fielding Vaughn,
Thomas H. Corbett, Jas. S. Littlepage, Willie Waller,
Ephraim B. Elliott, John C. McCreaey, Hiram Wood—37.

And then the House adjourned.
SATURDAY, FEBRUARY 9, 1856.

Mr. Edward S. Worthington, the member returned to serve in this House, from the city of Louisville, appeared, and having taken the oath prescribed by the constitution, took his seat.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to change the county line between Knox and Harlan counties.

An act for the benefit of John Osman, of Boone county.

An act to extend the limits of the town of Lewisport.

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

An act to allow R. M. Bradley to build dams and buildings on the Cumberland river, and for other purposes.

An act to create an additional voting and justice's district in Perry county.

An act to prevent the destruction of fish, in Little river.

1. Mr. R. Jones presented petitions from citizens of Greenup, Carter, and Lawrence counties, praying for the formation of a new county out of parts of said counties.

2. Mr. W. J. Berry presented the petition of A. B. Baird, praying a compensation as Presiding Judge of Ohio County Court for record books for the Quarterly Court of said county.

3. Mr. Tevis presented petitions from citizens of Shelby county, praying that the taxes on free negroes may be used in sending emigrants to Liberia.

4. Mr. Bruce presented the petitions of citizens of Carter county, praying a change in the boundary line between said county and Rowan county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on County Courts; the 3d to the committee on Education; and the 4th to Messrs. Bruce, Elliott, Hawkins, Woods, and Hargis.

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

On motion of Mr. Beauchamp—1. A bill to incorporate the Rough Creek Navigation and Manufacturing Company.

On motion of Mr. Winn—3. A bill to establish an Equity and Criminal Court in the counties of Barren and Warren.
On motion of Mr. Corbin—3. A bill to incorporate the Hamilton and Buffalo Turnpike Road Company.

On motion of same—4. A bill to incorporate the town of Verona.

On motion of same—5. A bill to prohibit peddling in this Commonwealth by non-residents.

On motion of same—6. A bill for the benefit of Benjamin Norman.

On motion of Mr. G. F. Lee—7. A bill to authorize the Boyle County Court to subscribe stock in sundry turnpike roads in said county.

On motion of Mr. Jolly—8. A bill to change the voting place of the 10th district, in Breckinridge county.

On motion of Mr. P. Lee—9. A bill to fix the rates of license on Billiard and Jenny Lind tables.

On motion of Mr. Elliott—10. A bill to limit the jurisdiction of the Mayor and Marshal of West Liberty.

On motion of Mr. Long—11. A bill to reduce the price of vacant lands in Cumberland county.

On motion of Mr. Clement—12. A bill to amend an act, entitled, an act to incorporate the town of Dycusburg.


On motion of Mr. McD. Fogle—14. A bill to increase the fees of Jailers.

On motion of same—15. A bill to incorporate the Prewet's Knob and Edmonton Railroad Company.

On motion of Mr. Bruce—16. A bill for the benefit of Rowan county.

On motion of same—17. A bill for the benefit of the poor of this Commonwealth.


On motion of Mr. Auxier—19. A bill for the benefit of the administrators of the estate of Jacob Mays, deceased, late of Floyd county.

On motion of Mr. Gray—20. A bill to repeal the law appropriating $500 to the Treasurer for clerk hire.

On motion of Mr. R. Jones—21. A bill to amend the law concerning Assessors of tax.

On motion of Mr. L. Anderson—22. A bill for the benefit of Jacob Corbett.

On motion of Mr. Bohannon—23. A bill to repeal all laws giving appellate jurisdiction to County Courts.


On motion of same—25. A bill respecting the sales of vacant lands in Hart county.
On motion of same—26. A bill regulating appeals from the Circuit Courts to the Court of Appeals.

On motion of Mr. McCampbell—37. A bill for the benefit of the 6th common school district, in Jessamine county.


On motion of Mr. Menzies—29. A bill for the benefit of Philip F. Brown, late sheriff of Kenton county.

On motion of Mr. Prichard—30. A bill to declare Contrary creek, in Lawrence county, a navigable stream.

On motion of same—31. A bill making an appropriation for the purpose of removing Nigger-head rock out of Big Sandy river.

On motion of Mr. Montgomery—32. A bill legalizing the locality of the first toll-gate south of Danville, on the Frankfort and Crab Orchard turnpike road.

On motion of same—33. A bill incorporating Springhill Lodge, No. 139, of Free and Accepted Masons.

On motion of same—34. A bill incorporating Hustonville Lodge, No. 187, of Free and Accepted Masons.

On motion of Mr. Bodley—35. A bill to reduce the width of High street in Louisville.

On motion of same—36. A bill to amend an act to regulate the tare on manufactured tobacco, approved March 10, 1854.

On motion of Mr. Lyon—37. A bill to create the office of lumber measurer, in the city of Louisville.

On motion of Mr. Whiteley—38. A bill to incorporate the Hiawatha Mining Company.


On motion of same—40. A bill to incorporate Loraine Lodge, No. 4, of the Independent Order of Odd Fellows.

On motion of same—41. A bill to amend the law in relation to mechanics' liens.

On motion of Mr. J. M. Fogle—42. A bill to amend the charter of the Pleasant Run Turnpike road Company.

On motion of Mr. Faris—43. A bill for the benefit of school district No. 10, Nicholas county.

On motion of Mr. Russell—44. A bill to amend chapter 102, section 3, Revised Statutes.

On motion of same—45. A bill to amend the 2d section of 5th article, chapter 56, Revised Statutes.

On motion of Mr. Gullion—46. A bill for compensating boards of supervisors of the assessors books.
On motion of Mr. Vanwinkle—47. A bill to incorporate the Columbia and Monticello Turnpike road Company.

On motion of same—48. A bill to incorporate the Philadelphian Literary Society, of the Columbia Male and Female High School.

On motion of same—49. A bill for the benefit of Wm. M. Worsham, late sheriff of Wayne county.

On motion of same—50. A bill to improve the road from Cumberland river to Monticello.

On motion of Mr. Booker—51. A bill to lease out the turnpike from Bardstown to Springfield.

On motion of Mr. Goodloe—52. A bill to amend section 306, of the Code of Practice.

On motion of Mr. Rice—53. A bill to amend the 4th section of 18th article, chapter 36, of the Revised Statutes.

Ordered, That Messrs. Beauchamp, W. J. Berry, and E. O. Brown prepare and bring in the 1st bill; Messrs. Winn, Rogers, and Bohannon the 2d; Messrs. Corbin, Bohannon, and Irvan the 3d and 6th; Messrs. Corbin, Bohannon, and Waller the 4th; the committee on the Judiciary the 5th, 10th, 16th, 17th, 21st, 30th, 32d, 39th, and 41st; the committee on County Courts the 7th, 19th, and 46th; the committee on Privileges and Elections the 8th; the committee on Ways and Means the 9th and 11th; Messrs. Clement, G. B. Cook, and J. B. Anderson the 12th and 13th; the committee on Revised Statutes the 14th, 44th, 45th, and 53d; the committee on Internal Improvement the 15th, 31st, 38th, 43d, 47th, and 51st; the committee on Propositions and Grievances the 18th; Messrs. Gray, Rice, and Corbett the 20th; the committee on Claims the 22d; the committee on the Code of Practice the 23d, 26th, and 52d; Messrs. Bohannon, Lyon, and Giles the 24th; Messrs. Bohannon, Irvan, and Corbin the 25th; the committee on Education the 27th and 43d; the committee on Public Offices the 28th; Messrs. Menzies, Corbin, and Richardson the 29th; Messrs. Montgomery, R. Jones, and J. A. Duncan the 33d and 34th; Messrs. Bodley, Lyon, and Whiteley the 35th; Messrs. Bodley, Worthington, and Marshall the 36th; Messrs. Lyon, Bodley, and Worthington the 37th; Messrs. Whiteley, Baker, and Bodley the 40th; Messrs. Vanwinkle, Foss, and Hicks the 48th; Messrs. Vanwinkle, Foss, and McCampbell the 49th; and Messrs. Vanwinkle, James, and McDowell Fogle the 50th.

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

By Mr. Bradford—1. A bill to incorporate the First Presbyterian Church, in the city of Augusta.

By same—2. A bill to establish a Police Judge and town Marshal, in the town of Mount Olivet, in Bracken and Nicholas counties.
By Mr. Irvan—3. A bill to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

By Mr. Reiley—4. A bill for the benefit of the Circuit Court clerk of Campbell county.

By Mr. Hewitt—5. A bill to put in order the Capitol Square of Kentucky.

By Mr. Vaughan—6. A bill to amend the charter of the Greensburg and Taylor county Turnpike road Company.

By Mr. L. Anderson—7. A bill supplemental to an act to amend an act incorporating the town of Mayfield.

By same—8. A bill to incorporate College City, in Caldwell county.

By Mr. Helm—9. A bill to aid counties which have subscribed to the capital stock of the Louisville and Nashville railroad.

By Mr. Culton—10. A bill for the benefit of Zachariah B. Sailor, late sheriff of Harlan county.

By same—11. A bill for the benefit of Daniel Garrard and others.

By Mr. Nuttall—12. A bill to amend the charter of New Haven.

By same—13. A bill to punish seduction.

By Mr. Richardson—14. A bill to incorporate the Catholic Benevolent Society, of Covington.

By Mr. M. J. Cook—15. A bill to change the time of holding the August term of Laurel Quarterly Court.

By same—16. A bill to change the fees of officers of the Quarterly courts, in appeal cases.

By Mr. Whiteley—17. A bill to reduce the width of High street, in Louisville.

By same—18. A bill to amend an act to regulate the tare on manufactured tobacco.

By Mr. Baker—19. A bill to incorporate Ringgold Lodge, No. 27, I. O. O. F.

By Mr. E. O. Brown—20. A bill to abolish a ferry on the Ohio river, in Meade county.

By same—21. A bill to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved February 6th, 1839.

By Mr. W. J. Berry—22. A bill regulating the Circuit Courts in the third judicial district.


By Mr. Turner—24. A bill to increase the powers of the marshal of the town of Mount Sterling.

By Mr. McElroy—25. A bill to incorporate the Rough and Ready Coal-mining Company, of Union 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 11th, 13th, and 25th bills were referred to the committee on the Judiciary; the 5th to the committee on Public Offices; the 16th to the committee on the Code of Practice; the 18th to the committee on Agriculture and Manufactures; and the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 12th, 14th, 15th, 17th, 19th, 20th, 21st, 22d, 23d, and 24th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, the 11th, 13th, and 25th bills were referred to the committee on the Judiciary; the 5th to the committee on Public Offices; the 16th to the committee on the Code of Practice; the 18th to the committee on Agriculture and Manufactures; and the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 12th, 14th, 15th, 17th, 19th, 20th, 21st, 22d, 23d, and 24th 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. Bowling, from the committee appointed to prepare and bring in the same, reported a bill to increase the jurisdiction of Justices of the Peace.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act justices of the peace shall have original common law jurisdiction in all cases of contract, written or verbal, expressed or implied, where the debt or damages claimed, exclusive of interest, does not exceed one hundred dollars.

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. Elliott moved to amend said bill by striking out the words "one hundred," and inserting in lieu thereof the word "fifteen."

Mr. Smedley 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. Corbett and Nuttall, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, John G. Lyon,
Lucien Anderson, George C. Faris, Pleasant W. Mahan,
William T. Anthony, James M. Fogle, John C. McCreary,
John B. Auxier, McDowell Fogle, Hiram McElroy,
William B. A. Baker, Nathan Gaither, John W. Menzies,
R. P. Beauchamp, Henry Giles, William M. Miller,
Ben Berry, Anderson Gray, Elijah F. Nuttall,
John S. Bohannon, Benjamin Gallion, Samuel B. Pell,
Mr. Bodley, from the committee to whom had been referred a bill to regulate the sale of slaves, reported the same with an amendment, by way of substitute for said bill.

Said bill reads as follows, viz:

> Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person who, being the owner of slaves, including a mother and child or children, shall sell, separately from the mother, any slave child under ten years of age, shall be fined one hundred dollars for each offense, one-half of the fine to be paid to the informer and prosecutor. The offender may be indicted without a prosecution, in which case one-third of the fine shall be paid to the Commonwealth's attorney.

The substitute reported by the committee reads as follows, viz:

> § 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter in the sale of slaves, whether by the owner or under judicial process or order, a child under the age of five years shall not be sold separately from its mother; Provided, that this prohibition shall not apply to sales made for the purpose of dividing or distributing estates of deceased persons, in cases where, after being sold, the mother and child shall belong to and remain with some member of the same white family to whom either of them belonged at the time of such sale.

> § 2. Any person who shall violate the provisions of this act, shall be fined one hundred dollars for each offense.

Mr. McCreary moved to lay said bill and substitute on the table.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. McCready and Corbett, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Kentucky Institution for the education of the Deaf and Dumb.
An act for the benefit of Henry Grinstead, Sr., of Hart county.
An act to divide the State into thirteen Judicial Districts.
An act to incorporate the Buena Vista Springs Company.
An act to legalize the proceedings of a special term of the Harlan county court.
An act for the benefit of Turnpike Road Companies in Campbell county.
An act to incorporate Kenton Lodge, No. 24, I. O. O. F.
An act for the benefit of N. H. Ryan, of Calloway county.
An act authorizing the railroad collector of McCracken county to
appoint one or more deputies.
An act for the benefit of L. P. Bartlett, of Hickman county.
An act appropriating money for the preparation of registration re-
ports and tables.
An act for the benefit of Ann White.
An act to incorporate the Kirksville Turnpike Road Company in
Madison county.
An act in relation to the Seminary fund of McCracken county.
An act to incorporate the Hawkins Branch Turnpike Road Com-
pany.
An act to incorporate the Lowell and Back Creek Turnpike Road
Company in Garrard county.
An act to authorize the County Court of Madison to sell the Poor
House lands in said county.
An act to change the time of holding the February and August
terms of the McCracken County and Quarterly courts.
An act to incorporate Olive Branch Encampment, No. 6, I. O.
O. F.
An act authorizing the County Court of Larue to sell the Poor
House lands of said county.
An act for the benefit of Addison Williams, late Circuit and
County Court Clerk of Whitley county.
An act to authorize a special election in the city of Louisville.
An act to authorize the trustees of Olivet Church to sell the church
and lot upon which it stands.
An act for the benefit of the Circuit Court clerk of Harrison
county.
An act for the benefit of Edwin Trimble, late clerk of Floyd coun-
ty.
An act to amend the charter of the Hickman and Obion railroad
company.
An act to amend an act creating a Sinking Fund for the county
of Mason.
An act to create an additional voting precinct in Campbell county.
An act for the benefit of John W. De Jarnett, late Sheriff of Grant
county.
An act for the benefit of the sheriff of Harrison county.
An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pen-
dleton county.
An act to incorporate the Barren County Railroad Company.
An act for the benefit of the Ohio County Court.
Resolution in relation to the inspection of tobacco, pork, and flour,
in New Orleans.
Preamble and resolution directing the Public Printer to publish pre-
amble and resolutions in reference to the death of Henry Clay.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. M. J. Cook inform the Senate thereof.

On motion of Mr. Nattall,
Ordered, That the committee on the Judiciary be discharged from
the consideration of the leave referred to them to bring in a bill to es-
establish patrols on the Ohio river, and that the same be referred to

On motion of Mr. Menzies,
Ordered, That Mr. Worthington be added to the committee on the
Judiciary.

Mr. Bruce, from the select committee to whom was referred the
communication from Richard C. Wintersmith, Esq., Treasurer of the
State, made the following report, viz.:
The special committee to whom was referred the communication
made to this House by R. C. Wintersmith, Esq., treasurer of this Com-
monwealth, report, that they have fully investigated the subject mat-
ter of said communication, and have obtained the opinion of the At-
torney General of the Commonwealth on the construction of the act of
the Legislature under which said Wintersmith received the money
mentioned in said communication. Said opinion of the Attorney Gen-
eral is herewith reported as a part hereof, as follows:

ATTORNEY GENERAL'S OFFICE,
FEBRUARY 1, 1856.

Sir: I have received yours of to-day's date, requesting my opinion
of the proper construction of the act concerning the Auditor's office
and the Treasurer's office, approved March 9, 1854. The act is in
these words: "That hereafter there shall be an additional allo-
ance of one thousand dollars per annum for clerk's hire in the Auditor's
office, and five hundred dollars per annum to the Treasurer, to enable
him to employ the services of a clerk, to aid him in the performance
of his duties; and the same shall be paid out of the treasury in the
same manner that other salaries are now paid."

It will be perceived there is a slight difference in the language used
in the appropriation for clerk's hire in the Auditor's office, and that to
the Treasurer. Omitting that portion of the act relating to the Aud-
it's office, and it would read: "That hereafter there shall be an al-
lowance of five hundred dollars to the Treasurer, to enable him to em-
ploy the services of a clerk to aid him in the performance of his du-
ties."
The office of clerk in the Treasurer's office is not created by the act.
The appropriation is directly "to the Treasurer," and not to any clerk.
whom he might appoint. The Treasurer, in my opinion, was authorized to draw the money from the treasury; and the manner of its appropriation seems, by the act, to be left to his discretion. The presumption must be indulged that the Legislature did not intend to impose any restriction on the Treasurer as to the manner of applying the money; and the question at last is, whether the duties of the office have been properly discharged? and whether they were performed by himself alone, or whether he was aided by one or more clerks, is a matter of no consequence so far as the Commonwealth is concerned. In the judgment of the Legislature, the additional sum of five hundred dollars was necessary to insure a proper discharge of the duties of the office.

I am, very respectfully,

Your obedient servant,

JAMES HARLAN.

H. W. BRUCE, Esq., Chairman, &c.

From which it will be seen that it is the opinion of the Attorney General that said Wintersmith, as Treasurer of the Commonwealth, had the right to receive said money under said act, whether he actually expended the whole or any portion of it for clerk hire or not, provided that he caused all the duties and business of the office of Treasurer to be properly discharged; and in that opinion this committee fully concur. This opinion of the Attorney General and the committee is corroborated by the evidence of gentlemen, members of the Legislature at the time of the enactment of the statute, that such was then the intention of the Legislature. This committee fully and cheerfully exculpate Mr. Wintersmith from any improper conduct in connection with this matter, or from having done any thing which would justify the remotest suspicion of dishonorable or improper conduct on his part. This committee are also of the opinion that Mr. Wintersmith has faithfully and honestly discharged the duties pertaining to his office; wherefore, the committee report to the House, for its adoption, the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That said R. C. Wintersmith, Treasurer of this Commonwealth, has faithfully and properly discharged, and caused to be discharged, all the functions of his office; that he had both the legal and moral right to receive and appropriate the money drawn by him under the act, approved March 9, 1854; that in doing so he neither unlawfully nor unjustly appropriated any money of the Commonwealth to his own private purposes; and that no censure whatever can properly be attached to his conduct in connection therewith.

H. W. BRUCE, Ch'n.

Mr. Irvan moved the following resolution, viz:

Resolved, That the committee on Ways and Means, to whom was referred a leave to bring in a bill releasing persons of the age of sixty years and over from paying poll tax, be instructed to report a bill to that effect.

And the question being then taken on adopting the same it was decided in the negative.

Mr. Spurr read and laid on the table the following resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be directed to furnish to each of the State charitable institutions one copy of the acts and journals of the General Assembly which may hereafter be published.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensèd with,

The said resolution was twice read and concurred in.

Mr. Menzies moved the following resolution, viz:

Resolved, That the committee on Revised Statutes be and is hereby instructed to report a bill to provide a mode for the collection of revenue.

Which was adopted.

Mr. Menzies moved the following resolution, viz:

Resolved, That the resolution offered on yesterday, by the gentleman from Mercer, on the subject of the Governor's Message, and the substitute offered therefor by the gentleman from Meade, be and the same are hereby referred to the committee on Federal Relations.

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

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

Those who voted in the affirmative, were

William B. A. Baker, John K. Goodloe, Samuel B. Pell,
R. P. Beauchamp, Alfred F. Graham, Andrew J. Prichard,
Ben Berry, Ben Hardin Helm, Joseph Ricketts,
William S. Bodley, Greenberry Hicks, George C. Rogers,
Robert C. Bowling, Gideon P. Jolly, James A. Russell,
Archibald C. Brown, Andrew Jones, Richard J. Spurr,
Erasmus O. Brown, Richard Jones, Joshua Tevis,
Horatio W. Bruce, James Kinslaer, David L. Thurman,
Milton J. Cook, George F. Lee, E. L. Vanwinkle,
James M. Corbin, Samuel Long, L. A. Whitley,
Coleman Covington, John G. Lyon, Thos. H. M. Winn,
James Culton, Charles A. Marshall, Francis M. Woods,
James A. Duncan, Jas. H. McCambell, E. W. Worsham,
Joshua Dunn, John W. Menzies, E. S. Worthington—47.
George C. Faris, William M. Miller,
McDowell Fogle, W. C. Montgomery.

Those who voted in the negative, were

Richard B. Alexander, Ephraim B. Elliott, Andrew J. James,
Lucien Anderson, James M. Fogle, James S. Littlepage,
John B. Anderson, Nathan Gaither, Pleasant W. Mahan,
William T. Anthony, Daniel Garrard, Hiram McElroy,
John B. Auxier, Henry Giles, Wm. M. Morrow,
John S. Bohannon, Gorden B. Grasty, Benjamin F. Rice,
William B. Booker, Anderson Gray, Robert Richardson,
Colbert Cecil, Benjamin Gullion, William Reiley.
Mr. Cecil moved the following resolution, viz:

Resolved, That the committee on Printing be directed to inquire into and report to this House, as soon as practicable, the probable cost of printing a suitable number of the reports of the State Geologist, for the years 1854 and 1855, with maps, sections, and illustrations.

Which was adopted.

Mr. Cecil read and laid on the table the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be authorized to print — copies of the general report of the State Geologist, and to procure the engraving and printing of a suitable number of maps, sections, and illustrations accompanying said report, by competent artists; and that the auditor be directed to draw his order on the treasurer for the necessary amount to pay the expense of said engravings and printing of said maps, sections, and illustrations, out of any money in the treasury not otherwise appropriated.

Resolved further, That said report, when printed, be distributed as follows: Ten copies to each of the members of the present General Assembly; one copy to each of the officers of the present General Assembly; two copies to each State and Territory of the United States; fifty copies to the Smithsonian Institute; two copies to each county in this State, to be deposited in the office of the County Clerk; fifty copies to remain in the State Library; one hundred and fifty copies for the use of the State Geologist; and the remainder for general distribution by the Governor.

Mr. Marshall moved the following resolution, viz:

Resolved, That the committee on the Judiciary be and they are hereby instructed to prepare and report to this House a bill providing for the extradition of any free black who shall hereafter be convicted of any offense or misdemeanor now punishable by fine or imprisonment in the common jails of this Commonwealth, making it the duty of the sheriffs of the different counties, at the expense of said counties, to see the law faithfully executed; and providing furthermore, against the return of said free black under the penalties now inflicted by law, in cases of voluntary migration. Providing, also, that, should the party convicted, elect to go to Liberia, he shall be removed thither at the expense of the counties, not exceeding seventy dollars per head.

Which was adopted.

Mr. Smedley moved the following resolution, viz:

Resolved, That the committee on Federal Relations be instructed to report to this House in favor of the resolution referred to them, which endorses the extract from Gov. Morehead's message, referring to the power of Congress upon the institution of slavery in the territories, at 12 o'clock next Tuesday, and that the resolution be made the special order of the day at that time.

Mr. Smedley moved the previous question.
And the question being taken, shall the main question be now put? and it was decided in the negative.

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

Those who voted in the affirmative, were

Richard B. Alexander,                Ephraim B. Elliott,                James S. Littlepage,
Lucien Anderson,                     James M. Fogle,                    Pleasant W. Mahan,
John B. Anderson,                    Nathan Gaither,                    John C. McCready,
William T. Anthony,                  Daniel Garrard,                     Hiram McElroy,
John B. Auxier,                      Henry Giles,                        William M. Morrow,
William B. A. Baker,                 Gordon B. Grasty,                   Elijah F. Nuttall,
John S. Bohannon,                    Anderson Gray,                      Benjamin F. Rice,
William B. Booker,                   Benjamin Gullion,                   Robert Richardson,
Colbert Cecil,                       John S. Hargis,                     William Reiley,
Isaac N. Clement,                    Hiram Hawkins,                      Charles C. Smedley,
George B. Cook,                      John L. Irvan,                      Fielding Vaughan,
Thomas H. Corbett,                   Andrew J. James,                    Willie Waller—36.

Those who voted in the negative, were

Mr. Speaker, (Huston,) John K. Goodloe, W. C. Montgomery,
R. P. Beauchamp,                      Alfred F. Graham,                  Samuel B. Pell,
Ben Berry,                           Ben Hardin Helm,                   Andrew J. Prichard,
William J. Berry,                     John M. Hewitt,                    David H. Raymond,
William S. Bodley,                   Greenberry Hicks,                   Joseph Ricketts,
Robert C. Bowling,                   Gideon P. Jolly,                    George C. Rogers,
Laban J. Bradford,                   Andrew Jones,                       James A. Russell,
Archibald C. Brown,                  Richard Jones,                      Richard J. Spurr,
Erasmus O. Brown,                    James Kinscler,                     Joshua Tevis,
Horatio W. Bruce,                    George F. Lee,                      David L. Thurman,
Milton J. Cook,                      Samuel Long,                        E. L. Vanwinkle,
James M. Corbin,                     John G. Lyon,                       L. A. Whiteley,
Coleman Covington,                   Charles A. Marshall,                T. H. M. Winn,
James Culton,                        Jas. H. McCampbell,                 Francis M. Woods,
Joshua Dunn,                         John W. Menzies,                    E. W. Worsham,
George C. Faris, McDowell Fogle,     William M. Miller,                  E. S. Worthington—19.

Mr. Vanwinkle moved to lay said resolution on the table.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) McDowell Fogle, William M. Miller,
William B. A. Baker,                  John K. Goodloe,                    W. C. Montgomery,
R. P. Beauchamp,                      Alfred F. Graham,                  Samuel B. Pell,
Ben Berry,                            Ben Hardin Helm,                    Andrew J. Prichard,
William J. Berry,                     John M. Hewitt,                     David H. Raymond,
Those who voted in the negative, were:

Richard B. Alexander, Nathan Caithers, Pleasant W. Mahan,
Lucien Anderson, Daniel Garrard, John C. McCreaesy,
John B. Anderson, Henry Giles, Hiram McElroy,
William T. Anthony, Gordon B. Grasty, William M. Morrow,
John B. Auxier, Anderson Gray, Elijah F. Nuttall,
John S. Bohannon, Benjamin Gullion, Robert Richardson,
Colbert Cecil, John S. Hargis, William Reiley,
Isaac N. Clement, Hiram Hawkins, Charles C. Smedley,
George B. Cook, John L. Irvan, Fielding Vaughan,
Thomas H. Corbett, Andrew J. James, Willie Waller—34.

Mr. McElroy moved the following resolution, viz:

Resolved, That the committee on Federal Relations be instructed to report to this House, on Monday next, at 12 o'clock, the joint resolution to them referred, on the subject of a bill offered by Mr. Evans of South Carolina, in the Senate of the United States, on the subject of the officers and soldiers, and their widows, &c., of the United States.

Which was adopted.

And then the House adjourned.

MONDAY, FEBRUARY 11, 1856.

The Speaker laid before the House the following communication from the Superintendent of Public Instruction:
OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION,
LEXINGTON, February 9, 1856.

To HON. JOHN B. HUSTON,
Speaker of the House of Representatives:

Sir. I have the honor herewith to present a biennial report from this department, for the school year 1855.

Very respectfully,
Your obedient servant,
JOHN D. MATTHEWS,
Sup. Pub. Instruction

[For Report—see Legislative Documents.]

Ordered, That the Public Printer forthwith print 10,000 copies of said report, for the use of the members of this House.

1. Mr. Garrard presented the petition of W. H. Crook, praying that as late sheriff of Clay county he may be permitted to collect his outstanding fee bills.

2. Mr. Rice presented the petition of citizens of Estill county, praying that Thomas Martin, sen., may be permitted to peddle goods without license.

3. Mr. G. F. Lee presented a memorial from the Faculty of Center College, praying the passage of an act to prevent any person from crediting any student at College, who is a minor, without the consent of his parent, guardian, or of one of the officers of said College.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Ways and Means, and the 3d to the committee on Education.

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

On motion of Mr. Corbett—1. A bill to authorize the trustees of the town of Milburne to grant coffee house license.


On motion of Mr. Jolly—3. A bill for the benefit of Lorenzo D. Walls.


A message was received from the Senate, announcing that they adhere to their amendment to a bill from this House, entitled,

An act to authorize married women to convey real and other property under power of attorney.
That they had disagreed to a bill from this House, of the following title, viz:

An act to provide for appointing a gate keeper and overseer on the turnpike road in Knox county.

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

An act to regulate the rates of tolls on the Wilderness Turnpike road.

An act for the benefit of Patrick Napier, late Sheriff of Casey county.

An act for the benefit of James Clark, late Sheriff of Casey county.

An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge county.

An act for the benefit of William Moody, late Sheriff of Monroe county.

An act to amend the road law of Harrison county.

An act declaring Blackford Creek, in Hancock county, a navigable stream.

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

An act to incorporate the Winchester and Red river Iron Works Turnpike road Company.

An act to incorporate the Cumberland river Coal and Lumber Company.

An act for the benefit of Israel C. Winfrey and A. D. Robinson.

An act to amend chapter 7, section 1, of the Revised Statutes.

An act for the benefit of Transylvania University and the Law Library of Louisville.

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 Daviess county Agricultural and Mechanical Association.

An act to incorporate the Providence Mining, Manufacturing, and Shipping Company.

An act for the benefit of William J. Berry and Seth R. Moseley.

An act authorizing the school commissioner of Calloway county to enlarge New Concord school district.

An act to amend the road laws of this commonwealth.

An act requiring County Judges to make settlement with the trustee of the jury fund for all taxes and public moneys in their hands.

An act to authorize the McCracken County Court to increase the county levy to build a Court House and Jail.
An act to authorize the County Court of McCracken county to change the Gray's Ferry road. Approved February 5, 1856.

Mr. Hewitt, from the committee on the Sinking Fund, made the following report, viz:

The committee upon the Sinking Fund have had under consideration several claims against the commissioners of the Sinking Fund of Kentucky, to-wit: The claim of A. B. Calef, Treasurer of the State of Connecticut; the claim of the La Grange Bank of Indiana; and the claim of James G. King's sons, of New York; and have examined the law upon the subject, (see Revised Statutes of Kentucky, chapter 92,) and have come to the conclusion, that the claims ought to be presented to the said commissioners for adjustment; and if they will not settle them amicably, that the "Judicial Department" of the government is the proper tribunal to which the claimants ought to apply for a redress of their grievances.

By the 2d section of the 92d chapter Revised Statutes, ‘‘the commissioners of the Sinking Fund of Kentucky have corporate existence, and by that name may sue and be sued, and do and perform all things necessary to execute the duties required and the powers given them by law.’’ Whether the claims referred to the committee are legal and just and ought to be paid by the commissioners, the committee are not willing to decide and relieve the commissioners of the responsibility which they have taken upon themselves by the acceptance of office.

If upon the presentation of the claims to the commissioners, they will not voluntarily pay them, the committee are of opinion, that the Legislature ought not to assume the power of deciding the controversy which rightfully belongs to the Judicial Department.

Wherefore the committee ask to be discharged from the further consideration of those claims.

JOHN M. HEWITT. Chairman of committee on Sinking Fund.

Ordered, That the committee on the Sinking Fund be discharged from the further consideration of said claims.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Bank of Ashland.
An act giving additional jurisdiction to the Police Judge of Owingsville.
An act creating the office of Police Judge in the town of Wyoming, in Bath county.
An act allowing a change of venue in certain cases.
An act to establish the Peoples' Bank.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.
Mr. Bruce, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported a bill for the benefit of Greenup county.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the auditor be and he is hereby directed to draw his warrant on the treasurer, in favor of Greenup county, for the sum of one hundred and twenty-four dollars, expenses incurred by said county in apprehending William Rouse, a fugitive from justice.

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 being then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

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<th>John B. Auxier</th>
<th>Ephraim B. Elliott</th>
<th>Charles A. Marshall</th>
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<td>William B. A. Baker</td>
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<td>Ben. Berry</td>
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<td>John W. Menzies</td>
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<td>John B. Cochran</td>
<td>Gideon P. Jolly</td>
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<td>E. S. Worthington—34</td>
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<td>Joshua Dunn</td>
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</table>

Those who voted in the negative, were

| Mr. Speaker, (Huston,) McDowell Fogle | William M. Miller  |
| Richard B. Alexander                 | William M. Morrow  |
| Lucien Anderson                      | Samuel B. Pell     |
| John B. Anderson                     | David H. Raymond   |
| William T. Anthony                   | Benjamin F. Rice   |
| R. P. Beaucamp                       | Robert Richardson  |
| William J. Berry                     | Joseph Ricketts    |
| William B. Booker                    | William Reiley     |
| Robert C. Bowling                    | George C. Rogers   |
| Erasmus O. Brown                     | James A. Russell   |
| Isaac N. Clement                     | James M. Speer     |
| George B. Cook                       | Richard J. Spurr   |
| Milton J. Cook                       | E. L. Vanwinkle    |
| Thomas H. Corbett                    | Fielding Vaughan   |
A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:

An act regulating the Courts in the 3d Judicial district.

That they passed a bill of the following title, viz:

And act to establish the Planter's Bank of Kentucky.

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 T. Garnett, of Christian county.

An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.

An act, entitled, an act to amend the charter of the Perryville Seminary.

An act to incorporate the Ashland Cemetery Company.

An act to incorporate the town of Ashland.

An act to incorporate the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.

An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.

Reported the same, the last three 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 said bills do pass, and that the titles thereof be as aforesaid.

Mr. Menziea, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,

An act for the benefit of Abram Hite and Salina C. Hite,

Reported the same without amendment.

The question was then taken on ordering said bill to be read a third time,

And it was decided in the negative.

And so said bill was disagreed to.

Mr. Helm, from the committee on the Judiciary, to whom was referred a bill to incorporate the Western Insurance Company,

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. Corbin, from the committee on the Judiciary, to whom was referred a bill to regulate the mode of working and opening roads in Boone county,

Reported the same, with amendments.

Which were 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.

Ordered, That said bill be re-committed to the committee on the Judiciary.

The following bills were reported by the committee on the Judiciary, who had been appointed to prepare and bring in the same, viz:

1. A bill to incorporate the Union and Richmond Turnpike Road Company.
2. A bill to repeal the act incorporating the town of Florence, in Boone county.
3. A bill to amend the charter of the town of Brooksville, in Bracken county.
4. A bill to establish a general mechanic’s lien law in this State.
5. A bill to incorporate the town of Baltimore, in Hickman county.
6. A bill to amend section 17, article 4, chapter 47, of the Revised Statutes.
7. A bill to establish a Sinking Fund for the county of Clarke.

Which were severally 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, 6th and 7th were severally ordered to be engrossed and read a third time, and the 4th was made the special order of the day for the 14th inst. at 12 o’clock, M.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 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 4th bill, for the use of the members of the General Assembly.

Mr. Rice, from the committee on the Judiciary, to whom was referred a bill to amend the 42d chapter of the Revised Statutes,

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, said bill was then amended by adding thereto an engrossed clause, by way of rider.

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

Mr. Rice, from the same committee, who were appointed to prepare and bring in the same, reported a bill to increase the liability of steamboats.

Which was read the first time.

The question being then taken on ordering said bill to be read a second time, it was decided in the negative.

And so said bill was rejected.

Mr. Rice, from the same committee, who were appointed to prepare and bring in the same, reported a bill for the benefit of Milton G. Mize.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the County Court of Estill county be and the same is hereby authorized annually to grant Milton G. Mize a license to keep a coffee house in the town of Irvine, upon the said Mize's producing to the court a receipt for the payment of ten dollars to the clerk of said court, and taking the same oath in regard to the retailing of liquors which tavern keepers are now required by law to take; and the same law that relates to retailing liquor by tavern keepers shall be applicable to the said Mize.

§ 2. This act shall take effect from and after its passage.

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. Montgomery 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. Gray and Montgomery, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Joshua Dunn, James M. Fogle, Samuel B. Pell,
John B. Anderson, William B. A. Baker, McDowell Fogle, David H. Raymond,
William R. Beauchamp, R. P. Beauchamp, John K. Goodloe, Robert Richardson,
Ben Berry, Alfred F. Graham, Joseph Ricketts,
William J. Berry, John M. Hewitt, James A. Russell,
William S. Bodley, Greenberry Hicks, James M. Speer,
Robert C. Bowling, John L. Irvan, Richard J. Spar
Laban J. Bradford, Richard Jones, David L. Thurman,
James H. Turner.
Mr. Menzies, from the same committee, to whom was referred a bill to enlarge the criminal jurisdiction of the City Court of Louisville,

Reported the same, with amendments.

Which were concurred in.

Said bill, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the City Court of Louisville shall have exclusive jurisdiction of all cases of felony and misdemeanors hereafter arising or committed within the city of Louisville, under the same laws, rules and regulations that the Jefferson circuit court now has.

§ 2. The terms of the city court of Louisville shall be held monthly, commencing the first Monday in each month, and terminating the Saturday before the first Monday in the succeeding month; and all cases shall be docketed by the clerk, and shall stand for trial at the succeeding term after the return of the indictment by the grand jury, where process has been executed on the defendant or defendants five days prior to the calling of said cause; and the judge of said city court shall have power to set a case for any day of the same term after the finding and return of any indictment, by an order of court, made and entered on the records thereof, of which reasonable notice shall be given to the defendant.

§ 3. The marshal of the city of Louisville shall be the marshal of said city court, and he and his deputies shall discharge all the duties of said court, which are now required by law to be discharged by the sheriff of Jefferson county, in all cases heretofore cognizable in the Jefferson circuit court, and which by this act are made cognizable in the said city court; and he and his deputies shall be entitled to the
same fees for their services as sheriffs are now allowed by law, and shall be responsible in the same manner as sheriffs for a failure to discharge their duties.

§ 4. The clerk of said court shall issue all process and perform all the duties in the cases arising in said court, under the provisions of this act, as are now required to be performed by the clerks of circuit courts in this Commonwealth, and shall receive the same fees therefor.

§ 5. The attorney for the Commonwealth in the judicial district embracing said city, shall prosecute all felonies tried in said court, and shall be entitled to the same fees and compensation now allowed by law; and in case of his absence, the city attorney of Louisville shall prosecute in his stead, and discharge all the duties imposed by law on the attorney for said judicial district.

§ 6. A grand jury to be composed of sixteen persons, possessing the qualifications required by law, and selected in the manner now required, shall be summoned for each term of said court, and shall continue in office during the term, and shall meet from time to time during the term as the business may require, and shall possess the same powers and be governed in all things by the laws now in force in relation to grand jurors in the circuit courts of this Commonwealth; and each of said grand jurors shall receive, as a compensation for his services, one dollar per day for each day he may attend, to be paid as hereinafter provided.

§ 7. Twenty-four persons, selected in the manner now directed by law as to petit jurors in the circuit courts of this State, and possessing the same qualifications, shall be selected and summoned to attend as petit jurors for each term of said court, and shall be governed in all things by the laws now in force in relation to petit jurors in this State, and shall each receive for their services one dollar per day for each and every day they may attend in said court, to be paid as hereinafter provided; and whenever a jury cannot be obtained out of the number herein authorized to be summoned, the marshal shall supply the deficiency by summoning bystanders, who shall for each day's services be entitled to the same compensation each and paid in the same manner as regular jurors.

§ 8. The judge of the city court shall appoint some fit and proper person as trustee of the jury fund of said court, who shall take an oath and give bond in said court in the same manner as trustees of the jury fund in the circuit courts; and he shall also perform the same duties and be entitled to the same compensation.

§ 9. At the close of each term of said court, or upon the discharge of the grand jury or petit jury during the term, the judge of said court shall cause an order to be made on the sheriff of Jefferson county in favor of the trustees of the jury fund, for a sum sufficient to pay the said jurors for their services during the term; which amount the sheriff shall pay out of the revenue tax of said county, and shall receive a credit therefor on his settlement with the auditor; and the trustee shall pay the same to the jurors on the certificate of the clerk, and shall settle his account once each month; which, when approved by the court, shall be entered of record by the clerk, and forwarded to the auditor of public accounts; and should there not be funds in the hands
of said sheriff applicable to the payment of the order drawn on him from time to time, then such order shall be made on the auditor, the amount of which shall be paid out of the public treasury of this State.

§ 10. The judge of said city court shall receive, in addition to the salary now allowed by law, the sum of —— dollars, payable quarterly out of the public treasury.

Mr. Bodley moved to fill the blank in the 10th section of said bill with the words "five hundred."

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

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

Those who voted in the affirmative, were


Those who voted in the negative, were


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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Charles Duncan, Hiram McElroy,
Richard B. Alexander, James A. Duncan, John W. Menzies,
Lucien Anderson, Joshua Dunn, William M. Miller,
John B. Auxier, George C. Faris, W. C. Montgomery,
William B. A. Baker, McDowell Fogle, Elijah F. Nuttall,
R. P. Beauchamp, Daniel Garrard, Samuel B. Pell,
Ben Berry, Henry Giles, Andrew J. Prichard,
William J. Berry, Alfred F. Graham, David H. Raymond,
William S. Bodley, Gordon B. Grasty, Joseph Rickets,
John S. Bohannon, Benjamin Gullion, William Reiley,
William B. Booker, John S. Hargis, George C. Rogers,
Robert C. Bowling, Hiram Hawkins, James A. Russell,
Laban J. Bradford, Ben Hardin Helm, James M. Speer,
Erasmus O. Brown, Greenberry Hicks, Richard J. Spurr,
Horatio W. Bruce, John L. Irvin, David L. Thurman,
Colbert Cecil, Andrew J. James, James H. Turner,
Issac N. Clement, Andrew Jones, E. L. Vanwinkle,
John B. Cochran, James Kinslair, Fielding Vaughn,
George B. Cook, George F. Lee, Willie Waller,
Milton J. Cook, Philip Lee, T. H. M. Winn,
Colbert Cecil, Samuel Long, Hiram Wood,
Isaac N. Clement, Pleasant W. Mahan, Francis M. Woods,
John B. Cochran, Charles A. Marshall, E. W. Worsham,
George B. Cook, Jas. H. McCampbell, E. S. Worthington—73.

Those who voted in the negative, were

William T. Anthony, Nathan Gaither, William M. Morrow,
Ephraim B. Elliott, James S. Littlepage, Benjamin F. Rice,
James M. Fogle, John C. McCreaey, Robert Richardson—9.

Resolved, That the title thereof be as aforesaid.

Mr. Turner moved a re-consideration of the vote by which the bill to incorporate the Union Bank of Kentucky was rejected.

Ordered, That the further consideration of said motion be postponed until to-morrow at 10 o'clock, A. M.

Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill to regulate the fees of witnesses in the circuit courts of this Commonwealth, reported the same with an amendment as a substitute for said bill; and the substitute having been amended 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 be amended to read as follows, viz:

An act to regulate the fees of witnesses in certain courts.

Mr. Nuttall moved a re-consideration of the vote by which the bill to increase the jurisdiction of justices of the peace, was laid on the table.

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

Mr. Helm called for a division of the question.

The question was then taken on striking out of the bill the word “one hundred,” and it was decided in the negative.

Mr. McDowell Fogle moved to amend said bill by adding thereon the following words, viz:

And in all cases where the debt or damages sued for shall exceed fifty dollars, the justices shall tax an attorney’s fee of five dollars, as a part of the costs, against the unsuccessful party.

Mr. Bruce moved to amend said amendment, by striking out the words “five dollars,” and inserting in lieu thereof the words “two dollars and fifty cents.”

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

The question was then taken on the amendment, as amended, and it was decided in the negative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Turner moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put, shall the bill be engrossed and read a third time? And it was decided in the affirmative.

Mr. Smedley moved to re-commit 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. Smedley and Gray, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, James S. Littlepage, James M. Fogle, Pleasant W. Mahan, Jas. H. McCampbell, John C. McCreaary, Hiram McElroy, John W. Menzies, Elijah F. Nuttall, Benjamin F. Rice, Robert Richardson, Joseph Ricketts, George C. Rogers, Chas. C. Smedley—37.

Those who voted in the negative, were

Ordered, That said bill be read a third time, on the 13th instant, at 11 o'clock, A. M.

Mr. Cochran moved the following resolution, viz:

Resolved, That the use of the hall of the House of Representatives be tendered to the Kentucky Colonization for Wednesday evening next, for the purpose of holding their annual meeting.

Which was adopted.

And then the House adjourned.

TUESDAY, FEBRUARY 12, 1856.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title; viz:

An act to provide against the demoralization of slaves.

With an amendment to said bill.

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

An act for the benefit of Bright and Bright, and Chapman and Meriwether.

An act to create a chancellor in the first judicial district.

1. Mr. Irvan presented the petition of citizens of school district No. 15, in Calloway county, praying a change in the boundary line of said district.

2. Mr. Deatherage presented a petition from citizens of school dis-
District No. 41, Jefferson county, and the surviving trustees of the Male and Female Seminary at Middletown, praying that said trustees may be empowered to convey said Seminary to the trustees of said school district.

3. Mr. Bradford presented the petition of citizens of Bracken county, praying that the Seminary fund of said county may be divided among the school districts thereof.

4. Mr. P. Lee presented the petitions of citizens of Nelson, Washington, and Anderson counties, praying the formation of a new county out of parts of said counties.

5. Mr. Worthington presented a memorial from the Louisville and Portland Railroad Company, praying a repeal of the act to amend the charter of said company, approved March 10, 1854.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on Education; the 2d to Messrs. Deatherage, Foss, and Worthington; the 4th to the committee on Propositions and Grievances; and the 5th to the committee on the Judiciary.

A bill from the Senate, entitled,
An act supplemental to an act to establish the Peoples' Bank.
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,
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 it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Garrard and P. Lee, were as follows, viz:

Those who voted in the affirmative, were

Those who voted in the negative, were

James M. Corbin,

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled,
An act supplemental to an act to incorporate the Bank of Ashland,
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 as aforesaid.
The House then took up the motion of Mr. Turner, to re-consider the vote rejecting the bill to incorporate the Union Bank of Kentucky.
And the question being taken thereon, it was decided in the affirmative.
The question was then again taken on the passage of said bill, and it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Gaither and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were

R. P. Beauchamp, James A. Duncan, W. C. Montgomery,
Ben Berry, John K. Goodloe, Elijah F. Nuttall,
William J. Berry, Andersen Gray, George C. Rogers,
William B. Booker, Benjamin Gullion, James A. Russell,
Laban J. Bradford, John M. Hewitt, Joshua Tevis,
Archibald C. Brown,                           Greenberry Hicks,                           Richard S. Thornton,  
Erasmus O. Brown,                            Gideon P. Jolly,                             James H. Turner,  
Horatio W. Bruce,                            Andrew Jones,                                 E. L. Vanwinkle,  
John B. Cochren,                             Richard Jones,                                Thomas H. M. Wian,  
Thomas H. Corbett,                           James Kinslaer,                               Francis M. Woods,  
James Culton,                                 

Those who voted in the negative, were

Richard B. Alexander, James M. Fogle,                    Pleasant W. Mahan,  
Lucien Anderson,                                            John C. McCrearey,  
John B. Anderson,                                             William M. Miller,  
William T. Anthony,                                           Wm. M. Morrow,  
John B. Auxier,                                               David H. Raymond, 
William S. Bodley,                                             Benjamin F. Rice,  
John S. Bohannon,                                                Joseph Ricketts,  
Robert C. Bowling,                                                William Reiley,  
Colbert Cecil,                                                   Richard J. Sparr,  
Isaac N. Clement,                                               David L. Thorman,  
Milton J. Cook,                                                 Fielding Vaughan, 
James M. Corbin,                                                Willie Waller,  
Joshua Dunn,                                                      James T. Ware,  
Epiphrain B. Elliott,                                          Hiram Wood, 
Robert B. English,                                              E. S. Worthington—47.  
George C. Faris,                                                 

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

On motion of Mr. Irvan—1. A bill supplemental to an act laying off the State into thirteen judicial districts.

On motion of Mr. Ware—2. A bill to incorporate the Millersburg Male and Female Collegiate Institute.

Ordered, That Messrs. Irvan, Ricketts, and Helm prepare and bring in the 1st bill; and Messrs. Ware, Bodley, and Goodloe the 2d.

Mr. Menzies, from the committee on the Judiciary, who were appointed to prepare and bring in the same, reported the following bills, viz:

1. A bill to amend the charter of the Shelbyville Fire, Life, and Marine Insurance Company.


3. A bill for the benefit of the Methodist Episcopal Church at Alexandria.

4. A bill for the benefit of E. Shivel.

5. A bill to amend the Odd Fellows’ Hall Association of Covington.

6. A bill to incorporate the Evangelical Church and School Association in Alexandria.

7. A bill to amend the charter of the Kentucky Ship-building and Lumber Company.
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, and the 2d, 3d, 4th, 5th, 6th, and 7th
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, 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

Mr. Menzies, from the same committee, to whom was referred a bill
to amend the law of passways,

Reported the same without amendment.

The question was then taken on ordering said bill to be engrossed
and read a third time.

And it was decided in the negative.

And so said bill was rejected.

Mr. Menzies, from the same committee, to whom was referred a bill
to extend the corporate limits of the City of Louisville,

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 en-
grossed,

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

aforesaid.

Mr. Menzies, from the same committee, reported a bill to mitigate
the punishment for duelling.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,
That hereafter any person who may be convicted under article 19,
chapter 28, of the Revised States, shall not be deprived of the right of
suffrage in consequence of such conviction; and so much of paragraph
four of said article, as is inconsistent with this act, 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,

The question was then taken on the passage of said bill, and it was
decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Goodloe and
McD. Pogue, were as follows, viz:
Those who voted in the affirmative, were:

Richard B. Alexander, George C. Paris, Philip Lee,
Lucien Anderson, Nathan Gaither, James S. Littlepage,
John B. Anderson, Daniel Garrard, Samuel Long,
William T. Anthony, Henry Giles, John G. Lyon,
John B. Auxier, John K. Goodloe, Charles A. Marshall,
Ben Berry, Alfred F. Graham, Jas. H. McCampbell,
William J. Berry, Gordon B. Grasty, John C. McCreaery,
William S. Bodley, Anderson Gray, Hiram McElroy,
William B. Booker, Benjamin Gullion, John W. Menzies,
Robert C. Bowling, John S. Hargis, Samuel B. Pell,
Horatio W. Bruce, Hiram Hawkins, Andrew J. Prichard,
Isaac N. Clement, Ben Hardin Helm, William Riley,
George B. Cook, John M. Hewitt, Charles C. Smedley,
Thomas H. Corbett, Andrew J. James, Richard S. Thornton,
James M. Corbin, Andrew J. James, David L. Thurman,
James Fulton, Gideon P. Jolly, James H. Turner,
Frank P. Deatherage, Andrew Jones, Fielding Vaughan,
Joshua Dunn, James Kinslaer, L. A. Whiteley,

Those who voted in the negative, were:

R. P. Beauchamp, James M. Fogle, James A. Russell,
John S. Bohannon, McDowell Fogle, Richard J. Spurr,
Laban J. Bradford, Greenberry Hicks, Joshua Tevis,
Archibald C. Brown, Richard Jones, E. L. Vanwinkle,
Erasmus O. Brown, Pleasant W. Mahan, Willie Walier,
Colbert Cecil, William M. Miller, James T. Ware,
John B. Cochran, Wm. M. Morrow, Thos. H. M. Winn,
Milton J. Cook, Benjamin F. Rice, Francis M. Woods,
Coleman Covington, Joseph Ricketts, E. S. Worthington—29.
Robert B. English, George C. Rogers,

Resolved, That the title thereof be as aforesaid.

Mr. Menzies, from the same committee, reported a bill to regulate the bill business of Banks,

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 said bill was rejected.

Mr. Menzies, from the same committee, reported a bill regulating devises to religious or benevolent societies,

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no religious, benevolent, or eleemosynary society shall take or receive any bequest or devise, the annual income of which shall exceed five thousand dollars, or which shall exceed one-fourth of the testator's estate; and any bequest or devise to any such society, whether directly or indirectly through the intervention of another, must be made
at least two months before the death of the testator. Bequests and devises not
in accordance with this act shall be null and void.

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. McElroy moved to amend said bill, by striking out all that part
printed in *italic*, and inserting in lieu thereof the following words, viz:

Unless made before the last sickness of the testator, shall be null
and void.

Mr. Giles moved to lay said bill and amendment on the table.
And the question being taken thereon, it was decided in the nega-
tive.
The yeas and nays being required thereon, by Messrs. Giles and L.
Anderson, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

R. P. Beauchamp, Ben. Berry, William J. Berry, Laban J. Bradford, Erasmus O. Brown, Horatio W. Bruce, John B. Cochran, George B. Cook, James M. Corbin, Coleman Covington, Frank P. Deatherage, Charles Duncan, James A. Duncan, Joshua Dunn, Robert B. English, George C. Faris,

Ordered, That said bill and amendment be made the special order of the day for the 19th inst., at 12 o'clock, M.

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

Mr. Menzies, from the same committee, reported a bill to regulate proceedings against ferries,

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. Bodley moved an amendment to said bill.

Ordered, That said bill and amendment be referred to the committee on the Code of Practice.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by this House to bills from the Senate, of the following titles, viz:

An act supplemental to an act to establish the People's Bank.

An act supplemental to an act to incorporate the Bank of Ashland.

On motion of Mr. Menzies,

Ordered, That the committee on the Judiciary be discharged from further consideration of the petition of Benj. Bibb, and that the same be referred to the committee on Ways and Means.

On motion of Mr. Menzies,

Ordered, That the committee on the Judiciary be discharged from a leave to bring in a bill to amend the law in relation to runaway slaves, and that the same be referred to the committee on Revised Statutes.

Mr. Bradford moved the following resolution, viz:

Resolved, That the use of this Hall be tendered to Dr. H. B. Wilbur, Principal of the New York school for the education of Idiotic and Imbecile children, to lecture in to-night and exhibit two of his pupils.

Which was adopted.

Mr. Bradford moved the following resolution, viz:

Resolved, That the use of the Representatives' Hall be tendered to Dr. Banning, on Thursday and Saturday nights to deliver lectures in.

Which was adopted.

Mr. Menzies, from the committee on the Judiciary, reported a bill to amend the law in relation to attachments in civil cases,

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

And then the House adjourned.
WEDNESDAY, FEBRUARY 13, 1856.

A message was received from the Senate, announcing that they had passed a bill from this House, of the following title, viz:

An act to incorporate the Savings Bank of Kenton.

That they passed bills of the following titles, viz:

An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate, &c."

An act for the benefit of G. W. McConnell, late sheriff of Woodford county.

An act for extending the time of returning the assessors' books and delivering copies of same to sheriffs.

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

An act to incorporate the New Orleans and Ohio Telegraph lessees.

An act for the benefit of school district No. 20, in Carroll county.

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

An act to incorporate Browiski Lodge, No. 64, I. O. O. F. of Carrollton.

An act to incorporate the United Baptist Church, at Owensboro.

An act for the benefit of the Methodist Episcopal Church South, in the town of New Castle.

An act to incorporate Chapter No. 51, Royal Arch Free and Accepted Masons, in Gallatin county.

An act to increase the pay of the members of the Legislature.

1. Mr. Garrard presented the petition of citizens of Owsley, Breathitt, Morgan, and Powell counties, praying the formation of a new county out of parts of said counties.

2. Mr. Corbin presented the petition of James N. Earley, of Boone county, praying he may be repaid $29 54, paid over through error to the trustee of the jury fund of said county.

3. Mr. Auxier presented the petition of James A. Daniel and others, sureties of Joseph Daniel, late sheriff of Floyd county, praying they may be released from all further responsibility as sureties of said sheriff in his official bonds.

4. Mr. M. J. Cook presented the petition of James Engle and others, citizens of Clay county, praying they may be attached to Laurel county.
5. Mr. Whiteley presented the petition of D. Roggenburger and others, of the city of Louisville, praying to be incorporated under the name of the Hebra Nehama Consolation-rendering Society.

6. Mr. Marshall presented a memorial from a committee of the Medical Society of Kentucky, praying an appropriation, annually, to enable them to publish their transactions.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Propositions and Grievances; the 2d to the committee on Claims; the 3d to the committee on Ways and Means; the 5th to the committee on the Judiciary; and the 6th to the committee on Education.

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

On motion of Mr. Corbin—1. A bill to incorporate the Hamilton and Florence Turnpike road Company.

On motion of Mr. Spurr—2. A bill to authorize the Louisville and Frankfort and Lexington Railroad Companies to consolidate their roads.

On motion of Mr. M. J. Cook—3. A bill for the benefit of the Crab Orchard and Mount Vernon Turnpike road Company.

On motion of Mr. Waller—4. A bill for the benefit of John Philley.

On motion of Mr. Gullion—5. A bill to regulate the tolls on turnpike roads.

Ordered, That Messrs. Corbin, Menzies, and Richardson prepare and bring in the 1st bill; Messrs. Spurr, Whiteley, and Nuttall the 2d; Messrs. M. J. Cook, Montgomery, and Miller the 3d; Messrs. Waller, Irvan, and Grasty the 4th; and Messrs. Gullion, Menzies, and Speer the 5th.

On motion of Mr. Bradford,

Ordered, That Mr. Lyon be added to the committee on the Penitentiary.

Mr. J. M. Fogle, from the committee appointed to prepare and bring in the same, reported a bill to incorporate the Nelson county Agricultural Society.

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.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills which originated in the
Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of James T. Garnett, of Christian county.
An act to incorporate the Ashland Cemetery Company.
An act supplemental to an act to incorporate the Bank of Ashland.
An act supplemental to an act to establish the Peoples' Bank.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

The House resumed the consideration of the bill to amend the law in relation to attachments in civil cases.

Said bill was then read a second time.

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. Menzies, from the committee on the Judiciary, reported the following bills, viz:

A bill to increase the jurisdiction of the Mayor's Court of Covington.
A bill to incorporate the Maysville Fire, Life, and Marine Insurance 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 Mr. Brown, Secretary of State, which was read as follows, viz:

EXECUTIVE DEPARTMENT,
February 13, 1856.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you a letter received from the Commissioner of the General Land Office, notifying me that the General Government would at a designated period proceed to sell an island in the Mississippi river known as Wolf Island, which is claimed by and has heretofore been under the jurisdiction of the State of Kentucky.

It has always been understood with us, that the main channel of the river, when our boundary was defined, was on the western side of the island, and we have accordingly sold the land and exercised jurisdiction over its inhabitants. At one period a member elected from the
county of Hickman resided on this island. The change in the channel of the Mississippi from what it was when the boundary was fixed, cannot in any manner affect our title.

I submit the whole subject to your wisdom and discretion, to take such steps to have the question finally settled as you may deem right and proper.

C. S. MOREHEAD.

GENERAL LAND OFFICE,
January 31, 1856.

To His Excellency, CHAS. S. MOREHEAD,
Governor of Kentucky, at Frankfort:

Sir—I have the honor to transmit, inclosed, a copy of my letter of this date to the Register and Receiver, at Jackson, Missouri, relative to "Wolf Island," in the Mississippi river, as showing the views and action of this office in regard to said island.

I am, very respectfully, your obedient servant,
THOS. A. HENDRICKS, Commissioner.

GENERAL LAND OFFICE,
January 31, 1856.

To the Register and Receiver, at Jackson, Mo.: Gentlemen—My attention has been called by the Hon. S. Caruthers, of the House of Representatives, in a communication bearing date the 29th ultimo, to "Wolf Island," in the Mississippi river, below the mouth of the Ohio, requesting information as to its condition, in reference to bringing the lands thereon into market.

On this subject I have to state, that many years since, this island, situated in township 24 north, ranges 17 and 18 east of the 5th principal meridian, Missouri, was surveyed and returned by the Surveyor General as within the limits of the State of Missouri, and was regularly offered for sale at your office, in the year 1835.

The private entries of the lands on the island were permitted until 1838, in which year the attention of this office was called to it in a communication from your predecessors, stating that the Legislature of Kentucky had passed a law directing its sale as belonging to that State, and that the lands had been offered for sale by the State authorities; whereupon, by instructions of this office, all the unsold lands were immediately withdrawn from market, all the sales made up to that time suspended, and the Surveyor General of Missouri called upon to institute a careful examination on the spot, and to report the facts to this office, with a view to determine the main channel of the river, which, by the act of admission of Missouri as a State, as well as the treaty of limits of 1783 with Great Britain, is made the boundary line between the States of Kentucky and Missouri.

A very particular examination and report was made by the Surveyor General, and communicated to this office on the 18th December, 1848, accompanied by a map showing cross sections of the two channels east and west of the island from actual measurements, and by affida-
vits of the oldest inhabitants and river men, all of which clearly shows
that the main channel of the river, both as to breadth and depth and
the quantity of water passed per second (being nearly double) runs on
the east side of the island, and has done so from the earliest time, and
consequently it belongs to the jurisdiction of the State of Missouri,
and not to Kentucky. It has been determined to restore the lands to
market again after three full months published advertisement, so as to
afford ample notice to all parties concerned, whether on the Kentucky
or Missouri side of the river, at the expiration of which time the un-
sold lands on the island will come under the general laws of the Uni-
ited States for the sale and disposal of the public domain.

I have therefore to request, that after comparing the list of tracts in
the within notice with the evidence in your office, and making any
necessary corrections which you will report to this office with proper
explanations, you will sign and publish it in one newspaper in each of
the States above named once a week till the day of sale, the third
Monday, or the 19th day of May next.

On the enclosed diagram of the island, the colored tracts show how
the lands have been disposed of according to the records in this office,
as thereon explained. The swamp selections have not been approved,
and being invalid, no attention has been paid to them in preparing
the list.

I am, very respectfully, your obedient servant,

THOS. A. HENDRICKS, Commissioner.

P. S. Copies of the above letter have this day been comunicated,
as follows: To his Excellency, Chas. S. Morehead, Governor of Ken-
tucky; Hon. S. Caruthers, House of Representatives; John Loughbor-
ough, Esq., Surveyor General, St. Louis, Mo. Yours, &c.,
THOS. A. HENDRICKS, Com'r.

WOLF ISLAND LANDS.

Notice is hereby given, that in pursuance of instructions received
from the Commissioners of the General Land Office, bearing date the
31st ultimo, the following tracts of land, here-tofore withdrawn from
sale or entry, situated on Wolf Island, in the Mississippi river, in town-
ship 24 north, of ranges 17 and 18 east of the 5th principal meridian,
in the district of lands subject to sale at this place, will be restored to
market and offered for sale on and after the third Monday or nine-tenth
day of May next, to-wit: Fractional sections 1, 2, and 11, west half of
12, west half and south-east quarter of 13, fractional 14, north-east
quarter and east half of south-east quarter of 23, whole of 24, and
the north half of the north-east quarter and north half of the north-
west quarter of 25, all situated in township 24 north, of range 17 east.
Also, the west half of section 6, the north-east quarter, the east half
of north-west quarter, and west half of south-west quarter of 18, the
south half of section, and the west half of north-west quarter of 19,
and part section 30, all situated in township 24 north, of range 18
east. Given under our hands at the Land Office, Jackson, this —— day
of February, 1856.

Register.
Receiver.
Ordered, That said message and the accompanying documents be referred to the committee on Federal Relations.

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

Mr. Menzies, from the committee on the Judiciary, reported a bill to amend the charter of the Covington and Lexington Railroad Company.

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 were then dispensed with.

And after some discussion had thereon, the hour of 11 o'clock arrived, when the House proceeded to the orders of the day.

The House then took up the bill to increase the jurisdiction of Justices of the Peace,

Which was read a third time.

Mr. Marshall moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

§ 2. That in all cases over fifty dollars, taken to the Circuit Court by appeal, and not reversed, damages shall be allowed to the amount of 10 per cent.

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

Mr. C. Duncan moved to amend said bill by adding thereto the following engrossed clause by way of ryder, viz:

§ 2. That all pleadings in justice's courts, when the amount in controversy is over fifty dollars, shall be in writing, and subject to the rules of pleading as provided in the Civil Code of Practice.

Mr. Long moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. C. Duncan, and it was decided in the negative.

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

Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) Henry Giles, Jas. H. McCampbell, Lucien Anderson, John K. Goodloe, John C. McCarey, Ben Berry, Anderson Gray, John W. Menzies, William B. Booker, Hiram Hawkins, Elijah F. Nuttall, John B. Cochran, Ben Hardin Helm, Benjamin F. Rice, George B. Cook, John M. Hewitt, Robert Richardson, James M. Corbin, Andrew J. James, Joseph Ricketts, Charles Duncan, Gideon P. Jolly, George C. Rogers, James A. Duncan, George F. Lee, Charles C. Smedley,

Those who voted in the negative, were


The question being then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

Those who voted in the negative, were:

Mr. Speaker, (Huston,) Robert B. English, Jas. H. McCammond.
Lucien Anderson, James M. Fogle, John C. McCrory.
John B. Auxier, McDowell Fogle, Hiram McElroy.
Ben Berry, Nathan Gaither, John W. Meningo.
William S. Bodley, Henry Giles, Wm. M. Miller.
John S. Bohannon, John K. Goodloe, Elijah F. Nuttall.
William B. Booker, Anderson Gray, Samuel B. Pell.
Horatio W. Bruce, John S. Hargis, Benjamin F. Rice.
Colbert Cecil, Hiram Hawkins, Robert Richardson.
Isaac N. Clement, Ben Hardin Helm, Joseph Ricketts.
John B. Cochran, John M. Hewitt, George C. Rogers.
George B. Cook, Andrew J. James, Charles C. Smedley.
James M. Corbin, Gideon P. Jolly, Joshua Tevis.
Charles Duncan, Philip Lee, Richard S. Thornton.
James A. Duncan, John G. Lyon, David L. Thurman.
Ephraim B. Elliott, Pleasant W. Mahan, Fielding Vaughan.

The House then took up the bill to aid in removing free negroes from this State to Liberia.

Said bill was then amended to read as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of five thousand dollars be, and the same is hereby appropriated annually, to be paid out of the public treasury, under the restrictions hereinafter prescribed, to the Kentucky State Colonization Society, to be applied to the removal out of this State of negroes resident therein who are now free, and of such as may be born of them and be free.

§ 2. That the Governor, Attorney General, and Auditor of Public Accounts, for the time being, shall constitute a board to carry this act into effect. Whenever it shall satisfactorily be shown to them that a negro now free and a resident of this State, or born of such negro and free, shall be ready to embark for Liberia, in Africa, and that he has placed himself under the control of the Kentucky State Colonization Society, to be transported to Liberia, the said board shall certify those facts to the Auditor of Public Accounts, who shall forthwith issue his warrant on the treasury in favor of the society for the sum of seventy dollars for each such person over two years of age, which sum shall be applied to his removal to Liberia, and his support there for six months: Provided, That before such certificate shall be made, notice of the intended transportation shall be published at least two months in two newspapers at Frankfort. The said board shall be furnished by the society or its agent, with a written statement containing the names and ages of the negroes for whose removal application has been made, the date of the application, and counties where they reside, and also of those who have been sent, with the counties where they resided, and the date, port, and vessel of sailing for Liberia. And the said board shall see that amongst the applicants preference be given to those from each county in proportion to their contribution to the fund.

§ 3. That the said society shall report to the Legislature at each ses-
A resolution how it has disposed of the moneys that may be drawn by virtue of this act.

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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

The House then took up the bill for the benefit of the Kentucky Institution for the education of the Blind.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of twenty thousand dollars be, and the same is hereby appropriated to the Kentucky Institution for the education of
the Blind, to be paid to the order of the Board of Visitors of said institution, to enable them to finish the edifice erected by the State for said institution, and to erect the necessary out-buildings, and improve the grounds thereof.

§ 2. That the annual allowance for the maintenance and education of the State pupils in said institution, be increased from and after the 31st day of March, 1856, to one hundred and forty dollars for each pupil.

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. Cochran moved to amend said bill by adding thereto the following engrossed clause by way of rider, viz:

Provided, That no other and further sum shall be appropriated to the completion of said buildings.

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

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Daniel Garrard, Samuel B. Pell,
Lucien Anderson, Henry Giles, Andrew J. Prichard,
John B. Anderson, John K. Goodloe, David H. Raymond,
William B. A. Baker, Alfred F. Graham, Benjamin F. Rice,
R. P. Beauchamp, Anderson Gray, Joseph Ricketts,
Ben Berry, Benjamin Gullion, William Reiley,
William J. Berry, Roger W. Hanson, George C. Rogers,
William S. Bodley, Ben Hardin Helm, James A. Russell,
William B. Booker, John M. Hewitt, Richard J. Spurr,
Robert C. Bowling, Andrew J. James, Thomas J. Terry,
Laban J. Bradford, Gideon P. Jolly, Joshua Tevis,
Archibald C. Brown, Andrew Jones, Richard S. Thornton,
Erasmus O. Brown, Richard Jones, David L. Thurman,
Horatio W. Bruce, James Kinslaer, James H. Turner,
John B. Cochran, George F. Lee, E. L. Vanwinkle,
George B. Cook, Philip Lee, Fielding Vaughan,
Coleman Covington, Samuel Long, James T. Ware,
Frank P. Deatherage, John G. Lyon, L. A. Whiteley,
Charles Duncan, Charles A. Marshall, T. H. M. Winn,
James A. Duncan, Jas. H. McCamphell, Hiram Wood,
Joshua Dunn, William M. Miller, Francis M. Woods,
Ephraim B. Elliott, W. C. Montgomery, E. W. Worsham,
Robert B. English, Elijah F. Nuttall, E. S. Worthington—70.
Those who voted in the negative, were:

Richard B. Alexander, James Culton, Greenberry Hicks,
William T. Anthony, George C. Faris, John L. Irvan,
John B. Auxier, James M. Pogue, Pleasant W. Mahan,
John S. Bohannon, Nathan Gaither, John C. McCreary,
Milton J. Cook, Gordon B. Grasty, Hiram McElroy,
Thomas H. Corbett, John S. Hargis, Robert Richardson,

Resolved, That the title thereof be as aforesaid.

The House then took up the bill to amend the law regulating the sale of spirituous liquors.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws authorizing the granting of license to any one to sell spirituous or vinous liquors, be and the same are hereby repealed.

§ 2. Persons having spirituous or vinous liquors for sale, shall not sell, loan, give, or deliver any part thereof to any person to be drunk in the house, or on the premises, or adjacent thereto; and if it is so drunk, it shall be evidence of a sale, loan, gift, or delivery for that purpose. And sales, loans, gifts, or deliveries as before mentioned, by persons in the family or in the service of the owner, shall be considered as sales, loans, gifts, or deliveries by the owner.

§ 3. Every person offending in any of the particulars of the preceding section, shall be subject to a fine of ten dollars; and any person violating in any respect a second time, shall be considered the keeper of a tippling house, and subject to the penalty now imposed by law for that offense.

§ 4. No person shall keep any house, room, booth, shanty, or other place, for the purpose of being used as a place for the drinking of spirituous or vinous liquors, and any person so offending shall be adjudged the keeper of a tippling house, and subjected to the penalties now imposed by law for such an offense; and upon a second conviction of a violation of this or the second section of this act, it shall be the duty of the court in which such conviction takes place, for the court to issue a writ to the proper officer, commanding him to seize and destroy all the spirituous or vinous liquors in the defendant's possession, and also the vessels used in the keeping or sale of the same.

§ 5. No person shall sell to any white person under the age of twenty-one years, any spirituous or vinous liquors, or the mixture of either, unless by the written request of the father of such minor, if living, or of the mother or guardian of such minor if the father be dead. And any person so offending shall be subject to a penalty of ten dollars for the first offense, and of twenty dollars for the second offense, and of one hundred dollars for the third offense, recoverable in any court having jurisdiction of the amount, by warrant or indictment.

§ 6. No person shall sell, loan, give, or deliver to any slave, not his own or legally under his control, any spirituous or vinous liquors, or the mixture of either; and any person so offending shall be subject to a penalty of ten dollars for each offense, and shall also be liable by ci-
vict action to the owner of such slave, and to the person entitled to the use of such slave, for any damage which they may sustain by a violation of this section. And if any slave shall be seen to come out of any house in which spirituous or vinous liquors are kept for sale, with any vessel containing spirituous or vinous liquors, it shall be prima facie evidence against the keeper of such house of a violation of this section. Physicians or other persons administering spirituous or vinous liquors in good faith as a medicine, are excepted from the provisions of this section.

§ 7. If any person engaged in the sale of spirituous or vinous liquors shall keep in his employment as a salesman, any negro, bond or free, he shall be subject to a penalty of ten dollars for every day he shall so keep such negro in his employment.

§ 8. The third section of the act, entitled, “an act to amend the license law, approved March 10, 1854,” is hereby repealed.

Mr. Vanwinkle moved to amend said bill by adding thereto the following, viz:

§ 9. It shall be the duty of the Public Printer to print and deliver to the Secretary of State at least fifteen copies of this act for each county, and as many more as will make the whole number equal to the number of election precincts in the county. The Secretary of State shall forward them to the several county court clerks as the public laws are distributed, and said clerks shall take the sheriff’s receipt for the same; and the sheriffs shall cause one copy of this act to be put at each place of election at least thirty days before the election in August next, and there kept for information of the voters during that time and until after the election.

§ 10. It shall be the duty of the sheriffs and other officers conducting the annual election in August next, to open a poll in all the voting places in this State upon the question, whether this act shall be approved or not; and the several officers of the election shall distinctly propound to each voter the question—“are you for or against the law regulating the sale of spirituous liquors?” And the answer of the voter, “yes” or “no,” shall be correctly recorded on the poll-book and returned therewith; and the election shall be conducted and the vote certified as other election returns are made, and under the same provisions and penalties, as to the officers, the voters, and all other persons.

§ 11. From the returns in the office of the Secretary of State, the Governor, on or before the first day of October next, shall ascertain the result, and if a majority of the votes cast in said election be in the negative, he shall make proclamation thereof; and in that case this law shall go into effect on the first day of March, 1858.

§ 12. This act shall take effect and be in force from and after the first day of November next, unless a majority of votes be cast against it in the manner aforesaid, and proclamation thereof be made as aforesaid.

Mr. Anthony 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. Anthony and L. Anderson were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, James M. Fogle, Hiram McElroy,
Lucien Anderson, Nathan Gaither, Wm. M. Morrow,
John B. Anderson, Daniel Garrard, Elijah F. Nuttall,
William T. Anthony, Henry Giles, Samuel B. Pell,
John B. Auxier, Gordon B. Grasty, Benjamin F. Rice,
Ben Berry, Anderson Gray, Robert Richardson,
John S. Bohannon, Benjamin Gullion, Joseph Ricketts,
William B. Booker, John S. Hargis, William Reiley,
Colbert Cecil, Hiram Hawkins, James M. Speer,
Isaac N. Clement, John L. Irvan, Richard S. Thornton,
George B. Cook, Andrew J. James, David L. Thurman,
Charles Duncan, Gideon P. Jolly, Fielding Vaughan,
James A. Duncan, Andrew Jones, L. A. Whiteley,
Joshua Dunn, Philip Lee, Hiram Wood,
Ephraim B. Elliott, Pleasant W. Mahan, E. W. Worsham,
George C. Faris, John C. McCrane, E. S. Worthington—43.

Those who voted in the negative, were

Mr. Speaker, (Huston,) John K. Goodloe, W. C. Montgomery,
R. P. Beauchamp, Alfred F. Graham, Andrew J. Prichard,
William S. Bodley, Roger W. Hanson, David H. Raymond,
Robert C. Bowling, Ben Hardin Helm, George C. Rogers,
Archibald C. Brown, John M. Hewitt, James A. Russell,
Erasmus O. Brown, Greenberry Hicks, Charles C. Smedley,
Horatio W. Bruce, Richard Jones, Richard J. Spurr,
John B. Cochran, James Kinslaer, Thomas J. Terry,
Milton J. Cook, Samuel Long, Joshua Tevis,
James M. Corbin, John G. Lyon, E. L. Vanwinkle,
Coleman Covington, Charles A. Marshall, Willie Waller,
James Culton, Jas. H. McCampbell, James T. Ware,
Frank P. Deatherage, John W. Menzies, Thomas H. M. Winn,
McDowell Fogle, William M. Miller, Francis M. Woods—42.

And then the House adjourned.

THURSDAY, FEBRUARY 14, 1856.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:
An act to renew the charter of the Mechanics' Bank of Louisville.
An act to incorporate the Bank of Harrodsburg, Kentucky.
An act for the benefit of school district No. 38, in Grayson county.
An act authorizing the County Court of Union to lay an additional levy, to build a county jail.
An act for the benefit of the trustees of the town of Russellville.
1. Mr. Helm presented the petition of citizens of voting district No. 8, in Hardin county, praying a change in the place of voting in said district.
2. Mr. Menzie presented the petition of Helen A. Ludlow and others, praying a change in the road law of Kenton county.
3. Mr. Turner presented a remonstrance from citizens of Estill county, against granting the prayer of Jackson and Jones as to the mode of working certain roads leading to their furnace.

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; and the 3d to the committee on Internal Improvement.

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

On motion of Mr. Long—1. A bill to improve the State road leading from Columbia to Albany.
On motion of Mr. Jolly—2. A bill to incorporate the Breckinridge Coal Oil Company.

Ordered, That Messrs. Long, Gaither, and Vanwinkle prepare and bring in the 1st bill, and the committee on Internal Improvement the 2d.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to change the county line between Knox and Harlan counties.
An act to incorporate the Kiddville and Red River Turnpike Road.
An act for the benefit of William Moody, late Sheriff of Monroe county.
An act for the benefit of James Clark, late Sheriff of Casey county.
An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge county.
An act to amend the road law of Harrison county.
An act for the benefit of John Osman, of Boone county.
An act to extend the limits of the town of Lewisport.
An act for the benefit of Richard Taylor and his adopted daughter, Mary Richard Taylor.

An act reserving power to amend or repeal charters and other laws.

An act to regulate the rates of toll on the Wilderness Turnpike road.

An act for the benefit of Patrick Napier, late Sheriff of Casey county.

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.

An act better to regulate the standard weight of certain products.

An act to incorporate the Winchester and Mount Sterling Central Turnpike Road Company.

An act to incorporate Robinson Lodge, No. 266, of Free and Accepted Ancient York Masons.

An act to give further power to the Jessamine County Court.

An act supplementary to an act, entitled, an act to incorporate the Blue Lick Hotel and Water Company, approved March 1, 1854.

An act to increase the fees of Jailers.

An act declaring Blackford Creek, in Hancock county, a navigable stream.

An act regulating the Circuit Courts in the 3d Judicial district.

An act to incorporate the Savings Bank of Kenton.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

The House then took up for consideration the bill to amend the charter of the Covington and Lexington Railroad Company.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Covington and Lexington railroad company may charge and collect three and a half cents per mile for the transportation of any passenger, if he gets on the cars without procuring a ticket, at any station where said company has a ticket agent.

§ 2. The said company shall have a lien upon all property transported by it for the freight and charges thereon, and for any debt due from the owner or shipper for freight, charges, or passage to said company; and the company may enforce such lien in a summary manner, by selling such property at auction, or so much thereof as may be necessary, to satisfy the claim, upon ten days' advertisement of the time and place of sale, stuck up in two or more public places in the neighborhood of the place of sale, after the claim shall have been due for thirty days; and in all cases the claim must be verified by the affidavit of an agent or officer of said company, stating the correctness of the
claim; which affidavit shall be filed in the office of the circuit court clerk of the county in which such sale may be made.

§ 3. The said company may estimate and rate the weights of light, bulky, or valuable articles, as is usual by railroad companies, and may charge therefor at such estimated weights; and the publishing of the printed tariff of rates, by being posted up at the depots on said road, shall be sufficient notice of the rates, terms, and conditions of the company for the transportation of property upon the road.

§ 4. The said company may issue preferred stock in payment of its debts and liabilities, and for debts and liabilities hereafter to be created for completing, equipping, and furnishing the road, whenever the auditor is willing to take such stock at par; and the holders of such stock shall be entitled to six per centum per annum thereon, before any dividends shall be paid to the present stockholders; but no such preferred stock shall be issued unless the majority of the stock represented, at an election to be held for the purpose upon one month's notice, shall vote for the issuing of it.

§ 5. The said company may establish and run ferries in connection with their road across the Ohio and Licking rivers, to the opposite shores, if it can obtain landings from the city of Covington; and the company may construct, purchase, lease, or employ all necessary boats, wharves, and wharf-boats for the business, and may unite and connect with other railroad companies for the purpose of running such ferries.

§ 6. The said company shall not hereafter be liable for the value of live stock killed on the track of said road by any of its machinery, in any case where the injury may be unavoidable, and in no case after the lapse of six months from the time of the injury.

Mr. Nuttall moved to amend said bill by striking out of the first section all after the enacting clause.

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

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

Those who voted in the affirmative, were

Mr. C. Duncan moved to amend said bill by striking out the sixth section thereof.

Mr. Menzie's called for a division of the question.

And the question being taken on striking out that part of the sixth section which is printed in italic, it was decided in the affirmative.

The question was then taken on striking out the remainder of said section, and it was decided in the negative.

Mr. Menzie's then moved the following amendment as a substitute for the sixth section of the bill, as amended, viz:

§ 6. No action shall lie against said company for any injury to live stock done on the track of said road, after the lapse of six months from the time of the injury.

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

Mr. Menzie's moved to amend the fifth section of said bill by adding thereto the following, viz:

"But nothing in this act shall be construed to divest the descendants of Samuel Kennedy, deceased, of any right they may have to the profits of any ferry which may be established under this act."

And the question being taken thereon, 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.

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

Mr. Menzie's, from the committee on the Judiciary, reported bills of the following titles, viz:
1. A bill for the benefit of John Friend, jailer of Floyd county.
2. A bill for the benefit of Edward Morris, of Calloway county.
3. A bill to amend an act incorporating the Mount Hor Cemetery, in Kenton county.
4. A bill to amend an act, entitled, an act for the incorporation of voluntary associations, approved March 1, 1854.
5. A bill to amend the laws regulating the duties of assessors.

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 4th and 5th bills were then amended.

Ordered, That the 1st, 2d, 3d, and 4th bills be engrossed and read a third time, and the 5th be referred to the committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, and 4th bills having been dispensed with, and the same being engrossed,

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

Mr. Menzies, from the committee on the Judiciary, reported a bill to increase the fees of constables.
Which was read the first time.

The question being then taken on ordering said bill to be read a second time, it was decided in the negative.

And so said bill was rejected.

Mr. Menzies, from the same committee, to whom were referred bills from the Senate of the following titles, viz.:
An act providing for special judges.
An act to incorporate the Neptune Fire Engine and Hose Company, No. 2, of Maysville.
An act for the benefit of constables.
An act to incorporate the Neptune Fire Company, in Ashland.

Reported the same without amendment.

The question was then severally taken on ordering said bills to be read a third time, and decided in the negative.

And so said bills were disagreed to.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,
An act declaring the South Kentuckian an authorized newspaper.

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. Menzies, from the same committee, reported a bill to extend the boundary of the city of Henderson.

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. Menzies moved an amendment to 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 then took up the amendment proposed by the Senate to a bill from this House, entitled,

An act to extend the charter of the Louisville and Frankfort Railroad Company

Which was twice read and concurred in.

The House then took up the amendment proposed by the Senate to a bill from this House, entitled,

An act to provide against the demoralization of slaves.

Mr. Menzies moved an amendment to the amendment proposed by the Senate.

Ordered, That said amendment be made the order of the day for the 19th inst. at 11 o'clock, A. M.

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

Ordered, That this House recede from their disagreement to the amendment proposed by the Senate to the bill from this House, entitled,

An act to authorize married women to convey real and other property under power of attorney.

The House then took up the bill to establish a general mechanics' lien law in this State.

Said bill was then amended.

Ordered, That said bill be re-committed to the committee on the Judiciary.

The House then took up the bill to increase the duties of assessors.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the assessors of this Commonwealth, in the years 1856 and 1857, to make lists of all dwelling and other houses and buildings of every description, public and private, exceeding one hundred dollars in value, in their respective counties, in a book
kept for that purpose, giving the value of each house or building, designating whether situated in a city, town, or in the country; and in the year 1857 said assessors shall, in addition thereto, list all houses and buildings, public and private, listed in the year 1856 and thereafter destroyed by fire, with the value thereof at the time of destruction, and designating whether situated in a city, town, or in the country; and before the end of said year said books shall be returned to the auditor of the State.

§ 2. The assessors, in the performance of the duties in the first section of this act, shall require of those giving in the list of their taxable estate to give in the lists hereby authorized, and when practicable shall be done on oath; and where the houses or buildings are public property, or are owned by non-residents who have no agents in this State, the assessor shall ascertain the value, number, and situation thereof, upon the best information that can be obtained, or by personal inspection.

§ 3. That the assessors shall, upon the return of their books to the auditor, be allowed respectively the sum of—— cents for each list made under the first section of this act, to be ascertained by the auditor, and paid in the same manner as they are now by law for taking the lists of taxable estate in this State.

§ 4. A sufficient number of blank copies for the use of the assessors under this act shall be printed by the public printer, under the direction of the auditor, and transmitted to the assessor of each county by the first of March, 1856, and by the first of January, 1857.

§ 5. This act shall take effect from its passage.

Mr. Marshall moved to fill the blank in the third section of the bill, with the word “three.”

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

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan, Samuel B. Pell,
William B. A. Baker, Ephraim B. Elliott, Andrew J. Prichard,
R. P. Beauchamp, Robert B. English, David H. Raymond,
Ben. Berry, Henry Giles, Joseph Ricketts,
William S. Bodley, John K. Goodloe, George C. Rogers,
Robert C. Bowling, Roger W. Hanson, James A. Russell,
Laban J. Bradford, Ben Hardin Helm, Charles C. Smedley,
Archibald C. Brown, James Kinslaer, Richard J. Spurr,
Erasmus O. Brown, George F. Lee, Thomas J. Terry,
Horatio W. Bruce, Philip Lee, Joshua Tevis,
Resolved, That the title thereof be as aforesaid.

Mr. Elliott moved to re-consider the vote by which said bill was passed.

Mr. Nuttall moved to lay on the table said motion to re-consider.

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

Bills from the Senate of the following titles, viz.:
1. An act to incorporate the Board of Trustees of the Kentucky Female College.
2. An act to increase the powers and jurisdiction of the Mayor of the city of Newport.
3. An act to amend the laws limiting the time of commencing certain actions.
4. An act to incorporate Mount Eden Lodge, No. 263, of Free and Accepted Masons, of Spencer county.
5. An act to establish Olivet University.
6. An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes.
7. An act to create an additional voting and justice's district in Perry county.
8. An act to prevent the destruction of fish in Little river.

10. An act to incorporate the Cumberland river Coal and Lumber Company.

11. An act for the benefit of Israel C. Winfrey and A. D. Robinson.

12. An act to amend chapter 7, section 1, of the Revised Statutes.


15. An act to create a chancellor in the first judicial district.

16. An act for the benefit of G. W. McConnell, late sheriff of Woodford county.

17. An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate, &c."

18. An act for extending the time of returning the assessors' books and delivering copies of same to sheriffs.

19. An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

20. An act to incorporate the New Orleans and Ohio Telegraph lessees.


22. An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

23. An act to incorporate Browiski Lodge, No. 64, I. O. O. F., of Carrollton.

24. An act to incorporate the United Baptist Church, at Owensboro.

25. An act for the benefit of the Methodist Episcopal Church South, in the town of New Castle.

26. An act to incorporate Chapter No. 51, Royal Arch Free and Accepted Masons, in Gallatin county.

27. An act to renew the charter of the Mechanic's Bank of Louisville.


29. An act for the benefit of trustees of the town of Russellville.

30. An act to incorporate the Bank of Harrodsburg, Kentucky.

31. An act to establish the Planter's Bank of Kentucky.

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 21st, 24th, and 28th were referred to the committee on Education; the 2d and 29th
to the committee on "County Courts; the 3d, 4th, 6th, 20th, 22d, 23d,
and 26th to the committee on the Judiciary; the 7th to the committee
on Privileges and Elections; the 10th to the committee on Internal
Improvement; the 11th and 14th to the committee on Claims; the
12th, 13th, and 17th to the committee on Revised Statutes; the 18th
to the committee on Ways and Means; and the 8th, 9th, 16th, 25th,
and 27th were ordered to be read a third time.

The rule of the House, constitutional provision, and third reading
of the 8th, 9th, 16th, 25th, and 27th bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.

Ordered, That the 15th bill be made the order of the day for the 15th
instant, at 55 minutes past 9 o'clock, A. M.; the 30th bill for the 15th
inst., at 12 o'clock, M.; the 31st bill for the 18th inst.; and the 19th bill
for the 19th inst., at 10 o'clock, A. M.

A bill from the Senate, entitled,
An act to increase the pay of the members of the Legislature,
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 it
was decided in the affirmative.
The yeas and nays being required thereon by Messrs. McElroy and
M. J. Cook, were as follows, viz:

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) Ephraim B. Elliott,
Richard B. Alexander, McDowell Fogle,
John B. Anderson, Henry Giles,
John B. Auxier, John K. Goodloe,
William B. A. Baker, Alfred F. Graham,
Ben Berry, Gordon B. Grasty,
William S. Bodley, John S. Hargis,
John S. Bohannon, Hiram Hawkins,
Robert C. Bowling, Ben Hardin Helm,
Laban J. Bradford, Greenberry Hicks,
Erasmus O. Brown, Gideon P. Jolly,
Colbert Cecil, Andrew Jones,
James Culton, Jas. H. McCampbell,
Charles Duncan, John W. Menzies,
Joshua Dunn,        Elijah F. Nuttall,
                     Samuel B. Peil,
                     Andrew J. Prichard,
                     Robert Richardson,
                     Joseph Ricketts,
                     George C. Rogers,
                     James M. Speer,
                     Joshua Tevis,
                     Willie Waller,
                     L. A. Whiteley,
                     Thomas H. M. Winn,
                     Francis M. Woods,
                     E. W. Worsham,
                     E. S. Worthington-43.

Those who voted in the negative, were
William T. Anthony, James M. Fogle,
R. P. Beauchamp, Daniel Garrard,
William J. Berry, Anderson Gray,
Archibald C. Brown, Roger W. Hanson,
                     Hiram McElroy,
                     William M. Miller,
                     W. C. Montgomery,
                     Wm. M. Morrow.
Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled,

An act authorizing the County Court of Union to lay an additional levy to build a county jail.

Was read the first time.

The question was then taken on ordering said bill to be read a second time, and it was decided in the negative.

And so said bill was disagreed to.

A resolution from the Senate, directing the printing of the common school laws in pamphlet form,

Was taken up, twice read, and concurred in.

A preamble and resolution from the Senate, in relation to the removal of the remains of Gov. James Clarke to the Frankfort Cemetery,

Was taken up and read.

Ordered, That said preamble and resolution be referred to Messrs. Bowling, Gaither, Hanson, and Whiteley.

On motion of Mr. P. Lee,

Ordered, That the committee on Claims be discharged from the further consideration of a resolution from the Senate, in relation to the removal of the remains of ex-Governor Thomas Metcalfe, deceased, and that the same be referred to Messrs. Bowling, Gaither, Hanson, and Whiteley.

The House then took up the resolutions from the Senate in relation to the Missouri Compromise.

Ordered, That said resolutions be referred to the committee on Federal Relations.

The House then took up the report and resolution reported by the select committee in relation to R. C. Wintersmith, Esq.

Mr. Richardson, a minority of said committee, made the following report, viz:

The undersigned, minority of the committee to whom was referred the communication made to the House by R. C. Wintersmith, Esq., Treasurer of the Commonwealth, would respectfully report, that after an investigation of the matters contained in said communication, there appears to be no ground of difference from that portion of the report
of the majority of the committee which entirely exculpates Mr. Wintersmith from any improper or unauthorized conduct in the premises; or from having done anything which would justify the remotest suspicion of dishonorable or improper conduct on his part. The fact that said Treasurer has deposited with the Auditor of the State the entire sum authorized to be expended by him, under the provisions of an act of the Legislature, passed at its last session, and that he has determined to make no disposition of said money (now amounting to more than nine hundred dollars) until the matters contained in his communication shall have been acted upon by the present General Assembly, is an additional proof that he has discharged his duties as an honorable man, and faithful public officer.

The opinion of the Attorney General of the Commonwealth, on the construction of the act of the Legislature above referred to, is filed with the report of the majority of the committee, and made part thereof. With that opinion, and with so much of the report as adopts it, the undersigned cannot concur. The act of the last General Assembly, referred to in the opinion of the Attorney General, is in these words: "That hereafter there shall be an additional allowance of one thousand dollars per annum, for clerk's hire in the Auditor's office; and five hundred dollars per annum to the Treasurer, to enable him to employ the services of a clerk, to aid him in the performance of his duties; and the same shall be paid out of the treasury, in the same manner that other salaries are now paid." The opinion itself is predicated mainly on the fact that the appropriation last mentioned was made "to the Treasurer": the words to the Treasurer, are several times italicised in that document, and the sense of the act in question made to depend, to a material extent, upon that mode of construction. Waiving any expression of opinion as to the propriety of restricting the application of that principle of common law which authorizes the interpretation of legislative enactments "by the words," to any particular words, or to bestowing peculiar stress on any particular words and not on all the words of a statute, it may be asked, is it not equally just and proper, in construing so much of the act of the General Assembly above referred to, as pertains to the office of the Treasurer, instead of italicizing as follows—"five hundred dollars per annum to the Treasurer," to alter the position of the emphatic words, and read—"five hundred dollars per annum to the Treasurer, to enable him to employ the services of a clerk," which latter part of the sentence, in the view of the undersigned, limits and restricts the use of the money thus appropriated to the Treasurer, to the employment of a clerk, whenever the business of his office may require it.

It is true, in the words of the Attorney General, that, in the act of the Legislature above referred to, "there is a slight difference in the language used in the appropriation for clerk's hire in the Auditor's office, and that to the Treasurer." It is also true that "the office of clerk in the Treasurer's office is not created by the act;" or, to express the matter more definitely, that, unlike the office of a chief clerk or assistant in the Auditor's department, it is not made permanent by the act. The office of a clerk may extend from year to year, and be as permanent as that of the head of a department. Such a "clerk's hire"
is drawn from the treasury with as much certainty as that of any other officer of the government. The clerk is legally a person entirely distinct and separate from the principal. But it is not necessary, in order to constitute the office of a clerk, either in a private or public capacity, to make it of this character only. It may be made to extend from month to month, or from day to day; it may be created at any time, as well as at a time designated by law; and remain equally separate and apart from that of the principal as if it extended from year to year. The five hundred dollars appropriated in the act above mentioned, was certainly insufficient to employ a competent clerk throughout the entire year, and hence the words “per annum” were omitted in that appropriation. The allowance “to the Treasurer, to enable him to employ the services of a clerk,” conferred on that officer the power to appoint a clerk, and to avail himself of the assistance of such clerk for as long a time as it might be needed. The office of this clerk, although created for a limited period, was as distinct and separate from that of the Treasurer, as if it had been created for an unlimited period. And the presumption that the Legislature intended to merge the existence of said clerk into that of his employer—whose salary was already defined and appropriated by law—and not only to impose no restriction on the Treasurer, as to the privilege of appointing said clerk, but as to the manner of applying the money appropriated to employ his services, is almost equivalent to saying, as a general proposition, that the office of a clerk is defined by and depends upon its duration from year to year, and when it is limited to any brief and indefinite period, it ceases to be the office of a clerk, but it is swallowed up in that of the principal.

In the view of the undersigned, therefore, the position that the manner of appropriating the sum of five hundred dollars above referred to, was left entirely to the discretion of the Treasurer, is not fortified in the least by the fact that the appropriation itself was made directly to that officer. The allowance of the money “to the Treasurer,” was coupled with the trust “to enable him to employ the services of a clerk.” The office of clerk in the treasury department was a contingent one, to vest in some person to be employed by the Treasurer, whenever he should be unable to discharge the duties assigned to him by law. Of course the Treasurer, and the Treasurer only—whose salary was already fixed by the Legislature—was to determine when this contingency might arise; to provide for which, an additional sum of five hundred dollars per annum was granted by the Legislature. It was probably the opinion of those who made the law, that the entire sum of five hundred dollars per annum would be needed for this purpose; but we would certainly take great latitude in defining the intention of the Legislature, and establish a novel precedent in the construction of public statutes, were we to suppose they intended to decide to the effect that, whilst a vested office, existing from year to year, is actually an office, a contingent office, depending upon the appointment of a public officer, is actually no office, but a means for increasing, by an indirect and anomalous sort of legislation, the salary of such public officer.

“The opinion of the Attorney General and the committee,” in the
language of the report of the majority, "is corroborated by the evidence of gentlemen, members of the Legislature at the time of the enactment of the statute, that such was then the intention of the Legislature." With this part of the report also, if the committee intended to attach much importance to it in support of their conclusions, the undersigned is compelled to dissent. It will be readily admitted that the intention of the Legislature furnishes the key for the interpretation of its acts. But that this intention should be ascertained, not by those signs which the law makes the most natural and probable—the words, the context, the subject matter, the effects and consequences, and the spirit and reason of the act—but by interrogating certain members of the Legislature to decide particular disputes, would be not only an uncertain and indefinite mode of construction, but afford great room for partiality and oppression. In point of fact also, there exists some difference of opinion between the members of the last General Assembly with whom the undersigned has conversed, as to the intention of the act above referred to. When there are conflicting opinions upon the construction of a statute, we must refer to that which ought to be the source of all such opinions, that is, the words of the statute itself.

Under these circumstances, and a conviction that the report of the majority of the committee is erroneous in part, the undersigned has been constrained to submit the above minority report. He would also respectfully represent, that while the salaries of other officers of the Commonwealth have been raised within the last few years, that of the Treasurer—one of the most important and responsible of them all—has not been increased in like proportion. An additional allowance, by way of salary, to the officer last mentioned, is required for reasons which are too numerous to be mentioned here; and demanded, as the undersigned believes, by the administration of equal and exact justice in the premises.

Ordered, That said report and resolution be referred to the committee on Public Offices.

The House then took up the resolution in relation to printing the report of the State Geologist.

Ordered, That said resolution be referred to the committee on Printing.

And then the House adjourned.

FRIDAY, FEBRUARY 15, 1856.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:
An act to transfer the title of certain lands to the trustees of the Bethel High School, at Russellville.

An act for the benefit of Edmund M. Chesnut, of Laurel county.

That they had passed a resolution in relation to slavery.

Mr. Irvan, from the committee appointed to prepare and bring in the same, reported a bill supplemental to an act dividing the State into thirteen Judicial districts.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the county of Muhlenburg be and is hereby attached to the third Judicial district, and the counties of Lyon and Union be and the same are hereby attached to the second Judicial district, and that so much of the act to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed. This act to take effect from and with the act to which it is a supplement.

The question was then taken on ordering said bill to be read a second time,

And it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Menzies and Helm, 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 second reading of said bill having been dispensed with—

Mr. Gray moved to amend said bill as follows, viz:

Insert in the bill, after the word, "second judicial district," the following, viz:

The county of Estill is hereby attached to the thirteenth judicial district; the county of Scott to the ninth judicial district; the county of Bracken to the tenth judicial district; and the county of Pike to the twelfth judicial district.

Mr. Hanson 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. Hanson and Culton, were as follows, viz:

Those who voted in the affirmative, were

William T. Anthony, S. A. Foss, Samuel B. Pell,
R. P. Beauchamp, John K. Goodloe, David H. Raymond,
Ben. Berry, Anderson Gray, William Relley,
William J. Berry, Roger W. Hanson, George C. Rogers,
William S. Bodley, Ben Hardin Helm, James A. Russell,
Robert C. Bowling, Greenberry Hicks, Charles C. Smedley,
Laban J. Bradford, Gideon P. Jolly, Richard J. Spurr,
Archibald C. Brown, Andrew Jones, Thomas J. Terry,
Horatio W. Bruce, James Kinslaer, Joshua Tevis,
Milton J. Cook, George F. Lee, David L. Thurman,
James M. Corbin, James S. Littlepage, James H. Turner,
Coleman Covington, Samuel Long, E. L. Vaawinkle,
James Cuhon, John G. Lyon, L. A. Whiteley,
Frank P. Deatherage, Jas. H. McCampbell, T. H. M. Winn,
Charles Duncan, John C. McCready, Francis M. Woods,
Joshua Dunn, John W. Menzies, E. W. Worsham,
Robert B. English, William M. Miller, E. S. Worthington—44.
James M. Fogle, W. C. Montgomery,

Those who voted in the negative, were

Mr. Speaker, (Huston,) McDowell Fogle, Richard Jones,
Richard B. Alexander, Nathan Gaither, Pleasant W. Maian,
Lucien Anderson, Daniel Garrard, Hiram McElroy,
John B. Anderson, Henry Giles, William M. Morrow,
John B. Auxier, Alfred F. Graham, Andrew J. Priehard,
John S. Bohannon, Gordon B. Crasty, Benjamin F. Rice,
Erasmus O. Brown, Benjamin Gullion, Robert Richardson,
Colbert Cecil, John S. Hargis, Joseph Ricketts,
A message was received from the Senate, announcing that they had passed a bill of the following title, viz:

An act to incorporate the Hickman building and loan association.

The House then took up a bill from the Senate entitled,

An act to incorporate the Bank of Harrodsburg, Kentucky.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

Resolved, That the title thereof be as aforesaid.
The House then took up a bill from the Senate entitled,
An act to create a chancellor in the first judicial district.
Mr. Bedley moved a substitute for said bill.
And then the House adjourned.

SATURDAY, FEBRUARY 16, 1856.

1. Mr. Winn presented the petition of citizens of Barren county, praying that Jefferson W. Henderson may be permitted to erect a mill-dam across Beaver creek, in said county.

2. Mr. Woods presented the petition of citizens of Lewis county, praying the establishment of an additional justice's and constable's district in said county.

3. Mr. Cecil presented the petition of citizens of Pike county, praying that Big creek, in said county, may be declared a navigable stream, from the mouth thereof to the mouth of Rock-house fork.

4. Mr. Thornton presented the petition of citizens of Warren county, praying to be attached to Butler county.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Winn, Beauchamp, and Rogers; the 2d to the committee on Privileges and Elections; and the 3d and 4th to the committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had concurred in amendments of this House to bills from the Senate of the following titles, viz:

An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.
An act to incorporate the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.
An act to incorporate the town of Ashland.
That they had concurred in a resolution from this House of the following title, viz:
Resolution in relation to furnishing State charitable institutions with certain public books.

That they had received official information from the Governor, that he had approved and signed enrolled bills, that originated in the Senate, of the following titles, viz:

An act to establish the Peoples' Bank of Kentucky.
An act supplemental to an act to establish the Peoples' Bank.
An act to incorporate the Bank of Ashland.
An act supplemental to an act to incorporate the Bank of Ashland.

Approved February 15, 1856.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.
An act, entitled, an act to amend the charter of the Perryville Seminary.
An act to incorporate the Winchester and Red river Iron Works Turnpike road Company.
An act to increase the pay of the members of the Legislature.
An act for the benefit of G. W. McConnell, late sheriff of Woodford county.
An act for the benefit of the Methodist Episcopal Church South, in the town of New Castle.

That they had examined enrolled bills that originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to transfer the title of certain lands to the trustees of the Bethel High School, at Russellville.
An act for the benefit of Edmund M. Chesnut, of Laurel county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

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

On motion of Mr. Winn—1. A bill to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.
On motion of same—2. A bill to change the time of holding the Quarterly courts in Barren and Monroe counties.
On motion of same—3. A bill supplemental to an act to incorporate the Bank of Harrodsburg, Kentucky.
On motion of Mr. Beauchamp—4. A bill to authorize the trustees of the Methodist Episcopal Church South, at Shelbyvill, to sell property.
On motion of same—5. A bill for the benefit of common school district No. 27, in Logan county.

On motion of same—6. A bill to charter the Public Church and School house Company, at Gordonsville.

On motion of Mr. Hawkins—7. A bill to amend the law taxing the successful party in arbitrations with costs.

On motion of same—8. A bill to incorporate the Deposit Bank of Winchester.

On motion of Mr. G. F. Lee—9. A bill for the benefit of Willis Peck and wife.

On motion of same—10. A bill to amend the charter of the town of Danville.

On motion of Mr. Thornton—11. A bill to run and remark the county line between Butler and Ohio counties.

On motion of same—12. A bill to regulate the fees of commissioners and others, in surveying and dividing lands, dowers, &c.

On motion of Mr. G. B Cook—13. A bill for the benefit of iron masters in Lyon county.

On motion of Mr. McD. Fogle—14. A bill chartering turnpike roads from the Kentucky river to the Frankfort and Lawrenceburg turnpike road.

On motion of same—15. A bill to change the line between the 1st and 2d voting districts in Anderson county.


On motion of Mr. Garrard—17. A bill to change the time of holding the Owsley Quarterly court.

On motion of Mr. Long—18. A bill for the benefit of Lemuel Hubbard, of Laurel county.

On motion of Mr. Helm—19. A bill to amend the act incorporating Elizabethtown.

On motion of Mr. Auxier—20. A bill to permit John M. Burns to keep a ferry on Sandy river, at Prestonsburg.

On motion of Mr. Hewitt—21. A bill to incorporate the Harrodsburg and Cornishville Turnpike Company.

On motion of same—22. A bill to incorporate Bellcolline Female College, Franklin county.

On motion of Mr. Gray—23. A bill for the benefit of school district No. 40, in Grayson county.

On motion of same—24. A bill to amend an act incorporating the Greenville Female College, approved February 11, 1854.

On motion of Mr. Culton—25. A bill to amend the law in relation to appeals from justices of the peace to Quarterly courts.
On motion of same—26. A bill to charter a company to build a rail­road from Lexington to Cumberland Gap.

On motion of Mr. Worsham—27. A bill to incorporate the Cooke Coal and Iron Mining and Manufacturing Company.

On motion of Mr. Richardson—28. A bill to incorporate the Kenton county Agricultural Association.

On motion of Mr. M. J. Cook—29. A bill to regulate the County Courts of Rockcastle county.

On motion of same—30. A bill to authorize empanneling grand ju­rors at Quarterly courts.

On motion of Mr. Prichard—31. A bill for the benefit of John Crab­tree and the heirs of John McDyer.

On motion of Mr. Woods—32. A bill allowing pay to jurors sum­moned before justices of the peace, in Lewis county.

On motion of Mr. Montgomery—33. A bill repealing the law requir­ing license for Studs, Jacks, and Bulls.

On motion of same—34. A bill authorizing the Lincoln County Court to appoint additional processioners of land.

On motion of same—35. A bill to amend the charter of the Broyants ville and Cane Run Turnpike road Company.

On motion of Mr. Worthington—36. A bill to increase the pay of the watchmen of the jail in Louisville.

On motion of same—37. A bill to incorporate the Green river Mining and Manufacturing Company.

On motion of Mr. Baker—38. A bill to prevent the destruction of fish in the North Fork of Licking river, and to protect the game in Mas­son county.

On motion of Mr. Turner—39. A bill to authorize the Montgomery County Court to subscribe stock to turnpike roads in said county.

On motion of Mr. Hicks—40. A bill to authorize the Monroe Coun­ty Court to apply proceeds of sale of vacant lands to building a new jail.

On motion of same—41. A bill to incorporate Tompkinsville Lodge, No. 321, Free and Accepted Masons.

On motion of Mr. Hargis—42. A bill to incorporate the Red River Iron Works and Whitesburg Dirt Road Company.

Ordered, That Messrs. Winn, Bowling, and Rogers prepare and bring in the 1st bill; Messrs. Winn, Beauchamp, and Ricketts the 2d; Messrs. Winn, Smedley, and Gaither the 3d; Messrs. Beauchamp, Te­vis, and E. O. Brown the 4th; Messrs. Beauchamp, Bowling, and Rogers the 5th and 6th; the committee on the Judiciary the 7th, 10th, and 37th; Messrs. Hawkins, Garrard, and Rice the 8th; Messrs. G. F. Lee, Vanwinkle, and McCampbell the 9th; Messrs. Thornton, Ricketts,
and W. J. Berry the 11th; the committee on County Courts the 12th, 29th, 34th, and 40th; Messrs. G. B. Cook, L. Anderson, and Grasty the 13th; the committee on Internal Improvement the 14th, 16th, 26th, 35th, and 39th; the committee on Privileges and Elections the 15th; Messrs. Garrard, Rice, and Corbin the 17th; Messrs. Long, M. J. Cook, and Covington the 18th; Messrs. Heim, English, and E. O. Brown the 19th; Messrs. Auxier, Hawkins, and Cecil the 20th; Messrs. Hewitt, Grasty, and Smedley the 21st; Messrs. Hewitt, Grasty, and Menzies the 22d; the committee on Education the 23d; Messrs. Gray, Ricketts, and Aewitt the 24th; Messrs. Culton, James, and M. J. Cook the 25th; Messrs. Worsham, Nuttall, and A. Jones the 27th; Messrs. Richardson, Menzies, and Hewitt the 28th; Messrs. M. J. Cook, Culton, and Hicks the 30th; the committee on Ways and Means the 31st and 36th; Messrs. Woods, Bruce, and Russell the 32d; the committee on Revised Statutes the 33d; Messrs. Baker, Marshall, and Bradford the 38th; Messrs. Hicks, M. J. Cook, and Lyon the 41st; and Messrs. Hargis, Turner, and Cecil the 42d.

A message was received from the Governor by Mr. Bibb, Assistant 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 declaring Wolf creek, in Lawrence county, a navigable stream.

An act to incorporate McKee Lodge, No. 35, of Independent Order of Odd Fellows, at Versailles.

An act to incorporate the German Mutual Insurance Association in Louisville.

An act for the benefit of John Friend, late sheriff of Floyd county.

An act to amend the charter of the city of Covington.

An act for the benefit of Elisha Breeding, late sheriff of Letcher county.

An act for the benefit of James S. Coleman, late Sheriff of Ohio county.

An act to incorporate the Cypress Pond Draining Company.

An act to extend the limits of the town of Lewisport.

An act to incorporate the Kiddville and Red River Turnpike Road.

An act to change the county line between Knox and Harlan counties.

An act to regulate the rates of toll on the Wilderness Turnpike road.

An act for the benefit of Patrick Napier, late Sheriff of Casey county.
An act for the benefit of John Osman, of Boone county.
An act for the benefit of G. P. Jolly, late Sheriff of Breckinridge county.
An act to amend the road law of Harrison county.
An act for the benefit of James Clark, late Sheriff of Casey county.
An act for the benefit of William Moody, late Sheriff of Monroe county.
An act to incorporate the Winchester and Mount Sterling Central Turnpike Road Company.
An act to incorporate the Savings Bank of Kenton.
An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Glasgow.
An act better to regulate the standard weight of certain products. Approved February 15, 1856.
An act reserving power to amend or repeal charters and other laws.
An act for the benefit of Richard Taylor and his adopted daughter, Mary Richard Taylor. Approved February 14, 1856.
The following bills were reported by the several committees, appointed to prepare and bring in the same, viz:
By Mr. Corbin—1. A bill to incorporate the Hamilton and Buffalo Turnpike road Company.
By same—2. A bill to incorporate the Hamilton and Florence Turnpike road Company.
By Mr. Long—3. A bill to improve the State road from Columbia to Albany.
By Mr. Clement—4. A bill to amend an act, entitled, an act for the benefit of the town of Duncansburg.
By Mr. Rice—5. A bill to change the time of holding the Owsley Quarterly Court.
By same—6. A bill to establish the Deposit Bank of Winchester.
By Mr. Hanson—7. A bill to regulate the duties of County and Commonwealth's Attorneys.
By Mr. Spurr—8. A bill to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their companies.
By Mr. Hewitt—9. A bill to incorporate Bellcolline Female College, Franklin county.
By Mr. Bohannon—10. A bill regulating the application of moneys arising from the sale of vacant lands lying in Hart county.
By Mr. Foss—11. A bill to authorize the Salt river Turnpike road Company to surrender a portion of said road to the Louisville and Cane run Plankroad Company.
By Mr. Menzies—12. A bill to amend the charter of the Louisville and Newport Branch Railroad Company.

By same—13. A bill for the benefit of Philip F. Brown, late sheriff of Kenton county.


By Mr. M. J. Cook—15. A bill for the benefit of Lemuel Hibbard, late sheriff of Laurel county.

By Mr. Montgomery—16. A bill incorporating Hustonville Lodge, No. 184, of Free and Accepted Masons.

By same—17. A bill incorporating Poage Lodge, No. 325, of Free and Accepted Masons.

By same—18. A bill incorporating Spring Hill Lodge, No. 139, of Free and Accepted Masons.

By Mr. Bowling—19. A bill for the benefit of the Gordonsville Common School district, No. 27, for Logan county.

By same—20. A bill to incorporate the Public Church and School House Company.

By Mr. Worthington—21. A bill to prevent runaway marriages.

By same—22. A bill for the benefit of School district, No. 41, in Jefferson county.

By Mr. Waller—23. A bill for the benefit of John Philly.


By Mr. E. O. Brown—25. A bill for the benefit of the Methodist Episcopal Church South, in Shelbyville.

By Mr. Smedley—26. A bill supplemental to an act to incorporate the Bank of Harrodsburg, Kentucky.

By same—27. A bill to authorize the County Court of Mercer county to subscribe stock in a certain Turnpike road.

By same—28. A bill incorporating the Harrodsburg and Cornishville Turnpike road Company.

By same—29. A bill to incorporate the Harrodsburg Springs Company.

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 the 1st, 2nd, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, and 29th bills having been dispensed with, the 2d was referred to the committee on Internal Improvement; the 4th and 16th to the committee on the Judiciary; the 6th to the committee on Banks; the 13th and 14th to the committee on Ways and Means; the 19th, 20th, and 22d to the committee on Education; and the 24th to the committee on Revised Statutes.
Ordered, That the 1st, 3d, 5th, 8th, 9th, 10th, 11th, 12th, 15th, 17th, 23d, 25th, 26th, 27th, 28th, and 29th bills be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 5th, 8th, 9th, 10th, 11th, 12th, 15th, 23d, 25th, 26th, 27th, 28th, and 29th 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 7th bill be made the order of the day for the 22d instant, at 10 o'clock, A. M., and the 21st bill for the 22d inst., at 11 o'clock, A. M.

Ordered, That the Public Printer forthwith print 150 copies of the 7th bill, for the use of the members of the General Assembly.

Mr. G. B. Cook, from the joint committee, to whom was referred the petition of citizens of New Madrid Bend, in Fulton county, made the following report, viz:

The committee of the Senate and House of Representatives, to whom was referred the petition of the citizens of Madrid Bend, in Fulton county, on the subject of the cession of that territory to the State of Tennessee, would respectfully report—

That they have met and conferred and took the matters and things in relation thereto, under consideration. While recognizing the inconveniences under which the citizens of Madrid Bend now labor, the injury which must result to Fulton county, the abstraction from the treasury of Kentucky the amount of revenue paid upon property in that locality, together with our repugnance to part with the soil or territory of Kentucky, constrains your committee to report that they conceive said cession to be highly improper, unwise and inexpedient. The committee would be more favorable to an exchange of the territory in Madrid Bend for an equal amount of territory along the boundary line between Fulton county and the State of Tennessee, if such an exchange would be agreeable to that State and its citizens who would be effected by the exchange; but upon no other conditions than an exchange of territory, would your committee advise the cession to be made. They are unadvised that any such proposition has been submitted to us by our sister State, Tennessee, and therefore ask to be discharged from the further consideration of the subject.

GEORGE W. SILVERTOOTH,
Chairman Senate Committee.

GEORGE B. COOK,
Chairman Committee House of Representatives.

Ordered, That said committee be discharged from the further consideration of said petition.

Mr. Jolly, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Lorenzo D. Walls.

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 said bill was rejected.

Mr. Bruce, from the committee appointed to prepare and bring in the same, reported a bill attaching a portion of the county of Carter to the county of Rowan.

Which was read the first time.

Mr. Elliott moved to lay said bill on the table.

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

Mr. Gray, from the committee appointed to prepare and bring in the same, reported a bill repealing the act allowing $500 for clerks' hire in the Treasurer's office.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act concerning the Auditor's office and the Treasurer's office, approved March 9, 1854, be and the same hereby repealed, so far as the Treasurer's office is concerned.

§ 2. That this act shall take effect from its passage.

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. Menzies moved to refer said bill to the committee on the Public Offices.

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

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

Those who voted in the affirmative, were

R. P. Beauchamp, Roger W. Hanson, Wm. M. Miller,
Ben Berry, Ben Hardin Helm, W. C. Montgomery,
Robert C. Bowling, John M. Hewitt, Robert Richardson,
Laban J. Bradford, Gideon P. Jolly, Joseph Ricketts,
Archibald C. Brown, Andrew Jones, George C. Rogers,
Erasmus O. Brown, Richard Jones, James A. Russell,
Horatio W. Bruce, James Kinslaer, Richard J. Spurr,
James M. Corbin, George F. Lee, Thomas J. Terry,
Coleman Covington, Philip Lee, Joshua Tevis,
Charles Duncan, Samuel Long, James H. Turner,
Joshua Dunn, John G. Lyon, E. W. Worsham,
Sidney A. Foss, Jas. H. McCampbell, E. S. Worthington—38.
John K. Goodloe, John W. Menzies,

Those who voted in the negative, were

Mr. Speaker, (Huston,) David R. Dugan, Hiram McElroy,
Richard B. Alexander, Ephraim B. Elliott, William M. Morrow,
Mr. Bowling moved to amend said bill by adding the following words to the 1st section thereof, viz:

And that hereafter said Treasurer shall receive five hundred dollars per annum for his services, in addition to the sum now allowed to him by law.

Mr. Menzies moved to refer said bill and amendment to the committee on Public Offices with instructions to report thereon to this House on the 19th instant.

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

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

Those who voted in the affirmative, were

Those who voted in the negative, were

Richard B. Alexander, Nathan Gaither, Andrew J. James,
Lucien Anderson, Daniel Garrard, James S. Littlepage,
John B. Auxier, Henry Giles, John C. McCreaery,
Colbert Cecil, Alfred F. Graham, Hiram McElroy,
Isaac N. Clement, Gordon B. Grasty, Wm. M. Morrow,
George B. Cook, Anderson Gray, Benjamin F. Rice,
Milton J. Cook, John S. Hargis, James M. Speer,
Thomas H. Corbett, Hiram Hawkins, Richard S. Thornton,
Ephraim B. Elliott, Greenberry Hicks, Fielding Vaughan,

Mr. Bohannon, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of Reuben Clopton and others, of Hart county,

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, that all the right, title, and interest that the Commonwealth has in and to the following lands lying in the county of Hart, to wit: Fifty acres surveyed for Reuben Clopton of said county on the 22d day of November, 1855, adjoining the lands of said Clopton on the south, and seventy-five acres surveyed for William Ramsey on the same day, adjoining the lands of said Ramsey on the west, and fifty acres surveyed for said Ramsey on the same day, adjoining him on the east, and one hundred acres surveyed for William Clopton on the same day, adjoining the lands of said Clopton on the east; all of which lands are supposed to be within the boundaries of Abram Nelson's three thousand acre survey—be and the same is hereby released to the said Reuben Clopton, William Ramsey, and William Clopton, respectively: Provided, That the tax due the Commonwealth on said three thousand acres, accruing since the 18th day of February, 1848, to this date (should there be any) shall be paid by them: And provided further, that this release shall not operate to the prejudice of any other prior and better claim to said lands.

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 it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

Richard B. Alexander, Henry Giles, William M. Morrow,
Lucien Anderson, John L. Irvan, Elijah F. Nuttall,
John S. Bohannon, James S. Littlepage, George C. Rogers,

Mr. Menzies moved a re-consideration of the vote by which said bill was rejected.

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

Ordered, That said bill be referred to the committee on Propositions and Grievances.

Mr. Montgomery, from the select committee, to whom was referred a bill to amend an act, entitled,

An act incorporating the Kentucky State Medical Society, approved November 24, 1851,

Reported the same without amendment.

Mr. Long moved an amendment to said bill.

Ordered, That said bill and amendment be made the order of the day for the 21st inst., at 11 o’clock, A. M.

Mr. Bowling, from the committee appointed to prepare and bring in the same, reported a bill to provide for the removal of the remains of Gen. George Rogers Clark to the Frankfort Cemetery, and the erection of a monument to his memory.
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. Gaither moved an amendment to said bill.

Ordered, That said bill and amendment be referred to Messrs. Bowling, Gaither, Hanson, and Whiteley.

Mr. Spurr moved the following resolution, viz:

Resolved, That during the remainder of this session of the General Assembly, no member of this House shall be permitted to occupy the floor, at any one time, exceeding ten minutes; and that after to-day, no further leave shall be granted to introduce new business before this House.

Mr. Montgomery called for a division of the question.

Mr. Rogers moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on the adoption of the first division of said resolution, being the part printed in italic, And it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

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John B. Cochran, John M. Hewitt, Charles C. Smedley,
George B. Cook, Andrew J. James, David L. Thurman,
Thomas H. Corbett, Gideon P. Jolly, E. L. Vanwinkle,
James M. Corbin, Richard Jones, T. H. M. Winn,
James Culton, George F. Lee, Hiram Wood,
Charles Duncan, Philip Lee, E. S. Worthington—41.
James A. Duncan, Charles A. Marshall,

The question was then taken on the remainder of said resolution,
And it was decided in the negative.

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

Resolved by the General Assembly of the Commonwealth of Kentucky,
Two-thirds of the members elected to the Legislature concurring
therein, that the present session of the General Assembly shall be
continued until the 10th day of March, 1856.

The rule of the House, requiring joint resolutions to lie one day on
the table, having been dispensed with,

Ordered, That the further consideration of said resolution be post-
poned until the 20th instant, at 10 o'clock, A. M., and that it be made
the order of the day for that hour.

And then the House adjourned.

MONDAY, FEBRUARY 18, 1856.

1. Mr. McElroy presented the petition of James Faulkner, praying
he may be authorized to enclose a portion of one of the streets of
Boston, in Whitley county.

2. Mr. Cochran presented the petition of citizens of Spencer county,
praying the repeal of an act against catching fish in Salt river, in
said county, at certain seasons.

3. Mr. Hargis presented the petition of citizens of Breathitt county,
praying that Miller's creek be declared a navigable stream.

4. Mr. Cecil presented the petition of citizens of Pike county, pray-
ing the formation of a new voting place in said county.

5. Mr. James presented the petition of Caswell Osburn, of Pulaski
county, asking the passage of a law giving a reward to the discoverer
of the cause of milk sickness.

6. Also, the petition of citizens of Casey and Pulaski counties, pray-
ing the passage of an act to enable them to protect themselves against milk sickness.

7. Also, the petition of citizens of Mount Gilead, Pulaski county, praying the limits of said town may be extended.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Mahan, Long, and McElroy; the 2d to the committee on Propositions and Grievances; the 3d to Messrs. Hargis, Garrard, and Rice; the 4th to the committee on Privileges and Elections; the 5th to the committee on Agriculture and Manufactures; the 6th to Messrs. James, Gaither, and McD. Fogle; and the 7th to the committee on the Judiciary.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act for the benefit of the heirs of Frank Quinn, deceased.
An act to incorporate the Salem Presbyterial Academy.
An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Schaper, deceased.
An act incorporating the Eminence High School.
An act concerning the collection of officer's fees.

That they had received official information from the Governor, that he had approved and signed enrolled bills and a resolution, that originated in the Senate, of the following titles, viz:

An act for the benefit of the Ohio County Court.
An act appropriating money for the preparation of registration reports and tables.
An act for the benefit of the Kentucky Institution for the education of the Deaf and Dumb.
An act for the benefit of Addison Williams, late Circuit and County Court Clerk of Whitley county.
An act authorizing the County Court of Larue to sell the Poor House lands of said county.
An act to incorporate the Lowell and Back Creek Turnpike Road Company in Garrard county.
An act to authorize the County Court of Madison to sell the Poor House lands in said county.
An act to incorporate the Hawkins Branch Turnpike Road Company.
An act to authorize the trustees of Olivet Church to sell the church and lot upon which it stands.
An act to authorize a special election in the city of Louisville.
An act to incorporate the Kirksville Turnpike Road Company in Madison county.
An act for the benefit of N. H. Ryan, of Calloway county.
An act to create an additional voting precinct in Campbell county.

An act for the benefit of John M. De Jarnett, late Sheriff of Grant county.

An act authorizing the railroad collector of McCracken county to appoint one or more deputies.

An act for the benefit of Edwin Trimble, late clerk of Floyd county.

An act to incorporate Kenton Lodge, No. 24, I. O. O. F.

An act in relation to the Seminary fund of McCracken county.

An act for the benefit of Ann White.

An act for the benefit of Henry Grinstead, Sr., of Hart county.

An act for the benefit of Nimrod D. Wheeler, late Sheriff of Pendleton county.

An act for the benefit of the sheriff of Harlan county.

An act to incorporate Olive Branch Encampment, No. 6, I. O. O. F.

An act to change the time of holding the February and August terms of the McCracken County and Quarterly courts.

An act to amend an act creating a Sinking Fund for the county of Mason.

An act to amend the charter of the Hickman and Obion railroad company.

An act to incorporate the Barren County Railroad Company.

An act for the benefit of Turnpike Road Companies in Campbell county.

An act for the benefit of the Circuit Court clerk of Harlan county.

An act to legalize the proceedings of a special term of the Harlan county court.

An act to incorporate the Buena Vista Springs Company.

An act creating the office of Police Judge in the town of Wyoming, in Bath county.

An act giving additional jurisdiction to the Police Judge of Owingsville.

An act to divide the State into thirteen Judicial Districts.

Preamble and resolution directing the Public Printer to publish preamble and resolutions in reference to the death of Henry Clay.

Resolution in relation to the tobacco trade.

Approved February 9, 1856.

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

On motion of Mr. Ricketts—1. A bill to incorporate the town of Paradise.
On motion of Mr. Clement—2. A bill to give sheriffs further time to pay the revenue into the treasury.

On motion of Mr. Giles—3. A bill legalizing negro testimony in certain cases.

On motion of Mr. C. Duncan—4. A bill to amend section 25, of the Civil Code of Practice.

On motion of Mr. James—5. A bill for the benefit of Caswell Osburn and others, to enable them to protect themselves against the milk sickness.

On motion of same—6. A bill for the benefit of Patrick Napier, late sheriff of Casey county.

On motion of Mr. Cochran—7. A bill compelling sheriffs and constables to make return on all fee bills listed with them, within twelve months.

On motion of Mr. Rogers—8. A bill for the benefit of Benoni Hotchkiss' heirs and A. F. Gowdy.

On motion of Mr. Vanwinkle—9. A bill to change the time of holding the Quarterly Courts in Knox county.

On motion of same—10. A bill for the benefit of the trustees of the town of Calhoun.


On motion of Mr. Whiteley—12. A bill to incorporate the Jefferson County Association.

Ordered, That Messrs. Ricketts, Bradford, and Booker prepare and bring in the 1st bill; the committee on Ways and Means the 2d; the committee on the Judiciary the 3d; the committee on the Code of Practice the 4th; Messrs. James, Gaither, and McD. Fogle the 5th and 6th; the committee on Revised Statutes the 7th; Messrs. Rogers J. B. Anderson, and Vaughn the 8th; Messrs. Vanwinkle, Culton, and M. J. Cook the 9th; Messrs. Vanwinkle, Jolly, and Marshall the 10th; Messrs. Vanwinkle, Marshall, and Whiteley the 11th; and the committee on Agriculture and Manufactures the 12th.

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

By Mr. Ricketts—1. A bill to change the time of holding the Quarterly Courts in the counties of Barren and Monroe.

By same—2. A bill to amend and change an act incorporating the Greenville Female College.

By same—3. A bill directing the boundary line between the counties of Butler and Ohio to be run and remarked.

By Mr. Dugan—4. A bill to incorporate the Bardstown and Cedar creek Turnpike Road Company.
By Mr. Cochran—5. A bill to amend and reduce into one the several acts relating to the town of Taylorsville.

By same—6. A bill to incorporate the Bloomfield and Taylorsville Turnpike Road Company.

By Mr. Rogers—7. A bill to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.

By same—8. A bill for the benefit of J. W. Henderson, of Barren county.

By Mr. Vanwinkle—9. A bill to improve the road from Cumberland river to Monticello.

By same—10. A bill for the benefit of Wm. M. Worsham, late sheriff of Wayne 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. Rogers, from the committee appointed to prepare and bring in the same, reported a bill to incorporate the Cook Coal and Iron Mining and Manufacturing Company.

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.

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. Ricketts moved the following resolution, viz: 

Resolved, That a committee of five members be appointed to examine into the amount of unfinished legislative business now before this House, and report as to the same.

Which was adopted.

And thereupon the Speaker appointed Messrs. Ricketts, Gray, C. Duncan, Irvan, and Helm said committee.

The House then took up the bill from the Senate, entitled, An act to create a chancellor in the first judicial district.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That on the first Monday in August next a chancellor shall be elected in the first judicial district, under the same rules and regulations as now apply to the election of the circuit judge in said district, who shall have concurrent jurisdiction with said circuit judge, in all equity, criminal, and penal cases in said district. The laws now in force in relation to the selection, duties, and pay of grand and petit jurors shall apply to the court created by this act.

§ 2. The chancellor shall hold his office during the same length of time that the circuit court judge in said district does, and shall possess the same qualifications; and all laws in force in relation to the election of a circuit judge shall apply to the election of a chancellor pro tem.

§ 3. He shall have power to appoint examiners and masters in chancery in said district, under the same rules and regulations as circuit judges now have; and the provisions of the Code of Practice in civil cases, in relation to the transfer of equity and common law cases to the proper docket and court, shall apply to the court created by this act.

§ 4. The Code of Practice in civil and criminal cases shall apply to and govern the proceedings of the court hereby established.

§ 5. The circuit court may, by order, transfer causes from its ordinary docket to the equity docket of the court hereby established, whenever such causes are required to be transferred to the equity docket by the Code of Practice.

§ 6. The circuit court clerks, commonwealth's attorneys, sheriffs, jailers, and other officers, shall perform the same duties, and be liable to the same penalties under this act as they now are under existing laws.

§ 7. The salary of the chancellor shall be eighteen hundred dollars per annum, to be paid quarterly out of any money in the treasury not otherwise appropriated.

§ 8. The chancellor shall discharge all the duties in the trial of penal and criminal cases now imposed by law upon circuit court judges; and the grand and petit juries shall discharge all the duties in penal and criminal proceedings in the court hereby established, as are now imposed by law upon such juries in such cases in the circuit courts.

§ 9. He shall hold his terms at such times and places as may be required by law.

§ 10. This act shall take effect from its passage.

Mr. Bodley withdrew his amendment.

Mr. McElroy moved the previous question.

And the question being then taken, shall the main question be now put? It was decided in the affirmative.

The question was then taken, shall said bill be read a third time? and it was decided in the affirmative.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Richard B. Alexander, S. A. Foss, Samuel B. Pell,
William B. A. Baker, Roger W. Hanson, Robert Richardson,
Ben Berry, Ben Hardin Helm, Joseph Ricketts,
William S. Bodley, Greenberry Hicks, William Bailey,
William B. Booker, Gideon P. Jolly, George C. Rogers,
Robert C. Bowling, Andrew Jones, James A. Russell,
Laban J. Bradford, Richard Jones, Richard J. Spurr,
Archibald C. Brown, George F. Lee, Thomas J. Terry,
Horatio W. Bruce, Philip Lee, Joshua Tevis,
Milton J. Cook, John G. Lyon, David L. Thurman,
Coleman Covington, Charles A. Marshall, James H. Turner,
Frank P. Deatherage, Jas. H. McCampbell, E. L. Vanwinkle,
David R. Dugan, Hiram McElroy, James T. Ware,
Charles Duncan, John W. Menzies, L. A. Whiteley,
Joshua Dunn, William M. Miller, Francis M. Woods,

Those who voted in the negative, were

Mr. Speaker, (Huston,) James Culton, John L. Irvan,
Lucien Anderson, James A. Duncan, Andrew J. James,
John B. Anderson, Ephraim B. Elliott, James S. Littlepage,
William T. Anthony, Robert B. English, Samuel Long,
John B. Auxier, Nathan Gaither, John C. McCreary,
William J. Berry, Daniel Garrard, Elijah F. Nuttall,
John S. Bohannon, Henry Giles, Andrew J. Prichard,
Erasmus O. Brown, Alfred F. Graham, David H. Raymond,
Colbert Cecil, Gordon B. Grasty, Charles C. Smedley,
Isaac N. Clement, Anderson Gray, Fielding Vaughan,
John B. Cochran, John S. Hargis, Willie Waller,
George B. Cook, Hiram Hawkins, T. H. M. Winn,

Resolved, That the title thereof be as aforesaid.

Mr. Bodley moved a re-consideration of the vote by which said bill was passed.

Mr. Philip Lee moved to lay said motion to reconsider on the table.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Coleman Covington, Andrew Jones,
Richard B. Alexander, James Culton, Richard Jones,

Those who voted in the negative, were


Mr. Richardson moved to re-consider the vote by which the motion of Mr. Bodley was laid on the table.

The Speaker decided that the motion of Mr. Richardson was not in order.

Mr. Bodley moved that the Clerk be directed to enter on the journal that the bill from the Senate, entitled, an act to create a chancellor in the 1st Judicial district, on the final vote was disagreed to.

At half past 1 o'clock, P. M. Mr. Elliott moved that the House take a recess until 3 o'clock, P. M.

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

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

Those who voted in the affirmative, were

Robert C. Bowling, Anderson Gray, David H. Raymond,
Laban J. Bradford, John S. Hargis, Joseph Ricketts,
Erasmus O. Brown, Hiram Hawkins, William Reiley,
Colbert Cecil, Ben Hardin Helm, George C. Rogers,
John B. Cochran, Andrew J. James, Charles C. Smedley,
Thomas H. Corbett, Gideon P. Jolly, Thomas J. Terry,
Coleman Covington, Andrew Jones, David L. Thurman,
Frank P. Deatherage, George F. Lee, E. L. Vanwinkle,
David R. Dugan, Jas. S. Littlepage, Fielding Vaughan,
Charles Duncan, Samuel Long, T. H. M. Winn,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Robert B. English, Andrew J. Prichard,
Richard B. Alexander, George C. Faris, Robert Richardson,
John B. Auxier, Nathan Gaither, James A. Russell,
William B. A. Baker, Gordon B. Grasty, Richard J. Spurr,
R. P. Beauchamp, Roger W. Hanson, Joshua Tevis,
William S. Bodley, John M. Hewitt, James H. Turner,
Archibald C. Brown, Greenberry Hicks, Willie Waller,
Horatio W. Bruce, Richard Jones, James T. Ware,
Isaac N. Clement, Philip Lee, L. A. Whiteley,
George B. Cook, John G. Lyon, Hiram Wood,
James A. Duncan, W. C. Montgomery.

A message was received from the Senate, announcing that they had
passed a bill of the following title, viz:

An act to amend an act, entitled, an act to amend and reduce into
one the several acts respecting the town of Hickman.

The House then resumed the consideration of Mr. Bodley's motion
to direct the Clerk.

Mr. Bodley then withdrew his said motion.

Mr. McElroy moved that all the members of the House now present,
who were absent when the vote on the passage of said bill was taken,
be now permitted to record their votes.

The question being taken thereon, it was decided in the negative,
two-thirds of the members voting, not concurring therein.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, W. C. Montgomery,
Richard B. Alexander, James M. Fogle, Elijah F. Nuttall,
W. B. A. Baker, Roger W. Hanson, Samuel B. Pell,
R. P. Beauchamp, Ben Hardin Helm, David H. Raymond,
Ben Berry, Greenberry Hicks, Robert Richardson,
William J. Berry, Gideon P. Jolly, Joseph Ricketts,
William S. Bodley, Andrew Jones, William Reiley,
Mr. Bodley then renewed his motion that the Clerk be directed to enter on the Journal that the bill from the Senate, entitled, an act to create a chancellor in the 1st Judicial district, on the final vote was disagreed to.

Mr. James moved to amend said motion by adding to it the following words, viz:

A constitutional majority not voting for the same.

Mr. Bodley accepted said amendment.

The question was then taken on the motion of Mr. Bodley, as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


TUESDAY, FEBRUARY 19, 1856.

1. Mr. Bruce presented remonstrances from citizens of Greenup county, against the formation of any new county out of parts of said county and other counties.

2. Mr. Waller presented the petition of citizens of Marshall county, praying the establishment of a State road from Hopkinsville to Paducah.

3. Mr. W. J. Berry presented the petition of citizens of voting district, No. 3, in Ohio county, praying a change in the place of voting in said district.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Propositions and Grievances, and the 3d to the committee on Privileges and Elections.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz:

An act for the benefit of Joseph Yeager.
That they had passed a bill from this House of the following title, viz:

An act supplemental to an act to amend an act incorporating the town of Mayfield.

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

An act regulating the time of holding the Circuit Courts.
An act in relation to a new road in Fleming and Lewis counties.
An act to incorporate the Paducah Gas Light Company.
An act to incorporate the Deposit Bank of Lebanon.
An act to amend the act establishing the Boston and Akin Turnpike Road.

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

On motion of Mr. Raymond—1. A bill to incorporate the Agricultural and Mechanical Association, of the county of Harrison.
On motion of Mr. R. Jones—2. A bill giving certain authority to the Presiding Judge of the Greenup County Court.

Ordered, That Messrs. Raymond, Terry, and Marshall prepare and bring in the 1st bill, and Messrs. R. Jones, Bruce, and Montgomery the 2d.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution which originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.
An act to incorporate the Relief Fire Company, No. 2, of Paducah, Kentucky.
An act to incorporate the town of Ashland.
An act to renew the charter of the Mechanics' Bank of Louisville.
An act to incorporate the Bank of Harrodsburg, Kentucky.
An act declaring the South Kentuckian an authorized newspaper.
An act to prevent the destruction of fish in Little river.
Resolution directing the printing of the Common School Laws in pamphlet form.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

Mr. Helm moved a re-consideration of the vote by which the bill supplemental to an act dividing the State into thirteen Judicial districts, and pending amendment were laid on the table.

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

The yeas and nays being required thereon, by Messrs. Hanson and Montgomery, were as follows, viz:
Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James Culton, Samuel Long,
Richard B. Alexander, Frank P. Deatherage, John G. Lyon,
Lucien Anderson, David R. Dugan, Jas. H. McCampbell,
John B. Anderson, James A. Duncan, John C. McCready,
William T. Anthony, Ephraim B. Elliott, Hiram McElroy,
John B. Auxier, James M. Fogle, John W. Menzies,
R. P. Beauchamp, Nathan Gaither, William M. Miller,
William J. Berry, Daniel Garrard, William M. Morrow,
John S. Bohannon, Henry Giles, Elijah F. Nuttall,
William B. Booker, Alfred F. Graham, Andrew J. Prichard,
Robert C. Bowling, Gordon B. Grasty, David H. Raymond,
Leban J. Bradford, John S. Hargis, Robert Richardson,
Archibald C. Brown, Hiram Hawkins, Joseph Ricketts,
Erasmus O. Brown, Ben Hardin Helm, William Reiley,
Horatio W. Bruce, John M. Hewitt, Charles C. Smedley,
Colbert Cecil, Greenberry Hicks, James M. Speer,
Isaac N. Clement, John L. Irvan, James H. Turner,
John B. Cochran, Andrew J. James, Fielding Vaughan,
George B. Cook, Richard Jones, Willie Waller,
Milton J. Cook, James Kinslaer, James T. Ware,
Thomas H. Corbett, George F. Lee, Hiram Wood,
Coleman Covington, James S. Littlepage, Francis M. Woods—66.

Those who voted in the negative, were

Ben Berry, Gideon P. Jolly, Thomas J. Terry,
William S. Bodley, Andrew Jones, David L. Thurman,
Joshua Dunn, Charles A. Marshall, E. L. Vanwinkle,
George C. Faris, W. C. Montgomery, L. A. Whiteley,
Sidney A. Foss, Samuel B. Pell, E. W. Worsham,
Anderson Gray, George C. Rogers, E. S. Worthington—20.
Roger W. Hanson, Richard J. Spurr.

Mr. Menzies moved to refer said bill and amendment to a select committee of seven members, with instructions to report thereon to this House, at 3½ o'clock, this afternoon.

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

Thereupon the Speaker appointed Messrs. Menzies, Irvan, Ben Berry, Ricketts, McElroy, Clement, and Russell as said committee.

Mr. Goodloe, from the committee on Public Offices, to whom were referred the report of the select committee on the communication of Richard C. Wintersmith, Esq., the report of Mr. Richardson, a minority of said committee, and the bill to repeal the act allowing $500 for clerk hire in the Treasurer's office, with the pending amendment there-to, made the following report, accompanied by a substitute for the original bill and pending amendment, viz:

The House committee on Public Offices respectfully report, that they
have examined the office of the treasurer of Kentucky, and find that it has been faithfully and ably conducted, and is now in the best order.

We find that on the 11th day of February, 1856, the treasurer was indebted to the State, on all accounts, in the sum of $437,576 70; and that he had at that time in bank, in vouchers and in cash, the sum of $437,576 70.

We are indebted to Mr. Wintersmith and Mr. Page, the auditor, for memorandums and other assistance by which our examination was greatly facilitated.

There was referred to the joint committee on Public Offices, by the Senate, a communication made by Mr. Wintersmith to the legislature, and the House has also referred the same communication, together with the majority and minority reports of a special committee of the House, to this committee, all of which have been under our consideration. We offer the following report as a substitute for the reports of the special committee and as our report upon the matters referred to us.

The communication of Mr. Wintersmith referred to this committee, and out of which has grown the reports before mentioned, is in reference to an allowance of five hundred dollars per annum, to the treasurer, "to enable him to employ the services of a clerk to aid him in the performance of his duties." This act was passed at the last session of the legislature, 1853-4, *Session Acts, vol. 1, page 153*, and is in the following words:

"Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter there shall be an additional allowance of one thousand dollars per annum, for clerks' hire in the auditor's office, and five hundred dollars per annum to the treasurer, to enable him to employ the services of a clerk, to aid him in the performance of his duties; and the same shall be paid out of the treasury, in the same manner that other salaries are now paid. Approved March 9, 1854."

It is with the last appropriation only, in the above recited act, that we have to do.

Attention is particularly called here to two or three points in the law: First, that the allowance is made directly to the treasurer. Secondly, that he is not required to employ a clerk, nor is a clerkship for his office created by the act. And, thirdly, that there is a material difference in the manner of making the first allowance and the last, and in the language used. The words used in reference to the auditor's office are, "one thousand dollars per annum for clerks' hire in the auditor's office;" but in reference to the treasurer's office the style and language is changed, and the allowance is made "to the treasurer, to enable him to employ the services of a clerk to aid him in the performance of his duties." The allowance then, being directly to the treasurer, gives to him full and complete power and authority to draw it in the usual way; and the other words, "to enable him to employ the services of a clerk to aid him in the performance of his duties," do not destroy the effect of the preceding language, nor make the allowance conditional in law. In other words, the allowance to the treasurer is not made legally dependent upon his employment of a clerk with it, but is complete—to enable or put into his power, it is true, to do a certain thing, but still is not made dependent upon his doing that thing.
Those words have no legally qualifying effect on the allowance directly and positively made "to the treasurer," and carry with them no positive command or requirement.

The foregoing view leaves no difficulty in the way of construing the letter of the act, and as a mere legal question upon the law and legal construction of its provisions, this committee are unanimously of opinion that Mr. Wintersmith had entire legal right and authority to draw said allowance from the treasury—a discretionary power as to its appropriation—and that he has not, by retaining it in his own hands, been guilty of any violation of the express letter of the law, or done any thing in reference to said allowance for which he has not the letter of the law to sustain him.

But there is another point of view from which this committee think this matter must be looked at, suggested by the act itself. That is, what was the design, understanding, and expectation of the legislature, in making the allowance of five hundred dollars per annum to the treasurer?

The legislature has said, in the act under consideration, that the allowance was made to the treasurer, "to enable him to employ the services of a clerk, to aid him in the performance of his duties." In the opinion of your committee, the words just quoted from the act show that the legislature understood that Mr. Wintersmith could not reasonably perform all the duties of his office; that the services of a clerk were needed by him; that he was not able, out of his own salary, to employ those services, and that he ought not to be required to do so. Under these circumstances the legislature passed the act allowing five hundred dollars to the treasurer, "to enable him," as they say, "to employ the services of a clerk to aid him in the performance of his duties." We presume that the legislature expected the treasurer to employ a clerk with the allowance, else the act would not have contained any reference to the employment of a clerk. We are forced to this opinion, or else to presume that the legislature used those words as a cover to some design which they could not, or would not, carry out directly or openly—a presumption not to be indulged for a moment. The fact that the appropriation was made directly to the treasurer furnishes no argument against the view just expressed, because the treasurer, being himself alone responsible for the proper management of his office, ought to have the power to select such a person as his clerk in whom he had confidence, and no doubt but that was thought of when the act was passed. We can conceive of no reason for the addition of the words, "to enable him to employ the services of a clerk to aid him in the performance of his duties," to the allowance, unless it was to point out its appropriation and use. We are satisfied that a majority of the legislature who passed the act did not intend or expect the allowance to be retained by the treasurer—the words of the act last quoted forbid such an idea—neither can it be supposed that the legislature designed employing the treasurer as a clerk, or that he should employ himself as a clerk in an office of which he himself was the chief and head. The legislature would never do such an act, or confer such power on any public officer; for it would thereby destroy all responsibility, set a most pernicious precedent, justly subject itself to the charge
of recklessness, and richly merit condemnation. But suppose we con­
cede, for a moment, that the legislature meant that Mr. Wintersmith
should discharge the duties for which the allowance was made, and re­
tain it, into what a ridiculous and anomalous posture it puts the legis­
lature! By such a concession Mr. Wintersmith is authorized by the
legislature to enter into a contract with Mr. Wintersmith, whereby he
becomes not only treasurer of Kentucky, at a salary of $1,700, but also
the clerk of the treasurer, [himself] at a salary of $500! We can­
not think the Legislature ever intended any such thing as that, and
therefore dismiss any such idea. We cannot either entertain the pre­
sumption that the legislature, or a majority of it, intended, under cover
of allowing clerk's hire, to increase the salary of the treasurer. If it
thought his salary too low, and wished to increase it, the presumption
is that it would have done so by a direct vote, and this is the only pre­
sumption we can indulge on that subject; for we cannot entertain an
opinion so humiliating and so degrading to the legislature of a great
Commonwealth and free people, as to suppose for an instant that it had
not both the courage and honesty to do boldly whatever its wisdom
d dictated.

This view of the whole statute brings the committee to the opinion,
that though by the wording of the act Mr. Wintersmith was legally en­
titled to draw the allowance, and had a like power as to its appropria­
tion, yet, that in a strict view of the spirit and intention of the act, as
gathered from itself, the appropriation to himself of the money was in
violation of the understanding, design, and expectation of the legisla­
ture, or a majority of the members, who passed the act, and that there­
fore he was not, in that view of the act, entitled to the money, and it
should not have been drawn from the treasury unless he had actually
employed a clerk.

We are authorized to construe laws so as to carry out the intention
of the legislature. We can only get at that intention by putting our­
selves, as near as we can, in the same situation it was, by surrounding
ourselves with the same circumstances, and by taking into considera­
tion the same facts it had under

We have endeavored
to do this. And we have, as before stated in this report, come to the
conclusion that the legislature must have understood that the treasurer
could not, by reasonable labor, discharge the duties of his office; that
a clerk was therefore necessary to aid him in their discharge, and that
the treasurer was not pecuniarily able to employ such services. The
legislature, therefore, "to enable the treasurer to employ the services
of a clerk to aid him in the performance of his duties," and to remedy
the evil it thought existed, passed the act allowing to him the sum of
$500 per annum. Merely looking then at the reasons which we sup­
pose influenced the legislature to make the allowance, gathered from
the language of only a part of the act, and leaving out of view the
provision of the other part of the act, we would unhesitatingly say that
Mr. Wintersmith is not entitled to retain the allowance. But we must
look at the whole act, take all its provisions together, and if we find
the act plain, express, and positive, or its letter in conflict with its
seeming intention, the latter must govern us. In the case before us,
we are satisfied that the law is plain, express, and positive; that the
allowance of $500 per annum, “to the treasurer,” is complete; that the words, “to enable him to employ the services of a clerk to aid him in the performance of his duties,” do not imperatively require him to pay the same to a clerk, (although it puts it into the power of the treasurer to do so if he chooses, and in our opinion shows that the legislature gave it for that purpose, and expected that it would be so applied,) and that the positive and express enactment must prevail over the intention which we have thought was found in the words last above quoted. We therefore again give it as our opinion that the treasurer is, by a strict legal construction of the act of 1853-4, entitled to draw and retain the allowance made in said act.

The committee do not intend by anything they have said in this report, to cast the slightest reflection upon Mr. Wintersmith, either as an officer or as a man. They are satisfied that he believed he was morally and legally entitled to the appropriation, and that he was influenced to the course he has pursued, by the reasons stated by him in his communication to the Legislature and referred to this committee. Those reasons would most probably influence every man, situated as he was, to do as he has done. We entirely exculpate him from any improper motives connected with said appropriation, and take pleasure in expressing our unshaken confidence in him as a man and officer.

Your committee are of opinion, that the duties of the treasurer’s office can all be reasonably discharged by the treasurer, and they therefore recommend a repeal of the act of 1853-4, making an allowance of five hundred dollars per annum to enable him to employ the services of a clerk to aid him in the performance of his duties. We herewith report an act to that effect.

Since the above report was written there has been referred to us, a bill to repeal the act of 1853-4 so far as it has reference to the treasurer, and also an amendment to said bill. We offer the act herewith reported as a substitute for said bill and amendment.

J. K. GOODLOE, Chairman,
W. J. BERRY,
G. P. JOLLY.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of an act, entitled, “an act concerning the Auditor’s office and Treasurer’s office,” as makes an allowance to the Treasurer of five hundred dollars per annum, “to enable him to employ the services of a clerk to aid him in the performance of his duties,” be and the same is hereby repealed.

§ 2. This act to take effect from its passage.

Mr. Clement, from a minority of said committee, made the following report, viz:

The undersigned, from the committee upon Public Offices, would beg leave to submit the following minority report:

Whilst I concur with the report of the majority of the committee, that Mr. Wintersmith, the present treasurer, has faithfully and efficiently discharged the duties of the office; yet I cannot concur in the recommendation of the majority, that the treasurer is entitled to the amount of money drawn by him from the treasury, under and by vir-
tue of an act, entitled, "an act concerning the auditor's office and the treasurer's office, approved March 9th, 1854," and that his salary should be increased. As to the first recommendation, the undersigned is of opinion, that it was not the intention of the Legislature, by the passage of the act referred to, to increase the salary of the treasurer. The act provides, "that hereafter there shall be an additional allowance of one thousand dollars per annum, for clerk's hire in the auditor's office, and five hundred dollars to the treasurer, to enable him to employ the services of a clerk to aid him in the performance of his duties." The appropriation was made to him for a particular and specified object, which was to enable him to employ the services of a clerk to aid him in the performance of his duties; if he failed to employ a clerk, or the necessities and business of the office did not render it necessary to employ a clerk "to aid him," but upon the contrary, he was able to perform and did perform the duties himself, then, in justice and right, he was not and is not entitled to the money, in my judgment. His salary is fixed by law, and it was and is his duty to perform the duties; and the mere fact of his appropriating more of his time to the performance of those duties does not, in the opinion of the undersigned, justify the appropriation to himself, of money which was given by the Legislature for the express purpose of employing and paying another to "aid him" in his duty; and unless he can be at once the treasurer and clerk, he cannot, in my opinion, without a direct violation of the letter, true intent, and spirit of the act, be permitted to retain the money.

The question, in the opinion of the undersigned, is not confined alone to the inquiry, whether the duties of the office have been performed; but under the state of case presented, the further inquiry, who performed the duties, becomes important. If the treasurer did it himself, then his salary is fixed by law, and it is not a question of how much or how little time it required to enable him to do those duties; that has nothing to do with the matter at issue. It may be and is an argument, and a strong one, for an increase of salary; but does not effect the question under consideration in the slightest degree, in the opinion of the undersigned. If, in the duties of the office, he was aided by a clerk, then, to the extent of the value of such aid or assistance, in the judgment of the undersigned, he is or would he entitled under the act. It is true the appropriation is to him, but then the act specifies the object; and he was no more than a special agent or trustee, confided and entrusted with means to be used in a certain way, and for special purposes; and the act conferred no him no power to use or appropriate it differently. The facts are, from the statements of the treasurer himself before the committee, that he did not employ a clerk or any aid in the performance of the duties of his office, but did it all himself, and that he was not employed upon an average of more than five or six hours per day in the office; thus some friend or friends would occasionally render him some assistance, but it was always gratuitous, seldom if ever occurring except when, by reason of his absence, which necessarily occurred sometimes, and the business of the office accumulating and getting behind. Under these circumstances, the undersigned cannot concur with the majority report upon this subject; yet he most hearti-
ly concurs in acquitting Mr. Wintersmith of anything dishonorable, or the slightest intention to claim and hold that which he thought he was not entitled to. He has deposited the money in the auditor's office, and requested an investigation of the matter by the Legislature; which of itself is sufficient to acquit him from improper motives.

In regard to the increase of the salary of the treasurer, I cannot concur with the majority. It is now $1,700; only about five or six hours in the day is required to perform the duties of the office; they are not onerous or complex in their character. The salary now, in the opinion of the undersigned, is above the proportion allowed the other officers in the State—the nature and character of the duties considered. It is true, he is required to execute a large bond to the State, but as he can and may deposit the public money in the vaults of the banks, the greatest responsibility is in the deposit and disbursement of the same. Further, the present incumbent was elected to that office by the people, with a full knowledge and perfect understanding, upon his part, (for he was treasurer before,) of all the duties and responsibilities of the position, as well as the compensation he was to receive. No additional duties, responsibilities, or burdens have been imposed upon him, nor has the business of the office increased to any extent, that the undersigned is aware of. Under all the circumstances, I must, therefore, reluctantly dissent from the majority upon recommending an increase of the salary of the treasurer.

All of which is respectfully submitted,

ISAAC N. CLEMENT.

The question was then taken on the adoption of the substitute reported by the committee on Public Offices in lieu of the original bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Thos. H. H. Corbett,    
Coleman Covington,      
James Culom,            
Frank P. Deatherage,    
David R. Dugan.        


John G. Lyon,          
Charles A. Marshall,    
Jas. H. McCampbell,     
John C. McCrae,        
Hiram McElroy.          


Those who voted in the negative, were

Robert C. Bowling,          
Laban J. Bradford,          
Horatio W. Bruce,           
Joshua Dunn,                
Robert B. English,         
George C. Faris.           


Ben Hardin Helm,         
John M. Hewitt,            
Gideon P. Jolly,           
Richard Jones,             
James Kinslae,             


George F. Lee,           
Philip Lee,               
John W. Menzies,           
W. C. Montgomery,        
D. L. Thurman—16.      


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 as amended, having been dispensed with, and the same being engrossed,

Mr. Bowling moved to amend said bill by adding thereto the following engrossed clause, by way of rider, viz:

That the Treasurer of this State shall, from and after the passage of this act, receive the sum of two thousand dollars per annum for his services.

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

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

Those who voted in the affirmative, were

William S. Bodley,          
Robert C. Bowling,          
Laban J. Bradford,          
Horatio W. Bruce,           
John B. Cochran,            
Joshua Dunn,                
George C. Faris,            
Sidney A. Foss,             
John K. Goodloe,            
Roger W. Hanson,            
Ben Hardin Helm,            


John M. Hewitt,          
Gideon P. Jolly,          
Andrew Jones,             
Richard Jones,            
James Kinslae,            
George F. Lee,            
Philip Lee,               
John G. Lyon,             
Charles A. Marshall,       
Jas. H. McCampbell,       


Samuel B. Pell,           
George C. Rogers,         
James A. Russell,         
Charles C. Smedley,       
David L. Thurman,         
James H. Turner,          
James T. Ware,            
L. A. Whiteley,           
T. H. M. Winn,            
Francis M. Woods,         
E. S. Worthington—33.  


Those who voted in the negative, were

Mr. Speaker, (Huston,) Frank P. Deatherage,    
Richard B. Alexander,    
John B. Anderson,        
Wm. T. Anthony,         
John B. Auxier,          
R. P. Beauchamp,        


John C. McCrae,          
Hiram McElroy,           
Wm. M. Miller,           
W. C. Montgomery,        
William M. Morrow,       
Elijah F. Nuttall,
The question was then taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) David R. Dugan, John C. McCrearey,  
Richard B. Alexander, Charles Duncan, Hiram McElroy,  
John B. Anderson, James A. Duncan, William M. Miller,  
William T. Anthony, James M. Fogle, William M. Morrow,  
John B. Auxier, Nathan Gaither, Elijah F. Nuttall,  
R. P. Beauchamp, Daniel Garrard, Samuel B. Pell,  
Ben. Berry, Henry Giles, Andrew J. Prichard,  
William J. Berry, John K. Goodloe, David H. Raymond,  
William S. Bodley, Alfred F. Graham, Robert Richardson,  
John S. Bohannon, Gordon B. Grasty, Joseph Ricketts,  
William B. Booker, Anderson Gray, William Reiley,  
Archibald C. Brown, Roger W. Hanson, William Reiley,  
Erasmus O. Brown, John S. Hargis, Frank C. Rogers,  
Colbert Cecil, Hiram Hawkins, James M. Speer,  
Isaac N. Clement, Greenberry Hicks, Richard J. Spurr,  
John B. Cochran, John L. Irvan, Thomas J. Terry,  
George B. Cook, Andrew J. James, E. L. Vanwinkle,  
Milton J. Cook, Jas. S. Littlepage, Fielding Vaughan,  
Thomas H. Corbett, Samuel Long, Willie Waller,  
Coleman Covington, John G. Lyon, Hiram Wood,  
James Culton, Charles A. Marshall, Francis M. Woods—64.

Those who voted in the negative, were

Robert C. Bowling, Gideon P. Jolly, James A. Russell,  
Laban J. Bradford, Andrew Jones, David L. Thurman,  
Horatio W. Bruce, Richard Jones, James H. Turner,  
Joshua Dunn, James Kinslaer, James T. Ware,  
Robert B. English, Philip Lee, L. A. Whiteley,  
George C. Paris, Jas. H. McCampbell, T. H. M. Winn,  
Sidney A. Foss, John W. Menzies, E. W. Worsham,  
Ben Hardin Helm, W. C. Montgomery, E. S. Worthington—25.
Resolved, That the title of said bill be amended to read as follows, viz:

An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.

The House then took up a bill from the Senate entitled,

An act to establish the Planter's Bank of Kentucky.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby established, a bank by the name of "The Planter's Bank of Kentucky," to be located at Paducah, Kentucky, with a capital of four hundred thousand dollars, to be divided into shares of one hundred dollars each, and to be subscribed and paid for by individuals, companies, and corporations in the manner hereinafter specified; which subscribers and stockholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style of the Planter's Bank of Kentucky, and shall continue as a body politic and corporate until the 1st day of May, 1885; and by that name, under the restrictions hereinafter named, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts or places, in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, use, occupy, and enjoy, and the same to sell, convey, and dispose of all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of its business, or which may be conveyed to said bank as surety for any debt, or purchased in satisfaction of any judgment or decree in favor of the bank, or in the purchase of any property on which said bank may have a lien. And said bank may have and use a common seal—change, alter, and renew the same at pleasure; and it may ordain and put in execution such by-laws, rules, and regulations, for the good government of said bank, and the prudent and efficient management of its affairs, as may be thought most proper: Provided, That they be not contrary to the constitution and laws of this State or of the United States.

§ 2. The said bank shall keep its only office of discount and deposit in the town of Paducah. The business shall be to loan money, discount promissory notes and bills, and deal in exchange; and it may issue bills and bank notes, payable to bearer on demand, at its office of discount and deposit—but not of less denomination than one dollar. It shall not issue any notes, bills, checks, or orders payable to bearer other than such as are payable on demand. The promissory notes made payable to any person or persons, and negotiable and payable at its office of discount and deposit, or at any other bank or banking house, and indorsed to and discounted by said bank, shall be and they are hereby put on the same footing as foreign bills of exchange, and remedy may be had jointly or severally against the drawer and indorsers, and with like effect, except as to damages, and except that in a regular course of administration they shall have no other or greater
dignity or priority than other notes. And the said bank shall not di-
rectly or indirectly deal or trade in any thing except in money, and ex-
change, and in gold or silver coin or bullion, or in the sale of goods,
chattels, rights, credits, really and truly pledged for money lent, and
not redeemed in time, or goods which shall be the proceeds of its
lands. They shall not charge a greater rate of interest or discount up-
on bills of exchange than is permitted by the act incorporating the
Peoples' Bank of Kentucky; nor shall said bank deal in what is term-
ed "kites;" and a violation of this section shall be deemed a good
cause of forfeiture of this charter.

§ 3. The bank notes to be issued by said bank shall be signed by the
president and cashier. And said bank shall not issue checks or orders
payable elsewhere to any person or persons, with the intent that said
checks shall circulate as bank notes.

§ 4. Said bank shall not at any time owe, whether by bond, note, bill,
or other contract, an amount exceeding twice the amount of the capital
stock actually paid in, exclusive of the sums due on deposit. And in
case of excess, the president and directors under whose administration
it shall have taken place shall be liable for any or all of the debts of
said bank, in their individual capacities, by a joint or several actions
or modes of proceedings usual in the courts of this Commonwealth,
against them or any of them, their heirs, executors, or administrators,
in any court having jurisdiction thereof, by any creditor or creditors of
said bank, and shall be prosecuted to judgment and execution, any
condition or agreement to the contrary notwithstanding: Provided,
That if the president or any of the directors may be absent when the
excess may be contracted or created, or being present, shall dissent
from the act by which the excess is about to be contracted or created,
he or they shall not be liable under this section, if he or they shall,
within ten days of the creation of such excess, or discovery thereof,
make affidavit of his or their absence or dissent, and file the same for
record with the recording officer of the county; and shall moreover,
within ten days, give notice thereof in one of the public newspapers
printed in this State, and transmit a copy thereof to the Governor of
this State for the time being, and shall, in said notice, call a meeting
of the shareholders, which they are hereby authorized to do. And said
overissue or excess shall be cause of forfeiture of this charter.

§ 5. Said bank shall not, at any time, suspend, fail or refuse payment,
in gold or silver, of any of its notes, bills or other obligations, due and
payable, or any money on deposit; and in such case the officers, in
the usual banking hours, at the office of discount and deposit, where
the same shall be payable, shall refuse payment in gold or silver, of
the amount of any note, there demandable and presented for payment,
or the payment of any money previously deposited at such office, and
then due and demandable, by any person or persons entitled to receive
payment of the same, said bank, with its stockholders, shall be liable
to pay damages, at the rate of ten per cent. per annum, on the amount
thereof, from the time of such failure, or refusal, until payment there-
of; and for such failure, or refusal, or for any violation of this charter,
the same may be forfeited, and a scire facias may be sued out in the
name of the Commonwealth by the attorney general, by order of the
Governor for the time being; and such proceedings may be had as to declare such forfeiture, by the judgment of a court; and from and after the judgment of the forfeiture, said corporation shall cease to exercise any of the powers and privileges hereby granted; provided said forfeiture shall not be construed to prevent said bank from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contracts that may be convenient and proper for that purpose.

§ 6. The real and personal estate, business, property, funds and prudential concerns of said bank, and the administration of its affairs, shall be under the direction, management, and control of five directors, chosen as hereinafter directed. They shall be stockholders, and, after the first election, shall have been stockholders at least one month previous to their election. They shall be residents of this State, and citizens of the United States, and stockholders in their own right, and after the first election they shall be elected annually on the first of April in each year, and shall hold their offices for one year, and until their successors shall be chosen. They shall be elected by the shareholders, who shall meet at the annual elections in Paducah, at such time and place as the directors for the time being shall direct; and notice of the time and place of holding the annual elections shall be published in at least two authorized newspapers, thirty days next preceding the election. The election shall be by plurality of votes, conducted under the direction of three disinterested persons, acting under oath, and previously chosen by the directors. If, from any cause, the election shall not take place on the day fixed by this charter, the corporation, for that cause, shall not be dissolved, but the stockholders may hold an election on any other day the by-laws shall direct, and at all elections under this charter each and every shareholder, whether individuals, companies, or corporations, shall be entitled to one vote for each share held in their own right, up to one hundred shares; and every five shares over one hundred, one vote. Any stockholder entitled to vote, may do so in person or by proxy, such proxy being granted to a stockholder who is not the president, or a director, cashier, clerk or teller of the bank. Any stockholder who is not a resident of the United States shall not be entitled to vote.

§ 7. The directors chosen for this bank, under the provisions of this charter, shall, after the first and every other election, elect a president from their own body, who shall preside at the board until the next election; and in the case of the death, absence, resignation or vacation of the office of president, the residue of the directors shall choose a president pro tempore. They shall fill all vacancies which may occur in their own body during the time for which they were chosen, and appoint a cashier, clerk agents or servants of the bank, fix their compensation, define their powers, and prescribe their duties; and shall require of them such bonds and in such penalties as they may deem right to secure the bank from loss or damage; and such officers shall hold their places during the pleasure of the president and directors.

§ 8. The president and directors of this bank, (any five of whom shall form a quorum for the transaction of business,) may from time to time make such by-laws, rules, and regulations for their own govern-
ment, and for the management and disposition of the property, estate, funds, and business of the bank, and all matters appertaining thereto, not contrary to the provisions of this charter; and they shall hold stated meetings at least once a week, and all questions before the board shall be decided \textit{viva voce}.

§ 9. No dividends of the profits of said bank shall be declared until there shall be a surplus of one thousand dollars for each one hundred thousand dollars of the capital stock actually paid in, and the surplus or contingent fund, thus raised, shall never be reduced below that ratio on all stock paid for; and it shall be the duty of the president and directors of the bank, on the first Monday in January and July of each year, to declare a dividend of the profits, over and above the contingent fund aforesaid, among the stockholders, payable to them on demand, of which dividend, and the time and place of payment, notice shall be given. And it shall be the duty of the cashier of this bank, on the first day of July, after this bank shall have gone into operation, and on the first day of July in each succeeding year, during the continuance of this charter, to pay to the treasurer of this Commonwealth, for the benefit of the common school fund, fifty cents on each hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonus.

§ 10. It shall be the duty of the president and directors of this bank, and they are hereby required, as often as once in three months, to cause a strict examination to be made of the accounts of the cashier, and a full and complete statement to be made and entered on the journals of the proceedings of the board.

§ 11. It shall not be lawful for the cashier, president, or directors, either directly or indirectly, to become indebted to said bank, either as borrower, indorser, or otherwise, in any sum exceeding five thousand dollars each; and if the cashier, teller, clerk, agent, or other officer of this bank, shall, without authority of the president and directors of this bank, appropriate any of the funds of said corporation to his own use, or to that of any other person, or shall willfully fail to make correct entries, with intent to cheat or defraud the corporation or any person, the officer so offending shall be deemed guilty of felony, and shall, upon conviction thereof, be sentenced to confinement in the jail or penitentiary of this State for a period of not less than five nor more than twenty years.

§ 12. The president and directors of this bank shall keep a record or journal of their proceedings, which they shall produce to the stockholders when by them demanded, at any regular meeting, and they shall be opened to inspection to any committee appointed by the legislature; and it shall be their duty, during the first week of the session of the legislature, to transmit to the Secretary of State an accurate and just statement of its condition at that time, and to transmit a similar statement on the 1st of January every other year, which statement shall specify the amount of capital stock actually paid in, and the amount not paid in, its real estate, and the value thereof, the total amount of debts due to and from the bank, the amount of gold and silver and other coined metals and bullion on hand, the amount of stocks on hand, the amount of deposits, the amount of bills in circulation, the amount of bills on
hand of other incorporated banks, and the amount of notes in circu-
lution of each denomination issued by the bank, the rate and amount
of dividend, and the profits made by the bank, with the amount of
surplus profits, or the contingent fund; which statements the Governor
of the Commonwealth shall cause to be laid before the legislature of
Kentucky.

§ 13. The legislature shall have the right to investigate the situation
and affairs of said bank, by any committee they may appoint for that
purpose from time to time.

§ 14. The circuit court in the county of Franklin shall have juris-
diction to try the forfeiture of this charter, or the violation of any of
the provisions of the same. The proceedings shall be by *scire facias,*
alleging and specifying the acts of forfeiture relied on, and shall only
be sued out at the instance of the Attorney General when directed to
do so by order of the legislature or the Governor for the time being—
from the decisions of which court, appeals may be taken as in other
cases.

§ 15. The president, directors, cashier, clerks, tellers, and other offi-
cers of the bank, previous to entering on the discharge of their duties,
shall take an oath before some "justice of the peace" of this State,
faithfully, honestly, and impartially, and to the best of their skill and
judgment to discharge all the duties of their respective offices and sta-
tions under this charter, or which may be required of them by the by-
laws, rules, and regulations of the corporation.

§ 16. Said bank shall not contract for or receive a greater rate of
interest than at the rate of six per centum per annum, for the loan or
forbearance of money, and interest on promissory notes, negotiable
and payable at said bank; and their discount shall be calculated on
the true time such notes have to run, including three days of grace,
and shall be paid in advance and on banking principles, in conformity
with Rowlett's tables of discount and interest.

§ 17. That the president and directors shall issue certificates of stock
to the holders thereof, for so much as shall be paid for, and the shares
of the capital stock of said bank shall be considered and held in law
as personal property, and assignable and transferable only in such
manner and at such place or places as the president and directors
of the bank shall by their by-laws prescribe.

King, Alfred Boyd, G. W. Jarnett, R. S. Ratcliffe, James B. Husbands,
E. L. Anderson, Wm. F. Norton, and H. Enders, (of the town of Pa-
ducah,) are hereby appointed and constituted commissioners to open
books and receive subscriptions for the stock of said bank, and they or
a majority of them shall have power, and they are authorized and
required, at such time and place as they may deem expedient, to open
books for the subscriptions of capital stock in the said bank of Padu-
cah, and such other places as the commissioners may deem advisable,
and cause the books to be kept open until at least one thousand shares
shall have been subscribed, when the same may be closed; and any
three of them shall superintend the election of the first board of di-
rectors, who may, after their election, open the books for the subscrip-
§ 19. The payment of the shares of the capital stock of said bank shall be paid in stock until the amount of the capital stock of said bank shall be paid in full.

§ 20. Should any of the subscribers to the capital stock of said bank fail to pay for their stock as herein provided, the president and directors, first giving public notice in at least two newspapers printed in this State, for the space of thirty days, may appoint a person to count the money and bonds so paid in, and on such appearing to be the fact, the Governor of this Commonwealth shall be authorized to issue a proclamation, that the amount hereby required to be paid in, and in the manner required has been done; and the said bank shall be held for the benefit of the bank.

§ 21. So soon as fifty thousand dollars of capital stock shall have been paid in, by individuals, corporations, and companies, the president and directors shall cause the Governor of this Commonwealth to be notified thereof; and on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be paid in, and in the manner required has been done; and the said bank shall be held for the benefit of the bank.

§ 22. The bills and notes of said corporation, originally made payable to bearer, shall be receivable in all payments to the State, and on account of county levies, so long as it shall redeem its obligations in gold and silver, which shall be in the manner required.

§ 23. The president and directors of this bank may under the direction of the agent or agents appointed, keep open books for the transfer of the stock of said bank, at such places and under such rules and regulations as they may deem proper to appoint.

§ 24. No person shall be held liable for any loss on said bonds to the creditors of said bank, in the extent of any loss on said bonds to the creditors of said bank.
§ 25. Not more than thirty-three per cent. of the capital of said bank shall be used in dealing in bills of exchange, and a violation of this section is hereby declared a good ground for the forfeiture of this charter.

§ 26. This act shall take effect from and after its passage.

Mr. Elliott moved to amend said bill by striking out the 24th section, and inserting in lieu thereof the following, viz:

§ 24. That the stockholders shall be liable in their individual property and estate for all the debts and liabilities of said bank.

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

And so said bill was disagreed to.

The yeas and nays being required thereon by Messrs. W. J. Berry and R. Jones, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Marshall from the committee on Federal Relations, made the following report, viz:

The committee on Federal Relations, to which was referred the message of the Governor and the accompanying document from the Commissioner of the General Land Office, relating to the claim of the United States to island No. 5, known as Wolf Island, in the Mississippi river, respectfully report—

That from the most reliable sources of information to which the committee have had access, the State of Kentucky has always claimed the island known as Wolf Island, to be within its jurisdiction. It lies opposite to and is a part of Hickman county. The inhabitants residing thereon have, for more than thirty years, exercised all the rights and privileges of citizens of this Commonwealth, and have been subject to the same burthens. The member who represented Hickman county at the session of 1851-2 resided on Wolf Island. On the 29th of January, 1836, the General Assembly passed an act to protect the actual and bona fide settlers on islands in the Mississippi river, "within the jurisdiction of this Commonwealth." On the 15th of February, 1837, an act was passed appointing the treasurers of the Board of Internal Improvement, residing in the counties of Hickman and McCracken, commissioners "with full power to grant, sell, and dispose of all the islands in the Mississippi river which belong to this State, which are generally known as islands No. 1, 2, 3, 4, 5, (or Wolf Island) and 8, and also Cash Island in the Ohio river."

The committee have been informed that the lands embracing those islands were accordingly sold, and the purchasers, or those claiming under them, have ever since listed the same for taxation and paid taxes thereon—that the State of Missouri, through its officers, has never attempted to exercise any jurisdiction whatever over either Wolf Island or any other island in the Mississippi river, opposite to this State.

The country on the north side of the Mississippi river, opposite to those islands, and forming a part of the State of Missouri, was not embraced in the original boundaries of the United States, as agreed upon in the definitive treaty of peace between the United States and Great Britain, concluded at Paris on the 3d of September, 1783, but composed a part of Louisiana, which was purchased by the United States from France, in 1803. By referring to the treaty of 1783 and the act of Congress authorizing the people of the Territory of Missouri to form a state government, the middle of the river Mississippi is recognized as the boundary line. When (says Chief Justice Marshall in Handley's lessee vs. Anthony, 5 Wheaton, 374,) a great river is the boundary between two nations or states, if the original property is in neither, and there be no convention respecting it, each holds to the middle of the stream.

The Commissioner of the General Land Office assumes that the quantity of water on the east side is much greater than that on the west side of Wolf Island, and consequently it is within the limits of the State of Missouri. The committee have no means of testing the accuracy of this assumption. If any evidence of the kind has been transmitted to the General Land Office it was taken ex parte. They
have been informed that many years since the navigators passed on the west or Missouri side of the island. If that be so, the committee suppose that the title of this State would not be lost by a change of the channel in the river.

The committee deem it of vital importance to this State that no sale of the land embracing Wolf Island, under the authority of the United States, be made, until the question of boundary between Missouri and Kentucky is settled. They submit for the consideration of the House the following resolutions.

CHARLES A. MARSHALL, Ch'n.

1. Resolved by the General Assembly of the Commonwealth of Kentucky, that the senators and representatives in Congress from this State be requested to procure the passage of an act of Congress relinquishing all claim the United States may have to the Island in the Mississippi river, opposite to the county of Hickman in the State of Kentucky, known as Wolf Island.

2. If the passage of such an act cannot be obtained, to apply to the proper officer at Washington to suspend the contemplated sale of Wolf Island in May next, until the question of boundary between this State and Missouri is definitively settled, in order to ascertain which of said States has the right of jurisdiction over said Island.

3. That the Governor be requested to transmit to each of the senators and representatives in Congress from this State a copy of the foregoing report and resolutions.

4. Be it further resolved, That for the purpose of having a definitive settlement of the boundary between this State and the State of Missouri, the Governor be requested to take the necessary steps to effect that object, either by a reference to disinterested and discreet persons, not exceeding three in number, neither of whom to be citizens of a State that borders on the river Mississippi, or by a suit in equity in the proper tribunal; and to defray the expenses incident to such proceeding, the Governor is authorized to receive from the treasury the necessary sums of money, not exceeding however, in the aggregate, fifteen hundred dollars.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

Mr. McElroy moved to fill the blank in the last resolution with the words "fifteen hundred."

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

Said resolutions, as amended, were then twice read.

Mr. Marshall called for a division of the question.

The question was then taken on the adoption of the first resolution, and it was decided in the affirmative.

The question was then taken on the adoption of the second resolution, and it was decided in the affirmative.

The question was then taken on the adoption of the third resolution, and it was decided in the affirmative.
The question was then taken on the adoption of the fourth resolution, and it was decided in the affirmative.

The yeas and nays being required on the adoption of the last resolution by the constitution, were as follows, viz:

Those who voted in the affirmative, were


In the negative—none.

Mr. Marshall, from the committee on Federal Relations, to whom was referred the preamble and resolution in relation to the bill in favor of the soldiers of the revolutionary war, introduced into the Senate of the United States by Senator Evans, from South Carolina, reported the same without amendment.

Said preamble and resolutions, were then twice read and adopted.

The House then took up a bill from the Senate entitled,

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there is hereby established the Deposit Bank of Cynthiana, with a capital of fifty thousand dollars, in shares of fifty dollars each,
to be subscribed and paid for by individuals, companies, and corporations, in the manner hereinafter specified; which subscribers and shareholders, their successors and assigns, are hereby created a body politic and corporate, by the name and style aforesaid, and shall so continue a body politic and corporate until the first day of June, 1886, and by that name, under the restrictions hereafter prescribed, shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts and places, and in all matters whatsoever, as natural persons, with full power to acquire, hold, possess, use, occupy, and enjoy, and the same to sell, convey, and dispose of all such real estate, goods, effects, and chattels, as shall be convenient for the transaction of its business: Provided, The value thereof shall not exceed five thousand dollars, or which may be conveyed to said institution as security for any debt, or which may be received in discharge of any debt or purchase in satisfaction of any judgment or decree in its favor, or in the purchase of any property on which it may have a lien; and said institution may have and use a common seal, change, alter, and renew the same at pleasure, and may ordain and put in execution such by-laws, rules, and regulations for the government of the same, as may be deemed necessary: Provided, They are not inconsistent with the constitution and laws of this State or the United States.

§ 2. That the business of the institution shall be to receive money on deposit, upon which it shall pay interest to the depositor of not more than six per cent. and no less than two per cent. per annum, as it may choose, depending upon the length of time for which deposit may be made, to loan money, discount promissory notes and bills of exchange; the promissory notes made payable to any person or persons or order, or payable to the institution or order, and negotiable and payable at their banking house, or at any bank of office or discount and deposit, or branch of any bank, and indorsed to or discounted by said institution, shall be and they are hereby put upon the same footing as foreign bills of exchange, and remedy may be had jointly and severally against the drawers and endorsers, and with like effect except as to damages; and except that, in a regular course of administration, they shall have no other or greater dignity or priority of payment than other notes; and the said institution shall not, directly or indirectly, deal or trade in anything except loaning of money and exchange, and in gold or silver coin or bullion, or in the sale of goods, chattels, rights, and credits, really and truly pledged for money lent and not redeemed in time, or goods which shall be the proceeds of its lands.

§ 3. The institution shall not at any time owe, either by bond, bill, note, or other contract, an amount exceeding twice the amount of capital stock actually paid in, exclusive of sums due on deposit; and in cases of excess, the president and directors, under whose administration it shall have taken place, shall be liable for any or all the debts of said institution in their individual capacities by joint or several actions of debt against them or any of them, their heirs, executors, or administrators, in any court having jurisdiction thereof, by any creditor or
creditors of the same, and shall be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding: Provided. That, if the president or any of the directors may be absent when the excess may be contracted or created, or being present shall dissent from the act by which the excess is about to be contracted or created, he or they shall not be liable under this section, if he or they shall, within ten days from the creation of such excess or dissent thereof, make affidavit of their absence or dissent, and file the same for record with the recording officer of the city or county; and moreover, within ten days, give notice thereof in some newspaper printed in Cynthiana, and transmit a copy thereof to the Governor of the State, and shall in said notice call a meeting of the shareholders, which they are hereby authorized to do.

§ 4. Said institution shall not, at any time, fail or refuse to pay its deposits in gold or silver or currency of like kind, and value of that deposited; and in case the officers, in the usual business hours at their banking house, shall refuse or unreasonably delay payment as aforesaid then demandable by any person entitled to receive the same, the said institution shall be liable to pay damages at the rate of twelve per cent. per annum thereon from the time of such failure, refusal, or delay, until payment thereof; and for such failure or refusal, or for any violation of this charter, the same shall be forfeited; and a scire facias shall be sued out in the name of the Commonwealth by the Attorney General, and such proceedings he had as to declare such forfeiture by the judgment of a court; and from and after the judgment of forfeiture shall cease to exercise any of the powers and privileges hereby granted: Provided, Said forfeiture shall not be construed to prevent said institution from suing and being sued, and continuing its operations for the purpose of closing its concerns, nor from making any contract that may be convenient and proper for that purpose.

§ 5. That the real and personal estate, business, property, funds, and prudential concerns of said institution shall be under the direction and control of five directors, who shall be stockholders, and after the first election shall have been stockholders at least three months previous to their election; they shall be residents of this State and citizens of the United States, and after their first election they shall be elected annually on the first Monday in May. Each director shall be a stockholder in his own right; they shall hold their office for one year and until their successors shall be chosen. All elections, after the first, shall be conducted by two (at least) of the stockholders acting under oath, appointed by the directors. The stockholders so appointed shall give at least thirty days notice of the time and place of said election. The election shall be by plurality, to be counted and read in public after they are taken. No director or officer of any bank shall be eligible as a director in this institution; and any director becoming a director or officer of a bank, or while under protest in this institution for the non-payment of debt, shall be held to have vacated his office; nor shall two partners in trade, nor shall one partner while another is a director in a bank, be eligible as a director in this institution at one and the same time; and if the president, or any director or officer of the institution shall fail or become insolvent after his election or appoint-
ment, he shall become incapable to serve, and shall be held to have vacated his place; nor shall he be appointed to serve in this institution until his debts are paid, or until he has obtained a full discharge from the same; nor shall any one who has ever failed in business be eligible to the office of president, director, or other officer, until all his debts are paid, or he is fully discharged therefrom. If from any cause, an election should not be held on the day fixed by the charter, it shall be the duty of the board to give notice immediately as before required, that an election will be held on the first Monday in June following, and said election shall be conducted as required in the regular election.

§ 6. That at all meetings of the stockholders, and at all elections under this charter, each stockholder shall be entitled to one vote for every share held in his own right, up to ten—one vote for every five shares over ten, up to fifty, and one vote for every ten shares over fifty. After the first election no share shall entitle the holder to a vote unless the same has been held by the person claiming to vote at least three months prior to the time, and so appear on the books of the institution. Any stockholder entitled to vote may do so in person or by proxy, such proxy being granted to a stockholder who is not either president, director, or other officer in the same; and no person who is not a citizen of the United States shall be permitted to vote on his stock.

§ 7. That the directors shall elect one of their own number president, who shall preside at all meetings, and in case of a vacancy in said office the residue of the directors shall elect a president pro tem. They shall fill all vacancies which may occur in their own body, and appoint officers, clerks, and servants as deemed expedient; they shall define their duties, and shall require of them such bonds, penalties, and securities as deemed requisite for the security of the institution; which bonds shall be examined at least once a year, and be renewed from time to time, so as to secure the institution from loss; and all such officers shall hold their places during the pleasure of the board.

§ 8. The president and directors, any three of whom may constitute a quorum for the transaction of business, may from time to time make such by-laws, rules, and regulations for the government of the institution as deemed expedient, not contrary to the provisions of this charter, or the by-laws and rules which the stockholders at their annual or other meetings, may from time to time prescribe: Provided, for that purpose a concurrence of a majority of all the directors shall be necessary.

§ 9. The president and directors shall hold stated meetings at least once a week, and called meetings may be had whenever deemed necessary. All questions before the board shall be taken viva voce, and the ayes and noes on any proposition submitted shall be entered of record, at the request of any two members; and no vote shall be reconsidered when a less number is present than when the vote was given.

§ 10. It shall be the duty of the president, on the 1st day of July, 1856, and on the 1st day of July in each succeeding year to pay to the treasurer of the State twenty-five cents on each one hundred dollars of stock held and paid for in said institution, which shall be in full for
19. All tax or bonus: Provided, that the legislature may increase or diminish the same; but at no time shall the tax exceed fifty cents on each hundred dollars of stock paid for in said institution.

§ 11. It shall be the duty of the president and directors, and they are hereby required, as often as once every three months, to cause a strict examination to be made of the cash and cash accounts of the institution, and a full and complete statement shall be made out and entered on the journal of the proceedings of the board.

§ 12. That it shall not be lawful for the cashier, clerks, teller, or other subordinate officers, either directly or indirectly, to engage in or carry on any other business than that of said institution, without the special leave of the president and directors; nor shall any of them, either directly or indirectly, become indebted to the same, either as borrower, indorser, surety or otherwise.

§ 13. That if the cashier, clerks, teller, agent, or other officer, shall, without the authority of the president and directors, appropriate any of the funds of the corporation to his own use or that of any other person, or shall willfully fail to make correct entries, or shall knowingly make false entries on the books of the institution, with intent to cheat or defraud the corporation or any other person, to hide or conceal any improper appropriation of the funds, the officer so offending shall be deemed guilty of felony and shall, upon conviction thereof, be sentenced to confinement in jail and penitentiary of this State for a period of not less than two nor more than twenty years.

§ 14. The president and directors shall keep a record of their proceedings, which they shall produce to the stockholders when by them demanded at any regular meeting, and they shall be open for inspection by the Governor or by any person duly authorized by him, or to any committee appointed by the legislature.

§ 15. It shall be the duty of the president and directors, during the first week of each session of the legislature, to transmit to the Secretary of State an accurate and just statement of the condition of the institution, which statement shall specify the amount of stock actually paid in, the amount not paid, and the value of the real estate belonging thereto, and its cost, the total amount of debts due to and from the institution, the amount of gold and silver and other coined metal and bullion on hand, the amount deposited, the amount of bills of banks, bills of exchange due the same, the rate and amount of each dividend of property, surplus profits, or contingent fund, which statement the Governor shall cause to be laid before the legislature; and they shall, when required by the legislature, report all bad and doubtful debts.

§ 16. The president, cashier, and other officers, before entering upon the discharge of their respective duties, shall take an oath before some judicial officer, faithfully, honestly, impartially, and to the best of their skill and judgment, to discharge all the duties of their respective offices under this charter, or which may be required of them by the by-laws, rules, and regulations of the corporation.

§ 17. This corporation shall not contract for or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or use of money, and interest on promissory notes, negotiable
and payable at the same, and there discounted, shall be calculated on the time such notes have to run, including three days of grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 18. The president and directors shall issue certificates of stock to the holders thereof, for so much as shall be paid for, and the shares of the capital stock shall be considered and held in law as personal property, and assignable and transferable only in such manner and at such place as the president and directors shall by their by-laws prescribe. Certificates of deposits shall be obligatory on said institution, and shall be transferable and assignable when made payable to order.

§ 19. The general meeting of the stockholders shall be held annually on the first Monday in May in each year, in the town Cynthiana, at the time of the annual election; to which meeting the president and directors shall present an accurate statement of the condition and affairs of the institution; and a general meeting of the stockholders may be called as provided in this charter, or by the president and directors when they deem it desirable, or by any number of stockholders the by-laws shall require.

§ 20. The legislature shall have the right to investigate the situation and affairs of said institution, by any committee they may appoint for that purpose; and the general court shall have jurisdiction to try the forfeiture of this charter, for the violation of any of the provisions of the same. The proceedings shall be by seicre facias, alleging and specifying the acts of forfeiture relied on, and shall only be sued out at the instance of the Attorney General when directed to do so by the legislature.

§ 21. That Robert Jones, William Trimble, John W. Peak, Greenup Remington, J. W. McIntosh, John S. Boyd, Caleb Walton, and Jas. S. Frazer are hereby constituted commissioners to open books and receive subscriptions for the capital stock of said institution, and to superintend the election of the first board of directors, any three of whom shall be competent to exercise the powers and perform the duties required by this section.

§ 22. The said commissioners shall have power, and they are authorized and required, on the second Monday in April next, or at such other time within two years thereafter as they shall deem expedient, having given not less than thirty days notice thereof in some newspaper printed in Cynthiana, to open books for the subscription of the capital stock for said institution at Cynthiana, and such other places as they may deem advisable, and cause such books to be kept open from 10 o'clock, A. M., until 2 o'clock, P. M., at least ten days, or at least until five hundred shares shall have been subscribed, when the same may be closed; and if more than one thousand shares shall have been subscribed by individuals, companies, and corporations, the commissioners shall deduct excess from the largest subscriptions, in such manner that no subscription shall be reduced and leave the subscription of another larger.

§ 23. That if the whole of the capital stock shall not be taken when the books shall first be opened, the president and directors may cause the books to be opened at any time and place they may direct, giving
thirty days notice thereof in some newspaper, and cause them to be kept open not less than ten days, or until the whole of the balance of the stock shall have been taken; and the president and directors may require such premium on the stock sold at the re-opening of the books as they shall deem right, and such premium shall be property of the institution.

§ 24. That when not less than five hundred shares of the capital stock shall have been taken, and the commissioners shall have closed the books, it shall be their duty to give notice in some newspaper, and appoint a day, in Cynthiana, for the election of the first board of directors, who shall hold their office until the succeeding annual election, and not less than thirty nor more than sixty days notice shall be given of the time and place of electing said board, and at least three of said commissioners shall act as inspectors of said election, and shall take the proper oath and perform all the duties of inspectors of elections in like cases.

§ 25. That the payment of the shares of the capital stock held by individuals, companies, and corporations, shall be made in gold and silver, or notes of either of the banks or branch banks in this State, and at the time and in the manner following, viz: five dollars on each share to the commissioners at the time of subscription, and five dollars on each share within ten days after the election of the first board of directors, and five dollars every sixty days thereafter until the whole amount of said stock is paid: Provided, That the board shall have power to prolong the time for the payment of each installment after one-half of the amount of each share shall have been paid.

§ 26. That should any of the subscribers to the stock of said institution fail or refuse to pay for their stock as herein provided, the president and directors, first giving notice in two or more newspapers for the space of thirty days, by resolution entered on the record, forfeit such stock, and proceed at such time as they may deem expedient, to re-sell; and all partial payments made on any stock which shall be forfeited, shall be held for the benefit of said institution.

§ 27. That five thousand dollars of capital stock shall have been paid in by individuals, companies, or corporations, as heretofore required, the president and directors shall cause the Governor to be notified thereof, who is hereby authorized to appoint some suitable person to count the money so paid in, and to take the oath of the president, and at least two of the directors, that the same has been paid in as capital stock, bona fide, and make due return thereof to him; and on such appearing to be the fact, the Governor is authorized to issue his proclamation, that the amount hereby required to be paid in, and in the funds herein required has been done; and the said institution is then authorized to commence operations.

§ 28. That no one company, individual, or corporation shall be allowed to hold more than fifty shares of the capital stock of this institution, either in their own names or in the names of others, in order to transfer them, and all stock that any individual, company, or corporation shall take or hold contrary to this provision shall be forfeited to the institution for the benefit of the other stockholders; and no individual, company, or corporation shall be allowed, in person or by proxy, to
vote at the first election of directors, on any stock which may stand in his, her, or their name, without first making oath that the stock, bona fide, belongs to them and is not held in trust for others.

§ 29. That it shall not be lawful for the president or any of the directors to become bound as security or accommodation indorser on any note or bill discounted in said institution; and a violation of the provisions of this section shall subject the person violating the same to a penalty of one thousand dollars, to be recovered by action of debt in the name of the corporation, for its own use and benefit.

§ 30. That said institution shall not make any loan of money, or discount any note or bill in any case whatever, for the purpose of enabling any individual to make payment for its own stock; and no stockholder shall be allowed to pay any debt he may owe the same by the surrender of stock; and stockholders who shall become indebted to the institution shall be compelled to pay their debts in all respects as other persons dealing with the same; nor shall any stockholder be allowed to make of the shares of stock held by him or them by means of loan or loans obtained from the institution.

§ 31. That the real estate purchased by this institution, or the legal title of which shall be acquired in any way except such as may be held for the purpose mentioned in the first section of this act, shall be sold within four years after it shall have perfected its title thereto; and on their failure to comply with the provisions of this section, the same shall vest in the Commonwealth.

§ 32. That it shall not be lawful for said institution to issue any note or bill to be passed and used as currency, and if it shall so presume to do, the charter shall be forfeited as provided in the fourth section of this act: Provided, That the legislature reserves to herself the right to alter, amend, or repeal this act at pleasure.

Mr. Menzies moved to amend said bill, by adding thereto the following, viz:

§ 33. That before any notes are discounted or moneys received on deposit by said corporation, it shall be the duty of the officers thereof, to procure a license, as provided in sections 2 and 3, of article 4, chapter 83, of the Revised Statutes.

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

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 being then taken on the passage of said bill, and it was decided in the negative.

And so said bill was disagreed to.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ben Hardin Helm, Robert Richardson,
The House then took up the amendment proposed by the Senate to a bill from this House, entitled, an act to provide against the demoralization of slaves, and the amendment thereto offered by Mr. Menzies.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no license shall be granted to any person to sell vinous, spirits, or malt liquors, or a mixture thereof, until he shall have taken an oath before the court or officer from whom the license must be obtained, that he will not, during the time for which the license may be granted, sell, give, loan, or in any manner furnish to the slave of another, any vinous, spirituous, or malt liquor, without the written order of the owner or person having the lawful custody or control of such slave, giving him permission.

§ 2. Any person who shall sell, give, or loan, or shall permit any one in his employment to sell, give, or loan, or in any manner furnish the slave of another any vinous, spirituous, or malt liquors, or a mixture thereof, without the written permission of the owner or person having the lawful custody or control of the slave, of even date with the furnishing of the liquor, he shall be deemed guilty of a high misdemeanor, and on conviction of such offense he shall be punished by fine or imprisonment, or both; the fine to be not less than twenty dollars nor
more than one thousand dollars, and the imprisonment not less than thirty days nor more than one year, in the jail of the county in which he is convicted.

§ 3. The prosecution of an offense against this act shall be by the presentment of a grand jury, and no prosecutor shall be necessary.

§ 4. Any person may defend himself against a prosecution under this act, by showing that the offense charged was the giving of liquor to save the life or health of the slave, and dictated by humane feelings.

§ 5. If a slave enter the house of a person having license to sell liquors, in the night time or on Sunday, without authority of his master, the fact of such entering shall be considered prima facie evidence that the keeper of the house has violated the second section of this act.

§ 6. All courts in this commonwealth, attended by grand juries, shall give this act specially in charge to the grand juries. And this act shall be in force from its passage.

The substitute proposed by the Senate reads as follows, viz:

Strike out all after the enacting clause, and insert

§ 1. That it shall not be lawful for any person or persons in this commonwealth, either with or without a license, to sell, give, or loan to any slave or slaves, not under his or her control, any spirituous or vinous liquors, unless it is done upon the written order of the owner or person having the legal control of the service for the time being of such slave or slaves; and the written order here meant shall clearly specify the quantity to be sold, given, or loaned, the name of the slave or slaves, and shall be dated and signed; and such order shall only be good for the one sale, loan, or gift. And the persons violating the provisions of this act shall be liable to pay the owner not less than twenty nor more than fifty dollars, at the discretion of a jury, for each offense; and also liable for any actual damage sustained, to be recovered by suit in any court having jurisdiction. Physicians administering spirituous or vinous liquors are excepted from the provisions of this act.

§ 2. It shall not be lawful for any owner or hirer of any slave or slaves, to give to his said slave or slaves any written order to purchase, borrow, or receive any spirituous or vinous liquors, to be used at any place or places other than on the premises, or at the house or houses of such owner or hirer, or to be brought and delivered to him or her in person, unless it be where the order is to a person who is authorized to sell by the drink, and the same is to be drank at such place. Any person violating the provisions of this section, shall be liable to a fine of not less than twenty nor more than fifty dollars, at the discretion of a jury, which may be recovered before any court having jurisdiction to that amount.

§ 3. It shall not be lawful for any person, with or without license, to sell, give, or loan to any free negro in this commonwealth, any spirituous or vinous liquors, in any quantities whatever, to be carried off in vessels from the place of sale, unless such free negro shall first present to the person having license to sell, the certificate of some white person of respectable character, that the same is to be used for medicinal or mechanical purposes. Any person violating the provisions of this section, either in selling, giving, or loaning, or in buying, borrowing
or receiving, or in giving a certificate as aforesaid, which shall, prove to be false, shall be fined in a sum of not less than twenty nor more than fifty dollars, at the discretion of a jury, for each offense.

§ 4. It shall be lawful in suits or prosecutions under this act, to give in evidence the fact that the free negro or slave was seen to come out of the house of the owner or occupier with a vessel containing spirituous or vinous liquors, and also to prove that the free negro or slave came out of said house intoxicated, or with any other evidences about him of having drank therein, as facts going to show that the liquor was sold or given him in such house, by the owner or occupier thereof.

§ 5. Any person who shall illegally sell, give, or loan any spirituous or vinous liquors to any free negro or slave who is not under his or her control, shall, in addition to the penalties denounced above and the damages that may be recovered from him or her, have his or her license declared forfeited by the court giving judgment against him or her, and judgment of forfeiture shall be entered by said court.

§ 6. It shall not be lawful for any person keeping liquors for sale or about his premises, to suffer or permit any free negro or slave under his control to sell, give, or loan the same to any person or persons whatever, either with or without an order; nor shall it be lawful for any such person or persons to suffer or permit any free negro or slave not in his employment or under his control to frequent, visit, or stay in or about his house, except by the permission in writing of the owner or hirer of such slave; and when the owner or hirer shall give such permission, and the owner or occupier of such house shall suffer or permit such slave or slaves to get spirituous or vinous liquors, and give, sell, or loan the same in any quantities to the slaves of others, and free negroes, both the owner and hirer so giving his written permission, and the owner or occupier of the house, shall be liable to a fine of not less than twenty nor more than fifty dollars, at the discretion of a jury, to be recovered as above herein authorized.

§ 7. Nothing in this act shall be held or deemed as repealing any of the laws imposing penalties for the same or like offenses herein mentioned.

Amend the title to read—"An act to amend the law regulating the sale of spirituous or vinous liquors."

The amendment proposed by Mr. Menzies to the substitute proposed by the Senate reads as follows, viz:

Amend the amendment of the Senate by inserting "malt" after the word "spirituous," wherever it occurs in the bill, and also in the amended title.

The question was then taken on the adoption of the amendment proposed by Mr. Menzies, and it was decided in the affirmative.

Mr. Spurr moved to amend the substitute proposed by the Senate, as follows, viz:

1. Amend the 1st section, by inserting after the words "fifty dollars," printed in italic, the words, "or be confined in the jail of the county where such conviction is had, not less than thirty days nor more than six months, or may be both fined and imprisoned."
2. Amend the 4th section by inserting after the words "was seen," printed in italic, the words "within or.

3. Amend the same section by inserting, after the word "vessel," printed in italic, the words, "or any other thing."

4. Amend the same section by inserting before the words "came out," the words, "was in or."

5. Add to the 7th section the words, "and this act shall be in force from its passage."

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

The question was then taken on concurring in the amendment proposed by the Senate, as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Joshua Dunn, Richard B. Alexander, George C. Faris,
John B. Anderson, James M. Fogle,
William B. A. Baker, Sidney A. Foss,
R. P. Beauchamp, John K. Goodloe,
Ben Berry, Alfred F. Graham,
William J. Berry, Ben Hardin Helm,
William S. Bodley, John M. Hewitt,
John S. Bohannon, Greenberry Hicks,
William B. Booker, Andrew J. James,
Robert C. Bowling, Gideon P. Jolly,
Archibald C. Brown, Andrew Jones,
Erasmus O. Brown, Richard Jones,
Horatio W. Bruce, James Kinshaver,
Colbert Cecil, George F. Lee,
Isaac N. Clement, Philip Lee,
George B. Cook, Samuel Long,
Milton J. Cook, John G. Lyon,
Coleman Covington, Charles A. Marshall,
Frank P. Deatherage, Jas. H. McCampbell,
David R. Dugan, John W. Menzies,
Charles Duncan, William M. Miller,
W. C. Montgomery,
William M. Morrow,
Elijah F. Nuttall,
Andrew J. Prichard,
David H. Raymond,
Robert Richerson,
Joseph Ricketts,
George C. Rogers,
James M. Speer,
Richard J. Spurr,
Thomas J. Terry,
Joshua Tevis,
James H. Turner,
E. L. Vanwinkle,
Fielding Vaughan,
Willie Walker,
James T. Ware,
Thomas H. Winn,
Francis M. Woods,
E. W. Worsham,
E. S. Worthington—65.

Those who voted in the negative, were

William T. Anthony, Gordon B. Grasty,
John B. Auxier, Anderson Gray,
Thomas H. Corbett, John S. Hargis,
James Culton, Hiram Hawkins,
Nathan Gaither, John L. Irvan,
Daniel Garrard, James S. Littlepage,
Henry Giles, John O. McCreary,
W. C. Montgomery,
William M. Morrow,
Elijah F. Nuttall,
Andrew J. Prichard,
David H. Raymond,
Robert Richerson,
Joseph Ricketts,
George C. Rogers,
James M. Speer,
Richard J. Spurr,
Thomas J. Terry,
Joshua Tevis,
James H. Turner,
E. L. Vanwinkle,
Fielding Vaughan,
Willie Walker,
James T. Ware,
Thomas H. Winn,
Francis M. Woods,
E. W. Worsham,
E. S. Worthington—65.
The House then took up the bill regulating devises to Religious and Benevolent Societies, and the amendment proposed by Mr. McElroy thereto.

And the question being taken on the adoption of the amendment proposed by Mr. McElroy, it was decided in the negative.

Mr. Cecil 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. Cecil and Gray, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, Frank P. Deatherage, John G. Lyon,
John B. Anderson, David R. Dagan, John C. McCreary,
William T. Anthony, Joshua Dunn, Hiram McElroy,
John B. Auxier, George C. Faris, W. C. Montgomery,
William J. Berry, James M. Fogle, William M. Morrow,
John S. Bohannon, Henry Giles, Samuel B. Pell,
William B. Booker, Gordon B. Grasty, Andrew J. Prichard,
Robert C. Bowling, Anderson Gray, David H. Raymond,
Archibald C. Brown, John S. Hargis, William Reiley,
Erasmus O. Brown, Hiram Hawkins, Charles C. Smedley,
Colbert Cecil, John L. Ivran, James M. Speer,
Isaac N. Clement, Andrew J. James, David L. Thurman,
George B. Cook, Gideon P. Jolly, Fielding Vaughan,
Milton J. Cook, Andrew Jones, Willie Waller,
Thomas H. Corbett, Richard Jones, James T. Ware,
Coleman Covington, James Kinslaer, T. H. M. Wint,
James Culton, Samuel Long, Francis M. Woods

Those who voted in the negative, were

Mr. Speaker, (Huston,) Ben Hardin Helm, Joseph Ricketts,
William B. A. Baker, John M. Hewitt, George C. Rogers,
R. P. Beauchamp, Greenberry Hicks, Richard J. Spurr,
Ben Berry, George F. Lee, Thomas J. Terry,
William S. Bodley, Philip Lee, Joshua Tevis,
Horatio W. Bruce, James S. Littlepage, James H. Turner,
Sidney A. Foss, Charles A. Marshall, E. L. Vanwinkle,
Nathan Gaither, Jas. H. McCampbell, Hiram Wood,
Daniel Garrard, John W. Menzies, E. W. Worsham,
John K. Goodloe, William M. Miller, E. S. Worthington—32.
Alfred F. Graham, Elijah F. Nuttall.

Mr. Menzies, from the select committee, to whom were referred the bill supplemental to an act dividing the State into thirteen Judicial districts, and the amendment thereto proposed by Mr. Gray,

Reported the same with an amendment as a substitute for said bill.

The said substitute reads as follows, viz:

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§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the counties of Union and Lyon be and are hereby attached to the second judicial district, and that so much of the act to which this is a supplement as is inconsistent herewith is hereby repealed.

§ 2. There shall be established in every county of the second judicial district a court to be called the equity and criminal court, which shall have jurisdiction of all equity, criminal, and penal business as the circuit courts have or may have, with all the powers and duties of circuit courts in such business; and all the business in the circuit courts of the counties of said equity and criminal court district, of which the equity and criminal courts have jurisdiction under this act, may be transferred from the circuit courts to the equity and criminal courts, and shall be conducted and tried in the manner and under the rules and regulations applicable to its conduct and trial in the courts in which it was begun; and the provisions of the Code of Practice as to the transfer of business from the Jefferson circuit court to the Louisville chancery court shall apply to the transfer of business from the circuit courts to said equity and criminal courts.

§ 3. There shall be elected in said equity and criminal court district, by the qualified voters therein, on the first Monday of August, 1856, a judge, who shall hold said equity and criminal courts; and the election shall be held at the places and under the rules and regulations applicable to the election of circuit judges. Said judge shall have the same qualifications required for a circuit judge and the same powers in respect to the business of which this act gives him jurisdiction; and he shall hold his office during the same term as a circuit judge; and the successor of said judge shall be chosen as the successor of a circuit judge is chosen.

§ 4. The salary of said judge of the equity and criminal courts shall be eighteen hundred dollars per annum.

§ 5. The clerks of the circuit courts, sheriffs, and all other officers in said equity and criminal court district shall perform the same duties as to said courts, and under the same liabilities and penalties as such officers are or may be bound to perform similar duties as to the circuit courts. The general laws as to the fees of officers shall apply to said court.

§ 6. The said equity and criminal court shall have a seal, and is hereby declared a court of record, and its proceedings shall be authenticated as the proceedings of circuit courts are authenticated.

§ 7. This act shall take effect and be in force at the time the act to which this is a supplement shall take effect and be in force.

Mr. Turner moved the following amendment to said substitute, viz:

Strike out all after the enacting clause and insert as follows:

That an act, entitled, an act to divide the State into thirteen judicial districts, be and the same is hereby repealed.

The Speaker decided that said proposed amendment was not in order.

From which opinion of the chair, Mr. Turner took an appeal.
The question was then put: Shall the decision of the chair stand as the judgment of the House?

And it was decided in the affirmative.

Mr. R. Jones moved the following amendment to said substitute, viz:

Amend the 1st section of the substitute by inserting after the word "district" the following words, viz:

That Bath county is hereby taken from the eleventh district and added to the tenth district, and Greenup county is hereby taken from the tenth district and added to the eleventh district.

Mr. Marshall moved the previous question.

And the question being then taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. R. Jones, and it was decided in the negative.

Mr. Marshall called for a division of the question.

The question was then taken on the adoption of the first section of the substitute, and it was decided in the affirmative.

The question was then taken on the adoption of the remaining sections of said substitute, and it was decided in the negative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

WEDNESDAY, FEBRUARY 20, 1856.

1. Mr. Littlepage presented remonstrances from citizens of Anderson county, against the formation of a new county out of part of said county.

2. Mr. Raymond presented a petition of citizens of Harrison county, praying a change in the time of holding their County Courts.

3. Mr. Covington presented the memorial of a committee of the Quarterly Conference of the Madison Circuit of the Kentucky Conference of the Methodist Episcopal Church South, praying the passage of an act for the benefit of the Concord Church.

4. Mr. Auxier presented the petition of G. P. Hammond, praying compensation for conveying a lunatic to the asylum at Lexington.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on County Courts; the 3d to the committee on Religion; and the 4th to the committee on Claims.

Mr. Worthington moved to re-consider the vote by which the latter part of the substitute reported by the select committee for the bill supplemental to an act dividing the State into thirteen Judicial districts, being the 2d, 3d, 4th, 5th, 6th, and 7th sections of said substitute were stricken out of said substitute.

And the question being taken on re-considering, it was decided in the affirmative.

Mr. Tevis moved to reconsider the vote adopting the 1st section of said substitute.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Waller and Vanwinkle, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James M. Fogle, William M. Miller,
W. B. A. Baker, Sidney A. Foss, W. C. Montgomery,
R. P. Beauchamp, John K. Goodloe, Samuel B. Pell,
Ben. Berry, Alfred F. Graham, Andrew J. Prichard,
William J. Berry, Roger W. Hanson, David H. Raymond,
William S. Bodley, Ben Hardin Helm, Joseph Ricketts,
Laban J. Bradfield, Greenberry Hicks, George C. Rogers,
Archibald C. Brown, Gideon P. Jolly, James A. Russell,
Erasmus O. Brown, Andrew Jones, Charles C. Smedley,
Horatio W. Bruce, Richard Jones, Richard J. Spurr,
George B. Cook, James Kinlaer, Thomas J. Terry,
Milton J. Cook, George F. Lee, Joshua Tevis,
Coleman Covington, Philip Lee, David L. Thurman,
James Culton, Samuel Long, James H. Turner,
Frank P. Deatherage, John G. Lyon, E. L. Vanwinkle,
Charles Duncan, Pleasant W. Mahan, James T. Ware,
James A. Duncan, Charles A. Marshall, T. H. M. Winn,
Joshua Dunn, Jas. H. McCampbell, Francis M. Woods,
Robert B. English, John W. Menzies, E. S. Worthington—58.
George C. Paris,

Those who voted in the negative, were

Richard B. Alexander, Ephraim B. Elliott, Jas. S. Littlepage,
Lucien Anderson, Nathan Gaither, John C. McCreary,
John B. Anderson, Daniel Garrard, Hiram McElroy,
William T. Anthony, Henry Giles, William M. Morrow,
John B. Auxier, Gordon B. Grasty, Robert Richardson,
John S. Bohannon, Anderson Gray, William Reiley,
William B. Booker, John S. Hargis, James M. Speer,
Colbert Cecil, Hiram Hawkins, Fielding Vaughan,
Isaac N. Clement, John M. Hewitt, Willie Waller,
David R. Dugan, Andrew J. James,

Mr. Worthington moved to amend the substitute by striking out the 1st and 7th sections thereof, and by striking out of the second section the words "second judicial," and inserting in lieu the words "first judicial."

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

The question was then taken on the adoption of said substitute, as amended, 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 it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Irvan and Philip Lee, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title of said bill be amended to read as follows, viz:

An act to establish Equity and Criminal Courts in the 1st Judicial district.

On motion of Mr. C. Duncan,

Ordered, That a message be sent to the Senate, asking to withdraw the report of this House, announcing their disagreement to a bill from the Senate, entitled,

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.
After a short time the messenger returned with said bill.
Mr. C. Duncan moved a re-consideration of the vote by which the House disagreed to said bill.
And the question being taken thereon, it was decided in the affirmative.
The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Irvin and Morrow, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, William H. Raymond,
William B. A. Baker, Alfred F. Graham, Robert Richardson,
R. P. Beauchamp, Roger W. Hanson, Joseph Ricketts,
Ben Berry, Ben Hardin Helm, William Reiley,
William S. Bodley, Greenberry Hicks, George C. Rogers,
John S. Bohannon, Gideon P. Jolly, James A. Russell,
William B. Booker, Andrew Jones, Charles C. Smedley,
Laban J. Bradford, Richard Jones, Richard J. Spurr,
Archibald C. Brown, James Kinslaer, Thomas J. Terry,
Erasmus O. Brown, George F. Lee, Joshua Tevis,
Horatio W. Bruce, Philip Lee, David L. Thurman,
Coleman Covington, John G. Lyon, James H. Turner,
James Culton, Pleasant W. Mahan, E. L. Vanwinkle,
Charles Duncan, Charles A. Marshall, James T. Ware,
James A. Duncan, John W. Menzies, T. H. M. Winn,
Joshua Dunn, W. C. Montgomery, Hiram Wood,
Robert B. English, Elijah F. Nuttall, Francis M. Woods,
George C. Faris, Samuel B. Pell, E. W. Worsham,
Sidney A. Foss, Andrew J. Prichard, E. S. Worthington—57.

Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, Jas. S. Littlepage,
Lucien Anderson, Nathan Gaither, John C. McCready,
John B. Anderson, Daniel Garrard, Hiram McClary,
Wm. T. Anthony, Henry Giles, Wm. M. Miller,
John B. Auxier, Anderson Gray, William M. Morrow,
Colbert Cecil, John S. Hargis, James M. Speer,
George B. Cook, Hiram Hawkins, Fielding Vaughan,

Resolved, That the title thereof be as aforesaid.
A message was received from the Senate, announcing that they had passed bills of the following titles, viz:
An act for the benefit of Shelby College.
An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 4, 1852.
An act to incorporate the Crittenden Male and Female Academy.

An act for the benefit of the Circuit Court Clerk of Harrison county.

The House then took up the resolution laid on table by Mr. Nuttall, on Saturday last, relative to an extension of the session of the present General Assembly.

Mr. Rogers moved to amend said resolution by extending the session to the “third of March,” instead of the tenth of March.

Mr. L. Anderson moved the previous question.

The question was then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken on extending the session to the 10th day of March, and it was decided in the negative, a constitutional majority not voting in favor thereof.

The yeas and nays being required thereon by Messrs. McElroy and P. Lee, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Said resolution was then amended by substituting the 3d day of March, and reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, Two-thirds of the members elected to the legislature concurring therein, that the present session of the general assembly shall be continued until and including the 3d day of March, 1856.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative, the constitutional majority voting therefor.

The yeas and nays being required thereon, by Messrs. McElroy and P. Lee, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Daniel Garrard, Samuel B. Pell,
Richard B. Alexander, John K. Goodloe, Andrew J. Prichard,
John B. Anderson, Alfred F. Graham, David H. Raymond,
John E. Auxier, Gordon B. Grasty, Robert Richardson,
William B. A. Baker, Anderson Gray, Joseph Ricketts,
R. P. Beauchamp, Roger W. Hanson, William Reiley,
Ben Berry, Hiram Hawkins, George C. Rogers,
William S. Bodley, Ben Hardin Helm, James A. Russell,
William B. Booker, John L. Irvan, Charles C. Smedley,
Laban J. Bradford, Andrew J. James, Richard J. Spurr,
Archibald C. Brown, Gideon P. Jolly, Thomas J. Terry,
Erasmus O. Brown, Andrew Jones, Joshua Tevis,
Horatio W. Bruce, Richard Jones, D. L. Thurman,
Colbert Cecil, James Kinslaer, James H. Turner,
Milton J. Cook, George F. Lee, E. L. Vanwinkle,
Thomas H. Corbett, Philip Lee, Fielding Vaughan,
James Culton, Samuel Long, Willie Waller,
Frank P. Deatherage, John G. Lyon, James T. Ware,
David R. Dugan, Pleasant W. Mahan, L. A. Whiteley,
Charles Duncan, Charles A. Marshall, Thomas H. M. Winn,
James A. Duncan, Jas. H. McCammbell, Hiram Wood,
Joshua Dunn, John W. Menzies, Francis M. Woods,
George C. Faris, W. C. Montgomery, E. S. Worthington—71.
Sidney A. Poss, Elijah F. Nuttall,

Those who voted in the negative, were

Lucien Anderson, Robert B. English, James S. Littlepage,
William T. Anthony, James M. Fogle, John C. McCreary,
William J. Berry, Nathan Gaither, Hiram McElroy,
John S. Bohannon, Henry Giles, William M. Miller,
Isaac N. Clement, John S. Hargis, William M. Morrow,
Mr. Speer moved the following resolution, viz:

Resolved, That hereafter this House will meet at 9 o'clock, A. M., and 3 and 7 o'clock, P. M.

Mr. Bruce moved to lay said resolution on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. L. Anderson and Goodloe, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


A message was received from the Senate, by Mr. Walton, asking to withdraw their report announcing their disagreement to a bill from this House, entitled,
An act for the benefit of Joseph Yeager.
Which was granted, and the said bill was withdrawn.
Mr. Menzies, from the committee on the Judiciary, reported a bill to amend the charter of the Covington and Cincinnati Bridge Company.
Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act of Assembly approved February, 1846, incorporating the Covington and Cincinnati Bridge Company, be and the same is hereby so amended as to increase the capital stock of said company, making the capital stock seven hundred thousand dollars, divided into shares of one hundred dollars to the share.

§ 2. The said company may sell one hundred thousand dollars of its capital stock to the city of Covington, to be subscribed and paid as may be agreed by said company and said city, and in payment of said one hundred thousand dollars, the said city may sell her bonds to the amount of one hundred thousand dollars, the amount of every bond and the times and places of the payment of principal and interest to be fixed by said city: and the city is hereby authorized to levy a tax of ten cents upon every one hundred dollars worth of taxable property therein in 1856 and 1857, for the purpose of paying the interest on such bonds.

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 it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Turner and Ware, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Daniel Garrard, William M. Miller,
Richard B. Alexander, John K. Goodloe, W. C. Montgomery,
Lucien Anderson, Alfred F. Graham, Samuel B. Pell,
John B. Anderson, Gordon B. Grasty, Andrew J. Priehard,
John B. Auxier, Roger W. Hanson, David H. Raymond,
William B. A. Baker, John S. Hargis, Robert Richardson,
R. P. Beauchamp, Hiram Hawkins, Joseph Ricketts,
William S. Bodley, Ben Hardin Helm, William Reiley,
William B. Booker, John M. Hewitt, George C. Rogers,
Laban J. Bradford, Greenberry Hicks, James A. Russell,
Erasmas O. Brown, John L. Irvan, Charles, C. Smedley,
Horatio W. Bruce, Andrew J. James, James M. Speer,
Colbert Cecil, Gideon P. Joity, Richard J. Spurr,
Isaac N. Clement, Andrew Jones, Thomas J. Terry,
George B. Cook, James Kinsler, Joshua Tevis,
Milton J. Cook, George F. Lee, David L. Thurman,

Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

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


On motion of Mr. Graham—2. A bill for the benefit of William R. Campbell.

Ordered, That Messrs. Vaughan, Bohannon, and J. M. Fogle prepare and bring in the 1st bill, and the committee on Claims the 2d.

The House then took up the resolution from the Senate in relation to slavery.

Which was twice read and concurred in.

The House then took up the bill incorporating Poage Lodge, No. 325, of Free and Accepted Masons.

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,

Said bill was then referred to the committee on the Judiciary.

The House then took up the bill incorporating Springhill Lodge, No. 139, of Free and Accepted Masons.

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

Said bill was then referred to the committee on the Judiciary.

A bill from the Senate, entitled,

An act to incorporate the Hickman building and loan association, 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,

Said bill was then amended by adding thereto an engrossed clause by way of ryder.
The question was then taken on the passage of said bill as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

- Richard B. Alexander, Robert B. English, John C. McCreary,
- Lucien Anderson, George C. Earis, Hiram McElroy,
- John B. Anderson, James M. Fogle, John W. Menzie,
- John B. Auxier, Daniel Garrard, W. C. Montgomery,
- William B. A. Baker, Henry Giles, William M. Morrow,
- Ben Berry, Gordon B. Grasty, Samuel B. Pell,
- John S. Bohannon, Anderson Gray, Andrew J. Frichard,
- William B. Booker, John S. Hargis, Robert Richardson,
- Erasmus O. Brown, Ben Hardin Helm, Joseph Ricketts,
- Horatio W. Bruce, Greenberry Hicks, William Reiley,
- Colbert Cecil, John L. Irvan, George C. Rogers,
- Isaac N. Clement, Andrew J. James, Charles C. Smedley,
- George B. Cook, Richard Jones, Thomas B. Terry,
- Thomas H. Corbett, James Kinslaer, David L. Thurman,
- James Culton, Philip Lee, Willie Waller,
- David R. Dugan, James S. Littlepage, Hiram Wood,
- James A. Duncan, John G. Lyon, E. S. Worthington—53.
- Ephraim B. Elliott, Pleasant W. Mahan,

Those who voted in the negative, were

- R. P. Beauchamp, Alfred F. Graham, James A. Russell,
- William J. Berry, Roger W. Houson, Richard J. Spurr,
- William S. Bodley, Hiram Hawkins, Joshua Tewis,
- Laban J. Bradford, Gideon P. Jolly, James H. Turner,
- Archibald C. Brown, Andrew Jones, James T. Ware,
- Milton J. Cook, George F. Lee, L. A. Whiteley,
- Coleman Covington, Samuel Long, T. H. M. Winn,
- Frank P. Deatherage, Jas. H. McCampbell, Francis M. Woods,

Nathan Gaither,

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled,

An act requiring the verification of claims upon the treasury.

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 said bill was disagreed to.

Bills from the Senate of the following titles, viz:

1. An act to incorporate the Salem Presbyterian Academy.
3. An act incorporating the Eminence High School.
4. An act concerning the collection of officer's fees.
5. An act to amend an act, entitled, an act to amend and reduce into one the several acts respecting the town of Hickman.
6. An act in relation to a new road in Fleming and Lewis counties.
7. An act to incorporate the Paducah Gas Light Company.
8. An act to amend the act establishing the Boston and Akin Turnpike Road.
10. An act for the benefit of Shelby College.
11. An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.
12. An act to incorporate the Crittenden Male and Female Academy.
13. An act for the benefit of the Circuit Court Clerk of Harrison county.

Where 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, 10th, and 12th bills were referred to the committee on Education; the 2d to the committee on the Sinking Fund; the 4th, to the committee on the Judiciary; the 9th to the committee on Banks; the 11th to the committee on Internal Improvement; and the 5th, 6th, 7th, 8th, and 13th were ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 5th, 6th, 7th, 8th, and 13th 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 for the benefit of the heirs of Frank Quinn, deceased.
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. Worthington moved an amendment to said bill.

Ordered, That said bill and amendment be referred to a select committee of Messrs. McElroy, Worthington, Bodley, Menzies, and Turner.

A bill from the Senate, entitled,
An act regulating the time of holding the Circuit Courts.
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—

Said bill was then amended.

Ordered, That said bill, as amended, be referred to the committee
on Circuit Courts, with instructions to report thereon to this House, on
morning at 3 o'clock, P. M.
And then the House adjourned.

THURSDAY, FEBRUARY 21, 1856.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz:
An act to enlarge the criminal jurisdiction of the City Court of Lou-
isville.
That they had passed bills of the following titles, viz:
An act to incorporate the Grand Division of South Kentucky Sons of Temperance.
An act to incorporate the Russellville, Elkton, Hopkinsville, and Pa-
cah Railroad Company.
An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 11, 1850.
An act to repeal section 340 of the Criminal Code, and substituting other provisions in lieu thereof.
An act to fix the salary of the Judge of the Louisville City Court.
An act for the benefit of Alfred Kendall, Executor of Henry Wood-
yard, late sheriff of Grant county, and for other purposes.
Mr. E. O. Brown, from the committee on Public Printing, to whom were referred resolutions in relations in relation to printing the report of the State Geologist,
Reported the same without amendment.
Mr. E. O. Brown moved to fill the blank in the first resolution with the words "two thousand five hundred."
And the question being taken thereon, it was decided in the affirm-
itive.
Said resolutions, as amended, were then twice read and adopted.
The House then took up the unfinished report of the committee on the Judiciary, being the bill to extend the boundary of the city of Hen-
derson.
Mr. Menzies withdrew his 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. Menzies, from the committee on the Judiciary, to whom were referred bills from the Senate of the following titles, viz:

An act for the benefit of Jane Carey.
An act authorizing the sale of certain streets in Simpsonville.
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 bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Menzies, from the committee on the same committee, to whom were referred bills from the Senate of the following titles, viz:

An act for the benefit of Jane Carey.
An act authorizing the sale of certain streets in Simpsonville.
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 bill having been dispensed with,
Resolved, That said bills do pass, and that the title thereof be as aforesaid.

Mr. Menzies, from the same committee, to whom was referred the amendment proposed by the Senate to a bill from this House, entitled,

An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton,
Reported the same, with an amendment,
Which was concurred in.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,

An act for the benefit of the heirs of Jacob Watson.
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 said bill do pass, and that the title thereof be as aforesaid.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,

An act to regulate the duties of the Commissioner of the Louisville Chancery court.
Reported the same, with an amendment to said bill.
And the question being taken on the adoption of said amendment 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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,
An act authorizing constables to execute process issuing from the Quarterly Courts in civil cases.
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.
Mr. Hawkins moved to amend said bill by adding thereto the following engrossed clause by way of rider, viz:
It shall be the duty of constables to attend the Quarterly Courts and officiate as sheriffs are now required to do.
Mr. J. M. Fogle 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. Wood and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. E. O. Brown moved the previous question.

And the question being then taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Hawkins, and it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were:

Richard B. Alexander, Daniel Garrard, Wm. M. Miller,
Lucien Anderson, John K. Goodloe, W. C. Montgomery,
William B. A. Baker, Alfred F. Graham, William M. Morrow,
R. P. Beauchamp, Gordon B. Grasty, David H. Raymond,
Ben Berry, Roger W. Hansy, Joseph Ricketts,
William B. Booker, John M. Hewitt, William Kelley,
Archibald C. Brown, Greenberry Hicks, James A. Russell,
Erasmus O. Brown, John L. Ivan, Richard J. Spur,
Horatio W. Bruce, Andrew Jones, Thomas J. Terry,
Milton J. Cook, Richard Jones, Joshua Tevis,
Thomas H. Corbett, James Kinslaer, E. L. Vanwinkle,
Coleman Covington, George F. Lee, Willie Waller,
James Culton, Samuel Long, James T. Ware,
Frank P. Detherage, Charles A. Marshall, L. A. Whiteley,
Joshua Dunn, Jas. H. McCamphell, T. H. M. Winn,

Those who voted in the negative, were:

Mr. Speaker, (Huston,) James M. Fogle, John G. Lyon,
John B. Anderson, Sidney A. Foss, Pleasant W. Mahan,
John B. Auxier, Nathan Gaither, John C. McCready,
William J. Berry, Henry Giles, John W. Menzies,
William S. Bodley Anderson Gray, Samuel B. Pell,
John S. Bohannon, John S. Hargis, Andrew J. Prichard,
Colbert Cecil, Ben Hardin Helm, Charles C. Smedley,
Isaac N. Clement, Andrew J. James, James M. Speer,
George B. Cook, Gideon P. Jolly, Fielding Vaughan,
Ephraim B. Elliott, Philip Lee, Francis M. Woods,
Robert B. English, Jas. S. Littlepage, E. S. Worthington—33.

Reserved, That the title thereof be as aforesaid.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,

An act for the benefit of Harriet T. Williams.

Reported the same without amendment.
The question was then taken on ordering said bill to be read a third time, and decided in the negative.
And so said bill was disagreed to.
On motion of Mr. Menzies,
Ordered, That the committee on the Judiciary be discharged from the further consideration of a leave referred to them to bring in a bill to authorize County Courts to take away and bind out the children of drunkards.

The committee on the Judiciary, to whom were referred bills of the following titles, viz:
A bill to indemnify in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs.
A bill to incorporate the town of Hazle Green.
Reported the same, with amendments.
Which were concurred in.
Ordered, That said bills, as amended, be engrossed and 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 committee on the Judiciary, who had been appointed to prepare and bring in the same, viz:
A bill to regulate the office of Clerk of the Court of Appeals.
A bill to extend the mechanics lien law to the town of Lebanon and Marion county.
A bill to incorporate the Covington Building and Loan Association.
A bill to regulate the fees of Coroners.
A bill to amend the charter of Bank Lick Turnpike Road Company.
A bill to amend an act, entitled, an act to amend an act incorporating the town of Raywick.
A bill to amend the charter of the city of Augusta.
A bill for the benefit of the Methodist Episcopal Church South, in the county of Henry.
A bill for the benefit of the Georgetown and Lemon's Mill Turnpike road.
A bill for the benefit of the Methodist Episcopal Church South, at Alexandria.
A bill declaring Contrary creek a navigable stream.
A bill for the benefit of Rowan county.
Which were severally 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. Menzies, from the same committee, reported a bill to increase the compensation of clerks and sheriffs.

Which was read the first time.

Mr. Nuttall moved to lay said bill on the table.

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

The House then took up the bill to amend an act, entitled,

An act incorporating the Kentucky State Medical Society, approved November 24, 1851.

The question was then taken on the adoption of the amendment proposed by Mr. Long, and it was decided in the negative.

Mr. Giles moved an amendment as a substitute for said bill.

Ordered. That said bill and amendment be referred to a select committee, consisting of Messrs. Helm, Giles, Richardson, G. F. Lee, and Long, who are instructed to report thereon to this House on the 26th inst., at 11 o'clock, A. M.

Bills from the Senate of the following titles, viz.:

1. An act to incorporate the Grand Division of South Kentucky Sons of Temperance.

2. An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1840.

3. An act to incorporate the Russellville, Elkton, Hopkinsville and Paducah Railroad Company.

4. An act to repeal section 340 of the Criminal Code and substituting other provisions in lieu thereof.

5. An act to fix the salary of the Judge of the Louisville City Court.

6. An act for the benefit of Alfred Kendall, executor of Henry Woodyard, late sheriff of Grant county, and for other purposes.

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 bill was referred to the committee on the Judiciary; the 2d and 3d to the committee on Internal Improvement; the 4th to the committee on the Code of Practice; the 5th to the committee on Circuit Courts; and the 6th was ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 6th bill having been dispensed with,

Resolved, That said bill do pass and that the title thereof be as aforesaid.
Mr. Menzies, from the committee on the Judiciary, to whom was referred the bill better to regulate the mode of working roads in Boone county,

Reported the same with an amendment thereto.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That at the September term, 1856, of the Boone county court, the said court to consist of the presiding judge and the justices of the peace in said county, or a majority of them, who shall be summoned by the said judge to meet with him, shall divide said county into not less than fifty-five road districts, and appoint a surveyor for every district, who shall serve one year and until his successor is appointed.

§ 2. The county court clerk shall give the assessor of said county a copy of the order making the road districts, and it shall be the duty of the assessor to list and value all of the real property in every district, and state the white males over sixteen years of age and under fifty years, and all male slaves and free males of color over sixteen years of age, separately, in a book to be furnished him by the county court, and which he must return to the court.

§ 3. The court may, from time to time, lessen or increase the number of road districts, and may change the boundaries of districts; and whenever an order for any such purpose is made the clerk shall furnish the assessor with a copy of such order.

§ 4. The court shall levy a tax of three cents on the one hundred dollars worth of property listed under this act, and a poll-tax of one dollar upon every person listed under this act, which taxes shall be for the purposes of making, repairing, and keeping in repair the roads of said county; and said levy shall be made at the first term after the said book is returned.

§ 5. The assessor shall return said book at the first term of said court after it is completed.

§ 6. In assessing lands, when a tract is not wholly in one district it may be listed in any district in which part of it is situated.

§ 7. The court shall rule the assessor to return the book, upon the suggestion of the county attorney that there has been unreasonable delay, and may punish him for failure as in cases of contempt.

§ 8. As soon as the book is returned and the levy made, the clerk shall make out a copy of the assessment for every district, and by it and the levy he shall make a statement of the amount of the road tax due from every person in every district, and the amount from every person who has property in a district and do not reside in it; and this copy and statement shall be given by the clerk to the sheriff and by the sheriff to the surveyor.

§ 9. At the first court of claims after the return of said book, a reasonable allowance shall be made to the assessor, the clerk, and the sheriff for their services, respectively, under this act.

§ 10. It shall be the duty of the surveyor in every district to superintend the opening, repairing, and keeping in repair of all the public roads in his district, under the direction of the county court; he shall collect the road taxes in his district, and if necessary, by action in his
own name as surveyor; he shall notify all persons who may elect to pay their road taxes in work, of the time he desires them to work, and of the place where he wishes the work to be done, by two days written notice; and he shall, under oath, report four times in a year to the county court what he has done as surveyor since his appointment, or since his last report; which reports shall show the names of delinquent tax-payers and the amounts due from them; he shall proceed to collect the amounts due from such delinquent tax-payers by the appropriate action. For a failure to perform any of the duties herein enjoined upon him, the surveyor shall be proceeded against by the presentment of a grand jury, and upon such presentment shall he fined by the circuit court in a sum not less than five dollars nor more than twenty dollars.

§ 11. The surveyor shall not be required to permit any one to work out his tax otherwise than by furnishing good hands at one dollar per day to the hand.

§ 12. The papers furnished to the surveyor by the clerk, under this act, shall be evidence of the liability of any tax-payer in any action which the surveyor may cause to be brought against him for the amount of his tax.

§ 13. The surveyor shall be entitled to twenty-five dollars a year or at that rate for his services under this act, to be allowed by the county court, and when allowed he may retain it, showing by his reports how he has retained it.

§ 14. At the said September term, 1856, the county court shall make a rule upon the sheriff and all the road surveyors, under the act of March 21, 1851, to bring into court all the moneys they may have in their hands as road taxes under said act, which rule shall be returnable to some subsequent term, to be named therein, and if it is not satisfactorily answered, the court may proceed to collect the moneys by attachment for contempt.

§ 15. This act shall not take effect until after the August election of 1856, and not then unless the majority of the votes cast at that election shall vote for adopting the act; and the county court shall provide for having such vote taken, and if a majority of all the voters that vote at said election vote against the adoption of this act, then in that event the general road law of the State of Kentucky shall be the road law of Boone county, from and after such time.

The amendment reported by the committee reads as follows, viz:

Strike out section 15 of said bill, and in lieu thereof insert the following, viz:

§ 15. This act shall not take effect until after a majority of all the qualified voters of Boone county who may vote on the subject, shall vote in favor of it, and the county court of Boone county shall cause a poll to be opened for and against this act, at the August election in the present year, 1856, and a vote to be taken thereon, under the same rules and regulations, and subject to the same restrictions and penalties as do exist by law in relation to the election of representatives to the general assembly; and the result of said vote shall be declared by the board of examiners who examine the polls of other elections to be held at the same time. And until this act takes effect, henceforth the
general road law of the State of Kentucky is hereby declared to be in force and applicable to Boone county.

And the question being taken on the adoption of said amendment, 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 re-engrossed, the question was then taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill to punish seduction,

Reported the same without amendment.

Said bill reads as follows, viz:

[Bill text follows]
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That seduction is hereby declared a felony, and that any person who shall be convicted thereof, shall be confined in the penitentiary for any period not less than one nor more than twenty years in the discretion of a jury.

§ 2. That no person shall be convicted under this act upon the testimony of any white woman of ill fame; nor shall a conviction be had upon the testimony of any woman seduced, unless she shall, by three credible witnesses, establish an unquestionable character for virtue and veracity up to the time of seduction.

Mr. Montgomery moved to amend said bill by striking out of the second section the words printed in italic, and inserting in lieu thereof the words "an additional witness establish the fact of seduction."

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

Mr. Hanson moved to amend said bill by adding to the second section thereof the following words, viz:

"And unless there be also corroborating circumstances evidencing the fact of seduction."

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

Mr. Speer moved the previous question.

And the question being then taken, shall the main question be now put? and it was decided in the affirmative.

The question was then taken, shall the bill, as amended, be engrossed read a third time? and it was decided in the affirmative.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) David R. Dugan,  
Richard B. Alexander, George C. Paris,  
Lucien Anderson, James M. Fogle,  
John B. Anderson, Sidney A. Foss,  
William T. Anthony, Daniel Garrard,  
John B. Auxier, Henry Giles,  
W. B. A. Baker, John K. Goodloe,  
R. P. Beauchamp, Roger W. Hanson,  
Ben. Berry, John M. Hewitt,  
John S. Bohannon, Greenberry Hicks,  
William B. Booker, George F. Lee,  
Jas. H. McCampbell, John C. McCrea,  
Hiram McElroy, Elijah F. Nuttall,  
Robert Richardson, Joseph Ricketts,  
James M. Speer, Richard J. Spurr,  
Thomas J. Terry, Joshua Tevis,  
E. L. Vanwinkle,

Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

Mr. James, from the same committee, to whom was referred the amendments proposed by the Senate to a bill from this House, entitled, An act repealing an act incorporating the town of Barboursville, reported the same with an amendment as a substitute for the amendments proposed by the Senate.

Which was concurred in.

Mr. Bruce, from the same committee, reported a bill for the benefit of the poor of this Commonwealth.

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. M. J. Cook moved to lay said bill on the table.

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

On motion of Mr. Russell,

Ordered, That the committee on Circuit Courts have until to-morrow at 3 o'clock, P. M., to report to this House a bill from the Senate, entitled, an act to regulate the time of holding the circuit courts, at which time they are instructed to report on said bill.

Mr. Spurr moved the following resolution, viz:

Resolved, That the Agricultural Convention have the use of the Hall of the House of Representatives to-night.

Which was adopted.

And then the House adjourned.
FRIDAY, FEBRUARY 22, 1856.

Mr. Gaither, from the committee on Privileges and Elections, made the following report, viz:

The committee on Privileges and Elections have had under consideration the return of the sheriffs of this Commonwealth, and make thereon the following report:

In the opinion of this committee the following gentlemen are returned duly elected members of the House of Representatives for the present General Assembly, viz:

- From the county of Adair—Nathan Gaither.
- From the county of Anderson—James S. Littlepage.
- From the county of Allen—William T. Anthony.
- From the county of Barren—Robinson P. Beauchamp and Thomas H. M. Winn.
- From the county of Bath—Hiram Hawkins.
- From the county of Boone—James M. Corbin.
- From the county of Bourbon—James T. Ware.
- From the county of Boyle—George F. Lee.
- From the county of Bracken—Laban J. Bradford.
- From the county of Breckinridge—Gideon P. Jolly.
- From the county of Bullitt—Philip Lee.
- From the counties of Butler and Edmonson—Richard S. Thornton.
- From the counties of Caldwell and Lyon—George B. Cook.
- From the county of Calloway—John L. Irwin.
- From the county of Campbell—William Riley.
- From the counties of Carroll and Trimble—Benjamin Gullion.
- From the county of Carter—Ephraim B. Elliott.
- From the counties of Casey and Russell—McDowell Fogle.
- From the county of Christian—Ben. Berry.
- From the county of Clarke—John B. Huston.
- From the counties of Clay and Owsley—Daniel Garrard.
- From the counties of Cumberland and Clinton—Samuel Long.
- From the county of Crittenden—Isaac N. Clement.
- From the county of Daviess—Andrew Jones.
- From the county of Estill—Benjamin F. Rice.
- From the county of Fayette—Richard J. Spurr and Roger W. Hanson.
- From the county of Fleming—Horatio W. Bruce and Alfred F. Graham.
- From the county of Franklin—John M. Hewitt.
- From the county of Gallatin—James A. Duncan.
- From the county of Garrard—Joshua Dunn.
- From the county of Grant—James Kinlaer.
From the county of Graves—Lucien Anderson.
From the county of Grayson—Anderson, Gray.
From the county of Green—Fielding Vaughan.
From the county of Greenup—Richard Jones.
From the county of Hancock—Samuel B. Pell.
From the county of Hardin—Ben Hardin Helm and Robert B. English.
From the county of Harrison—Thomas J. Terry and David H. Raymond.
From the county of Hart—John S. Bohannon.
From the county of Henderson—Elijah W. Worsham.
From the county of Henry—Elijah F. Nutall.
From the counties of Hickman and Fulton—Richard B. Alexander.
From the county of Hopkins—William M. Morrow.
From the county of Jefferson—Frank P. Deatherage and Sidney A. Foss.
From the county of Jessamine—James H. McCampbell.
From the counties of Johnson and Floyd—John B. Auxier.
From the county of Kenton—John W. Menzies and Robert Richardson.
From the counties of Knox and Harlan—James Culton.
From the county of Lawrence—David L. Thurman.
From the counties of Laurel and Rockcastle—Milton J. Cook.
From the county of Lawrence—Andrew J. Prichard.
From the county of Lewis—Francis M. Woods.
From the counties of Letcher, Pike and Perry—Colbert Cecil.
From the county of Letcher—Woodson C. Montgomery.
From the counties of Livingston and Marshall—Willie Waller.
From the county of Logan—Robert C. Bowling.
From the city of Louisville—William S. Bodley, John G. Lyon, Lambert A. Whiteley, and Edward S. Worthington.
From the county of Madison—William M. Miller and Coleman Covington.
From the county of Marion—James M. Fogle.
From the counties of McCracken and Ballard—Thomas H. Corbett.
From the county of Magoffin—Erasmus O. Brown.
From the county of Marengo—Charles C. Smalley.
From the county of Magoffin—Greerberry Hicks.
From the counties of Montgomery and Powell—James H. Turner.
From the counties of Morgan and Breathitt—John S. Hargis.
From the county of Madison—Joseph Ricketts.
From the county of Nelson—David R. Dugan.
From the county of Nicholas—George C. Faris.
From the county of Oldham—James M. Speer.
From the county of Ohio—William J. Berry.
From the county of Owen—Henry Giles.
From the county of Pendleton—Charles Duncan.
From the county of Pulaski—Andrew J. James.
From the county of Scott—Hiram Wood.
From the county of Shelby—Archibald C. Brown and Joshua Tevis.
From the county of Spencer—John B. Cochran.
From the county of Simpson—John C. McCrery.
From the county of Taylor—John B. Anderson.
From the county of Todd—James A. Russell.
From the county of Trigg—Gordon B. Grasty.
From the county of Union—Hiram McElroy.
From the county of Warren—George C. Rogers.
From the county of Washington—William B. Booker.
From the county of Wayne—Ephraim L. Vanwinkle.
From the county of Whitley—Pleasant W. Mahan.
From the county of Woodford—John K. Goodloe.

Respectfully submitted.

NATHAN GAITHER, Chairman.

1. Mr. Ricketts presented the petition of Nicholas Richards, praying compensation for damages to a mill owned by him on Green river.
2. Mr. Prichard presented the petition of citizens of Lawrence county, praying that a company may be chartered to make a turnpike road from Louisa to Catlettsburg.
3. Mr. Hanson presented the petition of citizens of Lexington, praying the State may refund the expense incurred by said city in bringing back the remains of soldiers who were killed at Buena Vista.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to Messrs. Prichard, R. Jones, and Graham; and the 3d to the committee on Claims.

On motion of Mr. Garrard, leave was given to bring in a bill supplemental to an act legalizing the action of a special term of the Harlan County Court.

Ordered, That Messrs. Garrard, Culon, and Cecil prepare and bring in said bill.

A message was received from the Senate, announcing that they had concurred in the amendments of this House to the amendments of the Senate to the bill from this House, entitled,

An act to provide against the demoralization of slaves.

That they had passed bills and a resolution from this House of the following titles, viz:

An act to establish Equity and Criminal Courts in the 1st Judicial district.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

Resolution to extend the present session of the General Assembly.

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

An act to regulate the agencies of Foreign Insurance Companies.
An act to incorporate the Kentucky State Agricultural Society and to give encouragement to all the arts and sciences connected therewith.

Mr. P. Lee moved to re-consider the vote by which a bill from the Senate, entitled, an act to establish the Planter’s Bank of Kentucky, was rejected.

Ordered, That the further consideration of said motion be postponed until the 26th inst., at 11 o’clock, A. M.

Mr. Corbett moved to re-consider the vote by which the bill to punish seduction, was passed.

Mr. G. F. Lee moved to lay said motion on the table.

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

The yeas and nays being required thereon, by Messrs. P. Lee and Culton, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Speer then moved the previous question.

And then the question being taken, shall the main question be now put? and it was decided in the affirmative.

The main question was then put, shall the vote by which said bill was passed be re-considered? and it was decided in the affirmative.

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

Those who voted in the affirmative, were

John B. Auxier, John K. Goodloe, Jas. H. McCampbell,
William J. Berry, Alfred F. Graham, John W. Menzies,
William S. Bodley, Gordon B. Grasty, William M. Miller,
Robert C. Bowling, Anderson Gray, W. C. Montgomery,
Horatio W. Bruce, Benjamin Gulion, William M. Morrow,
Colbert Cecil, John S. Hargis, Samuel B. Pell,
Isaac N. Clement, John L. Irvan, Andrew J. Prichard,
Milton J. Cook, Andrew J. James, David H. Raymond,
Thomas H. Corbett, Gideon P. Jolly, William Reiley,
Colton C. Covington, Andrew Jones, Charles C. Smedley,
James Culton, Richard Jones, Fielding Vaughn,
Frank P. Deatherage, James Kinslaer, Willie Waller,
Charles Duncan, Philip Lee, L. A. Whiteley,
Joshua Dunn, John G. Lyon, E. W. Worsham,
Ephraim B. Elliott, Pleasant W. Mahan, E. S. Worthington—46.

Those who voted in the negative, were

Mr. Speaker, (Huston,) George C. Faris, Elijah F. Nuttall,
Richard B. Alexander, James M. Fogle, Robert Richardson,
Lucien Anderson, Sidney A. Foss, Joseph Ricketts,
John B. Anderson, Daniel Garrard, George C. Rogers,
William T. Anthony, Henry Giles, James A. Russell,
Wm. B. A. Baker, Roger W. Hanson, James M. Speer,
R. P. Beauchamp, Hiram Hawkins, Richard J. Spurr,
Ben Berry, Ben Hardin Helm, Thomas J. Terry,
John S. Bohannon, John M. Hewitt, James H. Turner,
William B. Booker, Greenberry Hicks, E. L. Vanwinkle,
Laban J. Bradford, Henry Giles, James T. Ware,
Archibald C. Brown, Roger W. Hanson, T. H. M. Winn,
Erasmus O. Brown, Hiram Hawkins, Hiram Wood,
George B. Cook, James S. Littlepage, Francis M. Woods—44,
David R. Dugan, Samuel Long, Mr. Goodloe moved to amend said bill by adding thereto the following engrossed clause, by way of rider, viz:

§ 3. That no prosecution for the offense described in this act shall be had after twelve months from the commission thereof. Nor shall the seduction in this act be construed to extend to any but unmarried women, who have never before been seduced.

Mr. L. Anderson moved the previous question.
And the question being then taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Goodloe, and it was decided in the affirmative.

The question was then taken on the passage of said bill, as amended, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Speer and R. Jones, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, Hiram McElroy,
Richard B. Alexander, James M. Fogle, Elijah F. Nuttall,
Lucien Anderson, Sidney A. Foss, Robert Richardson,
John B. Anderson, Daniel Garrard, Joseph Ricketts,
William T. Anthony, Henry Giles, George C. Rogers,
William B. A. Baker, John K. Goodloe, James A. Russell,
R. P. Beauchamp, Roger W. Hanson, James M. Speer,
Ben Berry, Hiram Hawkins, Richard J. Spurr,
John S. Bohannon, Ben Hardin Helm, Thomas J. Terry,
William B. Booker, John M. Hewitt, James H. Turner,
Laban J. Bradford, Greenberry Hicks, E. L. Vanwinkle,
Archibald C. Brown, George F. Lee, James T. Ware,
Erasmus O. Brown, Jas. S. Littlepage, T. H. M. Winn,
Isaac N. Clement, Samuel Long, Hiram Wood,
George B. Cook, John G. McCready, Francis M. Woods—46.

Those who voted in the negative, were

John B. Auxier, Alfred F. Graham, John W. Menzies,
William J. Berry, Gordon B. Grasty, W. M. Miller,
William S. Badley, Anderson Gray, W. C. Montgomery,
Robert C. Bowling, Benjamin Gullion, William M. Morrow,
Horatio W. Bruce, John S. Hargis, Samuel B. Pell,
Colbert Cecil, John L. Irvan, Andrew J. Prichard,
Milton J. Cook, Andrew J. James, David H. Raymond,
Thomas H. Corbett, Gideon P. Jolly, William Reiley,
Coleman Covington, Andrew Jones, Charles C. Smedley,
James Culton, Richard Jones, Joshua Tevis,
Frank P. Deatherage, Andrew Jones, Fielding Vaughan,
Charles Duncan, James Kinslaer, Willie Waller,
James A. Duncan, Philip Lee, L. A. Whiteley,
Joshua Dunn, John G. Lyon, E. W. Worsham,
Ephraim B. Elliott, John G. Lyon, E. S. Worthington—46.

Robert B. English, Pleasant W. Mahan,

And then the House adjourned.
SATURDAY, FEBRUARY 23, 1856.

1. Mr. Dugan presented the petition of citizens of Nelson county, praying they may be permitted to erect a fish dam across the Rolling Fork.

2. Mr. Bruce presented the petition of citizens of Lewis county, praying the repeal of an act passed at the last session of the General Assembly, taxing lands in said county for the purpose of making a certain road.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement, and the 2d to the committee on Propositions and Grievances.

On motion of Mr. Gaither,

Ordered, That the committee on Revised Statutes be discharged from the further consideration of petitions of citizens of Columbia, praying an amendment to the charter of said town, and remonstrances against the same, and that leave be granted to withdraw the same.

On motion of Mr. Hawkins,

Ordered, That the committee on the Judiciary be discharged from the consideration of a leave to bring in a bill limiting the time of pleading usury; and that Messrs. Hawkins, Menzie and J. M. Fogle prepare and bring in said bill.

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

On motion of Mr. Littlepage—1. A bill for the benefit of John Ripy.

On motion of Mr. Bradford—2. A bill to change the time of holding the Bracken County Court.

On motion of same—3. A bill for the appointment of beneficiary scholars to the Bracken Academy.

On motion of same—4. A bill to change the time of holding the Court of Claims in Madison county.

On motion of Mr. Reiley—5. A bill to provide for holding terms of the Campbell Circuit Court in Newport.

On motion of Mr. Elliott—6. A bill extending the time for paying the revenue into the Treasury.

On motion of Mr. Bruce—7. A bill for the benefit of the estate of Joseph Robb, deceased, late Clerk of the Lewis Circuit and County Courts.

On motion of same—8. A bill to amend the act incorporating the town of Sherburne.
On motion of Mr. Hanson—9. A bill to furnish additional voting places in the city of Lexington.

On motion of same—10. A bill for the benefit of the law department of Transylvania University.

On motion of Mr. L. Anderson—11. A bill for the benefit of the jailer of Graves county.

On motion of Mr. R. Jones—12. A bill to incorporate the Big Sandy Suspension Bridge Company.

On motion of Mr. Terry—13. A bill to incorporate the Division of the Sons of Temperance, No. 346, in the town of Clayville.

On motion of Mr. Bohannon—14. A bill for the benefit of school district No. 18, in Boone county.

On motion of Mr. Worsham—15. A bill to incorporate the Kentucky and Henderson Mutual Insurance Company.

On motion of Mr. Nuttall—16. A bill to enable the citizens of Port Royal, Henry county, to elect trustees and organize, according to an act approved February 18, 1839.

On motion of same—17. A bill for the benefit of John L. Jenkins, late sheriff of Henry county.

On motion of Mr. Menzies—18. A bill to explain article 4 of the chapter of Revised Statutes on the subject of revenue and taxation.

On motion of Mr. Richardson—19. A bill to increase the salary of the State Treasurer.

Ordered, That Messrs. Littlepage, Booker, and Dugan prepare and bring in the 1st bill; Messrs. Bradford, Ricketts, and C. Duncan the 2d; Messrs. Bradford, Miller, and C. Duncan the 4th; the committee on Education the 3d and 10th; Messrs. Reiley, Menzies, and Waller the 5th; the committee on Ways and Means the 6th; Messrs. Bruce, Woods, and Baker the 7th; Messrs. Bruce, Helm, and Graham the 8th; the committee on Privileges and Elections the 9th; Messrs. L. Anderson, G. B. Cook, and Irvan the 11th; Messrs. R. Jones, Bruce, and J. A. Duncan the 12th; Messrs. Terry, Raymond, and Bradford the 13th; Messrs. Bohannon, Lyon, and Corbin the 14th; Messrs. Worsam, Worthington, and Smedley the 15th; Messrs. Nuttall, Wood, and McCreaey the 16th and 17th; Messrs. Menzies, Bodley, and Ware the 18th; and the committee on Public Offices the 19th.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act better to define usury.

An act to amend the charter of the Danville, Dix River, and Lancaster Turnpike Company.

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 amend the common school laws.

By Mr. Ware—2. A bill to incorporate the Millersburg Male and Female Seminary.

By the committee on the Penitentiary—3. A bill in relation to the Kentucky Penitentiary.

By Mr. G. B. Cook—4. A bill for the benefit of iron masters in Lyon county.

By same—5. A bill for the benefit of the trustees of the town of Princeton.

By Mr. McDowell Fogle—6. A bill for the benefit of P. W. Napier, late sheriff of Casey county.

By same—7. A bill for the benefit of C. Osburn and others, to enable them to protect themselves against milk sickness.

By Mr. Garrard—8. A bill to repeal an act legalizing the proceedings of the Harlan County Court.

By same—9. A bill declaring Miller’s creek a navigable stream.

By Mr. Long—10. A bill for the benefit of the trustees of the town of Boston, Whitley county.

By Mr. A. Jones—11. A bill for the benefit of the town of Calhoun.

By Mr. R. Jones—12. A bill giving certain authority to the Presiding Judge of the Greenup County Court.


By Mr. Culton—14. A bill to change the time of holding the Quarterly Courts in the counties of Knox and Harlan.

By same—15. A bill to amend the law in relation to appeals from Justices of the Peace to Quarterly Courts.

By Mr. Terry—16. A bill to incorporate the Harrison county Agricultural and Mechanical Association.

By Mr. Menzies—17. A bill to provide for holding terms of the Campbell Circuit Court in Newport.

By Mr. Richardson—18. A bill to incorporate the Kenton county Agricultural Society.

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 8th bill was referred to the committee on Revised Statutes; the 1st was made the order of the day for the 26th instant, at 11 o’clock, A. M.; the 3d for the 26th instant, at 11 o’clock, A. M.; and the 2d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and 18th were severally ordered to be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of the 2d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, and 18th 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 each of the 1st and 3d bills, for the use of the members of the General Assembly.

Mr. Corbett, from the committee appointed to prepare and bring in the same, reported a bill to authorize the trustees of the town of Milburn to grant coffee-house license.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act, the trustees of the town of Milburn shall have power to grant coffee-house license, and tax the same in a sum of not less than twenty-five nor more than one hundred dollars; and it shall be the duty of said trustees, as soon after the passage of this act as may be, to fix the amount of tax as aforesaid by an order on the records of said town, and on the first day of January of each year thereafter they shall fix the same again, which shall be the tax for the ensuing year; and upon presentation and payment of the tax so fixed, by any person or persons, a license to keep a coffee-house for one year shall be issued and signed by the chairman and countersigned by the clerk of the board: Provided, That on granting such license, the applicant or applicants shall take an oath before the police judge of said town, that he will not, during the period his license remains in full force, sell or give or cause to be sold or given, to any negro of which he is not the owner and possessor, or which is not in his employ by contract with the person having the rightful authority to hire the negro, any wine, brandy, whisky, or other spirituous liquor, or a mixture thereof, without an order in writing from the person owning or having authority over such negro for the time being; and for a violation of such oath, the offender shall be subject to all the penalties prescribed by law.

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 it was decided in the negative. And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. W. J. Berry and E. O. Brown, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, James M. Fogle, Hiram McElroy,
Lucien Anderson, Daniel Garrard, John W. Menzies,

Those who voted in the negative, were


Mr. Garrard, from the committee on Military Affairs, to whom was referred a bill for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute, 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.

A bill from the Senate, entitled,

An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike Company,

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. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions that originated in this House, of the following titles, and had found the same truly enrolled, viz:

Mr. Garrard, from the committee on Military Affairs, to whom was referred a bill for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute, 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.

A bill from the Senate, entitled,

An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike Company,

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. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions that originated in this House, of the following titles, and had found the same truly enrolled, viz:
An act to authorize married women to convey real and other property under power of attorney.

An act to amend the charter of the Louisville and Frankfort Railroad Company

An act supplemental to an act to amend an act incorporating the town of Mayfield.

An act to establish Equity and Criminal Courts in the 1st Judicial district.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

Resolution to extend the present session of the General Assembly.

Resolution in relation to furnishing the State charitable institutions with certain public books.

That they had examined an enrolled bill from the Senate, of the following title, and had found the same truly enrolled, viz:

An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike Company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

Mr. Menzies moved the following resolution, viz:

Resolved, That the committee on Revised Statutes be and is hereby instructed to report the Senate bill concerning peddlers, next Tuesday at 11 o'clock, A. M.

Which was adopted.

A message was received from the Governor by Mr. Bibb, Assistant 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 transfer the title of certain lands to the trustees of the Bethel High School, at Russellville.

An act for the benefit of Edmund M. Chesnut, of Laurel county.

Approved February 23, 1856.

Mr. M. J. Cook, from the committee appointed to prepare and bring in the same, reported a bill to authorize the empanelling of grand juries at Quarterly Courts.

Which was read the first time.

Mr. Nuttall moved to lay said bill on the table.

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

Mr. M. J. Cook, from the same committee, reported a bill to authorize a vote of the people on the liquor license laws.

Which was read the first time, as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sheriffs and other officers of elections shall, on the first Monday of August next, open a poll in the several precincts to take the sense of the qualified voters of this State upon the propriety and expediency of repealing all laws authorizing the grant of licenses to sell spirituous or vinous liquors.

§ 2. The said sheriffs and other officers shall propound distinctly to each voter the question, "Are you for or against the grant of licenses to sell spirituous or vinous liquors?" and the votes shall be taken down on the poll-book accordingly.

§ 3. That it shall be the duty of the several sheriffs and other returning officers, to make out a correct list of the votes required to be taken under the provisions of this act, and cause the same to be delivered to the Secretary of State; and upon failure to do so, shall be fined in the sum of one thousand dollars to be recovered against them as other fines are recovered under the existing laws regulating elections in this State.

§ 4. That it shall be the duty of the Secretary of State to report to the next General Assembly, within ten days after it commences, a statement of the vote directed to be taken under the provisions of this act.

§ 5. That any person other than a qualified voter of this State, who shall vote for or against the proposition in this act mentioned, shall be subject to all the fines and penalties now in force under the existing laws regulating elections.

Mr. Morrow 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. Morrow and P. Lee, were as follows, viz:

Those who voted in the affirmative, were:

Richard B. Alexander, Ephraim B. Elliott, Pleasant W. Mahan,
Lucien Anderson, James M. Pogue, John C. McCrackeary,
William T. Anthony, Nathan Gaither, Hiram McElroy,
William B. Booker, Daniel Garrard, William M. Morrow,
Robert C. Bowling, Henry Giles, Elijah F. Nuttall,
Colbert Cecil, Gordon B. Grasty, Samuel B. Pell,
Isaac N. Clement, Anderson Gray, Robert Richardson,
George B. Cook, John S. Hargis, William Reiley,
Thomas H. Corbett, John L. Irvan, James M. Speer,
Coleman Covington, Gideon P. Jolly, Fielding Vaughan,
David R. Dugan, James Kinslaer, L. A. Whiteley—35,
Charles Duncan, Philip Lee.

Those who voted in the negative, were:

Mr. Speaker, (Huston,) John K. Goodloe, John W. Mengers,
John B. Anderson, Alfred F. Graham, William M. Miller,
John B. Auxier, Roger W. Hanson, W. C. Montgomery,
William B. A. Baker, Hiram Hawkins, Andrew J. Prichard,
Mr. Elliott moved the previous question. And the question being taken, shall the main question be now put? it was decided in the negative. And then the House adjourned.

MONDAY, FEBRUARY 25, 1856.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz: An act to regulate the fees of witnesses in certain cases.

That they had passed bills from this House of the following titles, viz: An act creating an additional justice’s district in the county of Pulaski. An act to establish a police judge and town marshal in the town of Mount Olivet, in Bracken and Nicholas counties. An act for the benefit of the circuit court clerk of Campbell county. An act for the benefit of John Philly. An act to change the time of holding the quarterly courts in the counties of Barren and Monroe. An act to amend the charter of the city of Augusta. An act to provide for holding terms of the Campbell circuit court in Newport. An act to amend the charter of the town of Alexandria. With an amendment to the last named bill. That they had passed bills of the following titles, viz: An act to incorporate the Commercial Insurance Company.
An act to reduce into one the several acts in relation to the town of Harrodsburg.
An act to prevent the selling and using of certain weapons.
An act to increase the number of Examiners in Morgan county.
An act to increase the powers of the marshal and police judge of Columbia, in Adair county.
An act to amend and reduce into one the several acts concerning the town of Ghent.
An act to incorporate Logan Lodge, No. 73, of the I. O. O. F., at Russellville.
An act to incorporate Merrick Lodge, No. 31, of I. O. O. F., of the city of Lexington.
An act to change the time of holding the Warren and Edmonson quarterly courts.
An act to incorporate the Bourbon Female Institute, at North Middletown.
That they had received official information from the Governor, that he had approved and signed enrolled bills and a resolution, that originated in the Senate, of the following titles, viz:
An act to renew the charter of the Mechanics' Bank of Louisville.
An act for the benefit of the Methodist Episcopal Church South, in the town of New Castle.
An act for the benefit of G. W. McConnell, late sheriff of Woodford county.
An act to incorporate the Winchester and Red river Iron Works Turnpike road Company.
An act to increase the pay of the members of the Legislature.
An act to incorporate the Mechanics' Fire Company, No. 1, of Jersey City and Paducah, Kentucky.
An act to prevent the destruction of fish in Little river.
An act declaring the South Kentuckian an authorized newspaper.
An act to incorporate the town of Ashland.
Resolution directing the printing of the Common School Laws in pamphlet form. Approved February 23, 1856.
1. Mr. Booker presented the remonstrance of citizens of Washington county, against the formation of a new county out of part of Nelson, Washington, and Anderson counties.
2. Mr. Dugan presented the remonstrance of citizens of Nelson county, against the formation of a new county out of part of Nelson, Washington, and Anderson counties.
3. Mr. Hargis presented remonstrances from citizens of Breathitt county, against the formation of a new county out of part of Morgan, Breathitt, Owale, and Powell counties.
4. Mr. Whiteley presented a petition from citizens of Louisville, praying that the restrictions enacted against Foreign Insurance Companies may be extended to Insurance Companies chartered in this State.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d to the committee on Propositions and Grievances, and the 4th to the committee on the Judiciary.

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

On motion of Mr. M. J. Cook—1. A bill to change the time of holding the Quarterly Courts of Madison county.

On motion of same—2. A bill for the benefit of Thomas Russell.

On motion of same—3. A bill for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.


On motion of Mr. Lyon—5. A bill to amend the charter of the Falls City Bridge Company.

On motion of Mr. Whiteley—6. A bill to Incorporate the Ohio River Improvement Company.

On motion of Mr. Bodley—7. A bill to amend the charter of the city of Louisville.

On motion of same—8. A bill to amend the charters of the Banks.

On motion of Mr. Miller—9. A bill for the benefit of the Judge of the Madison County Court.

On motion of Mr. J. M. Fogle—10. A bill for the benefit of the town of Bradfordsville.

On motion of same—11. A bill to empower the Bath County Court to remove the voting place from the Olympian Springs, in said county.

On motion of Mr. Baker—12. A bill for the benefit of school district No. 12, in Mason county.


On motion of Mr. E. O. Brown—14. A bill to change the time of holding the Quarterly Courts in Meade county.

On motion of Mr. Hargis—15. A bill to tax bachelors over 30 years of age for educational purposes.

On motion of Mr. Ricketts—16. A bill for the benefit of W. J. Hadden and Nancy Stansbery.

On motion of same—17. A bill establishing a mechanics' lien law for MeLean county.

On motion of same—18. A bill for the benefit of the iron masters of Muhlenburg county.
On motion of Mr. Dugan—19. A bill to prevent the destruction of fish in the Beech Fork.

On motion of Mr. W. J. Berry—20. A bill for the benefit of the County Court Judge and Justices of Ohio county.


On motion of Mr. C. Duncan—22. A bill to increase the salary of the State Librarian.

On motion of Mr. James—23. A bill to change the time of holding the Pulaski Quarterly and County Courts.

Ordered, That the committee on County Courts prepare and bring in the 1st, 9th, 14th, and 20th bills; the committee on Internal Improvement the 2d, 6th, and 21st; Messrs. M. J. Cook, James, and Hicks the 3d; Messrs. M. J. Cook, Rogers, and Covington the 4th; Messrs. Lyon, Worthington, and Bodley the 5th; Messrs. Bodley, Worthington, Whiteley, and Lyon the 7th; the committee on Banks the 8th; Messrs. J. M. Fogle, Vaughan, and J. B. Anderson the 10th; Messrs. J. M. Fogle, Hawkins, and Auxier the 11th; the committee on Education the 12th; Messrs. Baker, Bodley, and Hansen the 13th; Messrs. Hargis, Cecil, and Dugan the 15th; Messrs. Ricketts, G. B. Cook, and Worthington the 16th; Messrs. Ricketts, G. B. Cook, and Bradford the 17th and 18th; Messrs. Dugan, P. Lee, and Smedley the 19th; the committee on Public Offices the 22d; and Messrs. James, J. M. Fogle, and Varwinkle the 23d.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Jane Carey.

An act authorizing the sale of certain streets in Simpsonville.

An act authorizing constables to execute process issuing from the Quarterly Courts in civil cases.

An act to regulate the duties of the Commissioner of the Louisville Chancery court.

An act to incorporate the Deposit Bank of Cynthiana, Harrison county.

An act in relation to a new road in Fleming and Lewis counties.

An act to incorporate the Paducah Gas Light Company.

An act to amend the act establishing the Boston and Akin Turnpike Company.

An act to amend an act, entitled, an act to amend and reduce into one the several acts respecting the town of Hickman.

An act for the benefit of the Circuit Court Clerk of Harrison county.
An act for the benefit of Alfred Kendall, Executor of Henry Woodyard, late sheriff of Grant county, and for other purposes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, that originated in this House, of the following titles, viz:

An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike Company.

An act to authorize married women to convey real and other property under power of attorney.

An act to amend the charter of the Louisville and Frankfort Railroad Company.

An act to amend the charter of the Covington and Cincinnati Bridge Company.

An act supplemental to an act act incorporating the town of Mayfield.

An act to establish Equity and Criminal Courts in the 1st Judicial district.

Resolution in relation to furnishing the State charitable institutions with certain public books.

Resolution to extend the present session of the General Assembly.

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

By Mr. Prichard—1. A bill to incorporate the Catlettsburg and Louisa Turnpike Road Company.

By Mr. Woods—2. A bill allowing compensation to jurors before justices, in Lewis county.

By the committee on Internal Improvement—3. A bill to amend an act incorporating the Louisville Water Works Company.

By Mr. Worthington—4. A bill to incorporate the Kentucky and Henderson Mutual Insurance Company.

By Mr. Bodley—5. A bill to amend the charter of the Falls City Bridge Company.


By Mr. Baker—7. A bill to incorporate Loraine Lodge, No. 4, of the I. O. O. F.

By Mr. Hicks—8. A bill to incorporate Tompkinsville Lodge, No. 321, of Free and Accepted Masons.

By Mr. Hargis—9. A bill to authorize the County Courts of Powell,
Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton to the Virginia State line.

By Mr. Ricketts—10. A bill to incorporate the town of Paradise.

By Mr. Faris—11. A bill for the benefit of James H. Holladay and John G. Parks, administrators of Lewis H. Arnold.

By same—12. A bill to change the time of holding the Nicholas County Court.

By Mr. C. Duncan—13. A bill to change the time of holding the Court of Claims in Madison county.

By Mr. James—14. A bill for the benefit of Daniel G. Calyer, late sheriff of Rockcastle county.

By Mr. J. B. Anderson—15. A bill for the benefit of Benoni Hotchkiss' heirs and A. F. Gowdy.

By same—16. A bill for the benefit of the town of Bradfordsville.

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 bills having been dispensed with, the 2d bill was referred to the committee on Revised Statutes; and the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, and 16th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, and 16th 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 Senate, by Mr. King, announcing that the Senate had concurred in the amendments of this House to the amendments proposed by the Senate to the bill from this House, entitled,

An act to repeal an act incorporating the town of Barboursville.

That they had passed a bill from this House of the following title, viz:

An act supplemental to an act to incorporate the Bank of Harrodsburg, Kentucky.

With an amendment to said bill.

That they had passed a bill of the following title, viz:

An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes, and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg.

The House then took up the unfinished order of Saturday, being the bill to authorize a vote of the people on the liquor license law.
The question was then taken on ordering said bill to be read a second time, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Bodley and R. Jones, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) Alfred F. Graham, Andrew J. Prichard,
William B. A. Baker, Hiram Hawkins, Joseph Ricketts,
Ben Berry, Ben Hardin Helm, George C. Rogers,
William S. Bodley, John M. Hewitt, James A. Russell,
Archibald C. Brown, Greenberry Hicks, Richard J. Spurr,
Horatio W. Bruce, Andrew J. James, Thomas J. Terry,
John B. Cochran, Richard Jones, Joshua Tevis,
Milton J. Cook, Samuel Long, E. L. Vanwinkle,
James M. Corbin, John G. Lyon, Willie Waller,
James Culton, Charles A. Marshall, James T. Ware,
Charles Duncan, J. H. McCampbell, L. A. Whiteley,
Joshua Dunn, William M. Miller, T. H. M. Winn,

Those who voted in the negative, were:

Richard B. Alexander, James A. Duncan, Philip Lee,
Lucien Anderson, Ephraim B. Elliott, James S. Littlepage,
John B. Anderson, James M. Fogle, Pleasant W. Mahan,
William T. Anthony, Nathan Gaither, John C. McCreahey,
John B. Auxier, Daniel Garrard, Hiram McElroy,
William J. Berry, Henry Giles, John W. Menzies,
John S. Bohannon, John K. Goodloe, Wm. M. Morrow,
William B. Booker, Gorden B. Crasty, Elijah F. Nuttall,
Robert C. Bowling, Anderson Gray, Samuel B. Pell,
Erasmus O. Brown, Benjamin Gullion, Robert Richardson,
Colbert Cecil, John S. Hargis, William Reiley,
George B. Cook, John L. Irvan, Fielding Vaughan,
Thomas H. Corbett, Gideon P. Jolly, E. W. Worsham,
Coleman Covington, Andrew Jones, E. S. Worthington—44.
David R. Dugan, James Kinslaer.

Mr. Bowling, from the select committee, reported a bill to provide for the construction of a public mausoleum, and for the removal to the cemetery at Frankfort of the remains of Kentucky's illustrious dead.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of —— dollars be and the same is hereby appropriated for the purpose of erecting and constructing, in the cemetery at Frankfort, a mausoleum, in which shall be deposited the remains of the former Governors of this Commonwealth now deceased, whose remains have not already been interred in said cemetery; and also for the reception of the remains of such others of Ken-
tucky's illustrious dead as shall be hereafter directed to be therein de-
posited by resolution of the General Assembly of this Commonwealth.

§ 2. That the Governor, and Attorney General, and the Superintendent of the Board of Internal Improvement of this Commonwealth, are hereby appointed commissioners, whose duty shall be to determine and select the site and plan of said mausoleum, and to contract for and superintend its construction and erection: Provided, Said mausoleum shall not be erected at a cost exceeding the sum herein appropriated. And they are hereby directed to take all needful bonds and security from the contractor or contractors for all or any portions of said mausoleum; and the State Auditor is hereby authorized and directed to issue his warrant upon the Treasurer for any sums not exceeding in the aggregate the amount herein appropriated, payable out of any moneys in the treasury not otherwise appropriated, in favor of said contractors, and for amounts named in certificates of said commissioners.

§ 3. That when said mausoleum shall be completed, the Governor of this Commonwealth is hereby authorized and directed to procure, if possible, the consent of the surviving relations of Gov. Thomas Metcalfe, Gov. James Clark, Gov. John Breathitt, and Gen. John Adair to the removal of the remains of the illustrious deceased to said cemetery; and such consent having been obtained, that he cause said remains to be deposited in said mausoleum with such honorable ceremonies as he may deem proper.

§ 4. That the sum of — dollars be and the same is hereby appropriated for the removal of the remains of each of the deceased mentioned in the preceding section, and the Auditor of Public Accounts be and he is hereby authorized and directed, upon the presentation to him of the certificate of the Governor that said removal has been effected, to issue his warrant upon the Treasurer in favor of the several persons and for the several amounts (not exceeding in the aggregate in each case the amounts appropriated by this section of this act) named in said certificate.

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. Cochran moved to amend said bill by inserting in the 2d section thereof the name of Gen. Zachary Taylor.

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

Mr. Whiteley moved to fill the blank in the first section of said bill with the words "fifteen thousand," and the blank in the fourth section of the bill with the words "five hundred."

And the question being taken thereon, 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 being then taken on the passage of said bill, and it was decided in the negative.
And so said bill was rejected.
The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,)  
Ben Hardin Helm,  
William B. A. Baker,  
Ben Berry,  
William J. Berry,  
William S. Bodley,  
Robert C. Bowling,  
Horatio W. Bruce,  
John B. Cochran,  
George C. Paris,  
Nathan Gaither,  
John K. Goodice,  
Joseph Ricketts,  
William Reely,  
George C. Rogers,  
James A. Russell,  
Richard J. Spurr,  
Thomas J. Terry,  
Joshua Tevis,  
James H. Turner,  
L. A. Whiteley,  
Thomas H. M. Winn,  
E. S. Worthington—33.

Those who voted in the negative, were

Richard B. Alexander,  
Lucien Anderson,  
John B. Anderson,  
William T. Anthony,  
John B. Auxier,  
John S. Bohannon,  
William B. Booker,  
Archibald C. Brown,  
Colbert Cecil,  
George B. Cook,  
Milton J. Cook,  
Thomas H. Corbett,  
James M. Corbin,  
Coleman Covington,  
James Culton,  
Gideon P. Jolly,  
Andrew Jones,  
James Kinslaer,  
James S. Littlepage,  
Samuel Long,  
Pleasant W. Mahan,  
John C. McCreaey,  
Hiram McElroy,  
William M. Miller,  
William M. Morrow,  
Andrew J. Prichard,  
Richard S. Thornton,  
Fielding Vaughan,  
Willie Waller,  
Francis M. Woods—45.

Mr. Bowling, from the same committee, to whom was referred a preamble and resolution from the Senate, in relation to the removal of the remains of Gov. James Clarke to the Frankfort Cemetery,
Reported the same without amendment.
The question was then taken on concurring in said preamble and resolution.
And it was decided in the affirmative.
The yeas and nays being required thereon by the constitution, were as follows, viz:
Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Joshua Dunn,  
Richard B. Alexander, George C. Faris,  
Lucien Anderson, McDowell Fogle,  
John B. Anderson, Daniel Garrard,  
William T. Anthony, Henry Giles,  
John B. Auxier, John K. Goodloe,  
William B. A. Baker, Alfred F. Graham,  
Ben Berry, Gordon B. Grasty,  
William J. Berry, Anderson Gray,  
William S. Bodley, Benjamin Gullion,  
William B. Booker, John S. Hargis,  
Robert C. Bowling, Ben Hardin Helin,  
Archibald C. Brown, John M. Hewitt,  
Erasmus C. Brown, Greenberry Hicks,  
Horatio W. Bruce, Andrew J. James,  
Colbert Cecil, Gideon P. Jolly,  
John B. Cochran, Andrew Jones,  
George B. Cook, Richard Jones,  
Milton J. Cook, James Kinslaer,  
Thomas H. Corbett, Philip Lee,  
James M. Corbitt, James S. Littlepage,  
Coleman Covington, Samuel Long,  
James Culon, John G. Lyon,  
David R. Dugan, Pleasant W. Mahan,  
Charles Duncan,  
Charles A. Marshall,  
Jas. H. McCampbell,  
Hiram McElroy,  
John W. Menzies,  
William M. Miller,  
W. C. Montgomery,  
Samuel B. Pell,  
Andrew J. Prichard,  
Robert Richardson,  
Joseph Ricketts,  
William Reiley,  
George C. Rogers,  
James A. Russell,  
Richard J. Spurr,  
Thomas J. Terry,  
Joshua Tevis,  
Richard S. Thornton,  
E. L. Vanwinkle,  
Fielding Vaughan,  
Willie Waller,  
L. A. Whiteley,  
Thos. H. M. Winn,  
Francis M. Woods,  
E. S. Worthington—73.

Those who voted in the negative, were

John T. Bohannon, Hiram Hawkins,  
Ephraim B. Elliott, John L. Irvan,  
James M. Fogle, John C. McCready,  
Nathan Gaither,  
Wm. M. Morrow,  
Elijah F. Nuttall,  

Mr. Bowling, from the same committee, to whom was referred a bill to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort cemetery, and the erection of a monument to his memory,

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, It is becoming in a great State to acknowledge in a suitable manner her indebtedness to the founders of her prosperity, and to commemorate in an enduring manner, the deeds of noble daring, of self-devotion, and distinguished skill which have laid the foundation of her greatness and illustrated the perilous periods of her history; and whereas, General George Rogers Clarke, by his remarkable skill and pre-eminent services, under trials the severest and difficulties the most formidable; arrested the frontier posts from the possession of the combined forces of the British and savages, and secured by conquest much of the vast west to our common country, and protected the infant settlement of Kentucky from total destruction by the ruthless infl-
riated savages, to whom his very name became an object of terror; which services were highly influential in deciding our revolutionary struggle; and whereas, the remains of this highly distinguished citizen of Kentucky lie in the private burying ground of a relative, the spot unmarked by any monument to testify the esteem in which he ought to be held by his countrymen—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be and he is hereby authorized and directed to procure, if practicable, the consent of the relatives of General George Rogers Clarke to the removal of his remains; and such consent being had, that he cause the said remains to be removed and re-interred in the military mound belonging to the State in the Frankfort Cemetery, with such ceremonies as may be suitable to the character and worth of the honored dead.

§ 2. That the Governor of the Commonwealth shall appoint three commissioners to contract for and superintend the erection of an appropriate marble monument at or near the grave in which the remains may be re-interred as aforesaid.

§ 3. That the auditor of public accounts shall, when he shall have presented to him the certificate of said commissioners that said monument is completed, draw his warrant on the treasury for a sum not exceeding one thousand dollars, to pay for the same.

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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Resolved, That the title thereof be as aforesaid.

Mr. Worthington, from the committee to whom was referred a bill from the Senate, entitled,

An act for the benefit of the heirs of Frank Quinn, deceased.

Reported the same with an amendment as a substitute for said bill.

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

Mr. J. M. Fogle, from the committee appointed to prepare and bring in the same, reported a bill to fix the time in which an action for recovery of usury may be commenced,

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, if any person or persons agree to pay and do pay any rate of usurious interest not exceeding ten per centum per annum, and who does not plead the same at the time of making defense, or bring suit for the recovery of such usury so paid, in a court having jurisdiction of the same at its first term thereafter, then such interest so paid shall be deemed legal; and so much of any former act or statute inconsistent with this act is hereby repealed.

§ 2. This act shall take effect from and after its passage.

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. Bodley moved an amendment to said bill as a substitute therefor, which reads as follows, viz:

Strike out all after the enacting clause and insert in lieu thereof the following words, viz:

That hereafter it shall be legal to contract, in writing and by ex-
press terms for the payment of a rate of interest not exceeding ten per centum per annum, for money loaned at the time of making such contract, and so expressed on the face of the writing.

Mr. E. O. Brown 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. Gray and Hawkins, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, James A. Duncan, Samuel Long,
John B. Anderson, Ephraim B. Elliott, Pleasant W. Mahan,
William T. Anthony, McDowell Fogle, John C. McCreary,
John B. Auxier, Nathan Gaither, Hiram McElroy,
Ben Berry, Daniel Garrard, Elijah F. Nuttall,
William J. Berry, Anderson Gray, Samuel B. Peil,
John S. Bohannon, Benjamin Gallion, Joseph Ricketts,
William B. Booker, John S. Hargis, George C. Rogers,
Eraamus O. Brown, Ben Hardin Helm, James A. Russell,
Colbert Cecil, John L. Irvan, Thomas J. Terry,
John B. Cochran, Andrew J. James, Richard S. Thornton,
Milton J. Cook, Gideon P. Jelly, James H. Turner,
Thomas H. Corbett, Andrew Jones, E. L. Vanwinkle,
Coleman Covington, Philip Lee, Fielding Vaughan,
James Culton, Jas. S. Littlepage, Willie Waller—46.

Those who voted in the negative, were

Mr. Speaker, (Huston,) John K. Goodloe, W. C. Montgomery,
Lucien Anderson, Alfred F. Graham, William M. Morrow,
William B. A. Baker, Gordon B. Grasty, Andrew J. Prichard,
William S. Bodley, Hiram Hawkins, Robert Richardson,
Robert C. Bowling, John M. Hewitt, William Reiley,
Archibald C. Brown, Greenberry Hicks, Richard J. Spurr,
Horatio W. Bruce, Richard Jones, Joshua Tevis,
George B. Cook, James Kinsiner, James T. Ware,
George B. Dugan, John G. Lyon, L. A. Whiteley,
Joshua Dunn, Charles A. Marshall, Thomas H. M. Winn,
George C. Faris, Jas. H. McCampbell, Francis M. Woods,
James M. Fogle, John W. Menzies, E. W. Worsham,
Henry Giles, William M. Miller, E. S. Worthington—39.

Mr. Dugan, from the committee appointed to prepare and bring in the same, reported a bill to amend the charter of Bardstown.

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 said bill was rejected.
Mr. Russell, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled,
An act regulating the time of holding the Circuit Courts,
Reported the same, with sundry amendments,
Which were concurred in.
Said bill was then further amended.
Mr. Grasty moved to amend said bill, as follows, viz:
In the 2d district strike out the 1st and 2d lines, and insert the following in lieu thereof, viz:
In the county of Trigg, on the last Monday in February and fourth Monday in August, and continue each twelve juridical days; and when the month of August has five Mondays, then to continue eighteen juridical days.

Mr. Rogers moved the previous question.
And the question being then taken, shall the main question be now put? it was decided in the affirmative.
The question being then taken on the amendment proposed by Mr. Grasty, it was decided in the negative.
The question being then taken on ordering said bill, as amended, to be read a third time, it was decided in the affirmative.
The rule of the House, constitutional provisions, and third reading of said bill having been dispensed with,
Mr. Hargis moved to amend said bill by adding thereto the following engrossed clause, by way of rider, viz:
In the county of Harlan, on the third Mondays in April and September, and continue each six juridical days.
In the county of Letcher, on the Mondays succeeding the terms of the Harlan Circuit Courts, and continue each six juridical days.
In the county of Perry, on the Mondays succeeding the terms of the Letcher Circuit Court, and continue each six juridical days.
In the county of Breathitt, on the Mondays next succeeding the Courts of Perry, and continue each ten juridical days.
The Speaker decided said amendment not to be in order.
From which opinion of the chair, Mr. Hargis took an appeal.
The question was then taken: Shall the decision of the chair stand as the judgment of the House?
And it was decided in the affirmative.
Mr. Morrow moved the previous question.
And the question being then taken, shall the main question be now put? it was decided in the affirmative.
The main question was then put: Shall the bill pass? and it was decided in the affirmative.
Resolved, That the title thereof be, as aforesaid.
A message was received from the Governor, by Mr. Brown, Secretary of State, as follows, viz:

EXECUTIVE DEPARTMENT.
February 25, 1856.

Gentlemen of the Senate and House of Representatives:
I herewith transmit a statement—
1. Of the Bank of Louisville and Branches.
2. Of the Bank of Kentucky and Branches.
3. Of the Northern Bank of Kentucky and Branches.
4. Of the Farmers' Bank of Kentucky and Branches.
5. Of the Southern Bank of Kentucky and Branches.
6. Of the Commercial Bank of Kentucky and Branches.
8. Of the Central Bank of Kentucky.

C. S. MOREHEAD.

[For Statements—see Legislative Documents.]

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of State be authorized to furnish each member of the General Assembly with a copy of the Revised Statutes and new Code of Practice.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

And the question being taken on the adoption of said resolution, it was decided in the negative.

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

Those who voted in the affirmative, were

W. B. A. Baker, James Culton, W. C. Montgomery,
William B. Booker, James A. Duncan, William M. Morrow,
Erasmus O. Brown, George C. Faris, Elijah F. Nuttall,
John B. Cochran, McDowell Fogle, Thomas J. Terry—12.

Those who voted in the negative, were

Mr. Speaker, (Huston,) Daniel Garrard, John C. McCreaery,
Richard B. Alexander, Henry Giles, Hiram McElroy,
John B. Anderson, Alfred F. Graham, John W. Menzies,
William T. Anthony, Gordon B. Grasty, William M. Miller,
John B. Auxier, Anderson Gray, Samuel B. Pell,
Ben. Berry, Benjamin Gullion, Robert Richardson,
William J. Berry, John S. Hargis, Joseph Ricketts,
William S. Bodley, Hiram Hawkins, William Reiley,
John S. Bohannon, Ben Hardin Helm, George C. Rogers,
Robert C. Bowling, Greenberry Hicks, James A. Russell,
Horatio W. Bruce, Andrew J. James, Richard J. Spurr,
Colbert Cecil, Gideon P. Jolly, Joshua Tevis,
Mr. Nattall read and laid on the table the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor, Auditor, and Attorney General be and they are hereby appointed a committee on the part of the State, to ascertain a suitable plan of a mausoleum for Kentucky's illustrious dead, and that they report the plan to the next Legislature, together with the probable cost thereof.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

Said resolution was then twice read and adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That after the , no new business shall be introduced.

Mr. E. O. Brown moved the following resolution, viz:

Resolved, That on and after Tuesday, the 27th inst., this House will meet at 9 o'clock, A. M., and 7 o'clock, P. M.

Mr. J. M. Fogle, called for a division of the question.

Mr. Morrow moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on meeting at 9 o'clock, A. M., and it was decided in the affirmative.

The question was then taken on meeting at 7 o'clock, P. M., and it was decided in the negative.

And then the House adjourned.
TUESDAY, FEBRUARY 26, 1856.

1. Mr. Corbett presented petitions from citizens of McCracken county, praying the establishment of a State road from Hopkinsville to Paducah.

2. Mr. Waller presented a similar petition from citizens of Marshall county, praying for the establishment of the same road.

3. Mr. Booker presented remonstrances from citizens of Washington county, against the formation of a new county out of any part of said county.

4. Mr. Nuttall presented a memorial from a meeting of citizens of Boone and Kenton counties, praying the passage of suitable laws to protect them in the enjoyment of their slave property.

5. Mr. Winn presented the petition of citizens of Barren county, praying the establishment of a bank in the town of Glasgow.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d to the committee on Propositions and Grievances; the 4th to the committee on Ways and Means; and the 5th to the committee on Banks.

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

- On motion of Mr. Rogers—1. A bill to incorporate the Barren county Turnpike road Company.
- On motion of Mr. Vanwinkle—2. A bill to change the time of holding the Quarterly Court of Green county.
- On motion of same—3. A bill for the benefit of Caroline B Anderson.
- On motion of Mr. Mahan—4. A bill to authorize the Whitley County Court to change the State road from London to the Tennessee State line.
- On motion of Mr. J. A. Duncan—5. A bill to change the time of holding the May term of the Gallatin County Court.

Ordered, That Messrs. Rogers, Winn, and Beauchamp prepare and bring in the 1st bill; Messrs. Vanwinkle, Vaughan, and J. B. Anderson the 2d; Messrs. Vanwinkle, G. F. Lee, and McCampbell the 3d; Messrs. Mahan, Long, and Culton the 4th; and Messrs. J. A. Duncan, C. Duncan, and R. Jones the 5th.

A message was received from the Senate, announcing that they had concurred in the amendments of this House to bills from the Senate of the following titles, viz:
An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

An act for the benefit of the heirs of Jacob Watson.

An act to incorporate the Hickman building and loan association.

That they had passed bills and a resolution from this House of the following titles, viz:

An act legalizing certain proceedings of the Calloway County Court.

An act for the benefit of justices' district No. 3, in Kenton county.

An act to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

An act to change the time of holding the Owsley Quarterly Court.

An act regulating the application of moneys arising from the sales of vacant lands lying in Hart county.

An act to amend and reduce into one all the acts concerning the town of Bowlinggreen.

An act to change the time of holding the August term of the Laurel Quarterly Court.

With amendments to the last two bills.

Preamble and resolution in relation to the bill in favor of the soldiers of the revolutionary war, introduced into the Senate of the United States by Senator Evans of South Carolina.

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

An act to incorporate the Merchants' Deposit Bank of Danville.

An act fixing the time of holding the chancery and criminal courts in the 1st judicial district.

An act for the benefit of Thomas F. Terrell, of Ballard county.

An act to authorize the appointment of an additional commissioner for the Jefferson county court.

An act to authorize actions between the county of Jefferson and the city of Louisville.

An act to change the time of holding the Shelby quarterly courts.

An act to provide a place of voting in district in Bath county, instead of the Olympian Spring.

An act fixing the time of holding the court of claims for Bath county.

An act to authorize the clerk of the Grant county court to purchase deed books, A and B, and transcribe the same.

An act regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.

An act to repeal all laws to license Billiard tables, Bowling Saloons, and Jenny Lind tables.
An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.

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

By Mr. Rogers—1. A bill for the benefit of William B. Johnson, late sheriff of Laurel county.
By Mr. Vanwinkle—2. A bill to change the time of holding the terms of the Pulaski quarterly court.
By Mr. Nuttall—3. A bill to establish a patrol on the Ohio river.
By the committee on Education—4. A bill to re-organize Transylvania University.
By the committee on the Judiciary—5. A bill for the benefit of Barbara Rosenthal.
By same—6. A bill for the benefit of James W. Thurman, of Bullitt county.
By same—7. A bill for punishing negro stealing.
By same—8. A bill to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington 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 3d bill was made the order of the day for the 28th instant, at 10 o'clock, A. M.; the 4th for the 29th instant, at 11 o'clock, A. M.; and the 1st, 2d, 5th, 6th, 7th, and 8th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 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 foresaid.
Ordered, That the Public Printer forthwith print 150 copies each of the 3d and 4th bills, for the use of the members of the General Assembly.

A bill from the Senate, entitled,
An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes, and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg,

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.

On motion of Mr. Vanwinkle,

Ordered, That the committee on the Judiciary be discharged from the further consideration of a bill from the Senate, entitled,

An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes, and that the same be referred to the committee on Internal Improvement.

The House then took up the bill to prevent runaway marriages.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person who elopes with a white girl under the age of eighteen years, such girl being a citizen or resident of this State, with intent to marry her without the consent of the person authorized by law to give such consent, shall be guilty of a felony, and punished by confinement in the penitentiary not less than one nor more than five years.

§ 2. Any white woman being a citizen or resident of this State at the time of her marriage, who has or may hereafter contract marriage, in or out of this State, without the consent of the person authorized by law to give such consent, may, at any time before she arrives at the age of twenty-one years, sue for and obtain a divorce, and be restored to every right of property and all the privileges of an unmarried woman.

§ 3. The suit named in the last section may be instituted in the proper tribunal of the county where such woman may reside at the time of or after her marriage; and such proceedings shall be had therein, including any adjudication or order as to alimony and the custody of children, as in other cases of divorce.

§ 4. Such marriage shall not hereafter confer on the husband right to any property held by the wife at the time of such marriage, or thereafter coming to her by descent, devise, gift, or otherwise, until she is twenty-one years old, but the same shall be held and managed by a guardian other than the husband, for the sole and separate use of the wife and her children, as in the case of other minors; nor shall the husband, upon the death of the wife or any of her children under the age of twenty-one years, take any interest, by way of curtesy, descent, or distribution, in any property of the wife or any of her children, but the same shall descend to the wife's kindred according to law, or pass according to the instrument under which the wife or child holds.

§ 5. A marriage contracted in violation of this act shall nevertheless be valid.

Mr. Rogers moved to amend said bill as follows, viz:

Strike out all the 1st section after the enacting clause; strike out the 2d, 3d, and 5th sections of the bill, and insert before the 4th section the following, viz:

That hereafter when any person shall elope with a white girl under
the age of twenty-one years, such girl being a citizen or resident of this State, and shall marry such girl without the consent of the person authorized by law to give such consent, then

Mr. M. J. Cook 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. Worthington and A. C. Brown, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


James A. Duncan,

On motion of Mr. Corbett,

Ordered, That a message be sent to the Senate, asking to withdraw the announcement of the disagreement of this House to a bill from the Senate, entitled,

An act to establish the Planters' Bank of Kentucky.

After a short time the messenger returned with said bill.

The House then took up the motion of Mr. Philip Lee to re-consider the vote by which said bill was disagreed to.
And the question being taken thereon, it was decided in the affirmative.

The question was again taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. M. Fogle and Menzies, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Vanwinkle, from the committee on Revised Statutes, to whom was referred a bill from the Senate, entitled,

An act to amend the several acts in relation to Peddlers.

Reported the same with amendments.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all itinerant persons vending goods, wares, and merchandise, clocks, jewelry, gold, silver, or plated ware, spectacles, drugs, nostrums, perfumeries, or any other thing, or vending or offering to vend goods, wares, or merchandise, or other thing by sample, which is not the product or manufacture of this State, or any person or persons who shall, under color of bona fide merchants take up a temporary residence
in any one of the towns or cities of this Commonwealth, for the purpose of disposing of their goods, wares, or merchandise, of whatsoever kind, either at auction or retail at cost, shall be deemed peddlers.

§ 2. That all laws authorizing persons to get out a State license to peddle are hereby repealed.

§ 3. That any person, before he shall presume to sell or peddle any of the above enumerated articles in this State, shall obtain from the county court clerk of each county in which he may wish to peddle, a license to peddle his goods, wares, and merchandise, for twelve months from the date of such license, which license shall authorize him to peddle in such county and no other; and for which license the clerk granting the same is hereby required to collect from the person to whom the license is granted, the sum of ten dollars for each and every one hundred voters in the county, as a tax, to be accounted for and paid into the treasury by said clerk, as other taxes collected by him are required to be paid, and fifty cents as a fee for such license, to be retained by said clerk granting the same: Provided, that no license to peddle shall be granted by the clerk until he is satisfied that the applicant is a person of good moral character.

§ 4. The clerk shall give a description in the license of the person to whom it issues, and it shall authorize the person alone to whom it is granted to peddle under it, and the same shall not be transferable.

§ 5. Any person offering to sell or peddle any of the above enumerated articles or other thing, as herein contemplated, without first obtaining a license so to do, as before provided, shall be deemed guilty of a high misdemeanor, and shall, on conviction thereof, by warrant before the county judge, or on indictment in the circuit court, be fined in any sum not less than fifty nor more than one hundred and fifty dollars, in the discretion of a jury having jurisdiction of the same.

§ 6. If any person deemed a peddler under this chapter shall offer to sell any commodity or thing whatever, under the license of another, as before provided for, he shall be fined not less than fifty nor more than one hundred dollars, recoverable as before provided; and in all cases of selling under the license of another the description in such license of the person to whom it issues, when it varies from the description of the holder, shall be conclusive evidence against such person, unless it can be established beyond doubt, by the clerk who issued the license or by other satisfactory testimony, that he is the identical person to whom said license was issued.

§ 7. All process issued under this chapter shall be against the body of the defendant in the name of the Commonwealth, on which shall be indorsed that the defendant may be admitted to reasonable bail, to be fixed by the officer or court having jurisdiction of the same, for his personal appearance at the trial; the bail shall not only be bound for the appearance of the defendant, but also for whatever fine and costs may be adjudged against the defendant in case he does not appear. When the defendant appears and is fined by the court or officer, he shall stand committed to the jail of the county until the fine and costs are paid: the defendant, however, may be permitted to replevy said fine and costs for three months as other fines are now authorized to be repleved, by giving good security. A capias ad satisfaciendum may
issue upon all judgments authorized by this chapter, and upon replying bond taken under the same.

§ 8. It shall be the duty of the county court judges, clerks, sheriffs, constables, justices of the peace, police judges, town marshals, mayors, city judges, marshals, and policemen to see that this chapter is complied with, and to find out all persons suspected of violating the same; and to this end, power is given them and they are hereby required to demand of all persons suspected of peddling, the production of their license, and on failure to produce the same, this fact shall be conclusive evidence against such person that they have no license.

§ 9. All fines and forfeitures under this chapter shall go in aid of the jury fund of the respective counties where imposed, and are to be paid over to the trustee of the jury fund, and he is hereby required to demand of all persons suspected of peddling, the production of their license, and on failure to produce the same, this fact shall be conclusive evidence against such person that they have no license.

§ 10. The several circuit judges of this commonwealth shall, at each court held by them, give this chapter in charge to the grand jury.

§ 11. Nothing herein contained shall affect any local laws in relation to cities and towns.

§ 12. All laws inconsistent with the provisions of this chapter are hereby repealed. This act shall take effect from and after the 1st day of January, 1857.

The amendments proposed by the committee read as follows, viz:

Amend section 5, by striking out the words printed in italic.

And the question being taken on the adoption of said amendments, it was decided in the affirmative.

Mr. L. Anderson moved to lay the bill and amendments on the table. And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Menzies and Ben Berry, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Speaker, (Huston,) Charles Duncan, William R. A. Baker, James A. Duncan, R. P. Beauchamp, Joshua Dunn, Ben Berry, George C. Paris, John W. Menzies, William M. Miller, W. C. Montgomery, William M. Morrow,
Mr. McDowell Fogle moved to amend the 3d section of said bill by striking out the words "ten dollars," and inserting in lieu thereof the words "two dollars."

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

Mr. Richardson moved to amend said bill, by adding thereto the following additional section, viz:

The provisions of this act shall not extend to colporteurs, or any other persons trading exclusively in books, periodicals, pamphlets, tracts, or newspapers; but the county judges in the several counties in this Commonwealth, upon satisfactory evidence being furnished them that the persons exempted by this section are of good character, they shall furnish to each of such persons, upon payment of the sum of one dollar, a license to sell books, periodicals, pamphlets, tracts, and newspapers in their respective counties; and they are also required to take bond, to a reasonable amount and with good security, from such persons, conditioned for the faithful performance of their obligations to sell and dispose of such goods only as are mentioned in this section: Provided, that the benefits conferred by this section shall extend only to citizens of Kentucky.

Mr. Cochran moved the following as a substitute for the amendment proposed by Mr. Richardson, viz:

That colporteurs and peddlers of books, periodicals, and newspapers be excepted from the provisions of this act.

Mr. Corbett moved the previous question.

And the question being then taken, shall the main question be now put? it was decided in the negative.

The question was then taken on the adoption of the substitute of Mr. Cochran for the amendment proposed by Mr. Richardson.

And it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Richardson,

And it was decided in the negative.
Mr. Vanwinkle moved to amend said bill by striking out of the 12th section the words, "1st day of January, 1857," and inserting in lieu thereof the words, "1st day of June, 1856."

Which was adopted.

Mr. Giles moved to amend said bill, by adding thereto the following, viz:

That no county license shall be granted to any person to peddle, unless such person shall have resided in the county one year next preceding his application for such license.

Which was adopted.

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 it was decided in the negative.

And so said bill was disagreed to.

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

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Smedley moved a re-consideration of the vote by which said bill was rejected.

Mr. Smedley moved the previous question.
And the question being then taken, shall the main question be now put? it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Menzies and, were as follows, viz:

Those who voted in the affirmative, were

Lucien Anderson, Ephraim B. Elliott, James M. Fogle, Pleasant W. Mahan, John C. McCreaey, Robert Richardson.
William T. Anthony, McDowell Fogle, Daniel Garrard, George C. Rogers.
William S. Bodley, John S. Bohannon, Andrew J. James, Fielding Vaughan.
Colbert Cecil, Anderson Gray, George C. Rogers, William B. Baker.
Milton J. Cook, John S. Hargis, Benjamin Gallion.

Those who voted in the negative, were

Mr. Speaker, (Huston,) George C. Faris, Wm. M. Morrow.
William B. A. Baker, Henry Giles, Samuel B. Pell, Andrew J. Prichard.
Ben Berry, Greenberry Hicks, Richard J. Spurr.
William J. Berry, Gideon P. Jolly, Thomas J. Terry.
William B. Booker, Andrew Jones, Joshua Tavis.
Isaac N. Clement, George F. Lee, Willie Waller.
George B. Cook, Philip Lee, James T. Ware.
James M. Corbin, Samuel Long, Joshua Dunn, E. S. Worthington.
Frank P. Deatherage, Hiram McElroy, T. H. M. Winn.
Charles Duncan, John W. Menzies, E. W. Worsham.
James A. Duncan, William M. Miller, E. S. Worthington.
Joshua Dunn, W. C. Montgomery.

Mr. Smedley withdrew his motion to re-consider.
Mr. Marshall moved to re-consider the vote by which said bill was disagreed to.
Mr. Smedley moved to lay said motion to re-consider on the table.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were

Richard B. Alexander, Ephraim B. Elliott, Andrew J. James,
Lucien Anderson, James M. Fogle, Richard Jones,
John B. Anderson, M. Dowell Fogle, James S. Littlepage,
William T. Anthony, Daniel Garrard, Pleasant W. Mahan,
John B. Axier, John K. Goodloe, John C. McCrea,
John S. Bohannon, Alfred F. Graham, William Reily,
Colbert Cecil, Gordon B. Grasty, James A. Russell,
Isaac N. Clement, Anderson Gray, Charles C. Smedley,
John B. Cochran, Benjamin Gullion, Richard S. Thornton,
Milton J. Cook, John S. Hargis, Fielding Vaughn,
Thomas H. Corbett, Hiram Hawkins, Hiram Wood,

Those who voted in the negative, were

M. Speaker, (Huston,) Joshua Dunn, William M. Morrow,
Wm. B. A. Baker, George C. Paris, Samuel B. Pelt,
R. P. Beauchamp, Henry Giles, Andrew J. Prichard,
Ben Berry, John M. Hewitt, Robert Richardson,
William J. Berry, Greenberry Hicks, Joseph Ricketts,
William S. Bodley, Gideon P. Jolly, George C. Rogers,
William B. Booker, Andrew Jones, James M. Speer,
Robert C. Bowling, James Kincaid, Richard J. Spurr,
Laban J. Bradford, George F. Lee, Thomas J. Terry,
Archibald C. Brown, Philip Lee, Joshua Tevis,
Erasmus O. Brown, Samuel Long, E. L. Vanwinkle,
Horatio W. Bruce, John G. Lyon, Willie Waller,
George B. Cook, Charles A. Marshall, James T. Ware,
James M. Corbin, Jas. H. McCampbell, L. A. Whiteley,
Coleman Covington, Hiram McElroy, T. H. M. Winn,
Frank P. Deatherage, John W. Menzies, E. W. Worsham,
Charles Duncan, William M. Miller, E. S. Worthington—53.

The question was then taken on the reconsideration of the vote by which said bill was disagreed to, and it was decided in the affirmative.

Mr. Menzies moved to amend said bill by adding thereto the following engrossed clause by way of rider, viz:

When any citizen of this State shall desire to sell and distribute books, pamphlets, tracts, or papers, it shall be the duty of the Presiding Judge of the county in which said citizen may reside, to give him a license for such purposes, upon being satisfied that the applicant is a man of good moral character; and the applicant shall pay the clerk
who makes out for him the license in pursuance of the order of the Judge, one dollar, and the clerk shall attach the county seal to the license.

Which was adopted.

The question was then again taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan, William M. Miller, W. C. Montgomery,
William B. A. Baker, Joshua Dunn, William M. Morrow,
R. P. Beauchamp, George C. Faris, Samuel B. Pell,
Ben Berry, Henry Giles, Robert Richardson,
William S. Bodley, John M. Hewitt, Joseph Ricketts,
William B. Booker, Greenberry Hicks, James M. Speer,
Robert C. Bowling, Gideon P. Jolly, Richard J. Spurr,
Laban J. Bradford, Andrew Jones, Thomas J. Terry,
Archibald C. Brown, James Kinslaer, Joshua Tevis,
Erasmus O. Brown, George F. Lee, E. L. Vanwinkle,
John B. Cochran, Philip Lee, Willie Waller,
George B. Cook, Samuel Long, James T. Ware,
James M. Corbin, John G. Lyon, L. A. Whiteley,
Coleman Covington, Charles A. Marshall, E. S. Worthington—43,
Frank P. Deatherage, Jas. H. McCampbell, Thomas H. M. Winn,
Charles Duncan, John W. Menzies, E. S. Worthington—43.

Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, Pleasant W. Mahan,
Lucien Anderson, McDowell Fogle, John C. McGreary,
John B. Anderson, Daniel Garrard, Hiram McElroy,
William T. Anthony, John K. Goodloe, Elijah F. Nuttall,
John B. Auxier, Alfred F. Graham, Andrew J. Prichard,
William J. Berry, Gordon B. Grasty, William Reiley,
John S. Bobannon, Anderson Gray, George C. Rogers,
Horatio W. Bruce, Benjamin Gullion, James A. Russell,
Colbert Cecil, John S. Hargis, Charles C. Smedley,
Isaac N. Clement, Hiram Hawkins, Richard S. Thornton,
Mitton J. Cook, John L. Irvan, Fielding Vaughan,
Thomas H. Corbett, Andrew J. James, Hiram Wood,
James Culton, Richard Jones, Francis M. Woods,
David R. Dugan, Jas. S. Littlepage, E. W. Worsham—43.
Ephraim B. Elliott, Rul'd, That the title thereof be as aforesaid.

The House then took up the bill to amend the Common School laws. 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.

The Speaker laid before the House the following report of the Treasurer of Cumberland Hospital, viz:

SMITHLAND, January 1, 1856.

HON. JOHN B. HUSTON, Speaker of the House of Representatives:

DEAR SIR:—I herewith enclose you a statement of the condition of the Cumberland Hospital for the years 1854-5, which I trust you will lay before the House over which you have the honor to preside.

Respectfully,

R. M. HAYDOCK,
Treasurer Cumberland Hospital.

CUMBERLAND HOSPITAL, SMITHLAND, KENTUCKY,
In account with R. M. Haydock, Treasurer:

DEBITS.
To cash paid Wm. Gordon, Superintendent, amount of his account for 1854, $1,425 20
To cash paid Wm. Gordon, Superintendent, amount of his account from 1st January, 1854, to 15th December, 1855, 955 11
To cash paid Dr. D. B. Sanders, medical services from 1st January, 1854, to 1st June, 1854, five months, 125 00
To cash paid Dr. R. J. Hodge, medical services from 1st June, 1854, to 1st January, 1855, seven months, 175 00
To cash paid Dr. J. J. Bass, medical services from 1st January, 1855, to 22d August, 1855, seven months and twenty-two days, 199 94
To cash paid for repairs on house and furnishing house, 574 78
To balance remaining in my hands on 1st January, 1856, 533 12

Total
$ 3,502 64

CREDITS.
By amount received from Wm. Gordon, former Treasurer, balance in his hands received from the Treasurer of Kentucky, $190 64
By amount received from Wm. Gordon, former Treasurer, balance in his hands received from U. S. Treasurer, 257 00

1854.
Oct. By amount received from James L. Hodge, 275 00
" By amount check received from Thos. Page, Auditor, 957 53

1855.
Feb. By amount check received from Thos. Page, Auditor, 319 50
April By amount check received from Thos. Page, Auditor, 319 50
May By amount check received from Thos. Page, Auditor, 319 50
July By amount check received from Thos. Page, Auditor, 319 50
Oct. By amount check received from Thos. Page, Auditor, 319 50

$ 3,802 64

1856.
Jan. 1. By balance in my hands, 539 12

R. M. HAYDOCK, Treasurer.

We, the undersigned trustees of Cumberland Hospital, indorse the above report as true and correct:

W. BEVERLY, Chairman,
TOUR M. DAVIS,
JOHN H. WOOD,
JOHN LYNDER,
Trustees.
Mr. Menzies, from the committee on the Judiciary, to whom was referred a bill to incorporate the People’s Insurance Company.

Reported the same with amendments, the 1st and 2d of which were concurred in, and the 3d rejected.

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. Menzies, from the same committee, reported a bill for the benefit of the citizens of Greenville,

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 said bill was rejected.

Mr. Menzies, from the same committee, to whom was referred a bill from the Senate, entitled,

An act to amend the charter of Danville,

Reported the same, with an amendment,

Which was not 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.

And then the House adjourned.

WEDNESDAY, FEBRUARY 27, 1856.

1. Mr. Waller presented the petition of citizens of Marshall county, praying the establishment of a State road from Hopkinsville to Paducah.

2. Mr. James presented a remonstrance from citizens of Pulaski, against the passage of the bill to permit R. M. Bradley & Co. to erect dams on the Cumberland river.
Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances, and the 2d to the committee on Internal Improvement.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined an enrolled bill that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the heirs of Frank Quinn, deceased.

That they had examined enrolled bills and a resolution that originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to repealed an act incorporating the town of Barbourville.

An act to amend the law regulating the sale of spirituous, malt and vinous liquors.

An act creating an additional justices' district in the county of Pulaski.

An act for the benefit of justices' district No. 3, in Kenton county.

An act to establish a police judge and town marshal in the town of Mount Olivet, in Bracken and Nicholas counties.

An act to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

An act for the benefit of the circuit court clerk of Campbell county.

An act to change the time of holding the Owsley Quarterly Court.

An act regulating the application of moneys arising from the sales of vacant lands lying in Hart county.

An act for the benefit of John Philly.

An act to change the time of holding the quarterly courts in the counties of Barren and Monroe.

An act to amend the charter of the city of Augusta.

An act to provide for holding terms of the Campbell circuit court in Newport.

Preamble and resolution in relation to the bill in favor of the soldiers of the revolutionary war, introduced into the Senate of the United States by Senator Evans of South Carolina.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

A message was received from the Senate, announcing that they had disagreed to bills from this House, of the following titles, viz:

An act for the benefit of William Marshall, jailer of Bracken county.

An act to establish the county of Metcalfe.

That they had passed bills from this House of the following titles, viz:
An act to aid in removing free negroes from this State to Liberia.
An act to change the boundary line between the counties of Shelby and Oldham.
An act to regulate the fees of coroners.
An act for the benefit of Rowan county.
An act for the benefit of C. Osburn and others, to enable them to protect themselves against milk sickness.
An act giving certain authority to the presiding judge of the Greenup county court.
An act to change the time of holding the quarterly courts in the counties of Knox and Harlan.
An act to amend the law in relation to justices of the peace to quarterly courts.
That they had passed bills of the following titles, viz:
An act to change the time of holding the quarterly courts of Henry county.
An act to change the time of holding the quarterly courts of Hardin county.
An act for the benefit of the late sheriff of Lewis county.
An act to establish an additional election precinct and place of voting in Christian county.
An act to prescribe the western boundary of the town of Flemingsburg.
An act to authorize the county court of McLean county to establish a ferry or purchase the present ferry over Green river, at Calhoon and Rumsey.
An act to change the time of holding the Lewis and Grayson quarterly courts.
Leave was given to bring in the following bills, viz:
On motion of Mr. Jolly—1. A bill to change the time of holding the quarterly courts in Breckinridge and Ohio counties.
On motion of Mr. Whiteley—2. A bill for the benefit of the Louisville and Portland Railroad Company.
Ordered, That Messrs. Jolly, W. J. Berry, and E. O. Brown prepare and bring in the 1st bill, and Messrs. Whiteley, Menzies, McElroy, Worthington, and Bodley the 2d.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:
By Mr. Vaughan—1. A bill to change the time of holding the quarterly court of Green county.
By Mr. Garrard—2. A bill for the benefit of the administrators of John Gilbert, deceased.
By the committee on the Judiciary—3. A bill to incorporate Taylor Lodge, No. 34, I. O. O. F.

By same—4. A bill to incorporate Ion Lodge, No. 301, of Free and Accepted Masons

By same—5. A bill to incorporate Good Samaritan Lodge, No. 174, of Free and Accepted Masons.

By same—6. A bill to incorporate the 3d Presbyterian Church, at Covington.

By same—7. A bill to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

By same—8. A bill to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

By same—9. A bill to incorporate McLean Lodge, No. 112, I. O. O. F.

By same—10. A bill to incorporate Rusling Lodge, No. 112, I. O. O. F.

By same—11. A bill to cause writings to be made in the English language.

By same—12. A bill to incorporate Schiller Lodge, No. 64, I. O. O. F.

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 Senate, asking to withdraw their report announcing their disagreement to a bill from this House, entitled,

An act to establish the county of Metcalfe.

Which was granted, and the bill withdrawn.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly be continued until the 10th day of March, 1856.

The rule of the House, requiring joint resolutions to lie one day on the table, having been dispensed with,

Mr. Menzies moved the following as a substitute for said resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the General Assembly adjourns on the 3d proximo, it will adjourn to meet at the Capitol on the 1st Monday in July next.
Mr. E. O. Brown moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the substitute proposed by Mr. Menzies, and it was decided in the negative.

The question was then taken on the adoption of the resolution of Mr. Hanson, and it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Goodloe moved to re-consider the vote by which the bill to authorize a vote of the people on the liquor license laws, was rejected.

Mr. Gray moved to lay said motion to re-consider on the table.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gray and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Menzies, from the committee on the Judiciary, reported a bill to repeal an act, entitled,

An act to amend the charter of the Louisville and Portland Railroad Company, approved March 10, 1854.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to amend the charter of the Louisville and Portland Railroad Company, approved March 10, 1854, be and the same is hereby repealed.

§ 2. That this act shall take effect from and after its passage.

Mr. Rogers moved the previous question.
And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put, shall the bill be read a second time?

And it was decided in the affirmative.

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 it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Mr. Helm, from the select committee, to whom was referred a bill to amend an act, entitled,

An act incorporating the Kentucky State Medical Society, approved November 24, 1851,
Reported the same, with an amendment.

Mr. Culton moved to lay said bill and amendment on the table.

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

Bills from the Senate, of the following titles, viz:

1. An act better to define usury.
2. An act to regulate the agencies of Foreign Insurance Companies.
3. An act to incorporate the Commercial Insurance Company.
4. An act to reduce into one the several acts in relation to the town of Harrodsburg.
5. An act to prevent the selling and using of certain weapons.
6. An act to increase the number of Examiners in Morgan county.
7. An act to increase the powers of the marshal and police judge of Columbia, in Adair 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 bill was referred to the committee on Banks; the 4th and 7th to the committee on County Courts; the 5th and 6th to the committee on Military Affairs; and the 2d and 3d were ordered to be read a third time.

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

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

Ordered, That the committee on Banks report on the 1st bill to this House, on the 29th inst., at 11 o’clock, A. M.

The House then took up the bill to regulate the duties of County and Commonwealth’s Attorneys.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the county court attorneys to attend to the prosecution, before the presiding judge and justice or justices of the peace of the county, of all murders and other felonies, and cases for violation of the laws against gambling, and also, assist the attorney for the Commonwealth in the prosecution in the circuit court of all infractions of the criminal and penal laws, and in the discharge of all other duties assigned to him by law; and for so assisting him, the county court attorney shall be entitled to one-half of the fees and perquisites allowed by law to the attorney for the Commonwealth.

§ 2. Hereafter the attorney for the Commonwealth shall receive, annually, a salary of five hundred dollars, payable quarterly out of the public treasury, instead of three hundred dollars heretofore allowed by law.

§ 3. It shall not be lawful for the judge of the circuit court to appoint the county court attorneys to act in the place of the attorney for
the Commonwealth during his absence from court, but in cases of such absence, the circuit judge shall appoint some other suitable person for that purpose.

Mr. Vanwinkle moved to amend the 1st section of said bill by inserting after the word “county,” printed in italic, the words, “when sitting as a court of inquiry,” and by striking out the words, “laws against gambling,” and inserting in lieu thereof the words, “penal laws.”

Which were adopted.

Mr. G. B. Cook moved to amend said bill by striking out of the 1st section all that portion printed in italic, beginning with the words “and also assist,” and by striking out the 3d section of the bill.

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

Mr. J. M. Fogle moved to amend the 1st section of said bill by adding to it the following words, viz:

“In their respective counties.”

Which was adopted.

Mr. Smedley moved to amend said bill, by adding thereto the following section, viz:

§ 4. This act shall take effect from and after the second Monday in August next.

Which was adopted.

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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

The following are the names of those who voted in the negative:

William T. Anthony, Daniel Garwood, Samuel Long,
Robert C. Bowling, Alfred E. Graham, Pleasant W. Mahan,
Archibald C. Brown, Gordon B. Grasty, Hiram McElroy,
Colbert Cecil, Ben Hardin Helm, Samuel B. Pell,
Milton J. Cook, John L. Irvan, George C. Rogers,
Coleman Covington, Gideon P. Jolly, Fielding Vaughan,
Robert B. English, James Kinlaier.

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate announcing that they had concurred in a resolution of this House, extending the present session of the General Assembly until March 10, 1856.

That they had passed a bill of the following title, viz:
An act to incorporate the Deposit Bank of Glasgow.

The House then took up a bill from the Senate, entitled,
An act to incorporate the Kentucky State Agricultural Society and to give encouragement to all the arts and sciences connected therewith.

Which was read the first time, as follows, viz:

WHEREAS, great improvement in the arts of agriculture has uniformly followed the establishment of agricultural societies throughout the various States of the Union; and, whereas, Kentucky has long felt the want of some institution which shall encourage the arts, and diffuse information on the various subjects therewith connected throughout every section of the State—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an agricultural society is hereby established, to be called the Kentucky State Agricultural Society; the members and subscribers thereof, and their successors, are hereby created a body politic and corporate, and by the name and style aforesaid shall have all the right and privilege of a natural person in suing and being sued, answering and defending, in all courts of law and equity.

Dr. Joshua H. Thomas, of Breckinridge, the names of presidents of local societies to be here added, are hereby constituted commissioners to receive subscriptions and enrol members.

§ 3. That with a view to the organization of said society the State is hereby divided into the three following agricultural districts: The first to include all the counties lying north of the Kentucky river and its north fork, and in addition thereto the counties of Estill, Owsley, Perry, and Breathitt; the second to include the counties lying between the Kentucky river and Green river, up to the mouth of Big Barren, and between the latter and Kentucky river; the third to include the counties of Henderson, McLean, Butler, Warren, and all the counties lying to the south and southwest of Green and Big Barren rivers; and said society shall hold its annual meetings for the exhibition of stock, agricultural implements, manufactures, &c., and for the awarding of premiums, in each of the said districts in rotation.

§ 4. That any one may become a member of this society before its organization by the payment, to the commissioners above named, the sum of three dollars, which shall be the annual subscription giving membership, or twenty dollars, entitling the subscribers to life-membership.

§ 5. That when two hundred members shall be enrolled the commissioners shall call a general meeting of the subscribers, to be held in Frankfort on the 12th of April, when and where they shall proceed to elect a president and three vice presidents—one from each of the agricultural districts above named—and nine directors, three of whom shall be chosen from each of said districts; and these officers shall serve for one year, or till their successors be chosen.

§ 6. That the president and directors may adopt a seal and change it at pleasure, appoint all agents and officers they may deem proper for their co-operation, fix their remuneration, and take bond and security for the faithful discharge of their duties, and shall have the management of the property, funds, and prudential concerns of said society.

§ 7. That the governor, lieutenant governor, and secretary of state, and also the presidents of all local agricultural societies, shall (ex-officio) be members of this society; and that any one may become a member after the organization of the society by paying to the treasurer the sum of three dollars as annual subscription, or twenty dollars, which shall constitute him a life member of the society; but the president and directors shall have the power to strike out from the list of members the name of any person whose conduct shall, in their opinion, forfeit this privilege; and the person whose name shall be thus erased shall cease to belong to this society.

§ 8. That each member, and his family, shall have free admission to the fairgrounds of the society; and each member shall also have the right to exhibit any stock, produce, implements, or other articles for which premiums may be offered, and shall be entitled to a copy of the published proceedings, lists of premiums, prize essays, &c., which shall be printed by the society, free of cost.

§ 9. That it shall be the duty of the president and directors to call a general meeting of the members of the society, to be held in Frankfort on the second Wednesday in January, 1857, and each successive year,
for the purpose of transacting such business as may be brought before
them, and of electing a president, three vice presidents, and nine di­
rectors, who shall manage the affairs of the society till the following
annual meeting; and they may call a special meeting of the members
of the society at any time and place they may deem proper, four weeks
previous notice being given by advertising it in one public journal in
each district.

§ 10. That as soon after the election as may be convenient, and not
later than the first Wednesday in the following June, the president and
directors shall fix on a time and place at which they will hold the an­
nual exhibition for the purpose of awarding premiums for stock, agri­
cultural produce, agricultural implements, prize essays, &c., and shall
also before the said first Wednesday in June make and publish a list of
said premiums.

§ 11. That for the purpose of enabling the society to carry out more
successfully the objects and purposes of its organization, it is deemed
advisable to make an annual appropriation out of the state treasury,
for two years, and the auditor is hereby authorized and directed, in this
and each successive year after the passage of this act, on the receipt
of the written order of the president of the society, and countersigned
by the secretary, to issue his warrant on the treasury of the state for
the sum of five thousand dollars, payable to the treasurer; and the
treasurer of the state is hereby authorized and directed to pay the same
out of any moneys in said treasury not otherwise appropriated; which
shall go into the common fund of said society, to be expended, togeth­
er with its other means, as it shall deem proper, in accomplishing the
object of this institution, as herein set forth: Provided, each division
of the state shall be entitled to its equal proportion of such amount
hereby appropriated.

§ 12. That the president and directors, any five of whom shall form
a quorum for the transaction of business, may, from time to time, make
such by-laws, rules, and regulations for their own government, and for
the management of the affairs of the society as they may deem expedi­
tent, not contrary to the provisions of this charter, or the by-laws or
regulations which the members may from time to time prescribe at their
annual meetings.

§ 13. That it shall be the duty of the president and directors to make
a report of the proceedings and condition of the society at each annu­
al meeting of its members, held as above stated, and also a report to
the legislature at its biennial session, setting forth in full the manner in
which its means have been employed, and the state of its finances.

§ 14. That in case of the death, resignation, or refusal to act of any
officer, the board of officers shall have power to fill such vacancy, at a
meeting only called for that purpose, who shall act until the next an­
nual election.

§ 15. This act shall take effect from its passage.

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. Spurr moved to amend said bill as follows, viz:
Amend the 5th section by striking out "12th of April," and insert in lieu thereof "21st of May."

Strike out the proviso to the 11th section, and insert in lieu thereof the following, viz:

Provided, That each division of the State shall be entitled to its equal proportion of such publications as may be made by this society for general distribution.

Which were adopted.

Mr. Menzies moved to amend said bill by striking out of the 11th section the words "five thousand," and inserting in lieu thereof the words "ten thousand."

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

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

Those who voted in the affirmative, were
Laban J. Bradford, McDowell Fogle, George F. Lee,
Archibald C. Brown, S. A. Foss, John C. Lyon,
Frank P. Deatherage, John K. Goodloe, John W. Menzies,
David R. Dugan, John S. Hargis, Thomas J. Terry,

Those who voted in the negative, were
Mr. Speaker, (Hustoi1,) Joshua Dunn, Charles A. Marshall,
Richard B. Alexander, Ephraim B. Elliott, Jas. H. McCampbell,
Lucien Anderson, Robert B. English, John C. McCreaey,
John B. Anderson, George C. Paris, Hiram McElroy,
William T. Anthony, James M. Fogle, William M. Miller,
John B. Auxier, Nathan Gaither, W. C. Montgomery,
William B. A. Baker, Daniel Garrard, William M. Morrow,
R. P. Beauchamp, Henry Giles, Samuel B. Pell,
Ben Berry, Alfred F. Graham, Joseph Ricketts,
William J. Berry, Gordon B. Grasty, William Reiley,
William S. Bodley, Anderson Gray, George C. Rogers,
John S. Bohannon, Benjamin Gullion, Charles C. Smedley,
William B. Booker, Hiram Hawkins, James M. Speer,
Erasmus O. Brown, Ben Hardin Helm, Richard J. Spurr,
Horatio W. Bruce, Greenberry Hicks, Richard S. Thornton,
Coibert Cecil, John L. Irvan, E. L. Vanwinkle,
Isaac N. Clement, Andrew J. James, Fielding Vaughan,
John B. Cochran, Gideon P. Jolly, Willie Waller,
George B. Cook, Andrew Jones, James T. Ware,
Milton J. Cook, Richard Jones, T. H. M. Winn,
Thomas H. Corbett, Philip Lee, Hiram Wood,
James M. Corbin, Jas. S. Littlepage, Francis M. Woods,
Coleman Covington, Samuel Long, E. W. Worsham,
James Culton, Pleasant W. Mahan, E. S. Worthington—54.
Mr. Morrow moved to amend said bill, by adding to the 11th section the following, viz:

And that the amount hereby appropriated be equally divided among all sections of the State, and for that purpose each congressional district shall be entitled to five hundred dollars.

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

Mr. Ben Berry moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put, shall the bill be read a third time? and it was decided in the affirmative.

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 it was decided in the negative.

And so said bill was disagreed to.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston.)  Sidney A. Foss,  John W. Menzies,
William B. A. Baker,  John K. Goodloe,  W. C. Montgomery,
R. P. Beauchamp,  Alfred F. Graham,  Elijah F. Nuttall,
Ben Berry,  Roger W. Hanson,  Samuel B. Pell,
William S. Bodley,  Ben Hardin Helm,  Joseph Ricketts,
Laban J. Bradford,  John M. Hewitt,  William Reiley,
Archibald C. Brown,  Gideon P. Jolly,  George C. Rogers,
Erasmus O. Brown,  Andrew Jones,  Richard J. Spurr,
Horatio W. Bruce,  George F. Lee,  Thomas J. Terry,
John B. Cochran,  Philip Lee,  Joshua Tevis,
Frank P. Deatherage,  Samuel Long,  James T. Ware,
Charles Duncan,  John G. Lyon,  L. A. Whiteley,
Ephraim B. Elliott,  Charles A. Marshall,  T. H. M. Winn,
Robert B. English,  Jas. H. McCampbell,  E. S. Worthington—43.
George C. Paris,

Those who voted in the negative, were

Richard B. Alexander,  James A. Duncan,  James S. Littlepage,
Lucien Anderson,  Joshua Dunn,  Pleasant W. Mahan,
John B. Anderson,  James M. Fogle,  John C. McCreary,
Wm. T. Anthony,  McDowell Fogle,  Hiram McElroy,
John B. Auxier,  Nathan Gaffter,  William M. Miller,
William J. Berry,  Daniel Garrard,  William M. Morrow,
John S. Bohannon,  Henry Giles,  Charles C. Smedley,
William B. Booker,  Gordon B. Grasty,  James M. Speer,
Colbert Cecil,  Anderson Gray,  Richard S. Thornton,
Isaac N. Clement,  Benjamin Gullion,  E. L. Vanwinkle,
Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, and a preamble and resolution that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

An act for the benefit of the heirs of Jacob Watson.

An act to incorporate the Hickman building and loan association.

An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes, and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg.

Preamble and resolutions in relation to the removal of the remains of Gov. James Clarke to the Frankfort Cemetery,

That they had examined an enrolled resolution that originated in this House, of the following title, and had found the same truly enrolled, viz:

Resolution extending the present session of the General Assembly until March 10, 1856.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

At 15 minutes past 5 o'clock, P. M., Mr. McElroy moved that the House adjourn.

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

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

Those who voted in the affirmative, were

Lucien Anderson, Robert B. English, Pleasant W. Mahan,
William T. Anthony, McDowell Fogle, John C. McCreary,
R. P. Beauchamp, Nathan Gaither, Hiram McElroy,
William S. Bodley, Daniel Garrard, Andrew J. Prichard,
John S. Bohannon, Anderson Gray, Joseph Ricketts,
William B. Booker, Roger W. Hanson, George C. Rogers,
Archibald C. Brown, John S. Hargis, Charles C. Smedley,
Erasmus O. Brown, John L. Irvan, Richard S. Thornton,
Colbert Cecil, James Kinslaer, Francis M. Woods,
Isaac N. Clement, John G. Lyon, E. S. Worthington—31.

James A. Duncan,
Those who voted in the negative, were


Mr. Auxier moved a re-consideration of the vote by which the bill from the Senate, entitled,

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith, was rejected.

At 30 minutes past 5 o’clock, P. M., Mr. Hanson moved that the House adjourn.

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

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

Those who voted in the affirmative, were

Those who voted in the negative, were:

Richard B. Alexander, Joshua Dunn, James S. Littlepage;
John B. Anderson, James M. Fogle, John G. Lyon;
William T. Anthony, McDowell Fogle, John C. McCrerey;
R. P. Beauchamp, Sidney A. Foss, William M. Miller;
William J. Berry, Alfred F. Graham, Wm. M. Morrow;
John S. Bohannon, Gordon B. Grasty, James M. Speer;
Archibald C. Brown, Anderson Gray, Richard J. Spurr;
Erasmus O. Brown, John S. Hargis, Fielding Vaughan;
Isaac N. Clement, Hiram Hawkins, L. A. Whiteley;
Milton J. Cook, Greenberry Hicks, E. W. Worsham—32

And then the House adjourned.

THURSDAY, FEBRUARY 28, 1856.


2. Mr. Vaughan presented the petition of citizens of voting district No. 4, in Green county, praying a change in the place of voting in said district.

3. Mr. Montgomery presented the petition of citizens of Lincoln county, praying an act incorporating a company to construct a turnpike road from Cruise's Knob to Somerset.

4. Mr. Worthington presented remonstrances from citizens of Shelby county, against granting lottery privileges to Shelby College.

5. Mr. Long presented a petition from James M. Smith, of Cumberland county, praying the passage of an act declaring his step son, John W. Shelly, to be his legal heir.

6. Mr. Whiteley presented a memorial from the Louisville Chamber of Commerce, in favor of chartering a company to improve the navigation of the Ohio river.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Menzies, Corbin, Nuttall, Richardson, and Kinslear; the 2d to the committee on Privileges and Elections; the 3d and 6th to the committee on Internal Improvement; the 4th to the committee
on Education; and the 5th to Messrs. Long, Nuttall, and L. Anderson.

On motion of Mr. Philip Lee,

Leave was given to bring in a bill for the benefit of the President of the Board of Internal Improvement.

Ordered, That Messrs. P. Lee, Helm, and Goodloe prepare and bring in said bill.

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

By the committee on Banks—1. A bill to amend the charters of the Banks.

By the committee on the Judiciary—2. A bill for the punishment of slaves in certain cases.

By the committee on Religion—3. A bill for the benefit of the Methodist Episcopal Church South, at Hartford.

By same—4. A bill to incorporate St. Paul's Church, Louisville.

By same—5. A bill to incorporate Christ Church, Louisville.

By same—6. A bill for the benefit of Vincent Taylor, of Cleveland 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 2d, 3d, 4th, 5th, and 6th bills 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 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 1st bill, for the use of the members of the General Assembly.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz:

An act to authorize the Salt river Turnpike road Company to surrender a portion of said road to the Louisville and Cane Run Plank road Company.

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

An act better to regulate the mode of working and opening roads in Boone county.

An act to incorporate the Springfield, Maxville and Willisburg Turnpike Road Company.

An act to incorporate the First Presbyterian Church in the city of Augusta.
An act to incorporate the Rough Creek Navigation and Manufacturing Company.
An act to incorporate the Union and Richmond Turnpike road Company.
An act for the benefit of the Methodist Episcopal Church at Alexandria.
An act to incorporate the Evangelic Church and School Association, in Alexandria.
An act to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their Companies.
An act for the benefit of the Methodist Episcopal Church South, in Shelbyville.
An act to incorporate the Bardstown and Cedar creek Turnpike road Company.
An act to incorporate the Bloomfield and Taylorsville Turnpike road Company.
An act to improve the road from Cumberland river to Monticello.
An act for the benefit of the Methodist Episcopal Church South, in the county of Henry.
An act for the benefit of the Georgetown and Lemon's Mill Turnpike road.
An act for the benefit of the Methodist Episcopal Church South, at Alexandria.
An act to amend the charter of the Covington and Dry Creek Turnpike Road Company.
An act to aid counties which have subscribed to the capital stock of the Louisville and Nashville Railroad.
An act to improve the state road from Columbia to Albany.
With amendments to the last three named bills.
That they had passed bills of the following titles, viz:
An act for the benefit of George W. Hampton, of Morgan county.
An act for the benefit of the town of Prestonsburg.
An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.
An act to incorporate the Breckinridge and Grayson county Turnpike road Company.
An act to incorporate the Taylorsville Turnpike road Company.
An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.
An act to incorporate Bagdad and Harrisonville Turnpike Road Company.
An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.
An act supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.

An act to change the name of the Clear Creek Turnpike Road Company.

An act to amend the charter of the Lexington and Big Sandy Railroad Company.

An act to charter the Williamsburg, Cumberland river, and Tennessee Railroad Company.

An act to incorporate the Downingsville Turnpike Road Company.

An act to incorporate the Prestonsburg Coal and Iron Company.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, that originated in this House, of the following titles, viz:

An act to amend the law regulating the sale of spirituous, malt and vinous liquors.

An act for the benefit of justices' district No. 3, in Kenton county.

An act regulating the application of moneys arising from the sales of vacant lands lying in Hart county.

An act to establish a police judge and town marshal in the town of Mount Olivet, in Bracken and Nicholas counties.

An act for the benefit of John Philly.

An act to change the time of holding the Owsley Quarterly Court.

An act to authorize the Trigg County Court to change the State road from Hopkinsville to Cadiz.

An act to provide for holding terms of the Campbell circuit court in Newport.

An act to change the time of holding the quarterly courts in the counties of Barren and Monroe.

An act creating an additional justices' district in the county of Pulaski.

An act to repeal an act incorporating the town of Barbourville.

An act for the benefit of the circuit court clerk of Campbell county.

An act to amend the charter of the city of Augusta.

Resolution extending the present session of the General Assembly, to the 10th March, 1856.

Preamble and resolution in relation to the bill in favor of the soldiers of the revolutionary war, introduced into the Senate of the United States by Senator Evans of South Carolina.

Approved February 27, 1856.

Mr. A. Jones, from the committee on Religion, to whom were referred bills from the Senate of the following titles, viz:

An act to incorporate the First Presbyterian Church, of Ashland.
An act to incorporate the Ebenezer Baptist Church, in Muhlenburg 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 bill having been dispensed with,

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

The House then took up a bill to establish a patrol on the Ohio river.

Mr. McElroy moved an amendment to said bill.

Ordered, That said bill and amendment be referred to a select committee, consisting of Messrs. Nuttall, McElroy, Marshall, Bowling, James, Spurr, Menzies, Worthington, Gaither, and Smedley, who are directed to report thereon to this House on the 3d day of March next, at 11 o'clock, A. M.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, as follows, viz:

EXECUTIVE DEPARTMENT,

February 28, 1856.

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you a preamble and resolutions adopted by the Legislature of Alabama, in reference to Railroad Iron.

C. S. MOREHEAD.

A Preamble and Joint Resolutions to the Congress of the United States of America, in reference to duty on Railroad Iron.

WHEREAS, In many parts of the United States our rapid and improved system of railway improvements is comparatively in its infancy and thus far, in a very great degree, has been prosecuted by individual energy and enterprise, with individual and State capital and credit, unaided, except in a few instances and to a limited extent, by the means or credit of the General Government. The construction of sixteen thousand miles of Railroad, at an aggregate cost of more than seven hundred millions of dollars, has absorbed a large portion of the surplus capital of the country, in addition to calling into requisition the use of credits abroad, to a very considerable extent.

In common with many of the Southern and Western States, we are extensively engaged in constructing Railroads for the general improvement of the country in all its social and business relations, both at home and abroad. For the promotion of which our State Government has exhibited a well guarded policy. But from our past and present experience, the State aid proving inefficient, and in some degree unavailable for the purposes designated, much inconvenience and delay of our work has been and must be felt from the want of active capital in the Western States, and a healthier condition of monetary affairs throughout the whole country. The rapid extension throughout the civilized world of this new and highly important artificial mode of inter-communication, operating with other causes, has occasioned an unexampled increase in...
the demand for iron, followed by an unprecedented advance in the price of this article. The rails manufactured in the United States are wholly inadequate to supply the home demand—in fact not more than twenty-five per cent of this demand can be supplied by American Mills. Thus we are compelled to purchase three-fourths of our iron abroad or abandon our works in progress, or deify them to a ruinous extent. We say ruinous because it involves the loss of the local work already done upon them, without we receive some relief or assistance. Thus situated, with extensive and necessary works in progress, we seek from Congress, through your legislative aid, such material relief as a remission or postponement of duties for a few years on Railroad Bars would surely give, without detriment to the revenue system of the Government. We say without detriment to the revenue, for the following reasons: First, That the construction and labor-saving powers of Railroads advance the population, wealth and revenue-paying capacity of the people more and faster than all other causes combined, as is fully proved by the fact that the work of transportation annually performed by the existing Railroads of the United States, cost the people thereof, one hundred millions of dollars less than if performed by animal power upon common roads. This saving is much greater than the whole revenue of the Government. Second, That the people of all the Western and South-Western States, are the greatest sufferers from the financial troubles that now embarrass the country is true, for the want of those facilities and aids to our industrial pursuits which Railroads so pre-eminently afford, and whilst the best efforts of our people are being extended to free themselves and their State from the unequal burthens that distance from the markets impose, we are crippled in our limited cash means by the requirement of the General Government to pay into the Treasury about one thousand three hundred dollars per mile, which is the cost of one mile of rails out of every three and one-third miles of constructed road, and at a time when the National Treasury is overflowing with an abundant revenue from other sources; there the money is idle and unnecessary; here all the interests of the country suffer for the want of it. The iron interests of our country, which is unreasonably opposed to this measure of relief to Railroad interests, in the place of being injured, will be benefitted by it. The estimate is to each mile of Railroad requiring one hundred tons of rails; an additional demand is created thereby for more than an equal value of all descriptions of merchantable iron needed for the cars, engines, buildings, and all branches of industry that are everywhere so wonderfully stimulated and extended by the use of Railways. Again, the iron works of the United States, by their limited capital, light-standing machinery, small number of experienced workmen, and high rates of labor, are far better suited for the production of light merchant bars, than for the heavy and more difficult manufacture of rail bars.

These difficulties operate so strongly, that if Congress were to prohibit the importation of foreign rails, the American iron establishments could not for years supply one fourth of the demand for rail bars. Whereas, if all were imported duty-free, our roads would be sooner and cheaper made, and a much greater demand thereby created for all descriptions of iron; for the profitable production of which, the Ameri-
can works are generally adapted. Having been fostered by a thirty per cent. ad valorem duty during the last nine years, previous to which a higher duty prevailed, their works are far less capable of supplying the present demand for rails than they were that of 1846, and with a combined legislative grasp upon the whole, they have miserably failed, after thirteen years protection since 1842, to supply one-eighth of the quantity required by the country.

Where, then, is the wisdom or justice of continuing the duty on railroad iron?—unnecessary for revenue, ineffectual in overcoming the inherent difficulties in the way of American rail-making, and exceedingly onerous upon all the agricultural States, and especially where money is always worth more than on the seaboard, and where distance from market renders the speedy completion of our Railroads a matter of the very first importance to our people, as well as to those of other States who consume our products. Having an overflowing national treasury, and believing as we do, that the condition of the country, facts, reason and policy all unite to sustain the immediate remission of the duty on railroad iron from 1850 indefinitely, nor would such a measure be new to the legislation of Congress, for the journals a few years back show the admission of rail bars duty free for a limited period while the Atlantic States were establishing their railway system. Is it not equally just in principle, and practically at this time more important, to all the western men, who grow bread stuffs, tobacco, sugar and cotton, and to all the eastern men, who eat, smoke and spin, that the same aid of free rails should be extended to all the Western States? We claim the relief from Congress as just, expedient and right. We think this encouragement can be given to internal improvements that are offering so much prosperity to our whole country, without any inconvenience or embarrassment to her finances. Railroads for military and postal purposes, are of great value and convenience to the government, and the extension of them to every part of this Union, by the States, should receive every reasonable encouragement from the general government. They penetrate every interior and hitherto isolated section of our broad country, and connect them with the seaboard, thus giving to the surplus productions of industry, a cheap outlet to tide-water, whereby exports, and consequently our imports, are largely augmented, with a corresponding increase in the revenue of the government derived from import duties. If, however, the tariff of 1846 is iron bound, and must stand entire, then we respectfully ask of Congress a postponement of duty collections, on a credit of six years for all rails imported and laid down from 1850 to 1864. Second to an entire remission of duty, this credit would be of very great service to the roads of our State, and could, from the opening of the lines for traffic, be chiefly paid off by postal service during and at the end of the credit. As a condition upon which the collection of the duty on railroad iron is suspended, Congress might require the companies should give security at the office of customs for the service, or money on receiving the rails. By this arrangement the government would only lose the interest on the duties for a short time, whilst by this liberal policy, it would increase the speedy completion of the roads now in process of construction, and secure all the advantages, social, political and commercial, resulting from these enterprises; therefore—
1. Resolved by the Senate and House of Representatives of the State of Alabama, in General Assembly convened, That our Senators in Congress be instructed, and our Representatives requested, to use their efforts and influence for the passage of a law, at the present session of Congress, in one form or other, herein suggested, and prayed for in the foregoing preamble.

2. Resolved, That we do hereby invite our sister States who feel interested in the progress of Internal Improvements, to co-operate and unite with us in soliciting Congress, through their respective legislatures, to grant the aid and relief prayed for in the foregoing preamble and resolutions.

3. Resolved, That the Governor of this State be requested to forward to each of our members in Congress, a copy of the foregoing preamble and resolution, and also to forward a copy of the same to the Governors of the respective States of this Union, with the request to submit the same to their respective Legislatures.

Approved, February 15, 1856.

JOHN A. WINSTON.

R. W. WALKER,
Speaker of the H. Rep.

BEN. C. YANCEY,
President of the Senate.

Ordered, That said resolutions be referred to the committee on Federal Relations.

The House then took up a bill in relation to the Kentucky Penitentiary.

Said bill was then amended to read as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, The commissioners of the sinking fund are hereby authorized, for and in behalf of the State of Kentucky, to make a contract with the present keeper of the penitentiary, by which he shall become the lessee of said institution for a term of years, at a fixed and stipulated sum of money, to be paid in annual installments.

§ 2. In the event of a contract should be made, between the commissioners of the sinking fund and the present keeper of the penitentiary, as contemplated by the preceding section, the following stipulations, in substance, shall be incorporated therein as fundamental articles: First. The said keeper shall pay into the treasury of this Commonwealth, on or before the first day of April of the present year, the sum of five thousand dollars, in full and in lieu of the State’s portion of the nett profits of the penitentiary, for the year ending the first of March, 1856. Second. The penitentiary, together with all the buildings attached thereto, and all of the machinery, fixtures, and tools, and other things therein, to be leased to the present keeper for the term of six years, commencing the first day of March, 1856, at an annual rent of six thousand dollars, payable at the end of each year, without any abatement or deduction, into the treasury to the credit of the sinking fund. Third. The buildings, machinery, fixtures, and tools to be kept in good order, and returned in like good order as when received by the present keeper, the first of March, 1856, at the end of
the six years, when the lease will expire—unavoidable accidents, as respects the buildings and machinery only excepted. Fourth. The event a fire should occur in said institution, without any fault on the part of the keeper, his assistants, or guards, "the General Assembly, if in session, if not, the commissioners of the sinking fund shall cause to be erected as soon as practicable other permanent and suitable buildings, as they may deem for the best interests of the State, not exceeding twenty-five thousand dollars, to be paid for out of any money in the treasury to the credit of the sinking fund. The commissioners of the sinking fund may make such deductions from the rent as may deem just and equitable, on account of the loss of the building by fire, and their decision in the premises is to be final and conclusive; the expense of erecting the necessary temporary buildings is to be borne by the lessee, and no allowance is to be made to him therefor." Fifth. If, during the existence of the term for which the penitentiary is leased, the commissioners of the sinking fund deem it necessary to cause additional machinery to be erected, the State of Kentucky shall not, under any circumstances, be chargeable with a sum therefor exceeding ten thousand dollars; but the State reserves to itself the right of purchasing the keeper of the penitentiary any excess of machinery over ten thousand dollars, at a fair cash value, at the termination of the lease. Sixth. The bond or bonds that have heretofore been executed for money or property advanced to the present keeper, shall remain in full force; or the commissioners of the sinking fund may, if they deem it proper, require the execution of other bonds, containing appropriate stipulations for the return of the money or property heretofore advanced by the State, at the termination of the six years lease. Seventh. If the rent due at the close of any one year, shall remain unpaid for the period of ten days, it shall be the duty of the commissioners of the sinking fund to cause a judgment to be rendered against the lessee and his securities at the next or any succeeding term of the Franklin circuit court, by motion, in the same manner and with like penalties as judgments are now rendered by the existing laws against sheriffs or other defaulting collectors of the public money. Eighth. The said keeper, as lessee as aforesaid, in addition to the sum of six thousand dollars to be paid annually, shall furnish, at his own expense, the necessary guards; feed and clothe the convicts; appoint his own clerk and pay him for his services; furnish all the necessary beds and bedding for the cells; pay the liberation money to the convicts, all necessary bills of physicians; and shall, in all other respects pay all the necessary expenses in maintaining said institution, and shall save the State harmless from all expense connected with the management of the same, during the existence of the lease. Ninth. The Governor shall appoint three inspectors of the penitentiary, who shall hold their offices for two years, unless sooner removed by the Governor. The said inspectors shall have power, and it shall be their duty, from time to time, to examine into all matters connected with the government, discipline, and police of the penitentiary, and make report thereof every three months to the Governor for the time being. The number of visits to be made by some one of said inspectors to the penitentiary each week shall be prescri-
bed by the Governor, or the commissioners of the sinking fund. Each of said inspectors shall receive for his services the sum of one hundred dollars, payable quarterly out of any moneys in the treasury to the credit of the sinking fund. No inspector of the penitentiary shall become personally interested, directly or indirectly, in the profits thereof, or in its management. Tenth. All laws relating to the penitentiary, in conflict with the provisions of this act and the lease made in virtue thereof are repealed; and all laws not inconsistent therewith are to remain in full force until changed by a subsequent legislature; but no laws are to be enacted which may impair, substantially, the rights of the lessee. The Legislature may, however, pass such laws as may be deemed necessary for the welfare and reformation of the convicts. The lease to be made under this act shall supersede the contract under which the present keeper came into office, except that he and his sureties shall remain bound to refund the amount of money and value of the property received by the keeper shortly after he came into office.

§ 3. Before the contract hereby authorized shall take effect, the lessee shall execute bond with sufficient sureties, conditioned for faithful compliance with the contract and provisions of this act, which bond shall be approved by the Governor.

§ 4. That in case of the death of the keeper, the Governor of the State, the Secretary of State, and the Auditor shall make a contract with some other and suitable person to take charge of the penitentiary according to the provisions of this act, until the ensuing meeting of the General Assembly.

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 it was decided in the affirmative.

Those who voted in the affirmative, were as follows, viz:

Mr. Speaker, (Huston,) James A. Duncan, Joshua Dunn, John W. Menzies,
R. P. Beauchamp, Robert B. English, Wm. M. Miller,
Ben Berry, George C. Fairs, W. C. Montgomery,
William J. Berry, Sidney A. Foss, Samuel B. Pell,
William S. Badley, John K. Goodloe, Andrew J. Prichard,
John S. Bohannon, Alfred F. Graham, Joseph Ricketts,
William B. Booker, Benjamin Gallion, William Reiley,
Robert C. Bowling, Roger W. Hanson, George C. Rogers,
Laban J. Bradford, Ben Hardin Helm, James A. Russell,
Archibald C. Brown, Ben Hardin Helm, Charles C. Smedley,
Erasmus O. Brown, John M. Hewitt, Thomas J. Terry,
Horatio W. Bruce, Greenberry Hicks, Joshua Tevis,
Colbert Cecil, Andrew Jones, David L. Thurman,
John B. Cochran, Richard Jones, E. L. Vanwinkle,
George B. Cook, James Kinsler, James T. Ware,
Milton J. Cook, George F. Lee, L. A. Whiteley,
James M. Corbin, Philip Lee, T. H. M. Winn,
Coleman Covington, John G. Lyon, Francis M. Woods,
Frank P. Deatherage, Jas. H. McCampbell, E. W. Worsham,
David R. Dugan, John C. McCreary, E. S. Worthington—61.
Charles Duncan,

Those who voted in the negative, were

Richard B. Alexandre, Daniel Garrard, Pleasant W. Mahan,
Lucien Anderson, Henry Giles, Hiram McElroy,
John B. Anderson, Gordon B. Grasty, William M. Morrow,
William T. Anthony, Anderson Gray, Elijah F. Nuttall,
John B. Auxier, John S. Hargis, James M. Speer,
Isaac N. Clement, Hiram Hawkins, Richard S. Thornton,
Thomas H. Corbett, John L. Irvin, Fielding Vaughn,
James Culton, Andrew J. James, Willie Walker,
James M. Fogle, Samuel Long,

Resolved, That the title thereof be as foresaid.

Bills from the Senate, of the following titles, viz:

1. An act to incorporate Logan Lodge, No. 73, of the I. O. O. F., at Russellville.
2. An act to incorporate Merrick Lodge, No. 31, of I. O. O. F., of the city of Lexington.
3. An act to change the time of holding the Warren and Edmonson quarterly courts.
4. An act to incorporate the Bourbon Female Institute, at North Middletown.
5. An act to incorporate the Merchants’ Deposit Bank of Danville.
6. An act fixing the time of holding the chancery and criminal courts in the 1st judicial district.
7. An act for the benefit of Thomas S. Terrell, of Ballard county.
8. An act to authorize the appointment of an additional commissioner for the Jefferson county court.
9. An act to authorize actions between the county of Jefferson and the city of Louisville.
10. An act to change the time of holding the Shelby quarterly courts.
11. An act to provide for a place of voting in —— district in Bath county, instead of the Olympian Spring.
12. An act fixing the time of holding the court of claims for Bath county.
13. An act to authorize the clerk of the Grant county court to purchase deed books, A and B, and transcribe the same.
14. An act regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.
15. An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.
16. An act to change the time of holding the quarterly courts of Henry county.
17. An act to change the time of holding the quarterly courts of Hardin county.
18. An act for the benefit of the late sheriffs of Lewis county.
19. An act to establish an additional election precinct and place of voting in Christian county.
20. An act to prescribe the western boundary of the town of Flemingsburg.
21. An act to authorize the county court of McLean county to establish a ferry or purchase the present ferry over Green river, at Callahan and Rumsey.
22. An act to change the time of holding the Lewis and Grayson quarterly courts.

Wrote 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 6th bill was referred to Messrs. McEiroy, Irvin, G. B. Cook, Alexander, Clement, Corbet, Waller, and L. Anderson; the 11th to Messrs. Hawkins, J. M. Fogle, and Auxier; the 15th to the committee on Revised Statutes; and the 1st, 2d, 3d, 4th, 5th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 16th, 17th, 18th, 19th, 20th, 21st, and 22d were severally ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 16th, 17th, 18th, 19th, 20th, 21st, and 22d bills having been dispensed with,

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

The House then took up the amendments proposed by the Senate to bills from this House, of the following titles, viz:

An act to amend the charter of the town of Alexandria.
An act to amend and reduce into one all the acts concerning the town of Bowling Green.
An act to change the time of holding the August term of the Laurel Quarterly Court.
An act to amend the charter of the Covington and Dry Creek Turnpike Road Company.

Which were twice read and concurred in.

The House then took up the amendments proposed by the Senate to a bill from this House, entitled,
An act supplemental to an act to incorporate the Bank of Harrodsburg, Kentucky.

Ordered, That said amendments be referred to the committee on Banks.

A bill from the Senate, entitled,
An act to amend and reduce into one the several acts concerning the town of Ghent,

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, Charles A. Marshall.
Richard B. Alexander, George C. Faris, Jas. H. McCampbell.
Lucien Anderson, James M. Fogle, W. C. Montgomery.
John B. Anderson, Sidney A. Foss, Samuel B. Pell.
John B. Auxier, Daniel Garrard, Andrew J. Prichard.
Ben. Berry, John K. Goodloe, George C. Rogers.
William J. Berry, Alfred F. Graham, James A. Russell.
William S. Bedley, Gordon B. Grasty, Chas. C. Smedley.
John S. Bohammon, Anderson Gray, James M. Speer.
William B. Booker, Benjamin Gullion, Thomas J. Terry.
Colbert Cecil, Ben Hardin Helm, D. L. Thurman.
Milton J. Cook, Greenberry Hicks, Fielding Vaughan.
Thomas H. Corbett, Andrew J. James, Willie Walker.
James M. Corbin, Gideon P. Jolly, James T. Ware.
Coleman Covington, Andrew Jones, L. A. Whiteley.
James Culton, Richard Jones, T. H. M. Winn.
Frank P. Deatherage, James Kinslaer, Hiram Wood.
Charles Duncan, Philip Lee, E. W. Worsham.
James A. Duncan, John G. Lyon, E. S. Worthington—71.
Joshua Dunn, Pleasant W. Mahan.

Those who voted in the negative, were

William T. Anthony, Hiram Hawkins, John W. Menzies.
Robert C. Bowling, Jas. S. Littlepage, Robert Richardson.
Archibald C. Brown, Samuel Long, Joseph Ricketts.
Horatio W. Bruce, John C. McCreaery, Richard J. Spurr.
Roger W. Hanson, Hiram McElroy, Joshua Tevis—19.

Resolved, That the title thereof be as aforesaid.
A bill from the Senate, entitled,
An act to incorporate the Deposit Bank of Glasgow,
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 it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Morrow and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, George C. Faris, Robert Richardson,
R. P. Beauchamp, McDowell Fogle, Joseph Ricketts,
Ben Berry, John K. Goodlee, William Reiley,
William J. Berry, Ben Hardin Helm, George C. Rogers,
William S. Bodley, John M. Hewitt, James A. Russell,
John S. Bohannon, Greenberry Hicks, Charles C. Smedley,
William B. Booker, Gideon P. Jolly, Thomas J. Terry,
Laban J. Bradford, Andrew Jones, Joshua Tevis,
Erasmus O. Brown, Richard Jones, Richard S. Thornton,
Colbert Cecil, George F. Lee, D. L. Thurman,
John B. Cochran, Pleasant W. Mahan, L. A. Whiteley,
James M. Corbin, Jas. H. McCampbell, Thomas H. M. Winn,
Coleman Covington, John W. Menzies, Francis M. Woods,
James Culton, W. C. Montgomery, E. W. Worsham,
David R. Dugan, Elijah F. Nuttall, E. S. Worthington—50.
Charles Duncan, Samuel B. Pell,
Joshua Dunn,

Those who voted in the negative, were

Richard B. Alexander, Alfred F. Graham, John C. McCreary,
Lucien Anderson, Gordon B. Grasty, William M. Miller,
John B. Auxier, Benjamin Gullion, William M. Morrow,
Isaac N. Clement, John S. Hargis, Andrew J. Prichard,
George B. Cook, Hiram Hawkins, James M. Speer,
Milton J. Cook, John L. Irvan, Fielding Vaughan,
James M. Fogle, Andrew J. James, Willie Waller,
Henry Giles, James S. Littlepage,

A resolution from the Senate in relation to the Hermitage, was then taken up, twice read, and concurred in.
A bill from the Senate, entitled,
An act to repeal all laws to license Billiard tables, Bowling Saloons, and Jenny Lind tables,
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. English moved the previous question.
And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put: Shall the bill be read a third time?

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

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

Mr. Smedley moved to amend said bill by adding thereto the following engrossed clause, by way of rider, viz:

This act shall not take place until two years after its passage.

Mr. Philip Lee moved to lay said bill and rider on the table.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, George C. Faris, Mr. Speaker, (Huston,) Ephraim B. Elliott, George C. Faris,
William T. Anthony, Sidney A. Foss, Nathan Gaither, William T. Anthony, Sidney A. Foss, Nathan Gaither,
John B. Auxier, Anderson Gray, George C. Faris, John B. Auxier, Anderson Gray, George C. Faris,
Ben Berry, Gideon P. Jolly, Philip Lee, Ben Berry, Gideon P. Jolly, Philip Lee,
William J. Berry, Philip Lee, John C. McClure, William J. Berry, Philip Lee, John C. McClure,
John S. Bohannon, John C. McClure, John W. Menzies, John S. Bohannon, John C. McClure, John W. Menzies,
Colbert Cecil, John B. Menzies, William J. Berry, Colbert Cecil, John B. Menzies, William J. Berry,
Isaac N. Clement, William J. Berry, Anderson Gray, Isaac N. Clement, William J. Berry, Anderson Gray,
James Culston, Philip Lee, Benjamin Gullion, James Culston, Philip Lee, Benjamin Gullion,
Joshua Dunn, John C. McClure, John C. McClure, Joshua Dunn, John C. McClure,

Those who voted in the negative, were

Richard B. Alexander, Daniel Garrard, John K. Goodloe, Richard B. Alexander, Daniel Garrard, John K. Goodloe,
Lucien Anderson, Henry Giles, Alfred F. Graham, Lucien Anderson, Henry Giles, Alfred F. Graham,
R. P. Beauchamp, Benjamin Gullion, John S. Hargis, R. P. Beauchamp, Benjamin Gullion, John S. Hargis,
William B. Booker, Hiram Hawkins, Ben Hardin Helm, William B. Booker, Hiram Hawkins, Ben Hardin Helm,
Laban J. Bradford, Ben Hardin Helm, John M. Hewitt, Laban J. Bradford, Ben Hardin Helm, John M. Hewitt,
Erasmus O. Brown, John M. Hewitt, Greenberry Hicks, Erasmus O. Brown, John M. Hewitt, Greenberry Hicks,
Archibald C. Brown, John M. Hewitt, John L. Irvan, Archibald C. Brown, John M. Hewitt, John L. Irvan,
John B. Cochran, John L. Irvan, Andrew J. James, John B. Cochran, John L. Irvan, Andrew J. James,
George B. Cook, Andrew J. James, Andrew Jones, George B. Cook, Andrew J. James, Andrew Jones,
Milton J. Cook, Andrew Jones, Richard Jones, Milton J. Cook, Andrew Jones, Richard Jones,
James M. Corbin, George F. Lee, James S. Littlepage, James M. Corbin, George F. Lee, James S. Littlepage,
Frank P. Deatherage, James S. Littlepage, Samuel Long, Frank P. Deatherage, James S. Littlepage, Samuel Long,
David R. Dugan, Samuel Long, John G. Lyon, David R. Dugan, Samuel Long, John G. Lyon,
Charles Duncan, John G. Lyon, Robert English, Charles Duncan, John G. Lyon, Robert English,
Mr. Wood moved the previous question.

And the question being taken, shall the main question be now put? It was decided in the affirmative.

The question was then taken on the adoption of the ruder proposed by Mr. Smedley, and it was decided in the negative.

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

Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) Ephraim B. Elliott, W. C. Montgomery,
William T. Anthony, George C. Faris, Wm. M. Morrow,
John B. Anxier, Sidney A. Foss, Samuel B. Pell,
Ben Berry, Nathan Gaither, Robert Richardson,
William S. Bodley, Anderson Gray, James A. Russell,
John S. Bohannon, Benjamin Gulton, Charles C. Smedley,
Colbert Cecil, Gideon P. Jolly, Thomas J. Terry,
Thomas H. Corbett, Philip Lee, Fielding Vaughan,
Frank P. Deathridge, Jas. H. McCampbell, L. A. Whiteley,
David R. Dugan, John C. McCleary, E. W. Worsham,
Charles Duncan, John W. Menzies, E. S. Worthington—34.

Those who voted in the negative, were:

Richard B. Alexander, McDowell Fogle, John G. Lyon,
Lucien Anderson, Daniel Garrard, Pleasant W. Mahan,
John B. Anderson, Henry Giles, Hiram McElroy,
R. P. Beauchamp, John K. Goodloe, William M. Miller,
William J. Berry, Alfred F. Graham, Elijah F. Nuttall,
William B. Booker, Gordon B. Grasty, Joseph E. Ricketts,
Laban J. Bradford, John S. Hargis, William Reiley,
Archibald C. Brown, Hiram Hawkins, George C. Rogers,
Erasmus O. Brown, Ben Hardin Helm, James M. Speer,
Isaac N. Clement, John M. Hewitt, Joshua Tevis,
John B. Cochran, Greenberry Hicks, Richard S. Thornton,
George B. Cook, John L. Ivran, David L. Thurman,
Milton J. Cook, Andrew J. James, E. L. Vanwinkle,
James M. Corbin, Andrew Jones, Willie Waller,
Coleman Covington, Richard Jones, James T. Ware,
James Culton, George F. Lee, Thos. H. M. Winn,
Robert B. English, James S. Littlepage, Hiram Wood,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were:

Richard B. Alexander, McDowell Fogle, Hiram McElroy,
Lucien Anderson, Daniel Garrard, William M. Miller,

Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

The House then took up the motion of Mr. Auxier to re-consider the vote by which the bill from the Senate, entitled,

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith, was rejected.

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

Mr. G. B. Cook moved to amend said bill, by adding thereto the following engrossed rider, viz:

§ 15. That the State shall be divided into ten subordinate agricultural districts, to be composed of the counties now included in and composing the congressional districts. That it shall be the duty of the president of the State society, upon the application of three or more persons from each or any one of said districts, becoming members of the State society, upon the terms provided in the fourth section of this act, to issue or cause to be issued, under the seal of the State society, an authority to such persons to organize a subordinate agricultural so-
ciety in such district, as the president and directors of the State society may direct.

§ 16. That each member of the subordinate societies shall be members of the State society upon such terms not inconsistent with the fourth section of this act, and the terms and conditions of membership of the subordinate or district societies shall be prescribed by the president and directors of the subordinate societies.

§ 17. That there shall be a president and two vice-presidents and five directors to each of such district societies, who shall be chosen by the members of such society, and hold their offices for one year and until their successors are chosen and qualified; and the president of such district society shall (ex-officio) be vice-president of the State society.

§ 18. That an annual exhibition shall be held in such of the subordinate districts as may organize societies in pursuance of the provisions of this act, at such times and places as the president and directors of such society may designate; and the State society shall, in addition to the premiums, &c., presented by the district society, offer such premiums, &c., for the benefit of the annual exhibitions of such society or societies as the president and directors of the State society may think best for the encouragement and promotion of the objects contemplated by this act.

Mr. L. Anderson moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the ryder proposed by Mr. G. B. Cook.

And it was decided in the affirmative.

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

Those who voted in the affirmative, were

Richard B. Alexander, Charles Duncan, Joshua Dunn, Andrew Jones, Philip Lee,
Lucien Anderson, Ephraim B. Elliott, James M. Fogle, James S. Littlepage,
John B. Anderson, McDowell Fogle, Nathan Gaither, Pleasant W. Mahan,
Wm. T. Anthony, Daniel Garrard, Henry Giles, John C. McCrery,
John B. Auxier, Alfred F. Graham, Gordon B. Grasty, Hiram McElroy,
William J. Berry, Andrew J. Prichard, William M. Morrow,
William S. Bodley, Daniel Garrard, Elijah F. Nuttall,
John S. Bohannon, Henry Giles, Andrew J. Prichard,
William B. Booker, Alfred F. Graham, William B. Kelley,
Erasimus O. Brown, Gordon B. Grasty, James A. Russell,
Colbert Cecil, Anderson Gray, James M. Speer,
Isaac N. Clement, Benjamin Gullion, Richard S. Thornton,
John B. Cochran, John S. Hargis, David L. Thurman,
George B. Cook, Hiram Hawkins, Willie Waller,
Milton J. Cook, Ben Hardin Helm, Hiram Wood,
Thomas H. Corbett, Greenberry Hicks, Francis M. Woods,
David R. Dugan, Andrew J. James,
Those who voted in the negative, were

Mr. Speaker, (Huston,)  
William B. A. Baker,  
R. P. Beauchamp,  
Ben Berry,  
Robert C. Bowling,  
Laban J. Bradford,  
Archibald C. Brown,  
Horatio W. Bruce,  
Coleman Covington,  
Frank P. Deatherage,  
Robert B. English,  
George C. Faris,  
Sidney A. Foss,  
John K. Goodloe,  
Roger W. Hanson,  
John M. Hewitt,  
Gideon P. Jolly,  
Richard Jones,  
James Kinslaer,  
George F. Lee,  
Samuel Long,  
John G. Lyon,  
Charles A. Marshall,  
John W. Menzies,  
William M. Miller,  
W. C. Montgomery,  
Samuel B. Pell,  
Robert Richardson,  
Joseph Ricketts,  
George C. Rogers,  
Charles C. Smedley,  
Richard J. Spurr,  
Thomas J. Terry,  
Joshua Tevis,  
Fielding Vaughan,  
James T. Ware,  
L. A. Whiteley,  
T. H. M. Winn,  
E. S. Worthington—40.

The question was then again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,)  
John B. Auxier,  
William B. A. Baker,  
Ben Berry,  
William J. Berry,  
William S. Bodley,  
William B. Booker,  
Robert C. Bowling,  
Laban J. Bradford,  
Archibald C. Brown,  
Erasmus O. Brown,  
Horatio W. Bruce,  
Colbert Cecil,  
John B. Cochran,  
George B. Cook,  
James M. Corbin,  
Frank P. Deatherage,  
David R. Dugan,  
Charles Duncan,  
Ephraim B. Elliott,  
Robert B. English,  
S. A. Foss,  
John K. Goodloe,  
Alfred F. Graham,  
Anderson Gray,  
Roger W. Hanson,  
Ben Hardin Helm,  
John M. Hewitt,  
Gideon P. Jolly,  
Andrew Jones,  
Richard Jones,  
James Kinslaer,  
George F. Lee,  
Philip Lee,  
John G. Lyon,  
Charles A. Marshall,  
Jas. H. McCampbell,  
John W. Menzies,  
William M. Miller,  
W. C. Montgomery,  
Elijah F. Nuttall,  
Samuel B. Pell,  
Andrew J. Prichard,  
Robert Richardson,  
Joseph Ricketts,  
William Reiley,  
George C. Rogers,  
James A. Russell,  
Richard J. Spurr,  
Thomas J. Terry,  
Joshua Tevis,  
David L. Thurman,  
E. L. Vanwinkle,  
James T. Ware,  
L. A. Whiteley,  
T. H. M. Winn,  
Francis M. Woods,  
E. W. Worsham,  
E. S. Worthington—59.

Those who voted in the negative, were

Richard B. Alexander,  
Lucien Anderson,  
John B. Anderson,  
William T. Anthony,  
R. P. Beauchamp,  
John S. Bohannon,  
James M. Pogle,  
McDowell Pogle,  
Nathan Gaither,  
Daniel Garrard,  
Henry Giles,  
Gordon B. Grasty,  
Jas. S. Littlepage,  
Samuel Long,  
Pleasant W. Mahan,  
John C. McCready,  
Hiram McElroy,  
William M. Morrow,
Resolved, That the title thereof be as aforesaid.
And then the House adjourned.

FRIDAY, FEBRUARY 29, 1856.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled, An act for the benefit of the Louisville and Nashville Railroad Company.

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

An act to change the place of voting in Leache's district, in Bullitt county.
An act authorizing the County Court of Lyon county to establish an additional voting place in said county.
An act for the benefit of Worden Kendall.
An act for the benefit of Littleton Helm.
An act for the benefit of Thos. W. Pickering, late Sheriff of Caldwell county.
An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.
An act for the benefit of William Coram, clerk of the Greenup Circuit and County Courts.
An act to increase the salary of the Register of the Land Office.
An act to amend the charter of the Greensburg and Taylor county Turnpike Road Company.
An act for the benefit of Zachariah B. Sailor, Sheriff of Harlan county.
An act to incorporate the Buffalo and Hamilton Turnpike road Company.
An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.

An act for the benefit of Lemuel Hibbard, late sheriff of Laurel county.

An act to authorize the County Court of Mercer county to subscribe stock in a certain Turnpike road.

An act incorporating the Harrodsburg and Cornishville Turnpike road Company.

An act for the benefit of J. W. Henderson, of Barren county.

An act for the benefit of Wm. M. Worsham, late sheriff of Wayne county.

An act to amend the charter of Bank Lick Turnpike road Company.

An act declaring Contrary creek a navigable stream.

An act for the benefit of P. W. Napier, late Sheriff of Casey county.

An act declaring Miller's creek a navigable stream.

An act for the benefit of James C. Edwards, sheriff of Green county. That they had passed bills of the following titles, viz:

An act relating to the late keeper of the Penitentiary.

An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike road Company.

An act to authorize the County Court of Fayette county, to change the State road.

An act to incorporate a company to construct a turnpike road in Barren county.

An act to create an additional civil district in Hickman county.

An act changing the boundary of certain election districts in Clarke county, and to change the voting place in district, No. 5.

An act for the benefit of John B. Floyd, and the widow of John Coleman, deceased.

An act to repeal an act, entitled, an act to regulate the duties of the Christian County Court in laying the county levy.

An act for the benefit of John W. How, late sheriff of Lawrence county.

An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and Lyon counties.

An act for the benefit of Wm. Mayneer, sheriff of Morgan county.

An act for the benefit of W. T. E. Purman.

An act for the benefit of Thomas Helm, clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.
An act to provide for any deficiency in the Treasury that may occur during the year 1856.

That they had received official information from the Governor, that he had approved and signed enrolled bills and a preamble and resolution, that originated in the Senate, of the following titles, viz:

- An act for the benefit of James B. Wilder, guardian of Marinda B. Wilder.
- An act, entitled, an act to amend the charter of the Perryville Seminary. Approved February 25, 1856.
- An act for the benefit of the heirs of Frank Quinn, deceased.
- An act to regulate the duties of the Commissioner of the Louisville Chancery court.
- An act authorizing the sale of certain streets in Simpsonville.
- An act in relation to a new road in Fleming and Lewis counties.
- An act to incorporate the Deposit Bank of Cynthiana, Harrison county.
- An act to incorporate the Paducah Gas Light Company.
- An act authorizing constables to execute process issuing from the Quarterly Courts in civil cases.
- An act for the benefit of Jane Carey.
- An act for the benefit of the Circuit Court Clerk of Harrison county.
- An act for the benefit of the heirs of Jacob Watson.
- An act to incorporate the Hickman building and loan association.
- An act to authorize the sale of certain alleys in the town of Prestonsburg, Floyd county.

Preamble and resolutions in relation to the removal of the remains of Gov. James Clarke to the Frankfort Cemetery; Approved February 27, 1856.

Mr. Tevis presented remonstrances from citizens of Shelby county, against granting lottery privileges to Shelby College.

Which were received, the reading dispensed with, and referred to the committee on Education.

Mr. G. B. Cook moved to re-consider the vote by which the bill in relation to the Kentucky Penitentiary was passed.

Mr. Bradford moved to lay said motion to re-consider on the table.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Joshua Dunn, John W. Menzies,
William B. A. Baker, Robert B. English, Wm. M. Miller,
R. P. Beauchamp, George C. Faris, W. C. Montgomery,
Mr. Ben Berry moved the previous question.

And the question being then taken, shall the main question be now put? It was decided in the affirmative.

The main question was then put, shall the vote by which said bill was passed be reconsidered? and it was decided in the negative.

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

Those who voted in the affirmative, were

Richard B. Alexander, Daniel Garrard, James M. Fogle, Andrew J. Prichard, William M. Morrow,
Lucien Anderson, Henry Giles, William M. Morrow,
John B. Anderson, Gordon B. Grasty, Elijah F. Nuttall,
Wm. T. Anthony, Anderson Gray, Samuel B. Pell,
John B. Auxier, Benjamin Gullion, Benjamin F. Rice,
John S. Bohannon, John S. Hargis, Robert Richardson,
Robert C. Bowling, Hiram Hawkins, James M. Speer,
Colbert Cecil, John L. Irvan, Richard J. Spurr,
Isaac N. Clement, Andrew J. James, Richard S. Thornton,
George B. Cook, James S. Littlepage, David L. Thurman,
Milton J. Cook, Samuel Long, E. L. Vanwinkle,
Thomas H. Corbett, James S. Littlepage, Fielding Vaughan,
James M. Corbin, Samuel Long, Willie Waller,
James Culton, Pleasant W. Mahan, T. H. M. Winn,
Ephraim B. Elliott, John C. McCreary, Hiram Wood,

Those who voted in the negative, were

Richard B. Alexander, Nathaniel Gaither, William M. Morrow,
Lucien Anderson, Daniel Garrard, Elijah F. Nuttall,
John B. Anderson, Henry Giles, Samuel B. Pell,
William T. Anthony, Gordon B. Grasty, Benjamin F. Rice,
John B. Auxier, Anderson Gray, Robert Richardson,
John S. Bohannon, Benjamin Gullion, James M. Speer,
Robert C. Bowling, John S. Hargis, Richard J. Spurr,
Colbert Cecil, Hiram Hawkins, Richard S. Thornton,
Isaac N. Clement, John L. Irvan, David L. Thurman,
George B. Cook, Andrew J. James, E. L. Vanwinkle,
Milton J. Cook, James S. Littlepage, Fielding Vaughan,
Thomas H. Corbett, James S. Littlepage, Willie Waller,
James M. Corbin, Samuel Long, T. H. M. Winn,
James Culton, Pleasant W. Mahan, Hiram Wood,
Ephraim B. Elliott, John C. McCreary, E. W. Worsham,
Ephraim B. Elliott, James M. Fogle, Nathan Gaither,
Pleasant W. Mahan, John C. McCreaey, Hiram McElroy,

Those who voted in the negative, were
Mr. Speaker, (Huston,) James A. Duncan, Charles A. Marshall,
William B. A. Baker, Joshua Dunn, Jas. H. McCampbell,
R. P. Beauchamp, Robert B. English, John W. Menzies,
Ben Berry, George C. Farris, William M. Miller,
William J. Berry, McDowell Fogle, W. C. Montgomery,
William S. Bodley, Sidney A. Foss, Samuel B. Pell,
William B. Booker, John K. Goodloe, Andrew J. Prichard,
Robert C. Bowling, Alfred F. Graham, David H. Raymond,
Laban J. Bradford, Roger W. Hanson, Joseph Ricketts,
Archibald C. Brown, Ben Hardin Helm, George C. Rogers,
Erasmus O. Brown, John M. Hewitt, Charles C. Smelley,
Horatio W. Bruce, Greenberry Hicks, Thomas J. Terry,
Colbert Cecil, Gideon P. Jolly, Joshua Tevis,
John B. Cochran, Andrew Jones, James T. Ware,
James M. Corbin, Richard Jones, L. A. Whiteley,
Coleman Covington, George F. Lee, T. H. M. Winn,
Frank P. Deatherage, Philip Lee, Francis M. Woods,
David R. Dugan, John C. Lyon, E. S. Worthington—54.

Leave was given to bring in the following bills, viz:
On motion of Mr. Prichard—1. A bill for the benefit of the adminis­
trator of John McDier, deceased.
On motion of Mr. Foss—2. A bill for the benefit of the Louisville
and Cane Run Plankroad Company.
On motion of Mr. Goodloe—3. A bill concerning the town of Ver­
ailles.
On motion of Mr. Speer—4. A bill for the benefit of W. B. A. Ba­
kker, late sheriff of Mason county.

Ordered, That Messrs. Prichard, A. Jones, and Gray prepare and
bring in the 1st bill; Messrs. Foss, Worthington, and Deetherage the
2d; Messrs. Goodloe, P. Lee, and Helm the 3d; and Messrs. Speer,
Gaither, and Jolly the 4th.

The following bills were reported by the several committees ap­
pointed to prepare and bring in the same, viz:
By Mr. Morrow—1. A bill to authorize the County Court of Hop­
kins county to sell the poor house and the land on which it is situated.
By the committee on the Judiciary—2. A bill legalizing the locality
of the first toll-gate from Danville to Crab Orchard.
By same—3. A bill to amend an act, entitled, an act to incorporate
the Kentucky and Louisville Mutual Insurance Company.
By same—4. A bill to incorporate the Louisville Fuel Coal Com­
pany.
By same—5. A bill to incorporate the Union Insurance Company, of Louisville.

By same—6. A bill to incorporate the Young America Insurance Company, of Louisville.

By the committee on Ways and Means—7. A bill for the benefit of William Chiles.

By same—8. A bill to reduce the price of vacant lands in Cumberland county.

By same—9. A bill for the benefit of the clerk of the Marion Circuit Court.

By same—10. A bill for the benefit of T. A. Ireland, sheriff of Owen county.

By same—11. A bill for the benefit of Thomas B. Harrison, late sheriff of Logan county.

By same—12. A bill for the benefit of the clerk of the Oldham County and Circuit Courts.

By same—13. A bill for the benefit of James M. Speer, late sheriff of Oldham county.


By same—15. A bill to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.

By same—16. A bill to reduce the price of vacant lands in the counties of Johnson and Floyd.

By same—17. A bill for the benefit of the kindred of Louisa Smith.

By same—18. A bill to incorporate the commissioners of the sinking fund for Montgomery county.

By same—19. A bill to increase the fees of the jail watch of the city of Louisville.

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 bill was referred to the committee on County Courts, and the 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, and 19th 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, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, and 19th 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. Helm, from the committee on the Judiciary, to whom were referred bills of the following titles, viz:

A bill incorporating Poage Lodge, No. 325, of Free and Accepted Masons.
A bill incorporating Hustonville Lodge, No. 354, of Free and Accepted Masons.
A bill incorporating Spring Hill Lodge, No. 139, of Free and Accepted Masons.

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. Helm, from the same committee, to whom were referred bills from the Senate, of the following titles, viz:

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.
An act to incorporate Browiski Lodge, No. 64, I. O. O. F., of Carrollton.
An act to incorporate Mount Eden Lodge, No. 263, of Free and Accepted Masons, of Spencer county.
An act to incorporate Chapter, No. 51, of Royal Arch Free and Accepted Masons, in Gallatin 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 bill having been dispensed with,

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

Mr. Helm, from the same committee, reported a bill permitting bonds for title to real estate to be recorded,

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 said bill was rejected.

A message was received from the Senate, announcing that they had disagreed to the 6th, 7th, 8th, 9th, 11th, 12th, 13th, and 14th, and concurred in the 1st, 2d, 3d, 4th, 5th, and 10th amendments of this House to a bill from the Senate, entitled,

An act regulating the time of holding the Circuit Courts,

With an amendment to the 1st amendment.
Mr. J. M. Fogle, from the committee on Ways and Means, to whom were referred bills from the Senate of the following titles, viz:  
An act for the benefit of Jacob Rice, late Sheriff of Carter county.  
An act for the benefit of the late sheriffs and deputy sheriffs of Nicholas county.  
An act for the benefit of the sheriff of Bath county.  
Reported the same, the 1st without, and the others 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 bill having been dispensed with,  
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.  
Mr. J. M. Fogle, from the same committee, to whom was referred a bill from the Senate, entitled,  
An act for the benefit of James Trimble, clerk of Floyd county,  
Reported the same, with an amendment,  
Which was concurred in.  
Said bill was then 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 said bill do pass, and that the title thereof be amended to read as follows, viz:  
An act for the benefit of the clerk of the Floyd County Court, and the clerk of the Pulaski Circuit Court.  
Mr. J. M. Fogle, from the same committee, reported a bill for the benefit of the Masonic Fraternity of Louisville,  
Which was read the first time as follows, viz:  

Be it enacted by the General Assembly of the Commonwealth of Kentucky,  
That the lot of ground situated on the west side of Fourth street, between Jefferson and Green streets, in the city of Louisville, together with the buildings and improvements thereon, belonging to the Masonic Fraternity at Louisville, be and the same is hereby exempted from taxation for State, county, or municipal purposes: Provided, however, That this exemption is made with a view to enable said fraternity, as soon as a sufficient fund shall have been accumulated, to establish and maintain a school for the education of poor and orphan children at the expense of said fraternity; and the Legislature reserves the power to repeal or amend this act.  

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, Jas. H. McCampbell, John C. McCreaary,
Richard B. Alexander, George C. Faris, Hiram McElroy, W. C. Montgomery,
John B. Anderson, James M. Fogle, Elijah F. Nuttall,
John B. Auxier, McDowell Fogle, Samuel B. Pell,
William B. A. Baker, Sidney A. Pose, William Reiley,
Ben Berry, Henry Giles, George C. Rogers,
Robert C. Bowling, John K. Goodloe, Joshua Tevis,
Horatio W. Bruce, Gordon B. Grasty, Richard S. Thornton,
Colbert Cecil, Anderson Gray, David L. Thurman,
George B. Cook, Ben Hardin Helm, Fielding Vaughan,
Thomas H. Corbett, Andrew J. James, James T. Ware,
James M. Corbin, Gideon P. Jolly, L. A. Whiteley,
Coleman Covington, Richard Jones, T. H. M. Winn,
David R. Dugan, Philip Lee,
Charles Duncan, Samuel Long,
Joshua Dunn, Pleasant W. Mahan,

Those who voted in the negative, were

William T. Anthony, Alfred F. Graham, Robert Richardson,
John S. Bohannon, Hiram Hawkins, Joseph Ricketts,
Archibald C. Brown, Greenberry Hicks, James M. Speer,
Isaac N. Clement, John L. Irvan, Richard J. Spurr,
John B. Cochran, Andrew Jones, Willie Waller,
Milton J. Cook, John W. Menzies, E. W. Worsham,
Daniel Garrard,

Resolved, That the title thereof be as aforesaid.

The House then took up the bill to re-organize Transylvania University.

Said bill was then amended to read as follows, viz:

Whereas, the system of public instruction in Kentucky—originally designed by legislative enactments to extend the means of a common school education to all the youth of the State, adopted afterwards as part of its organic law and further enlarged in its revenues by additional taxation, voluntarily imposed, on two occasions, by large majorities of the people of this Commonwealth—has become completely and permanently established; and it being indispensably necessary, in the thorough and efficient operation of said common school system, to provide a sufficient supply of competent teachers, composed, as far as it may be practicable, of citizens of Kentucky, and to secure this end by furnishing the means of instruction for said teachers beyond what can be supplied in the district schools, now or hereafter established by law:
And whereas, the Transylvania University—which was, at the time of its foundation, intended as a State institution—affords peculiar and great advantages in its grounds, buildings, endowments, libraries, and various properties, possessions, and franchises, (all of which have been tendered to the State by the trustees of said university,) for the successful execution of a plan combining every advantage of a normal school with those which can be derived from general university instruction—wherefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there is hereby appointed and constituted a board of trustees of Transylvania University, which shall consist of the governor, lieutenant governor, and secretary of state of this commonwealth, the chief justice of the court of appeals, the attorney general, the speaker of the house of representatives, and the superintendent of public instruction, ex officio, and of the persons who, at the passage of this act, are actually in office as trustees of Transylvania University, to-wit: Madison C. Johnson, Benjamin Gratz, John J. Hunter, George B. Kinkaid, Robert W. Woolley, William A. Dudley, and Joel Higgins, who, and their successors forever, shall be a body politic and corporate, having all the rights, privileges, powers, and franchises now possessed by the board of trustees of Transylvania University, except so far as they or any of them are modified by this act: Provided, That the trustees of said university who do not hold their offices ex officio shall at no time hereafter exceed seven in number, and the successors of such trustees shall, whenever a vacancy in office may occur, be elected by the board of trustees created by this act—any citizen of this state, but no other person, being eligible. The board of trustees created by this act shall convene within ninety days after its passage, at a time and place to be designated by the governor of the commonwealth, and shall then and there—any five members being present—constitute, and forthwith enter upon the discharge of their duties, and become invested with all the rights, privileges, powers, properties, and franchises intended to be embraced by this act; and thereupon, all the powers of the present board of trustees of Transylvania University shall cease and determine. The present board of trustees of said university shall, within ninety days after the passage of this act, by agreement in writing, tender to the governor of the state their consent to all the alterations in the organization of Transylvania University made by this act.

§ 2. Every county in the state shall have the right to keep one pupil at said university continually, free of all charge for instruction; every city having separate representation, and every county having more than one representative shall also have the right to keep one pupil, but no more, for every member it may send to the lower branch of the general assembly, to be taught in like manner as above provided—making the number of pupils of this description, at the present time, one hundred and sixteen. But no person shall be taught in this manner for more than two full university years; and all persons thus taught shall be considered to be under an obligation of honor, and shall so expressly bind themselves in writing, to pursue the profession of teachers of common schools in this state, and in the counties from which they have been sent, for a period at least as long as they have been themselves taught.
as aforesaid. Each pupil who may receive instruction at the Transylvania University, under the provisions of this section, shall be allowed in addition to such instruction the sum of one dollar and fifty cents per week during the entire term-time he may be taught as aforesaid. In each county, the persons who shall enjoy the benefits aforesaid, shall be selected from time to time, by the school commissioners of the several counties in this commonwealth; and all such appointments shall be considered a public distinction and reward of merit, and shall be conferred on the most worthy, without regard to any other consideration.

§ 3. No person shall be deemed entitled to receive the benefits provided in the foregoing section, who, at the time of his selection, is not more than sixteen nor less than thirty years of age, of intelligence, steady habits, and good moral character, and who has not resided in the state two years next preceding his selection, and the last year thereof in the county or city for which he may be chosen.

§ 4. The collegiate terms of the university shall commence on the first Monday in September of each year, and terminate on the last Wednesday in June thereafter; and the pupils who are to enjoy the benefits provided in the second section of this act, shall be selected by the school commissioners of their respective counties, not less than one nor more than four months before the commencement of the collegiate years of the university. It shall also be the duty of the commissioners to make out duplicate reports, in writing, of said selections, one of which shall be forwarded to the superintendent of public instruction, the other to the secretary of the university, to be filed and preserved in their respective offices. It shall be the duty of the secretary of the university, on the receipt of each report from a commissioner, to make a memorandum of the name and age of the student so reported, the date of his selection, and the county or city from which he may be sent.

§ 5. The pupils to be selected under the foregoing provisions of this act, shall be taught at the university in the manner as follows, to wit: The first pupils selected—amounting in all to one hundred and sixteen in number—shall be taught during the first collegiate term, beginning in September and ending in the month of June ensuing, as aforesaid. After the expiration of the term, said pupils shall return to the counties and cities whence they came, and pursue the profession of teachers in the district schools of said counties and cities, for the period of one year. Having taught as above mentioned, they shall each re-enter the university at the commencement of its third collegiate term, and receive instruction for one year longer—making two years tuition in all—and it shall thenceforth be the duty of said pupils to return to their respective counties and cities, and pursue the profession of teachers, as above required, for a second year. Before the commencement of the second collegiate term of the university, the school commissioners of the several counties of the commonwealth shall each send additional pupils to the university, according to the method provided in the foregoing sections of this act, who shall receive instruction at the university, and pursue the profession of teachers in the counties and cities whence they respectively came, on the same terms and conditions hereinbefore prescribed: Provided, that whenever the place of any pupil may become vacant during the time said pupil is receiving instruc-
tion at the university, the school commissioner of the county whence he was sent shall have the power to fill such vacancy by the appointment of another pupil, who shall receive instruction during the unexpired period of tuition, if the same be greater than one collegiate year, and for said period and one year thereafter if such period be less than one collegiate year, and who shall pursue the profession of a teacher, in the county or city whence he was sent, for a period at least as long as he was taught at the university.

§ 6. Every pupil who has been taught for the period of two full years at the university, or for a period less than two years under the proviso in the preceding section, shall have the right, after he has pursued the profession of a teacher as hereinbefore provided for as long a time as he was taught at the university, to enjoy the benefits of tuition at the university free of charge for an additional period not to exceed one year; and all persons taught under the provisions of this section shall be considered to be under an obligation of honor, and shall so expressly bind themselves in writing, to pursue the profession of teachers of common schools in this state for a period at least as long as they have been taught at the university.

§ 7. It is not designed by this act to confer the benefits of gratuitous instruction in the law or medical schools of Transylvania University. Those schools, and all other schools, faculties, and properties in any connected with said university, are and shall be as completely under the control of the board of trustees created by this act as the peculiar department hereby re-organized; and that to all intents and purposes, any act or any part of any act to the contrary notwithstanding. But as no special aid is hereby designed to be rendered, so no special obligations are hereby imposed on either of said schools or faculties.

§ 8. Other pupils besides those contemplated in the preceding sections of this act shall be allowed to attend the university, upon such terms and conditions, and to receive all its benefits, for such moderate fees as may be ordained and established, from time to time, by the board of trustees.

§ 9. The trusts and conditions to which the property and funds of Transylvania University are now subject, and which the present board of trustees of said university have no power of changing or violating, shall be held inviolate by this act; but nothing in this section shall be construed so as to prevent any change in the charter or organization of the university which can be effected by procuring the consent of said trustees; but said consent is hereby required, wherever it can be given without impairing any vested right, to all changes which the board of trustees created by this act may deem expedient and necessary, in order to effect a complete re-organization of the Transylvania University, and establishment therein of a school for teachers.

§ 10. The whole system of instruction and course of studies in Transylvania University shall be arranged by the board of trustees created by this act, with special reference to the fact that the department of said university hereby re-organized is intended to furnish the commonwealth of Kentucky with a sufficient and constant supply of good teachers, who are to be citizens of this state, while at the same time it may incidentally afford the means of instruction to pupils who may
not have in view the profession of teaching. All legislative enactments organizing the literary and scientific departments of said university, except so far as they are amended by this act, are to remain in full force. There shall be a president and at least four professors in the academic department of said university; and in order to carry out more fully the purposes contemplated in this act, the chair of the president, and that of each of the professors shall be considered a school in itself, whose particular course of studies shall be such as may be prescribed by the board of trustees; and all branches of learning usually taught in the district schools of this commonwealth, together with the theory and practice of teaching, shall be embraced in some one or other of the professorships of Transylvania University. The board of trustees created by this act shall also have power to appoint the president and all professors and teachers in said university, and to remove the same at pleasure—the majority of all the trustees concurring in every act of removal. Said trustees are hereby required to report in writing to the legislature, at every biennial session thereof, the condition and progress of the institution, and the number and condition of the pupils taught during each collegiate year of said university.

§ 11. To carry out the intentions of this act, the superintendent of public instruction shall draw an order or orders on the auditor of public accounts, at such times as may be suggested by the board of trustees, for a sufficient sum—first, to defray the expenses of the pupils taught under the provisions of the second section of this act; secondly, to the payment of the salaries of a sufficient number of competent professors and teachers; and thirdly, to such incidental expenses as may be absolutely necessary; and to meet those expenses the sum of twelve thousand dollars is hereby set apart out of the common school fund, and to be paid out of the treasury on orders and warrants to be drawn as aforesaid; whereupon the auditor shall draw his warrant upon the treasurer in the usual manner; and all such warrants, and payments made on them, shall be charged to the school fund, in all the public offices through which they pass. The funds now accruing to the Transylvania University, and amounting at present to a sum of more than three thousand dollars per annum, shall be appropriated to the payment of the salaries of professors, and to defraying the incidental expenses of said university. The salaries of the professors and teachers paid out of this fund, and also the fund appropriated by this section, shall be paid half-yearly, as the public money is received. Nothing in this section shall be construed to prevent the trustees from allowing any of the professors or teachers additional compensation, if they may think proper, out of the fees of such pupils as do not receive gratuitous instruction.

§ 12. This act shall take effect as soon as the consent of the present board of trustees of Transylvania University is signified, and the board of trustees created by it shall be fully organized and constituted, as hereinbefore provided. The general assembly reserves the right to alter, amend, or repeal this act, or any part of it, at any time hereafter.

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 it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, W. C. Montgomery,
William B. A. Baker, Robert B. English, Elijah F. Nuttall,
R. F. Beanchamp, S. A. Foss, Benjamin F. Rice,
Ben Berry, Daniel Garrard, Robert Richardson,
William S. Bodley, John K. Goodloe, Joseph Ricketts,
William B. Booker, Roger W. Hanson, George C. Rogers,
Laban J. Bradford, John S. Hargis, Charles C. Smedley,
Archibald C. Brown, Hiram Hawkins, Richard J. Spurr,
Colbert Cecil, George F. Lee, Thomas J. Terry,
John B. Cochran, Samuel Long, Joshua Tevis,
George B. Cook, John G. Lyon, James T. Ware,
Coleman Covington, Charles A. Marshall, L. A. Whitley,
Frank P. Deatherage, Jas. H. McCampbell, T. H. M. Winn,
David R. Dugan, John W. Menzies, E. S. Worthington—42.

Those who voted in the negative, were

Richard B. Alexander, Nathan Gaither, Jas. S. Littlepage,
John B. Anderson, Henry Giles, Pleasant W. Mahan,
William T. Anthony, Alfred F. Graham, John C. McCreary,
John B. Anxler, Gordon B. Grasty, Hiram McElroy,
John S. Bohannon, Anderson Gray, William M. Miller,
Robert C. Bowling, Benjamin Gullion, William M. Morrow,
Isaac N. Clement, Ben Hardin Helm, Samuel B. Pell,
Milton J. Cook, John M. Howitt, Andrew J. Prichard,
Thomas H. Corbett, Greenberry Hicks, David H. Raymond,
James M. Corbin, John L. Irvan, William Reiley,
James Cullen, Andrew J. James, James M. Speer,
Joshua Duan, Gideon P. Jolly, David L. Thurman,
George C. Paris, Andrew Jones, Fielding Vaughan,
James M. Fogle, Richard Jones, Willie Waller,
McDowell Fogle, Philip Lee, Francis M. Woods—43.

Mr. Bowling, from the committee on Banks, to whom was referred a bill from the Senate, entitled,

An act better to define usury,

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, It is represented that banking and other corporations created by the laws of this Commonwealth, with power in their charters
to discount promissory notes and bills, and to deal in exchange, fre-
quently contract for and receive in the purchase or discount of bills, in addition to the interest, large sums as "exchange"—the amounts depending on the time such bills have to run, and greatly more than sufficient to cover any ordinary fluctuations in the value of sight checks between the places of discount and payment, thus contracting for and receiving under color and pretext of exchange, a greater rate of interest than is by law allowed for the loan or forbearance of money; and, whereas, in the absence of distinct legal prohibition, such transactions have been held to be legal. Therefore, that the good people of this Commonwealth may be protected from undue exactions,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the discount or purchase by any banking or other corporation, of any bill of exchange, payable at any place within the limits of Kentucky, be held to be usurious if a greater rate of interest or discount is charged than is allowed by the charters of such corporation, to be contracted for or received in the discount of promissory notes, with the addition of one quarter of one per cent. upon the amount of such bill, to cover the cost, risk, and delay of the transfer of the money from the place of payment to that of discount.

§ 2. That the discount or purchase by any banking or other corporation, of any bill of exchange, payable at any place beyond the limits of this State, and having not more than thirty days to run from the time of such discount or purchase, shall be held to be usurious if a greater rate of interest or discount shall be contracted for or received than is by their charters allowed to be contracted for or received in the discount of promissory notes, with the addition of one-eighth of one per cent. upon the amount of the bill, to cover any fluctuations in the value of sight checks between the place of discount and that of payment.

§ 3. That the discount or purchase by any banking or other corporation, of any bill of exchange, payable at any place beyond the limits of this State, and having longer than thirty and not less than sixty days to run from the time of such discount or purchase, shall be held to be usurious if a greater rate of interest is contracted for or received than is by their charters allowed to be contracted for or received in the discount of promissory notes, with the addition of one-eighth of one per cent. per month, for the time such bills have to run from the date of such discount or purchase, to cover any fluctuations in the value of sight checks, between the time of discount and that of payment.

§ 4. That whenever at the date of the discount or purchase of bills of exchange, payable at points beyond the limits of this State, by any banking or other corporation, such banking or other corporation shall be checking at sight on such places of payment, at a less rate than par, then the difference between the par value and the selling rate for such sight checks may be added to the rates allowed to be charged in the discount or purchase of such bills, by this act.

§ 5. That any contract by which any banking or other corporation stipulates for the right to pay the amount or any part thereof of the proceeds of any bill of exchange, discounted or purchased by such banking or other corporation in checks on other points, at a rate above
the par, or immediately convertible value at the place of discount, of such checks into Kentucky bank notes, shall be held to be usurious.

§ 6. If any corporation shall take or contract for any greater rate of discount than is authorized by the foregoing sections in the purchase or discount of any bill of exchange, such corporation shall have no right of action on such bill of exchange; and if such bill of exchange shall be paid by any party thereto, the person so paying, his executors, administrators, or assigns may, at any time within five years from the time of such payment, sue for and recover the amount thereof from the corporation which discounted or purchased the same.

§ 7. The provisions of the preceding section shall not apply, in any case, if such corporations shall clearly show that the rate of discount received or contracted for on such bill of exchange, discounted or purchased, did not exceed legal interest, and the value of sight exchange, estimating the value of sight exchange, between the place where such bill was discounted, and the place where it was payable, at its market value, at the time the same fell due; but where a greater rate of discount is received or contracted for than the rates mentioned in the four first sections of this act, the burden of proof shall be on such corporation, to show that the rate so received or contracted for did not exceed legal interest and the market rate or value of sight exchange, at the time of the maturity of such bill. The intent and meaning of this act being not to prohibit the taking of the actual difference in exchange, but to prevent usury on time bills under the pretext of exchange, and of providing against fluctuations in the rates of exchange.

§ 8. Nothing in this act shall be construed as prohibiting any corporation from receiving legal interest on the discount of any time bill, although exchange may be worth a premium at the time of such discount, or at the time of the maturity of the bill: Provided, That the provisions of this act shall apply to all licensed brokers of this State.

§ 9. This act to go into effect on and after the first day of July, 1856.

Mr. Menzies moved to amend said bill by striking out of the 8th section the proviso.

Mr. Rogers moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of Mr. Menzies' amendment, and it was decided in the negative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston.) John M. Hewitt, Joseph Ricketts,
John B. Anderson, Gideon P. Jolly, William Reiley,
R. P. Beauchamp, Andrew Jones, Charles C. Smedley,
William S. Bodley, George F. Lee, Richard J. Spurr,
Erasmus O. Brown, Philip Lee, Thomas J. Terry,
Horatio W. Bruce, Samuel Long, Joshua Tevis,
John B. Cochran, John G. Lyon, James T. Ware,
Those who voted in the negative, were


The question being then taken on ordering said bill, as amended, to be read a third time, it was decided in the negative.

And so said bill was disagreed to.

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

Those who voted in the affirmative, were

Those who voted in the negative, were

Mr. Speaker, (Huston,) Alfred F. Graham, George C. Rogers,
John B. Anderson, Roger W. Hanson, James A. Russell,
R. P. Beauchamp, John M. Hewitt, Charles C. Smedley,
William S. Bodley, Greenberry Hicks, Richard J. Spurr,
Robert C. Bowling, Gideon P. Jolly, Thomas J. Terry,
Laban J. Bradford, Andrew Jones, Joshua Tevis,
Archibald C. Brown, Richard Jones, Richard S. Thornton,
Erasmus O. Brown, George F. Lee, David L. Thurman,
Horatio W. Bruce, Samuel Long, E. L. Vanwinkle,
John B. Cochran, John G. Lyon, Fielding Vaughan,
Thomas H. Corbett, Pleasant W. Mahan, James T. Ware,
Frank P. Deatherage, Charles A. Marshall, L. A. Whiteley,
Joshua Dunn, W. C. Montgomery, Thos. H. M. Winn,
George C. Faris, Samuel B. Pell, Francis M. Woods,
Sidney A. Foss, David H. Raymond, E. W. Worsham,
Henry-Giles, Robert Richardson, E. S. Worthington—50,
John K. Goodloe, Joseph Ricketts,

And then the House adjourned.

SATURDAY, MARCH 1, 1856.

1. Mr. Tevis presented petitions from citizens of Shelby county, praying the passage of the act granting lottery privileges to Shelby College.

2. Mr. McElroy presented a remonstrance from citizens of Germantown precinct, Clarke county, against removing the voting place from said town.

3. Mr. Pell presented a petition from citizens of School district, No. 11, in Hancock county, praying they may receive their part of the school fund.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the committee on Education, and the 2d to the committee on Privileges and Elections.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled,

An act to establish the county of Metcalfe.
That they had passed bills from this House of the following titles, viz:

**An act authorizing the sale and distribution of the Calloway county Seminary lands.**

**An act to incorporate the Columbia Baptist College.**

**An act to incorporate the Columbia Male and Female High School.**

**An act for the incorporation of the Philomathean Society of Bethel College in Russellville, Kentucky.**

**An act to incorporate the Barren River High School.**

**An act for the benefit of the Kentucky Institution for the education of the Blind.**

**An act appointing trustees for the Hart county Seminary.**

**An act for the benefit of E. C. Ashcraft.**

**An act to establish a sinking fund for the county of Clarke.**

**An act to amend the charter of the Kentucky Ship building and Lumber Company.**

**An act to incorporate the Nelson County Agricultural Society.**

**An act for the benefit of John Friend, jailor of Floyd county.**

**An act to amend an act incorporating the Mount Hor Cemetery, in Kenton county.**

**An act to incorporate Bell Colline Female College, Franklin county.**

**An act to amend and change an act incorporating the Greenville Female College.**

**An act to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.**

**An act to incorporate the Cook Coal and Iron Mining and Manufacturing Company.**

**An act to incorporate the Millersburg Male and Female Seminary.**

**An act for the benefit of Iron Masters in Lyon county.**

**An act to amend an act incorporating the Louisville Water-works Company.**

**An act to relieve common school districts not regularly reported.**

**An act to incorporate Bethel College at Russellville.**

With amendments to the last two bills.

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

**An act for the benefit of Benjamin Norman.**

**An act for the benefit of Aaron Johnson, sheriff of Laurel county.**

**An act for the benefit of Braxton Small.**

**An act to incorporate the President and Board of Examination of Eddyville Female College.**

**An act to amend an act, entitled, an act to incorporate the Franklin Female Institute.**
An act to amend the charter of the Parochial School of the Hanging Fork Presbyterian Church.

An act to amend an act for the benefit of certain common school districts in Boyle and Mercer counties.

An act authorizing the sale of Franklin school house and lot, in Boyle county.

An act authorizing the sale of Cranetown school house and lot, in Boyle county.

An act for the benefit of the school commissioners of Owen county.

An act for the benefit of Ashland common school district in Greenup county.

An act to establish the Academical Institute of Louisville.

An act to incorporate and endow the Western Kentucky College.

An act to incorporate the Kentucky Christian Education Society.

An act for the benefit of Daniel Boone Eclectic Institute.

An act to incorporate the Daniel Boone Military Institute.

An act to incorporate the Union Mining and Manufacturing Company.

An act to incorporate the Logan county Agricultural and Mechanical Association.

An act to establish a uniform weight of coal.

An act to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.

An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

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

On motion of Mr. Hawkins—1. A bill to amend the law in relation to magistrates' districts in Bath county.

On motion of Mr. P. Lee—2. A bill to empower the county judge of Hardin county to change voting places in said county.

On motion of same—3. A bill for the benefit of Curran P. Thomas.

On motion of Mr. Long—4. A bill to incorporate the Nashville and Rowena Coal Company.

On motion of Mr. Spurr—5. A bill for the benefit of the sheriff of Fayette county.

On motion of Mr. R. Jones—6. A bill to exempt certain citizens of Kentucky from the operation of the Peddlers' license law.

On motion of Mr. Culton—7. A bill for the benefit of James M. Pogue.

On motion of same—8. A bill to amend the law giving appeals from Quarterly to Circuit Courts.

On motion of Mr. Hargis—9. A bill authorizing the judge of the
Breathitt county court to establish an additional voting precinct in said county.

On motion of Mr. Ricketts—10. A bill for the benefit of C. D. Ware.

On motion of Mr. Speer—11. A bill to allow the county judge of Oldham county to extend certain election precincts in said county.

Ordered, That Messrs. Hawkins, McCrea, and Auxier prepare and bring in the 1st bill; Messrs. P. Lee, Helm, and English the 2d; the committee on Claims the 3d and 16th; Messrs. Long, Dunn, and Vanwinkle the 4th; the committee on Ways and Means the 5th; Messrs. R. Jones, Bruce, and Vanwinkle the 6th; Messrs. Culton, Long, and Vanwinkle the 7th; Messrs. Culton, Long, and M. J. Cook the 8th; Messrs. Hargis, McElroy, and Vanwinkle the 9th; and Messrs. Speer, McElroy, and Vanwinkle the 11th.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to aid in removing free negroes from this State to Liberia.

An act legalizing certain proceedings of the Calloway County Court.

An act to change the boundary line between the counties of Shelby and Oldham.

An act for the benefit of Littleton Helm.

An act to increase the salary of the Register of the Land Office.

An act to incorporate the First Presbyterian Church in the city of Augusta.

An act for the benefit of the Methodist Episcopal Church at Alexandria.

An act to incorporate the Evangelic Church and School Association, in Alexandria.

An act to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their Companies.

An act to regulate the fees of coroners.

An act for the benefit of the Methodist Episcopal Church South, in the county of Henry.

An act for the benefit of the Methodist Episcopal Church South, at Alexandria.

An act for the benefit of Rowan county.

An act for the benefit of C. Osburn and others, to enable them to protect themselves against milk sickness.

An act giving certain authority to the presiding judge of the Greenup county court.

An act to change the time of holding the quarterly courts in the counties of Knox and Harlan.
An act to amend the law in relation to appeals from justices of the peace to quarterly courts.

That they had examined enrolled bills and a resolution that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the First Presbyterian Church, of Ashland.
An act for the benefit of Jacob Rice, late Sheriff of Carter county.
An act to amend the charter of Danville.
An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.
An act to regulate the agencies of Foreign Insurance Companies.
An act to incorporate the Commercial Insurance Company.
An act to incorporate Logan Lodge, No. 73, of the I. O. O. F., at Russellville.
An act to incorporate Merrick Lodge, No. 31, of I. O. O. F., of the city of Lexington.
An act to change the time of holding the Warren and Edmonson quarterly courts.
An act to incorporate the Bourbon Female Institute, at North Middletown.
An act for the benefit of Thomas S. Terrell, of Ballard county.
An act to authorize the appointment of an additional commissioner for the Jefferson county court.
An act to authorize actions between the county of Jefferson and the city of Louisville.
An act to change the time of holding the Shelby quarterly courts.
An act fixing the time of holding the court of claims for Bath county.
An act to authorize the clerk of the Grant county court to purchase deed books, A and B, and transcribe the same.
An act regulating certain streets and buildings in the town of Williamstown, and taxing certain buildings adjacent thereto.
An act to amend the 21st section of an act, entitled, an act to incorporate the Elizabethtown Savings Institution and for other purposes, and to change the name of the Savings Institution of Harrodsburg to the Bank of Harrodsburg.
An act to change the time of holding the quarterly courts of Henry county.
An act to change the time of holding the quarterly courts of Hardin county.
An act for the benefit of the late sheriffs of Lewis county.
An act to establish an additional election precinct and place of voting in Christian county.
An act to prescribe the western boundary of the town of Flemingsburg.
An act to authorize the county court of McLean county to establish a ferry or purchase the present ferry over Green river, at Calhoon and Rumsey.

An act to change the time of holding the Lewis and Grayson quarterly courts.

An act to incorporate the Deposit Bank of Glasgow.

Resolution in relation to the Hermitage.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

On motion of Mr. M. J. Cook,

Ordered, That Messrs. Long and Clement be added to the committee on Enrollments.

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

By Mr. Gaither—1. A bill for the benefit of W. B. A. Baker, late sheriff of Mason county.

By Mr. Littlepage—2. A bill for the benefit of John Ripy.

By Mr. Winn—3. A bill to fix the time of holding the Quarterly Court in Barren county.

By Mr. Corbin—4. A bill for the benefit of A. K. Gaines and James Marshall, of Boone county.

By Mr. G. F. Lee—5. A bill for the benefit of Caroline B. Anderson.

By Mr. Jolly—6. A bill to change the time of holding the Breckinridge and Ohio Quarterly Courts.

By Mr. P. Lee—7. A bill for the benefit of the President of the Board of Internal Improvement.

By Mr. Long—8. A bill for the benefit of James M. Smith and John Wesley Shelley.

By Mr. Clement—9. A bill to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.

By Mr. Rice—10. A bill to change the time of holding the next term of the Bath Circuit Court.

By Mr. Auxier—11. A bill to authorize the County Court of Floyd county to establish a ferry on Sandy river.

By Mr. Bruce—12. A bill for the benefit of the estate of Joseph Robb, deceased.

By Mr. Woods—13. A bill to change the May term of the County Court of Gallatin county.

By Mr. L. Anderson—14. A bill for the benefit of the jailor of Graves county.

By Mr. English—15. A bill empowering the judge of Hardin county to change the place of voting in the precincts of said county.

By Mr. Helm—16. A bill concerning the town of Versailles.
By Mr. Culton—17. A bill to authorize the Whitley county court to change the State road from Williamsburg to the State line.

By Mr. Terry—18. A bill to incorporate Clayville Division, No. 346, Sons of Temperance.

By Mr. Nuttall—19. A bill to continue in force an act to incorporate the town of Port Royal, Henry county.

By same—20. A bill to amend the charter of the Louisville and Newport Branch Railroad Company.

By Mr. Foss—21. A bill for the benefit of the Louisville and Cane run Plankroad Company.

By Mr. Prichard—22. A bill for the benefit of John McDyer, late sheriff of Lawrence county.

By Mr. Worthington—23. A bill for the benefit of the Louisville and Portland Railroad Company.


By same—25. A bill for the benefit of the iron masters of Muhlenburg county.

By Mr. Dugan—26. A bill to prevent the destruction of fish in the Beech fork.

By Mr. O. Duncan—27. A bill to change the time of holding the Bracken county court.

By Mr. Vanwinkle—28. A bill to incorporate the Nashville and Rowena Coal Company.

By same—29. A bill to authorize the judge of the Breathitt county court to establish an additional precinct and place of voting in said county.

By same—30. A bill to authorize the county judge to extend the boundary of the election precincts in Oldham county.

By Mr. Mahan—31. A bill to change the time of holding the Whitley quarterly courts.

By the committee on Ways and Means—32. A bill for the benefit of certain clerks of this Commonwealth.

By same—33. A bill for the benefit of certain sheriffs of this Commonwealth.

By same—34. A bill to amend the law in relation to revenue.

By the committee on Banks—35. A bill to incorporate the Deposit Bank of Springfield.

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 4th bill was referred to Messrs. Nuttall, McElroy, Marshall, Bowling, James, Spurr, Menzies,
Worthington, Gaither, and Smedley; the 7th to the committee on Internal Improvement; the 26th to the committee on Federal Relations; the 34th to the committee on Revised Statutes; and the 1st, 2d, 3d, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32d, 33d, and 35th were ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32d, 33d, and 35th bills having been dispensed with, and the same being engrossed,

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

Ordered, That the committee to whom the 4th bill was referred, be instructed to report thereon to this House, on Monday next, at 11 o'clock, A. M.

Mr. Hawkins, from the committee appointed to prepare and bring in the same, reported a bill to amend the law in regard to election districts,

Which was read the first time.

Mr. Smedley moved to lay said bill on the table.

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

Mr. McElroy, from the select committee, to whom was referred a bill from the Senate, entitled, An act fixing the time of holding the chancery and criminal courts in the 1st judicial district.

Reported the same with an amendment as a substitute for said bill.

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 said bill do pass, and that the title thereof be as foresaid

Mr. Auxier moved to re-consider the vote by which the bill to re-organize Transylvania University, was rejected.

Ordered, That the consideration of said motion be postponed until the 4th instant at 12 o'clock, M.

Mr. M. J. Cook, from the committee appointed to prepare and bring in the same, reported a bill for the benefit of the Crab Orchard and Mount Vernon Turnpike road Company,

Which was read the first time, as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for the county court of Rockcastle county to levy an ad valorem tax on all the taxable property of said county now subject to revenue tax for State purposes, to the extent of five cents upon the hundred dollars, to be subscribed and paid as stock in the Crab Orchard turnpike road company.

§ 2. When said tax shall be laid and authorized by the said county court of Rockcastle county, the sheriff of said county is hereby authorized to collect the same, in the same manner, under the same penalties, restrictions, and regulations, and with the same powers to collect the same as is now provided by law for the collection of the revenue tax for said county; and shall pay over the same to the order of the Rockcastle county court, at and after such time as is prescribed for the payment of the revenue tax for said county, hereby giving the county court of Rockcastle county the same power to compel payment by the sheriff, and to compel settlement by him that said county court now has in relation to the county levy of said county.

§ 3. That before said sheriff shall have power to collect the tax authorized by this act, he shall give bond and good security, to be approved by said county court, binding him and his security for the faithful performance of his duties under this act: Provided, That this act shall not go into effect until a majority of all the qualified voters of said county, voting on the subject, shall vote at some August election in said county in favor of levying the tax provided for by this act; and the county court of said county of Rockcastle is hereby authorized to cause a poll to be opened at some general August election, in the present or some subsequent year, at which the sheriffs of election shall propound the question to each and every voter, and the votes for and against the tax shall be recorded as the other votes of said election.

Ordered, That said bill 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,

The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

Richard B. Alexander, Robert B. English, George F. Lee,
John B. Anderson, McDowell Fogle, William M. Miller,
William B. A. Baker, John K. Goodloe, Joseph Ricketts,
Ben Berry, John S. Hargis, George C. Rogers,
John S. Bohannon, Hiram Hawkins, Charles C. Smedley,
Robert C. Bowling, Ben Hardin Helm, Thomas J. Terry,
Horatio W. Bruce, John L. Irvan, Joshua Tevis,
Milton J. Cook, Gideon P. Jolly, D. L. Thurman,
James Culton, Andrew Jones, Fielding Vaughan,
Those who voted in the negative, were

Mr. Speaker, (Huston,) Mr. Fogle, from the committee on Ways and Means, to whom was referred bill a from the Senate of the following title, viz:

An act to provide for a place of voting in —— district in Bath coun-
ty, instead of the Olympian Spring,

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 said bill do pass, and that the title thereof be amend-
ed, so as to read as follows, viz.

An act to provide for a place of voting in the 4th district in Bath
county, instead of the Olympian Spring.

Mr. Vanwinkle, from the committee appointed to prepare and bring

in the same, reported a bill to amend an act, entitled,

An act to amend the several acts in relation to Peddlers,

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky,

That the provisions of an act, entitled, an act to amend the several acts in relation to peddlers, passed at the present session of the general assembly, shall not apply to citizens of Kentucky who are, or may be, engaged in peddling goods, wares, and merchandise in boats on the Ohio river, or other rivers in the State of Kentucky: Provided, That said citizens, before engaging in such peddling, shall go before the county court of such county as they may propose to peddle in and execute before said court, or the clerk thereof, bonds each in the penalty of one thousand dollars, that they respectively will keep a decent and orderly boat; and for any breach of said bonds the persons guilty thereof shall be indicted in the circuit court, and upon conviction fined in any sum in the discretion of the jury, not exceeding the penalty of said bonds. For the prosecution of violations of this act, the com-
monwealth's attorneys shall be entitled to fifty per centum of the amount recovered.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

Mr. J. M. Fogle, from the committee on Ways and Means, to whom was referred a bill to regulate turnpike tolls,

Reported the same without amendment.

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. J. M. Fogle, from the same committee, to whom was referred a bill to amend the laws regulating the duties of Assessors,

Reported the same without amendment.

Mr. J. M. Fogle moved to lay said bill on the table.

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

Mr. Bowling, from the committee on Banks, to whom was referred a bill to establish the Deposit Bank of Winchester.

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. Bowling, from the same committee, to whom were referred bills from the Senate, of the following titles, viz:

An act to incorporate the Deposit Bank of Lebanon.

An act to incorporate the Merchants' Deposit Bank of Danville.

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. Philip Lee moved the following resolution, viz:

Resolved, That the Clerk of this House be authorized to procure assistance to aid the Assistant Clerk in the discharge of his duties.

Which was adopted.

Mr. Irvan moved the following resolution, viz:

Resolved, That the bill to amend the charters of the banks be made the special order of the day for the 4th inst., at 11 o'clock, A. M.

Which was adopted.

Mr. Rice moved the following resolution, viz:

Resolved, That any secret oath-bound organization, for political purposes, is anti-republican, and should meet with opposition from all friends of republican government.

Mr. G. F. Lee moved to refer said resolution to the committee on Federal Relations.

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

The yeas and nays being required thereon by Messrs. J. M. Fogle and Rice, were as follows, viz:
Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) John K. Goodloe, George C. Rogers,
Ben Berry, George F. Lee, Thomas J. Terry,
William S. Bodley, Philip Lee, Joshua Tevis,
Archibald C. Brown, John W. Menzies, James T. Ware,
McDowell Fogle, Joseph Ricketts,

Those who voted in the negative, were:

Richard B. Alexander, George C. Faris, Jas. H. McCampbell,
Lucien Anderson, James M. Fogle, John C. McCreaey,
William T. Anthony, Sidney A. Foss, Hiram McElroy,
John B. Auxier, Nathan Gaither, William M. Miller,
William B. A. Baker, Daniel Garrard, Wm. M. Morrow,
R. P. Beauchamp, Henry Giles, Samuel B. Pell,
John S. Bohannon, Alfred F. Graham, Andrew J. Prichard,
Robert C. Bowling, Gordon B. Grasty, Benjamin F. Rice,
Erasmus O. Brown, Anderson Gray, William Reiley,
Horatio W. Bruce, Roger W. Hanson, James A. Russell,
Colbert Cecil, John S. Hargis, Charles C. Smedley,
Isaac N. Clement, Hiram Hawkins, James M. Speer,
John B. Cochran, Ben Hardin Helm, Richard J. Spurr,
George B. Cook, John M. Hewitt, Richard S. Thornton,
Milton J. Cook, Greenberry Hicks, David L. Thurlman,
Thomas H. Corbett, John L. Irvan, E. L. Vanwinkle,
James M. Corbin, Andrew J. James, Fielding Vaughan,
James M. Culton, Gideon P. Jolly, Willie Waller,
David R. Dugan, Richard Jones, L. A. Whiteley,
Charles Duncan, James S. Littlepage, T. H. M. Winn,
James A. Duncan, Samuel Long, Francis M. Woods,
Joshua Dunn, Pleasant W. Mahan, E. S. Worthington——65.
Ephraim B. Elliott, Charles A. Marshall,

Mr. Elliott moved the previous question.

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

The yeas and nays being required thereon, by Messrs. J. M. Fogle
and Morrow, were as follows, viz:

Those who voted in the affirmative, were:

Richard B. Alexander, James M. Fogle, Pleasant W. Mahan,
Lucien Anderson, McDowell Fogle, John C. McCreaey,
John B. Anderson, Nathan Gaither, Hiram McElroy,
William T. Anthony, Daniel Garrard, William M. Morrow,
John B. Auxier, Henry Giles, Elijah F. Nuttall,
John S. Bohannon, Gordon B. Grasty, Benjamin F. Rice,
Colbert Cecil, Anderson Gray, William Reiley,
Isaac N. Clement, John S. Hargis, James M. Speer,
John B. Cochran, Hiram Hawkins, Richard S. Thornton,
 Those who voted in the negative, were

Mr. Speaker, (Huston,) George C. Faris,
William B. A. Baker, Sidney A. Foss,
E. P. Beauchamp, John K. Goodloe,
Ben Berry, Alfred F. Graham,
William J. Berry, Roger W. Hanson,
William S. Bodley, Ben Hardin Helm,
Robert C. Bowling, John M. Hewitt,
Archibald C. Brown, Greenberry Hicks,
Erasmus O. Brown, Gideon P. Jolly,
Horatio W. Bruce, Andrew Jones,
Milton J. Cook, Richard Jones,
James M. Corbin, George F. Lee,
James Calton, Philip Lee,
Frank P. Deatherage, Samuel Long,
Charles Duncan, Charles A. Marshall,
James A. Duncan, Jas. H. McCampbell,
Joshua Dunn, John W. Menzies,
Robert B. English, Wm. M. Miller,

Mr. Helm moved the following as a substitute for the resolution of Mr. Rice, viz:

Resolved, That this Legislature condemns demagoguery and the squandering of the people's money by the offering of useless resolutions; and the people of Kentucky cannot be taught patriotism by the descendant of a blue light.

The Speaker decided the substitute proposed by Mr. Helm not to be in order.

Mr. Vanwinkle moved the following as a substitute for the resolution of Mr. Rice, viz:

Resolved, That all American citizens have the inalienable right to prescribe their own political action by voluntary association, under oath or otherwise, as they may choose, subject alone to the Constitutions of the United States, and the State in which they live, and the laws of the land; and that any attempt to stifle or impair these high rights is anti-republican and subversive of constitutional liberty.

Mr. Rogers appealed from the decision of the chair in ruling the substitute proposed by Mr. Helm not to be in order.

The Speaker then proceeded to put the question: Shall the decision of the chair stand as the judgment of the House?

When Mr. Rogers withdrew his appeal.

Mr. Elliott moved to amend the substitute proposed by Mr. Vanwinkle, by adding thereto the following, viz:

But that we believe it to be improper, impolitic, and contrary to the genuine spirit of republicanism, which requires all political matters to be transacted in an open and public manner.
The Speaker decided the amendment proposed by Mr. Elliott not to be in order.

Mr. Hanson moved to amend the substitute proposed by Mr. Vanwinkle, by adding thereto the following, viz:

That the sovereign people of Kentucky have a right to pledge themselves, in any manner they please, to maintain the existence of this Union against the combined efforts of foreigners, Catholics, and demagogues; that whenever it shall become necessary to protect the institutions of this country from peril and destruction, from any cause whatever, the sovereign people of Kentucky have an inalienable right to pledge their fortunes, their lives, and their sacred honors for that purpose, the opinions of demagogues to the contrary notwithstanding.

The Speaker decided the amendment proposed by Mr. Hanson not to be in order.

Mr. Nuttall moved to lay said resolution and substitute on the table.

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

The yeas and nays being required thereon, by Messrs. L. Anderson and Menzies, were as follows, viz:

Those who voted in the affirmative, were

- Speaker, (Huston,) James Culton,
- John B. Anderson, McDowell Fogle,
- William B. A. Baker, John K. Goodloe,
- William S. Bodley, John L. Irvin,
- John S. Bohannon, Pleasant W. Mahan,
- William B. Booker, John W. Menzies,
- John D. Cochran, Elijah P. Nuttall,
- George B. Cook,
- Samuel B. Pell,
- Robert Richardson,
- Joseph Ricketts,
- Thomas J. Terry,
- Joshua Tevis,
- James T. Ware,
- Francis M. Woods—22.

Those who voted in the negative, were

- Richard B. Alexander, James M. Fogle,
- Lucien Anderson, Sidney A. Foss,
- Wm. T. Anthony, Nathan Gaither,
- John B. Auxier, Daniel Garrard,
- R. P. Beauchamp, Henry Giles,
- Ben Berry, Alfred F. Graham,
- William J. Berry, Gordon B. Grasty,
- Robert C. Bowling, Anderson Gray,
- Archibald C. Brown, Benjamin Gullion,
- Erasmus O. Brown, Roger W. Hanson,
- Horatio W. Bruce, John S. Hargis,
- Colbert Cecil, Hiram Hawkins,
- Isaac N. Clement, Ben Hardin Helm,
- Milton J. Cook, John M. Hewitt,
- Thomas H. Corbett, Greenberry Hicks,
- James M. Corbin, Andrew J. James,
- Frank P. Deatherage, Gideon P. Jolly,
- Charles Duncan, Andrew Jones,
- Charles A. Marshall,
- Jas. H. McCampbell,
- John C. McCrea,
- Hiram McElroy,
- William M. Miller,
- William M. Morrow,
- Andrew J. Prichard,
- Benjamin F. Rice,
- William Reiley,
- George C. Rogers,
- James A. Russell,
- Charles C. Smedley,
- James M. Speer,
- Richard J. Spurr,
- Richard S. Thornton,
- David L. Thurman,
- E. L. Vanwinkle,
- Fielding Vaughan.
Mr. L. Anderson moved to amend the substitute proposed by Mr. Vanwinkle, as follows, viz:

Insert after the words “laws of the land,” printed in italics, the following words, viz:

If by so doing they do not seek to control the elective franchise by oaths, or in any other way.

Mr. Hanson having spoken for ten minutes on the questions before the House,

Mr. Bowling moved that the resolution of the House, limiting a speech to ten minutes, be dispensed with for the purpose of allowing Mr. Hanson to proceed with his remarks.

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

The yeas and nays being required thereon, by Messrs. J. M. Fogle and Garrard, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

John B. Anderson, John B. Cochran, Jas. S. Littlepage, William T. Anthony, James M. Fogle, Charles A. Marshall,
Mr. McElroy moved to lay the resolution, substitute, and amendment to the substitute on the table.

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

The yeas and nays being required thereon, by Messrs. J. M. Fogle and Morrow, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Charles Duncan, John W. Menzies,
John B. Anderson, James A. Duncan, Elijah F. Nuttall,
William J. Berry, Joshua Dunn, Samuel B. Pell,
William S. Bodley, George C. Faris, Robert Richardson,
John S. Bohannon, John K. Goodloe, Joseph Ricketts,
William B. Booker, Anderson Gray, William Reiley,
John B. Cochran, John S. Hargis, Charles C. Smedley,
George B. Cook, John L. Irvan, Thomas J. Terry,
James Culton, Samuel Long, Joshua Tevis,
Frank P. Deatherage, Pleasant W. Mahan, Francis M. Woods,

Those who voted in the negative, were

Lucien Anderson, Henry Giles, John C. McCreary,
William T. Anthony, Alfred F. Graham, William M. Miller,
R. P. Beauchamp, Gordon B. Grusty, William M. Morrow,
Ben. Berry, Benjamin Gullion, Andrew J. Prichard,
Robert C. Bowling, Roger W. Hanson, Benjamin F. Rice,
Archibald C. Brown, Hiram Hawkins, George C. Rogers,
Erasmus O. Brown, Ben Hardin Helm, James M. Speer,
Horatio W. Bruce, Greenberry Hicks, Richard J. Spurr,
Colbert Cecil, Andrew J. James, Richard S. Thornton,
Isaac N. Clement, Gideon P. Jolly, David L. Thurman,
Milton J. Cook, Andrew Jones, E. L. Vanwinkle,
Thomas H. Corbett, Richard Jones, Fielding Vaughan,
James M. Corbin, George F. Lee, Willie Waller,
Ephraim B. Elliott, Philip Lee, James T. Ware,
Robert B. English, Jas. S. Littlepage, L. A. Whiteley,
James M. Fogle, Charles A. Marshall, Thomas H. M. Winn,
Sidney A. Foss, Jas. H. McCambridge, E. S. Worthington—52.

Mr. Vanwinkle moved the previous question.

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

The question was then taken on the adoption of the amendment proposed by Mr. L. Anderson to the substitute proposed by Mr. Vanwinkle, and it was decided in the negative.
The yeas and nays being required thereon, by Messrs. Morrow and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were:

Richard B. Alexander, Daniel Garrard, Hiram McElroy,
Lucien Anderson, Henry Giles, Wm. M. Morrow,
William T. Anthony, Gordon B. Grasty, Elijah F. Nuttall,
William J. Berry, Benjamin Gullion, Benjamin F. Rice,
John S. Bohannon, John S. Hargis, Robert Richardson,
Colbert Cecil, Hiram Hawkins, William Reiley,
Isaac N. Clement, John L. Irvan, Charles C. Smedley,
John B. Cochran, Andrew J. James, James M. Speer,
George B. Cook, James S. Littlepage, Richard S. Thornton,
Thomas H. Corbett, Pleasant W. Mahan, Fielding Vaughan,
Ephraim B. Elliott, John C. McCreary, Willie Waller—34.

Those who voted in the negative, were:

Mr. Speaker, (Huston,) George C. Faris, William M. Miller,
R. P. Beauchamp, Sidney A. Foss, Samuel B. Pell,
Ben Berry, John K. Goodloe, Andrew J. Prichard,
William S. Bodley, Alfred F. Graham, Joseph Ricketts,
William B. Booker, Anderson Gray, George C. Rogers,
Robert C. Bowling, Roger W. Hanson, James A. Russell,
Archibald C. Brown, Ben Hardin Helm, Richard J. Spurr,
Erasmus O. Brown, Greenberry Hicks, Thomas J. Terry,
Horatio W. Bruce, Gideon P. Jolly, Joshua Tevis,
Milton J. Cook, Andrew Jones, David L. Thurman,
James M. Corbin, Richard Jones, E. L. Vanwinkle,
James Culon, George F. Lee, James T. Ware,
Frank P. Deatherage, Philip Lee, L. A. Whiteley,
Charles Duncan, Samuel Long, Thos. H. M. Winn,
James A. Duncan, Charles A. Marshall, Francis M. Woods,
Joshua Dunn, Jas. H. McCampbell, E. W. Worsham,
Robert B. English, John W. Menzie, E. S. Worthington—51.

The question was then taken on the adoption of the substitute proposed by Mr. Vanwinkle, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vanwinkle and A. C. Brown, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) Robert B. English, Wm. M. Miller,
R. P. Beauchamp, George C. Faris, Samuel B. Pell,
Ben Berry, Sidney A. Foss, Andrew J. Prichard,
William J. Berry, John K. Goodloe, Joseph Ricketts,
William S. Bodley, Alfred F. Graham, George C. Rogers,
William B. Booker, Roger W. Hanson, James A. Russell,
Robert C. Bowling, Ben Hardin Helm, Richard J. Spurr,
Archibald C. Brown, Greenberry Hicks, Thomas J. Terry,
Erasmus O. Brown, Gideon P. Jolly, Joshua Tevis,
Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, John C. McCready,
Lucien Anderson, Daniel Garrard, Hiram McElroy,
John B. Anderson, Henry Giles, William M. Morrow,
William T. Anthony, Gordon B. Grasty, Elijah F. Nuttall,
John B. Auxier, Anderson Gray, Benjamin F. Rice,
John S. Bohannon, Benjamin Gullion, Robert Richardson,
Colbert Cecil, John S. Hargis, William Reiley,
Isaac N. Clement, Hiram Hawkins, Charles C. Smedley,
John B. Cochran, John L. Irvan, James M. Speer,
George B. Cook, Andrew J. James, Richard S. Thornton,
Thomas H. Corbett, James S. Littlepage, Fielding Vaughn,

The question was then taken on the adoption of the resolution of Mr. Rice, as amended by the adoption of the substitute proposed by Mr. Vanwinkle, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Vanwinkle and J. M. Fogle, were as follows, viz.:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Fairis, William M. Miller,
R. P. Beauchamp, Sidney A. Foss, Samuel B. Pell,
Ben Berry, John K. Goodloe, Andrew J. Prichard,
William J. Berry, Alfred F. Graham, Joseph Ricketts,
William S. Bodley, Roger W. Hanson, George C. Rogers,
William B. Booker, Hiram Hawkins, James A. Russell,
Robert C. Bowling, Ben Hardin Helm, Charles C. Smedley,
Archibald C. Brown, John M. Hewitt, Richard J. Spurr,
Erasmus O. Brown, Greenberry Hicks, Thomas J. Terry,
Horatio W. Bruce, Gideon P. Jolly, Joshua Tevis,
John B. Cochran, Andrew Jones, D. L. Thurman,
Milton J. Cook, Richard Jones, E. L. Vanwinkle,
James M. Corbin, George F. Lee, James T. Ware,
James M. Corbin, Philip Lee, L. A. Whiteley,
James M. Corbin, Samuel Long, T. H. M. Winn,
Charles Duncan, Charles A. Marshall, Francis M. Woods,
James A. Duncan, Jas. H. McCampbell, E. W. Worsham,
Joshua Dunn, John W. Menzies, E. S. Worthington—54.
Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, John C. McCreaey,
Lucien Andersen, Daniel Garrard, Hiram McElroy,
William T. Anthony, Henry Giles, William M. Morrow,
John B. Auxier, Gordon B. Grasty, Elijah F. Nuttall,
John S. Bohannon, Anderson Gray, Benjamin F. Rice,
Colbert Cecil, Benjamin Gullion, Robert Richardson,
Isaac N. Clement, John S. Hargis, William Reiley,
George B. Cook, John L. Irvan, James M. Speer,
Thomas H. Corbett, Andrew J. James, Richard S. Thornton,
David R. Dugan, James S. Littlepage, Fielding Vaughan,

Mr. Cecil moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to report a bill, on Monday next, at 10 o'clock, A. M., providing for the meeting of the next General Assembly on the first Monday of December, 1857.

Which was adopted.

Mr. James moved the following resolution, viz:

Resolved, That on Monday next, and each remaining day of the present session, this House will, in addition to the times of meeting now provided for by resolutions, meet at 7 o'clock, P. M.

Which was adopted.

And then the House adjourned.

MONDAY, MARCH 3, 1856.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by this House to bills from the Senate of the following titles, viz:

An act for the benefit of the late sheriffs and deputy sheriffs of Nicholas county.

An act to amend the several acts in relation to Peddlers.

An act for the benefit of the sheriff of Bath county.

An act for the benefit of James Trimble, clerk of Floyd county court.

That they had passed a bill from this House, of the following title, viz:

An act to incorporate the Harrison county agricultural and mechanical association.
That they had passed bills of the following titles, viz:

An act to incorporate the State Mining, Manufacturing, and Building Company.

An act to amend the charter of the city of Louisville.

1. Mr. Vaughan presented the petition of R. J. Didlake, of Lexington, praying he may be permitted to carry on his billiard tables.

2. Mr. Dugan presented the petition of citizens of Washington county, praying the formation of a new county out of parts of Nelson, Washington, and Anderson counties.

Which were received, the reading dispensed with, and referred—the 1st to Messrs. Vaughan, Spurr, and Hanson, and the 2d to the committee on Propositions and Grievances.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act better to regulate the mode of working and opening roads in Boone county.

An act to change the place of voting in Leache's district, in Bullitt county.

An act authorizing the sale and distribution of the Calloway county Seminary lands.

An act to incorporate the Columbia Baptist College.

An act to incorporate the Barren River High School.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act appointing trustees for the Hart county Seminary.

An act authorizing the County Court of Lyon county to establish an additional voting place in said county.

An act to incorporate the Springfield, Maxville and Willisburg Turnpike Road Company.

An act for the benefit of E. C. Ashcraft.

An act for the benefit of Worden Kendall.

An act to amend the charter of the Covington and Dry Creek Turnpike Road Company.

An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.

An act for the benefit of William Corum, clerk of the Greenup Circuit and County Courts.

An act for the benefit of Thos. W. Pickering, late Sheriff of Caldwell county.

An act to amend the charter of the Greensburg and Taylor county Turnpike Road Company.
An act for the benefit of Zachariah B. Sailor, Sheriff of Harlan county.
An act to change the time of holding the August term of the Laurel Quarterly Court.
An act to incorporate the Rough Creek Navigation and Manufacturing Company.
An act to amend the charter of the Kentucky Ship building and Lumber Company.
An act to incorporate the Nelson County Agricultural Society.
An act for the benefit of John Friend, jailor of Floyd county.
An act to amend an act incorporating the Mount Hor Cemetery, in Kenton county.
An act to incorporate the Buffalo and Hamilton Turnpike road Company.
An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.
An act for the benefit of Lemuel Hibbard, late sheriff of Laurel county.
An act for the benefit of the Methodist Episcopal Church South, in Shelbyville.
An act to authorize the County Court of Mercer county to subscribe stock in a certain Turnpike road.
An act to amend and change an act incorporating the Greenville Female College.
An act to incorporate the Bardstown and Cedar creek Turnpike road Company.
An act to incorporate the Bloomfield and Taylorsville Turnpike road Company.
An act to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.
An act for the benefit of J. W. Henderson, of Barren county.
An act to incorporate the Cook Coal and Iron Mining and Manufacturing Company.
An act to improve the road from Cumberland river to Monticello.
An act for the benefit of Wm. M. Worsham, late sheriff of Wayne county.
An act to amend the charter of Bank Lick Turnpike road Company.
An act for the benefit of the Georgetown and Lemon's Mill Turnpike road.
An act declaring Contrary creek a navigable stream.
An act for the benefit of Iron Masters in Lyon county.
An act for the benefit of P. W. Napier, late Sheriff of Casey county.

An act declaring Miller's creek a navigable stream.

An act for the benefit of James C. Edwards, sheriff of Green county.

An act to amend an act incorporating the Louisville Water-works Company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

Mr. Whiteley, from the committee on Internal Improvement, made the following report:

The committee on Internal Improvements, to whom was referred the memorial of the president and directors of the Lexington and Big Sandy Railroad Company, submit the following report, viz:

The subject referred to us for consideration is one of immense importance to Kentucky. It merits more than a passing notice. By a judicious extension of State aid to Internal Improvements, the immediate interests of all classes of the citizens of this gallant commonwealth will be more or less affected. Labor and lands and property of every description will be enhanced in value, State pride will be gratified, the public wealth greatly increased, and Kentucky will be prepared to become and remain the keystone state of the union so long as it shall last, or the rallying point for southern chivalry, should fate decree a separation of these United States, upon the vexatious question of slavery; (which may heaven ever forbid.)

It can scarcely be necessary at this day and in this country to detail the importance and the advantages of a well regulated system of internal improvements, and particularly of great lines of intercommunication by means of railways.

Since chaos was converted into order, and the present succession of seasons, of men and of things was first established, the world has been the theater of never-ending, ever-increasing progress. The mysterious creations of nature, the beautiful adornments of art, the wonderful developments of science, and the gradual improvement of human intellect are evidences of this active, onward movement of matter and of mind. As the primitive rocks were covered with alluvion, and vegetables and zoophytes were followed by animal life; as the plain simplicity of the Tuscan order in architecture grew, by repeated improvements, into the elaborate elegance of the composite; so among men, ignorance has given place to knowledge, and from the simple love of courage and strength have emanated truth and virtue and justice, and, at last, commerce and wealth.

"Generations are as the toilsome days of mankind; death and birth are as the vesper and the matin bells, which summon men to sleep and rise refreshed for new advancement. What the father has made the son may make and enjoy, but he has also work of his own appointed for him; thus all things wax and roll onwards; acts, establishments, opinions; nothing completed but ever completing." The people of the old world progressed, slowly but steadily, under many disadvantages; the unlettered rudeness of antiquity was succeeded by modern civilization,
but the march of improvement, as well as of empire, was westward, and it was reserved for the active energy of the people of the new world, "to chain matter to the car of civilization, to illumine mankind with the beams of liberty, and send hoary errors crumbling away in the awful shadow of reform." The same indomitable will, the same vigorous independence and unshrinking energy of purpose, which shook off the fetters of European absolutism, and levelled the forests, and built up the cities of America, gave new impetus to human progress upon its shores. Under the lead of such men as Jefferson, and Henry, and Hamilton, and Adams, and a host of other fearless philosophers and inspired authors of "thoughts that breathe and words that burn," we have been rapidly hurrying to a culmination in political reform; the people have learned to think, to exercise self-government, and to consult their own peculiar interests. At the same time, our material, physical progress, accelerated by the scientific researches, the genius, and the gigantic enterprises of our Franklins, and Fultons, and DeWitt Clintons, has placed us, in this respect, in advance of other nations.

The science of cheapening and saving labor, the most important element of political economy, is better understood by our people than by any other nation. American ingenuity, in the invention of labor saving machines, has astonished the world; but these alone are not sufficient, for from the rapid development of the vast agricultural, mechanical and commercial resources of our country, the economy of transportation, together with increased speed and safety, has become an important consideration. The natural avenues of trade and travel are altogether insufficient for the requirements of the public. The "broad-horns" and "keel-boats," floating only with the current, have given place to the mammoth steamers, which swiftly bear the rich products of our soil upon the waters of our noble rivers, and the road waggon, moving at snail's pace, creaking beneath its load, has been almost everywhere superceded by the railroad car dashing with arrowy swiftness along our valleys and through the gorges of our mountains, annihilating time and space, and bringing home to farmers and artizans a rich market for their products and their wares.

In a little while much has been accomplished. It is now only about a quarter of a century since the first locomotive in the western hemisphere was built and put in motion by a native mechanic of Kentucky and upon Kentucky soil. It is about the same length of time since the corner stone was laid at the breaking of ground for the first railway in the United States. We have now constructed 23,242 miles of railway, almost enough to surround the whole globe, at a cost of over $800,000,000. Her sister states all around Kentucky, north, east, south, and west, have constructed, and are rapidly pushing to completion, systems of railroads, which like great arteries, pulsating with the life's blood of the commonwealth, permeate their whole territories, adding vastly to the value of the lands and the wealth of the citizens in every city, town and county. On every side they come to our very borders, and find in our noble, gallant, chivalrous old state, famed in story as the mother of heroes and of statesmen, an impassable barrier to their further progress. All around us our enterprising neighbors are calling loudly upon us to arouse from the lethargy which has so
long paralysed our efforts and join them in the onward march of improvement, but we do not hear; they stretch out their hands in supplication to us no longer to block up the great highway of nations, but we heed them not. The great lines of inter-communication, of trade and of travel between the east and the west, the north and the south, which should pass right through the heart of Kentucky, developing her inexhaustible resources, and pouring wealth and plenty into her lap, are thus forced to go around her and leave her isolated and helpless.

Of the miles of railways now constructed, Virginia has 1,293, North Carolina 631, South Carolina 848, Georgia 1,913, Alabama 467, Tennessee 455, Indiana 1,789, Ohio 2,725, and Kentucky, proud but indolent Kentucky, but 192. The little state of Massachusetts has one mile of railway to each seven square miles of geographical surface; New Jersey, one to each 22; New York, one to each 28; Ohio, one to each 58; Georgia, one to each 76, and Kentucky but one to nearly each 250.

By individual enterprise, Ohio and Indiana, younger states, sprung, as it were, from the very loins of Kentucky, carved out of territory which once was hers, and erected into states long since the "dark and bloody ground" of our commonwealth, had been signalized as a part of the glorious galaxy of free and independent members of a great confederacy, have pushed forward their internal improvements until nearly every farmer within their borders can find a market almost at his door. Virginia, the cherished mother of states and of statesmen, has awakened from her Rip-Van-Winkle slumber, and is taxing herself to construct lines of railroad in every direction to unite the Atlantic with the Ohio, and to open communication with all her neighbors. Tennessee has nobly come up to the work and has made a liberal appropriation to the construction of railroads which will connect her with the seaboard and the interior in every direction, and afford an outlet to the teeming harvests and rich minerals of her fields and mountains, while Kentucky alone has done nothing toward the development of her vast resources—agricultural, mineral, and mechanical—which, if permitted to find egress to a market, would soon make her one of the richest and most powerful states in the union.

It is time to speak plainly and to act promptly. Public policy and private interest both demand that something should be done to foster and encourage internal improvements in Kentucky. In or out of the union, as one of the great confederacy to which is known "no north, no south, no east, no west," or as the frontier of the slaveholding states, as an element of strength while united, or as a measure of defense and protection from assaults from "over the border" in case of a division, the construction of great lines of railway throughout Kentucky, reaching from the Ohio and the Big Sandy through Tennessee and south-western Virginia to Wilmington and Charleston, and Savannah and Tallahassee, and Mobile and New Orleans, and across Arkansas and Texas, through the gaps of the Rocky Mountains to the Pacific coast, are alike recommended for their utility, and necessary for the safety of our commonwealth. Should the union be maintained (and we trust in God it ever will be) these lines of railroad will be the connecting links between the north and south, the east and west, to hold
them together in the bonds of friendship and brotherly love, and they must become the great thoroughfares for the immense tide of trade and travel between the Atlantic and Pacific coasts, and the northern lakes and the gulf of Mexico; or should the dark cloud of abolitionism, which, a little while ago, was seen upon the horizon no bigger than a man’s hand, but of late has spread a deep and threatening gloom over the whole firmament of the union, burst upon us in a storm of anarchy and civil war, in what a helpless, pitiable condition would Kentucky be without these railroads? The vast and extensive ramifications of all the systems of railroads, which reach to almost every town and hamlet throughout the free-soil states are gathered to a common centre at the Ohio river, opposite to our border; and on every side mountains and rivers and almost impassable roads shut us out from the aid, which would otherwise freely be extended to us from our neighboring slaveholding states. The best security for peace is to be always prepared for war, and it would be well for us now to consider well all these contingencies, to look these dangers in the face, and by being ready to meet them, we may avert them.

As a measure of utility, as a means of enhancing the value of our lands, developing the almost untold wealth in minerals, which now lie useless and valueless within the bowels of our state, and encouraging our immense agricultural and manufacturing resources, none can doubt the necessity of internal improvements in Kentucky.

The appreciative effects of railroads upon the value of real estate everywhere within their influence is truly wonderful.

The increase, in ten years, of population and the value of property, in the few counties of New York, traversed by the Erie railroad, was 104,123 in population, and $40,515,770 in real estate, although it passed through a broken, hilly country, wilder and of less value for agricultural purposes, and far less enriched with valuable minerals than the most mountainous portions of Kentucky. The state of Georgia, after expending $20,000,000 in railroads, is now more than twice as rich as when her railroad system was begun, and lands there, which then were nominally worth not more than fifty cents per acre, are selling now at ten, twenty, and even thirty dollars per acre. Along the line of the South Carolina railroad, lands have increased in value one hundred per cent., and in some instances real estate has increased in value five thousand per cent., and where before the construction of the road there was not a trade of $20,000, there is now an increasing business of more than $300,000. In Illinois, the whole wealth of the state has in less than five years been increased several hundred per cent., through the influence of railroads, and in Tennessee and in our own state, lands within the influence of the railroads already constructed, have increased from fifty to five hundred per cent. in value.

There is no room to doubt, that, leaving out of the calculation the increased value of the products of the land, the enhancement in the value of the lands alone which are immediately adjacent to the routes of the various lines of railway projected within our state, would, if these roads were built, more than pay for the whole cost of their construction.
It is a maxim in political economy that the prosperity of the whole community depends upon that of the producing class. The effects of opening internal improvements upon this class, is invariably to reduce the prices paid for all articles of consumption brought from abroad, and to increase and render more uniform the value of the products of the soil, thus leaving a greater surplus in the pocket of the farmer, and adding greatly to the general prosperity.

The ordinary traveling speed of a loaded team on a common road is two and a half miles per hour, and it will travel thirty miles in a day. The usual speed of freight trains upon railroads is fifteen miles per hour, and they will travel three hundred and eighty miles in twenty-four hours, so that a farmer living three hundred and sixty miles, by railroad, from a market, is as near to it as he that is only thirty miles distant from it by a common road. The difference in the cost of transportation is about in the same ratio.

To Kentucky such improvements are peculiarly necessary as a means of developing the vast mineral resources, of coal and iron which underlie whole counties, and are now valueless on account of their inaccessibility from any market, and also for the purpose of bringing into active employment, the numberless fine water powers, unrivalled by Lowell itself, which now murmur idly in their mountain retreats because commerce cannot reach them.

We could dwell more at length upon this subject, but sufficient has already been advanced to demonstrate the necessity and importance of internal improvements to our state. Experience has shown that, when left alone to individual enterprise they only "drag their slow length along," or fail entirely for want of the means necessary to their completion. We therefore most earnestly invoke the state to come to their aid, to infuse new life and vigor into these great undertakings, and to follow in the footsteps of her gallant neighbors, Virginia and Tennessee, in extending to them such an amount of aid as will insure their speedy construction, and render them quickly remunerative to the whole public.

The manner of extending this desired State aid to railroad recommended by the committee is by subscriptions on the part of the State to the capital stock of such roads as may bring themselves within the provisions of the bill, to the amount of ten thousand dollars per mile. It is believed that sufficient provision is made in the bill to protect the State from any loss or hazard whatever and at the same time inducements are offered to companies, seeking to avail themselves of this aid, to prosecute their work upon the roads vigorously and industriously. There is no railroad now projected in Kentucky, which, if completed, would not pay at least six per cent. on the whole amount of its cost, and many of them will, beyond doubt, yield a profit upon the investment of more than twice that amount. The stock to be subscribed by the State will be *preferred stock*, bearing six per cent. interest, entitled to larger dividends when any are declared, and secured by a first lien upon the road. The amount subscribed is merely sufficient to pay for the ballasting and superstructure and will be less than one third of the average cost of railways in Kentucky. The first subscription is only to be made after the grading and bridging of twenty miles of the road.
is completed and thereafter upon the completion of each five miles in readiness for the superstructure. The whole amount of the State aid is to be applied to the superstructure, ballasting and equipment. Thus an incentive is held out for the rapid prosecution of the grading and bridging on the part of the company.

To the people of the counties that have already subscribed for stock in railroads and issued their bonds in payment, the proposed State aid is peculiarly important. It will enable the companies rapidly to complete their roads and make dividends to the stockholders, and thus the people of the counties, that are now stockholders, will be quickly relieved of the taxes which they have heretofore had to pay in many instances to the amount of twenty-five cents on each one hundred dollars worth of taxable property.

The interest and dividends received by the State are also to be applied to the diminution of the taxes for purposes of the ordinary expenses of the government; the bill provides for a diminution of this tax, at the rate of one and a half cents on each hundred dollars worth of taxable property for each million of dollars subscribed to railroads. When the whole amount provided for is subscribed ($7,500,000) the decrease of the present State tax will be eleven and one fourth cents on each one hundred dollars worth of taxable property.

Another important feature, which the committee have thought proper to incorporate in the bill herewith presented, is the premium offered for the use of iron rails manufactured within this State from Kentucky iron ore. This will enable the Commonwealth, while affording material aid to railroads, at the same time to foster another great, and it is hoped, soon to become a leading interest in the State. If the iron used in the construction of our railroads should be of Kentucky manufacture, the whole amount of the appropriation would certainly be expended within the State. If Kentucky iron only is used the appropriation would be sufficient for over 650 miles of railroad. This would require nearly 70,000 tons of iron. It has been shown by the synopsis of the report of Dr. Owen, the state geologist, that iron rails can be made in Kentucky for $50 per ton, and yield a profit of from 30 to 40 per cent. to the manufacturer. This amount of iron would give to our iron manufacturers, in the three years, a net profit of from $1,000,000 to $1,900,000; and at the same time save to the railroad companies from $2,000 to $3,000 per mile, to be applied to equipment, rolling stock, &c.

From an examination of the physical geography of Kentucky, it will be apparent that there are some portions of the state in which, from the nature of the country, it is not probable that railroads will be constructed, at least for many years to come. The committee were not unmindful that these mountain counties, situated about the headwaters of the Kentucky, Green, Cumberland, Licking, and Big Sandy rivers had contributed their quota toward the construction of the turnpikes which were long ago built at the public expense, and had received little enjoyment or immediate benefit from them; the committee desired to do equal justice to all sections of the state, to the peach tree as well as the bluegrass country, and it is believed that the bill presented will effect this desirable object.

It is not now proposed to tax them for the construction of railroads
from which they may suppose that they will receive no immediate benefit, but liberal appropriations, commensurate with the amount of their contributions of tax under the provisions of this bill, have been made for the improvement of the means of transportation with which nature has provided them in the shape of navigable streams.

The improvements already made upon Green river have begun to be a source of revenue to the state, and the three locks provided to be built there will complete the improvement of that river by throwing the slack water pools up to, or near Greensburg, and increase very considerably the state revenue to be derived from that source. The improvements upon the Kentucky river, heretofore made, have not as yet proved profitable, for the simple reason that they were not carried far enough up the stream. The distance from its mouth to the forks of the river is 238 miles. The pools now constructed extend but ninety-one and two-tenth miles above the mouth, leaving one hundred forty-six and eight-tenths miles subject to all the uncertainties and dangers of unimproved navigation. Consequently but little or no trade from above the present slackwater pools is attempted to be carried down the stream.

The counties of Woodford, Mercer, Jessamine, Garrard, Clark, Madison, and Estill all border upon the upper part of this river, comprising, in part, an immense rich and productive agricultural district, and containing valuable salines, great quantities of excellent timber, and an abundance and variety of coal and iron, which only waits for means of transportation to make that whole region teem with the bustle and activity of trade and manufactures. The coal of Pennsylvania is not comparable in quality or variety with the coal in the upper Kentucky river. It is there found in almost boundless extent, of unsurpassed qualities, for the purposes of fuel, gas, or coking. The difficulties of transportation now are such as to deter the most venturesome speculator from undertaking the development of these buried riches. If the contemplated improvements of this river were completed, it is confidently believed, not only that the improvements would pay a large dividend to the state, but that the immense resources of that region of the state would be fully developed, and the coal-fields of the Kentucky river would superecede those of Pennsylvania, in supplying coal to all consumers upon the Ohio and Mississippi below Carrollton. The Chesapeake and Ohio canal to the coal mines at Cumberland, a distance of over two hundred miles, penetrates a country nothing like so fertile as that bordering upon the upper Kentucky. It is forced to rely almost exclusively upon coal for its tolls, and has been constructed at a cost of more than $60,000 per mile. The slackwater improvements of the Kentucky river will be infinitely superior to any canal, and will cost not more than $4,000 per mile. The three additional locks, for which appropriations are proposed in the bill presented, will extend the slackwater pools fifty-three and nine-tenths miles above the present improvements, and will reach to Croggins' ferry, making in all one hundred and forty-five miles from the mouth of the river. It is believed that the construction of these three locks, at a cost of less than $4,000 per mile, for the extension, will render the whole improvement of the river a remunerative investment to the state, and afford very material ad-
vantages to the people who rely upon this river as a means for transportation.

The appropriations for Licking river, for the Kentucky river about the forks, for Cumberland river above the Tennessee State line and below the falls, including Rockcastle river, and for Big Sandy river including the Louisa and Tag forks, are actually needed to clear out serious obstructions to the navigation of these streams, and to afford an outlet for the rich and varied agricultural and mineral products found in the respective regions where these appropriations are proposed to be expended.

We come now to the last but not least important subject of this report. In suggesting the aid of the State towards the internal improvements herein proposed, it is not designed to recommend anything that would embarrass the State or burden the people. We have already provided for a partial decrease of the ordinary revenue tax by the appropriation to that purpose of the interest and dividends upon the railroad stock subscribed for by the State. It has also been shown that the extension of this aid by the State would contribute very greatly to the relief of those counties which are now stockholders in some of our railroads, by relieving them of the tax imposed upon them for the payment of the interest upon their subscription bonds; and there can scarcely be a doubt in the mind of any sane person that the proposed State aid will ensure the completion of from six hundred and fifty to seven hundred and fifty miles of railroad and improve the navigation of our rivers, thereby increasing the public safety in time of danger, and at all times enhancing to a very liberal extent the value of lands and productions throughout the State, and developing our almost inconceivable mineral, agricultural and mechanical resources; but this is not all; the taxes imposed are not onerous, nor will they be necessarily long continued.

The constitution of the State (section 35) provides that no debt shall be authorized by the General Assembly to be contracted on behalf of the Commonwealth (except to meet casual deficits or failures in the revenue) unless, in the act authorizing the debt to be contracted, provision be made to lay and collect an annual tax sufficient to pay the interest stipulated and to discharge the debt within thirty years. Were it otherwise the whole amount of debt proposed to be incurred by the bill presented could be arranged to be paid without much difficulty by a proper management of the sinking fund as at present constituted, but in order to keep within the strict construction of the constitution, the committee have provided for an annual tax (sec. 20) sufficient of itself to pay the interest and to discharge the debt within thirty years.

The bill provides for the appropriation during the first year of not exceeding $2,500,000 to railroads and $133,333 33 to the slack water improvements upon Green and Kentucky rivers, and not exceeding $50,000 to all the other river improvements, making in the aggregate for the first year not exceeding $2,633,333 33 to be expended, the interest on which for one year will be $161,000 to pay which will require a tax of nearly four cents upon each hundred dollars worth of taxable property in the State. A similar amount is provided in the bill to be expended in the second year, the interest on which, added to that upon
the first year's expenditures can be paid by a tax of seven and a half cents upon each hundred dollars of taxable property. The expenditures provided to be made in the third year will make up the sum of $8,000,000. The annual interest upon which will be $480,000 to pay, which will require a tax of nearly twelve cents upon each hundred dollars worth of taxable property, according to the valuation of the last year, which is $407,326,443. The increase in the valuation in the twenty-five years from 1830 to 1855, has been $298,778,805, which period includes several "hard times" and commercial crises. In calculating the amount of tax necessary for the payment of the principal, it is fair to take as a basis $500,000,000 for the valuation. By re-investing, from time to time, the surplus and interest two and a half cents annual tax, on each hundred dollars worth of taxable property under this assumed valuation, will be amply sufficient for the redemption of $8,000,000 in thirty years. Thus we have for the first year five cents, for the second year nine and a half cents, and for the following years fourteen and a half cents tax upon each hundred dollars worth of taxable property, to pay the interest and discharge the principal of the debt in thirty years.

The present sinking fund however may be made to pay a large portion of this principal and interest, and thus in a few years liquidate the whole debt and dispense with the tax.

The annual income of the sinking fund, as at present constituted, is about $650,000, which will pay off the whole of the existing indebtedness of the state in ten years. This income will undoubtedly be very greatly increased from year to year, and the existing debt will probably be discharged in much less time than ten years. The sinking fund will of itself, if applied to the purpose, be sufficient to pay off and discharge the whole amount of the principal and interest of the expenditures proposed by the bill, and the tax required to be levied for that purpose might be remitted, but it is thought best to comply with the chief provisions of the constitution, and provide for the levy of an annual tax sufficient to pay the principal and interest of this debt, as hereafter when the sinking fund can be made applicable to that purpose the tax can be discontinued.

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

The committee on Internal Improvement, to whom was referred a bill from the Senate of the following title, viz:

An act to incorporate the Nashville and North Western Railroad Company,

Reported the same without amendment.

Ordered, That said bill be re-committed to the committee on Internal Improvement.

The committee on Internal Improvement, to whom were referred bills from the Senate, of the following titles, viz:

An act to incorporate the Cumberland river Coal and Lumber Company.
An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.

An act to incorporate the Hickman and Graves County Plankroad Company.

An act to incorporate the Stony Hill Turnpike Road Company.

An act to amend the charters of the Covington and Lexington, and Lexington and Danville Railroad Companies.

An act to amend the charter of the Knobbl Lick Turnpike Road Company.

An act to amend the charter of the Helena Turnpike Road Company.

An act to incorporate the Muhlenburg Mining and Manufacturing Company.

An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1st, 1854.

An act to amend the charter of the Lexington and Richmond Turnpike Company.

An act to amend an act to incorporate the Perryville and Middletown Turnpike Road, approved March, 1854.

An act for the benefit of the Foster Turnpike Road Company.

An act to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.

An act to incorporate the Barren county and Mammoth Cave Plankroad Company.

An act to amend the charter of the Henderson and Hibbardsville Plankroad Company.

An act to amend an act, entitled, an act to incorporate the Hickman and State line Plank Road Company.

An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.

An act incorporating the Hustonville and McKinney's Station Turnpike Road Company.

An act to amend the charter of the Georgetown Turnpike Road Company.

An act to incorporate the Russellville, Elkton, Hopkinsville, and Paducah Railroad Company.

An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1850.

An act to incorporate the Paducah and Blandville Turnpike road Company.

An act to incorporate the Burksville and Columbia Turnpike road Company.
An act to amend the charter of the Bardstown and Louisville Railroad Company.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

Reported the same, the last four 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 said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz:

An act to change the time of holding the next term of the Bath circuit court.

That they had concurred in the amendments proposed by this House, to bills from the Senate, of the following titles, viz:

An act fixing the time of holding the chancery and criminal courts in the 1st judicial district.

An act to provide for a place of voting in the 4th district in Bath county, instead of the Olympian Spring.

That they had passed bills and a preamble and resolutions from this House of the following titles, viz:

An act for the benefit of John G. Shacklett.

An act for the benefit of James M. Bumpass, of Caldwell county.

An act to amend section 17, article 4, chapter 47, of Revised Statutes.

An act to change the time of holding the court of claims in Madison county.

Preamble and resolutions in relation to the Missouri compromise, Kansas-Nebraska act, &c.

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

An act to incorporate the Bell Mine Coal Company, of Crittenden county.

An act to incorporate Carroll Lodge, No. 45, I. O. O. F.

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

An act for the benefit of the sheriff of Fayette county.

An act to amend the charter of the Lexington and Danville Railroad Company.

An act to amend the charter and laws of the city of Newport, in certain cases.

An act in relation to the McCracken county court.

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An act for the benefit of Amanda M. Kress.

Resolutions in relation to the removal of obstructions in Cumberland river, in Pulaski county.

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 for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.

By Mr. Reiley—2. A bill for the benefit of Charles Stricker, sheriff of Campbell county.

By the committee on Internal Improvement—3. A bill to extend State aid to internal improvements.

By same—4. A bill for the benefit of the Louisville and Covington Railroad Company.

By same—5. A bill for the benefit of the Crab Orchard and Mount Vernon, and Columbia and Barksville Turnpike Road Companies.

By same—6. A bill to incorporate the Ohio River Improvement Company.

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 3d bill was made the order of the day for the 5th instant, at 10 o'clock, A. M.; the 4th was re-committed to the committee on Internal Improvement; and the 1st and 2d were ordered to be engrossed and read a third time.

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.

Ordered, That the Public Printer forthwith print 150 copies of the 3d bill, for the use of the members of the General Assembly.

The committee on Internal Improvement, who were appointed to prepare and bring in the same, reported the following bills, viz;

A bill to incorporate the Ballard and Graves County Railroad Company.

A bill to amend the charter of the Twelve Mile Turnpike Company.

A bill declaring Rockcastle creek, in Johnson county, navigable.

A bill to amend the charter of the Elizabethtown and Bell's Tavern Turnpike road Company.

A bill to charter the Breckinridge Coal Oil Company.

A bill to incorporate the Bagdad and Harrisonville Turnpike road Company.
A bill to amend an act authorizing the Oakland Plankroad Company to construct a branch road.
A bill to incorporate the Louisville Bridge Company.
A bill to incorporate the Section Dock Company, at Smithland.
A bill to incorporate the Falmouth and Milford Turnpike road Company.
A bill to incorporate the Falmouth and Claysville Turnpike road Company.
A bill incorporating certain turnpike roads in Green county.
A bill to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at lock No. 3, on Green river.
A bill to sell the stone owned by the State on Licking river.
A bill for the benefit of the Louisville and Oldham Turnpike road Company.
A bill for the benefit of turnpike roads in which the State is a stockholder.
A bill for the benefit of the Lancaster and Crab Orchard Turnpike road Company.
A bill to amend an act incorporating the Maldrough's Hill, Campbellsville, and Columbia Turnpike road Company.
A bill to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.
A bill to incorporate the Lexington and Frankfort Turnpike road Extension Company.
A bill to authorize the county court of Christian county to establish a road through certain lands in said county.
A bill to incorporate the Paris and Bethlehem Turnpike road Company.
A bill to amend the law incorporating the Burlington and Florence Turnpike road Company.
A bill to incorporate the Union and Big Bone Turnpike road Company.
A bill to amend an act, entitled, an act to authorize Daniel Breck, jr., and F. A. Ramsey to build a dam across the north fork of the Kentucky river.
A bill to incorporate the Princeton and Eddyville Turnpike road Company.
A bill to incorporate the Lebanon and Maxville Turnpike road Company.
A bill to incorporate the Bryantsville and Boyle County Turnpike road Company.
A bill supplemental to an act appropriating the revenue of Maldrough's Hill Turnpike road to Taylor county.
A bill to provide for the sale of certain lands belonging to the Commonwealth.

A bill to authorize the President of the Board of Internal Improvement to sell certain property.

A bill to incorporate the Livingston County Coal Mining Company.

A bill declaring Jenny's creek, in Johnson county, a navigable stream.

A bill authorizing the Breckinridge and Meade county courts to change a part of the State road leading from Brandenburg to Bowling Green.

A bill providing for certain turnpike road companies in Anderson county.

A bill to amend the charter of the Bloomfield and Springfield Turnpike road Company.

A bill to amend the charter of the Pleasant Run Turnpike road Company.

A bill declaring Licking river, in Floyd county, navigable.

A bill to amend an act declaring Miller's creek, in Estill county, a navigable stream.

A bill to amend the charter of the Campbell county Turnpike road Company.

A bill to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.

A bill to incorporate the Cruise's Knob and Somerset Turnpike road Company.

A bill to incorporate the Lancaster and Buckeye Turnpike road Company.

A bill to amend the charter of the Eagle creek and New Liberty Turnpike road Company.

A bill to amend the charter of the Versailles and Anderson Turnpike road Company.

A bill to authorize the county court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.

A bill to incorporate the Edmonton and Woodsonville Turnpike road Company.

A bill to incorporate the Kentucky River Coal and Lumber 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.

Mr. Corbett, from the same committee, to whom was referred a bill to amend an act, entitled,
An act in relation to a new road in Lewis and Carter counties.
Reported the same without amendment.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any tax upon any land or lands, heretofore imposed by virtue of an act, entitled, an act in relation to a new road in Lewis and Carter counties, approved March 9, 1854, shall remain unpaid, and the sheriff of either of said counties shall have been unable to collect the same by the first day of March, 1856, it shall be the duty of the sheriff to return such land or lands delinquent to the March term, 1856, of his county court; and thereupon the county court to whom any such lands may be returned delinquent as aforesaid, shall make an order directing the sheriff of such county to advertise such land or lands for sale, in writing, at the court house door until the next county court day; and unless the tax due thereon, together with 10 per centum of the amount thereof, shall be paid on or before said county court day, the sheriff shall, at the court house door on that day, proceed to sell such land or lands at public sale to the highest bidder, or so much thereof as may be necessary to pay the tax due thereon and 10 per centum of the amount thereof. The sheriff shall convey all lands thus sold by his deed, at the expense of the purchasers, and is allowed the sum of one dollar and fifty cents for each and every deed so made by him.

§ 2. That if any tax upon land or lands hereafter, imposed by virtue of said act, shall remain unpaid, and the sheriff of either of said counties shall have been unable to collect the same by the 1st day of January next ensuing the assessment in each year, it shall be the duty of such sheriff to return such land or lands delinquent to the January term of his county court; and thereupon the same order and proceedings, for the advertisement, sale, conveyance, &c., of said land or lands, shall be made and had for the purpose of collecting the tax due thereon, and 10 per centum of the amount thereof, as are directed in the first section of this act.

§ 3. The owner or owners of any such land, sold under and by virtue of this act, may redeem the same at any time within two years from the day of sale, by paying to the purchaser the amount paid by him, including all expenses and interest thereon at the rate of 10 per centum per annum, together with current taxes and interest paid by such purchaser. The redemptioner shall proceed to redeem as defendants in executions having the right of redemption are now by law directed to proceed: Provided, That the redemptioner may apply to the clerk of the county court of the county in which the land, or the greater part thereof, is situated, in all cases where defendants as aforesaid are directed to apply to the clerk of the court from which the execution issued; and all payments, tenders, &c., in pursuance of the law
aforesaid and the provisions hereof, shall re-invest the former owner with the title to such land.

§ 4. That if from any cause any delinquent land returned as aforesaid shall not be sold at the first exposure to sale, the proper county court shall make all necessary orders, from time to time, for the advertisement and sale thereof, and the proper sheriff shall proceed to sell, &c., as hereinbefore directed.

§ 5. That this act shall take effect from and after its passage.

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 it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Elliott and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were

Archibald C. Brown,  Richard Jones,
Horatio W. Bruce,  Philip Lee,
Robert B. English,
Samuel Long,
Thomas J. Terry—7.

Those who voted in the negative, were

Mr. Speaker, (Huston,)  Ephraim B. Elliott,
Richard B. Alexander,  James M. Fogle,
Lucien Anderson,  McDowell Fogle,
John B. Anderson,  Nathan Gaither,
William T. Anthony,  Daniel Garrard,
John B. Auxter,  Henry Giles,
William J. Berry,  Gordon B. Grasty,
William S. Bodley,  Benjamin Gullion,
John S. Bohannon,  John S. Hargis,
William B. Booker,  Hiram Hawkins,
Robert C. Bowling,
Erasmus O. Brown,
Colbert Cecil,
John B. Cochran,
George B. Cook,
Milton J. Cook,
Thomas H. Corbett,
James M. Corbin,
James Cutton,
David R. Dugan,
Joshua Dunn,

Wm. M. Morrow,
Samuel B. Pell,
Andrew J. Prichard,
David H. Raymond,
Benjamin F. Rice,
Robert Richardson,
Joseph Ricketts,
William Reiley,
George C. Rogers,
James A. Russell,
Charles C. Smedley,
James M. Speer,
Richard J. Spur,
Richard S. Thornton,
David L. Thurman,
Fielding Vaughan,
Willie Waller,
Thos. H. M. Winn,
E. W. Worsham,
E. S. Worthington—62.

Mr. Corbett, from the same committee, to whom were referred bills of the following titles, viz:

A bill to incorporate the Hamilton and Florence Turnpike road Company.
A bill to amend chapter 103 of the Revised Statutes, title, "Turnpike and Flank Roads."

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. Worthington, from the select committee to whom was referred a bill to establish a Patrol on the Ohio river,

Reported the same with an amendment as a substitute for said bill.

Said bill reads as follows, viz:

WHEREAS, it is represented to the present general assembly of the commonwealth of Kentucky that a vast amount of slave property annually escapes, through the intervention of abolitionists or otherwise, to the free states, from their lawful owners, and are either concealed in those states or by unprincipled men are aided in their flight to Canada, which is beyond the jurisdictional limits of the United States of America: and whereas, it is highly important to prevent a repetition of these outrages, and to the end that our citizens may be more secure in their rightful property, it is deemed by this legislature of great moment to the people of this state that an efficient police or patrol be established, commensurate with the boundary of the state lying upon the Ohio river. For the accomplishment of this purpose, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be and is hereby established a patrol from the mouth of Big Sandy river along the whole line of said river, down the same to a point opposite Cairo in the state of Illinois.

§ 2. That said line shall be divided into beats of not less than one and one half nor more than three miles, according to circumstances.

§ 3. That the person appointed as patrol shall travel his beat at least twice in the twenty-four hours of each day.

§ 4. That each patrol shall provide himself with a Conkshell, so that when he receives intelligence that slaves have escaped from their owner, he may convey information of the fact on the line of patrol.

§ 5. That the mayor of each city in this commonwealth, where there are now, or may hereafter be telegraph offices, are hereby appointed agents on behalf of the state, to receive and transmit all information which they may receive, or which may otherwise come to their knowledge, to any patrol on the line of patrol as aforesaid; and to reimburse them for such telegraphic expenditures, and to remunerate them for any special expenses incurred in and about the proper conveyance of such information, upon presentation of these accounts, certified before any justice of the peace or other officer of this commonwealth who is authorized to administer an oath, to the auditor of public accounts, he is hereby directed to issue his warrant upon the treasu-
rer for the amount thereof, who shall pay the same out of any money in his hands not otherwise appropriated.

§ 6. That said patrol, in addition to travelling his respective beat, is hereby required to take cognizance of all the water crafts owned by persons residing in the state of Kentucky, and to see that the owners thereof have good and safe chains attached to them; and that such craft shall be safely locked to proper fastenings on the shore whilst the same is not in the immediate use of the owner or owners thereof. To this end it shall be the duty of the owner or owners of such crafts to comply with the provisions of this section, and also to remove to a secure place all paddles and oars which he or they use in plying said craft or crafts, and upon his or their failure to do so, he or they shall forfeit and pay the sum of ______ dollars, to be recovered before any justice of the peace in the county where the offense is committed; and for the second offense, the said crafts shall be adjudged forfeited to the commonwealth of Kentucky, and shall be either destroyed or sold at public auction. The fines and forfeitures hereby provided for, shall be appropriated to the payment of the wages of the patrol herein provided for; and in addition to the penalties herein prescribed, the owners of all crafts on the Ohio river are hereby put upon the same footing, shall be subject to the same liabilities, and governed by the same rules as common carriers are now by law.

§ 7. It shall be the duty of each patrol, whenever he discovers a suspicious person or persons who have no visible means of support, and who are engaged in no pursuit for a livelihood, loitering about the neighborhood of his beat, either to arrest such person or persons or to inform a justice of the peace of the fact, whose duty it shall be to cause the said person or persons to be brought before him for examination; and if, in the judgment of such justice, he believes that there is good grounds for so doing, he shall cause them to give security for their good behavior, and failing or refusing to do so, he shall be committed to the jail of the county, until the next circuit court in said county; and the court thereof shall hear and determine such case, and in such manner as is usual in other recognizances to keep the peace and be of good behavior.

§ 8. That it shall be the duty of each patrol to see that no craft whatever, owned by a citizen of another state, shall be left without the immediate possession of its owner or the person in whose custody it last was, remains on the Kentucky shore in the absence of the person or persons who may have landed the same, for more than three hours at any one given time; and in every such instance it shall be lawful for said patrol to give information to a justice of the peace in his county, who shall summon the party to immediate trial before him, and if it appears upon the trial that the party has violated the provisions of this section, the justice shall adjudge that such craft is forfeited to the commonwealth of Kentucky, and the same shall be sold at public auction; and after deducting the costs of the prosecution, the balance of the money, if any, shall be appropriated as before directed by this act. Furthermore, it is hereby declared that every person or persons who shall presume to violate the provisions of this section, shall be deemed guilty of a highly penal offense, and upon conviction thereof in any
court of record in this commonwealth, shall be fined in a sum of not less than twenty-five dollars, nor more than one hundred dollars, in the discretion of a jury.

§ 9. That hereafter each patrol, for the taking up and securing to the owner thereof a runaway slave, in addition to the wages hereafter to be provided, shall be allowed the sum of fifty dollars; but should any patrol be hereafter convicted of aiding or advising any slave or slaves to escape from the service of his or their master or owner, or from the possession of any person or persons entitled to the legal possession of the same, besides incurring the penalties now provided by law he shall forfeit all right to his wages as patrol.

§ 10. That for the purpose of raising a sufficient sum to pay the wages of the patrol in this act provided for, the sum of shall be levied upon each one hundred dollars worth of property owned by citizens of this commonwealth, which shall be collected at the same time and in the same manner that the revenue tax is now collected, and shall be paid into the public treasury. Each patrol shall annually be entitled to the sum of dollars; and the auditor of public accounts is hereby directed, whenever a patrol presents his account, certified by the county judge of the county where said patrol resides, that from his best information said patrol has faithfully and vigilantly discharged his duty as such, to issue his warrant on the treasury for his wages, which shall be paid out of any moneys in the treasury not otherwise appropriated.

§ 11. That it shall be the duty of bordering upon the Ohio river to appoint a fit and discreet house-keeper, resident of the state of Kentucky, as patrol for each beat in the county of which.

§ 12. That to insure a faithful and vigilant performance of the various duties assigned to each patrol by the provisions of this act, before entering upon the discharge of the same they shall each take an oath, before some person legally authorized to administer it, that they will faithfully and vigilantly perform the duties imposed upon them by this act, being hereby made liable to all the pains and penalties of perjury for a violation of said oath. This act is to take effect from and after the first day of May next.

The substitute reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the county judge, and a majority of the justices in commission of each county bordering on the Ohio river, to appoint a suitable number of patrolers for such county, to keep watch on and near said river to prevent the escape of slaves from this state; such patrolers shall have power to arrest persons suspected of crime, as constables and police officers of cities and towns have.

§ 2. Any patroler may, at any time, with or without notice, be dismissed by the county judge or court and a majority of the justices in commission.

§ 3. All water craft, whilst near the Kentucky shore of said river and not in the immediate use or care of the owner, his agent, or servant, shall be secured by at least one good chain, safely locked to a proper fastening; and the oars or paddles shall be removed to a safe place;
and for any omission of this duty, besides liability to any person aggrieved, such craft may be seized, and the person offending, if a free person, may be arrested by any patroler or other officer, and such person taken before a justice of the peace or county judge, who, upon hearing the cause, may fine the offender not exceeding fifteen dollars and costs, or recognize him, as in other cases, to appear at the next circuit court, where, upon conviction, he shall be fined not less than fifteen nor more than five hundred dollars, or imprisoned in the county jail not more than six months, or both; and the craft seized shall be kept, dealt with, and disposed of, as if seized by attachment under civil process, to satisfy, as far as the same will, any fine imposed and costs, to which end the justice or judge shall order such craft to be delivered over to the sheriff where the offender is recognized, or to a constable where he is fined, who, as well as the officer making the seizure, shall be entitled to the same fees, with the same restrictions and liabilities, as in attachments under civil process, and the net proceeds shall be accounted for as county revenue officially collected, and go towards paying the wages of said patrolers. If the person offending is a slave, the master may be fined, and other proceedings as prescribed in this act had, as if the master was the offender; but he shall not be imprisoned, and the slave shall be whipped.

§ 4. Towards paying the wages of said patrolers, there shall be allowed to said counties annually, out of any moneys in the treasury not otherwise appropriated, a sum not exceeding that named herein—that is to say: To the counties of Greenup, Lewis, Oldham, and Henderson, twelve hundred dollars each; to the counties of Mason and Boone, twenty-seven hundred dollars each; to the counties of Bracken and Kenton, nine hundred dollars each; to the counties of Pendleton and Hardin, three hundred dollars each; to the county of Campbell, eighteen hundred dollars; to the counties of Gallatin, Carroll, and Trimble, fifteen hundred dollars each; to the county of Jefferson, forty-two hundred dollars; to every other county bordering on said river, six hundred dollars each. And it shall be the duty of said county courts, at their courts held in January, April, July, and October, to audit and allow the claim of each patroler in favor of the person entitled thereto, specifying what part is to be paid out of the treasury, for which the clerk shall issue a certificate, upon payment of twenty-five cents by the person demanding it; and on presentment of the same, the auditor shall draw his warrant for so much thereof as does not exceed what is to the credit of said county for the year in which such certificate was issued.

§ 5. To raise a revenue to carry out the object contemplated by this act, in addition to any taxes now established by law, an annual tax of three-fourths of a cent upon each hundred dollars of value of the real and personal estate directed to be assessed for taxation, shall be collected and paid over as other revenue.

§ 6. A negro or mulatto, bond or free, shall be competent to testify against any person charged with stealing a slave, or seducing or enticing a slave to leave his owner or possessor, or with making, furnishing, or aiding or advising in the making or furnishing a forged or false pass, or deed of emancipation, or other writing purporting to liberate a
slave; or with aiding or assisting a slave to make his escape, or to attempt to make his escape from such owner or possessor; or with attempting to persuade or entice away a slave from the service of his master or owner, or the person in possession of the slave; or with attempting to persuade or induce a slave to run away from his master or owner, or person in possession of him; or with attempting to excite a slave to insurrection; or with knowingly concealing a stolen slave, or a slave enticed from the service of his master or owner; or of harboring a runaway slave with the intention to prevent the owner from obtaining possession of such runaway.

Mr. English moved the following amendment to said substitute, viz:

Strike out that portion which imposes a tax of three-fourths of a cent on each one hundred dollars worth of property, and make it the duty of the Auditor to fix such a per cent. on each one hundred dollars worth of slave property as will be necessary to raise the amount required.

Mr. W. J. Berry moved to lay the bill and amendments on the table.

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

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

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. English withdrew his amendment.

Mr. Morrow moved to amend the substitute by striking out the 6th section thereof.

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

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Ordered, That the further consideration of said bill and amendment be postponed, and made the order of the day for the 6th inst., at 10 o'clock, A. M.

Ordered, That the Public Printer forthwith print 150 copies of the substitute, for the use of the members of the General Assembly.
Mr. Bodley moved that a message be sent to the Senate asking them to direct the committee on Enrollments to withdraw from the Governor an enrolled bill, entitled,

An act to repeal all laws to license Billiard tables, Bowling Saloons, and Jenny Lind tables.

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

The yeas and nays being required thereon by Messrs. Hewitt and A. C. Brown, were as follows, viz:

Those who voted in the affirmative, were


Mr. Worthington moved to reconsider the vote by which a bill from the Senate, entitled,

An act better to define usury, was rejected.

The question was then taken on the reconsideration of said vote, and it was decided in the affirmative.

Ordered, That the further consideration of said bill be postponed, and made the order of the day for the 5th instant, at 12 o'clock, M.
The amendments proposed by the Senate to bills from this House, of the following titles, viz:

An act to improve the State road from Columbia to Albany.
An act to relieve common school districts not regularly reported.
An act to incorporate Bethel College at Russellville.

Were then taken up, twice read, and concurred in.

Resolved, That this House concur in the amendment proposed by the Senate to the 1st amendment proposed by this House to a bill from the Senate, entitled, an act regulating the time of holding the circuit courts, and recede from their 6th, 7th, 8th, 9th, 11th, 12th, 13th, and 14th amendments to said bill.

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 benefit of Charles Stricker, sheriff of Campbell county.
An act to charter the Breckinridge Coal Oil Company.

Mr. Whiteley, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled,

An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes,

Reported the same with an amendment as a substitute for said bill.

Said bill reads as follows, viz:

Whereas, It is represented that there are immense quantities of valuable timber, as well as minerals and metals in great abundance, upon the main north and south forks of the Cumberland river, which are rendered useless to the public, and to private individuals; wherefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said Bradley and those he may associate with him in the enterprise, be and they are hereby constituted a body politic and corporate, by the name and style of Bradley & Company, and by and under that name and style may contract and be contracted with, sue and be sued, plead and be impleaded, in any court in this commonwealth having jurisdiction of the matters in contest; they may acquire and hold property, lease or otherwise transfer any right they or either of them may acquire under this act, in accordance with the laws of this State regulating such mode of transfer or conveyance, and may make and keep a common seal, which they may change at pleasure.

§ 2. They shall have power to erect three dams for the purpose of sawing lumber, grinding grain, or working any minerals and metals they may think proper; said dams to be erected at such points or places as they may choose from the mouth of the main south fork to where the line of Kentucky and Tennessee crosses said stream: Provided, That where such dams are not erected on the lands of the company and will in any way interfere with and effect the rights of others, such lands shall be condemned in the same way and under the same
rules and restrictions as are now required by law in regard to the erection of mill-dams in similar cases: and provided, the same shall in no way interfere with the navigation of said streams.

§ 3. They shall have power to purchase and hold any such real and personal estate as they may desire, and for all contracts made by them in regard to the business of the concern the property of the company in their corporate and individual capacity shall be bound.

§ 4. That they shall have power to erect such buildings as they may choose at the falls of the main north fork of the Cumberland, in Whitley county, and in the event the lands at that place be not owned by the company, the same to be condemned as herein provided with regard to the dams on south fork of said river.

§ 5. That they shall have the right of way from all the places where said dams and buildings may be established to the junction of the said streams.

§ 6. That all contracts in regard to the formation of companies, and the making and dissolution of partnerships shall be recorded in the clerk's offices of the court of appeals or the clerk's office of the county courts of Pulaski, Wayne, or Whitley, as the partners may choose; and it shall be the duty of the clerks of the respective courts to receive into his or their offices such contracts, and enter the same of record, and to charge the same fees as are allowed for the recording of deeds for each one of the contracts aforesaid; all of which must be recorded within six months from their dates.

§ 7. That the respective county judges of Pulaski, Wayne, Whitley, Knox, and Harlan, or either of them, shall have power, upon the application of any one of said company, (for the use and benefit of all of them,) to lay off either or both of said streams into such sections as they may choose within their respective counties, and on or all such evidence as may be adduced; and if it shall be the opinion of any one or more of said judges that it would redound to the public good, they and each of them shall have full power and authority to grant to such company all such powers and franchises as they may choose, upon such terms and under such rules, restrictions, and requirements as they may deem necessary and proper with regard to the several amounts of tolls and for such periods of time upon each and all of said sections as said judges may think fit, to permit and allow the company to clear out and remove the obstructions in either of said streams or sections so to be laid off and designated as aforesaid; and when any company shall be made up and their contracts of association and partnership shall be filed for record, they shall be considered a body politic and corporate, by the name and style aforesaid, and have all the powers herein granted: Provided, That when the rates of tolls are fixed by any of said judges upon any one or more of said sections of the streams aforesaid, the same shall not be diminished without the consent of the company interested: and provided further, that when the rates of tolls are so fixed, said courts shall have each item made out and entered at large upon their order books: Provided, That the party making the application to said county courts shall have a right in all cases where they may desire, to take an appeal from any one of said county courts to the circuit judge presiding in said counties, who
shall have the same power over the subject, and in all things be governed by the same laws and rules as govern said county judges; and provided further, That this act shall not embrace that portion of the north fork of the main Cumberland at its junction with the main south fork to the mouth of Laurel river.

§ 8. This act to take effect and be in force from its passage.

The substitute reads as follows, viz:

Whereas, it is represented to the present general assembly that there are many valuable minerals and metals, as well as immense thick forests of nearly all varieties of timber, within convenient distance of the said stream; and whereas, on account of the many obstructions which are in and along said stream below the minerals and timber aforesaid, have hitherto been rendered useless to individuals and the public generally. Wherefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said Bradley and those he may associate with him in the enterprise, be and they are hereby constituted a body corporate and politic, by the name and style of Bradley and Company, and by and under that name and style they shall have power to contract and be contracted with, to sue and be sued, to plead and be implored, in all courts in this state having jurisdiction of the matters in contest, and they shall have the right to assign and lend property, and to lease, transfer, and otherwise convey, they or either of them may acquire under this act: Provided, The same be done in accordance to the laws of this state in regard to the conveyance of real estate, and upon the same evidence and within the same time.

§ 2. That they shall have power to erect three dams for the purpose of sawing lumber, grinding grain, and working any minerals and metals they may choose; and they may attach thereto all needful buildings, and open such canals as they may think proper; the dams and other buildings to be located at such places as the company desire, from the junction of said stream with the main north fork at a place called the Point, to where the line between the states of Tennessee and Kentucky crosses said stream; and they shall have the right of way down said stream to carry out whatever they may choose, to market or elsewhere.

§ 3. That the judge of the Wayne county court shall have power to lay off and divide said stream into three sections, the first to commence at the Point and extend up to the mouth of Big creek; the second from the mouth of Big creek to the upper Jumps, known as the Devil's Jumps; and the third from the last named point to where said state line crosses said stream; and said judge shall have full power to allow the company to charge and collect such rates of tolls and for such period of time, under such rules and regulations as he may think proper, upon each one of said sections; and the company to have and retain liens upon all estates of transportation for the payment of said tolls: Provided, That no article be taxed with tolls more than once: And provided further, That the erection of said dams shall in now way interfere with the navigation of the stream for coal boats and lumber crafts.
§ 4. That the powers of corporation, as herein granted, shall in no case attach and be in force until Bradley and those to be associated with him shall have entered into a written agreement and filed the same for record in the proper office, and in which each of the names of the parties concerned shall be stated, and the interest and duties of each as well defined as may be convenient; and there never shall be a dormant partner in the concern; and in all cases where the county judge shall grant the power upon the company to charge tolls for particular periods of time, each time distinctly stated and entered of record; and in all cases it shall be the duty of the company so to be formed to commence and finish the work, to improve the river, and remove the obstructions so as to render the same fit for use and navigation, as herein provided, within five years next after the 25th day of December, 1856; and in the event of a failure of this particular, the whole charter, so far as respects the right to collect tolls, and the right of way down said stream, shall cease and determine; and in the event others should thereafter apply to the general assembly of this commonwealth to obtain the right to clear out the obstructions and improve the stream, so as to have the right to charge individuals passing upon the stream, and Bradley and Company, or any one or more claiming under them, the reasonable tolls which may then be fixed, they shall have a right to do so; and the power is hereby reserved to grant any such further privileges upon the failure of the company to comply with the provisions and requirement of this act, as herein specified. Provided, That if any of the dams and buildings attached thereto should be situated below the portions and parts of said stream that are now safe for navigation with ordinary prudence, the lumber, minerals, and other articles of transportation to be taken from said dams and other improvements, shall not be charged with tolls, but shall pass the stream free from said charges: And provided further, That if said Bradley and Company, at their own individual expense, shall so improve the stream or open a canal at such points where they may erect any one or more of said dams and buildings, as to be able to take out their own lumber, minerals, and other articles of transportation with safety, before others may make said improvements under the powers here reserved, in that event they shall have the right of way, and shall not be charged tolls at such places or on such parts of said stream: And provided further, That none of the vested rights of said company shall be damaged or impaired by any other charter to be granted; it being at all times understood that they shall in no way place or cause any obstructions whatever to be placed in the way of the improvements which may be made by others upon said stream, under any future power conferred in the event of the failure of said Bradley and Company, as herein specified, to make the improvements herein named, in the navigation of said stream as herein provided.

§ 5. That whenever any one or more of the companies who may be engaged in the erection of any of the dams and other improvements attached thereto, as herein specified, shall be of opinion that the same has been completed and ready for use and service, within the meaning of this act, they shall make out a written statement of that fact and present the same to the presiding judge of the Wayne circuit court.
who shall have the same entered of record, and thereupon immediately appoint, three competent and disinterested men commissioners— who, after being duly sworn in open court to faithfully and impartially perform their duties in the premises, shall proceed to make strict and careful examination of the dams and improvements so said to have been finished, and shall take care to examine particularly, so as to ascertain whether the dams, canals, or any of the works will or will not interfere with the navigation of the stream, as herein provided; and after such examination, they shall make out and report the same in writing to the circuit court clerk, and file their report in his office; and the same to be entered of record; and it shall be the duty of the court to examine and hear all other evidence that may then be offered by the company or any one else; and if, when the report is examined and all the other evidence heard, the court should be of opinion that the navigation of the stream has not been injured by the improvements so made, it shall be the duty of the court to render a judgment to that effect, which shall be made a matter of record, and which shall be conclusive as to the facts so determined.

§ 6. That the Wayne county judge shall have full power over the whole subject, so far as respects granting the privileges of collecting tolls, and fixing the several periods of time to be allowed for the purpose, to appoint all such commissioners with such powers as may be necessary to examine the true condition of the several sections of the stream, before and after the improvements are made and the obstructions removed, and to hear all such evidence as may be deemed necessary, upon all the points and matters which may be presented, to suspend the collection of tolls where the stream or section shall not be kept in order for navigation, and in case of neglect at any time to keep the same in order, as herein provided, for three months, unavoidable accidents excepted, the court shall have power to forever check and suspend all further collection of tolls, and the charter and privileges hereby granted for the collection of tolls to be null and void; and in all such cases the right is hereby reserved to grant the same power to others, under the same rules and regulations heretofore named in the event of such forfeiture: Provided, In all cases before such proceedings be had, the company interested shall have ten days previous notice of the nature and character of the motion about to be made, and of the time when to be made; and the said company, where the judgment may be against them, shall have the right to an appeal to the circuit court; all such motions shall be made within six months from the time of the injury complained of, and not after; and all individuals who may be called upon to act under the law, shall be allowed reasonable compensation, to be paid by those calling upon them to do the work; and no one shall be compelled to alter the premises until his reasonable compensation shall be paid or tendered to him.

§ 7. That it shall be the duty of the company to commence in good faith, the removal of the obstructions and the improvement of each and all the sections of the stream, so as to render the same fit for use and navigation, as herein required, within two years from the passage of this act, and to complete the same within the time herein named; and upon their failure to do so, this act to be void so far as respects
the power to charge and collect tolls and grant of the right of way to the company: Provided, however, That the reserved rights of the company in regard to the erection of dams and other buildings, and the opening canals as herein pointed out shall not be impaired by the forfeiture aforesaid; and the circuit court of Wayne county, upon the application of any one, shall have full power and authority to take all necessary steps in order to bring the company into court, and shall then hear all the evidence adduced on trial in regard to failure to comply with the provisions herein last named; and if, upon the investigation of the matters in dispute, it shall appear to said court that the company has been in default and has, on that account, forfeited their rights as herein provided, it shall be the duty of said court to decide and enter the judgment of record, and the company interested may prosecute an appeal from the judgment to remove to the court of appeals as in other cases; and in the event there should be a forfeiture, as herein provided, the power is hereby reserved to grant the same authority to others to do the same work; and in that event Bradley and Company to pay their rates of tolls as well as others, with the reservation of their respective rights as heretofore named and pointed out in a former part of this act.

§ 8. That in all cases where any one of the companies to be formed under this act may desire to take an appeal from the decision of said county judge in regard to his action upon any part of their statute when powers have been conferred on him as herein provided, they shall have the right to do so under the same rules and regulations now allowed by law in other cases where appeals are allowed from county to circuit court judges.

§ 9. That all contracts in regard to making contracts for partnership and dissolving the same under this act, and all contracts for the purchase or sales of lands to or by any company that may be formed, shall be recorded in the clerk's office of the court of appeals or in the clerk's office of the Wayne county court, as the parties may choose, under the rules and regulations herein named.

§ 10. That the individual and private property of all the members of any firm that may be formed under this act, shall be responsible for the debts of the firm.

§ 11. That if the greater part of the first section of the stream as herein located and defined, is within and runs through Pulaski county, in that event the application to fix and establish the rates of tolls upon that part of the stream shall be made to the judge of the Pulaski county court, under the same rules, restrictions, and regulations as herein specified with regard to the judge of the Wayne county court; Provided, That the intrinsic value of mills that are now in operation on said stream, with all their appurtenances, shall in no way be injured or impaired by the erection of any works of the company, or the clearing out and removal of any obstructions in said river, under the provisions of this act; and for a violation of this statute, the party injured shall have his or her remedy for all the damages sustained as if this law had never been passed: Provided, That if no improvement is necessary on the first section of said stream, the company shall have
no right to charge tolls thereon, and this question shall be determined by the Pulaski county court.

§ 12. This act to take effect from its passage.

The question was then taken on the adoption of the substitute, and it was decided in the affirmative.

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

Those who voted in the affirmative, were:


Those who voted in the negative, were:


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. Whiteley, from the committee on Internal Improvement, who were appointed to prepare and bring in the same, reported a bill for the benefit of the State road from Mount Sterling to the Virginia State line.

Which was read the first time as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of two thousand dollars be and the same is hereby appropriated out of any money not appropriated by law in the treasury of the State, and that said sum be expended for the improvement of the State road leading from Mount Sterling, in Montgomery county, to the Virginia State line, by way of Prestonsburg, in Floyd county, and Pikeville, in Pike county; and that so much thereof as may be necessary to locate and complete a road over Card Ridge in Pike county, be expended for said purpose; and if there should be any part of said sum remaining after the completion of said road at that point, that the remainder be applied as to the commissioners may seem best.

§ 2. That Wm. Cecil, (the judge of Pike county,) Thomas May, sr., and Wm. Ratliff be and they are hereby appointed as commissioners to superintend and let out the contracts for said work, and that they be authorized to draw on the Treasurer of the State for said sum, when they may have entered into contracts for the performance of the work.

§ 3. Said commissioners shall take bond and approved security for the faithful performance of said work, and make such advances during its progress as they may deem proper.

§ 4. No portion of said money shall be retained or held back for paying the commissioners for their trouble; but it shall be the duty of the county court to allow them a fair compensation for the same, and levy a sum sufficient for that purpose at their court of claims.

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 it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, George C. Faris, Benjamin F. Rice, Robert Richardson,
John B. Auxier, S. A. Foss, Joseph Ricketts, William Reiley,
William B. A. Baker, Henry Giles, George C. Rogers, Charles C. Smedley,
R. P. Beauchamp, John K. Goodloe, Richard J. Spurr,
Ben Berry, Hiram Hawkins, Thomas J. Terry,
William S. Bodley, Gideon P. Jolly, Joshua Tevis,
John S. Bohannon, Andrew Jones, Richard S. Thornton,
William B. Booker, Richard Jones, David L. Thurman,
Horatio W. Bruce, George F. Lee, E. L. Vanwinkle,
Colbert Cecil, Philip Lee, James T. Ware,
John B. Cochran, John G. Lyon, L. A. Whiteley,
Milken J. Cook, Charles A. Marshall, E. S. Worthington—46.
James Culton,
Coleman Covington,
James Culton,
David R. Dugan,
Charles Duncan,
Those who voted in the negative, were

Richard B. Alexander, McDowell Fogle, Samuel Long,
William T. Anthony, Nathan Gaither, Pleasant W. Mahan,
Archibald C. Brown, Daniel Garrard, John C. McCraeey,
Erasmus O. Brown, Alfred F. Graham, Hiram McElroy,
George B. Cook, Gordon B. Grasty, William M. Miller,
Thomas H. Corbett, Anderson Gray, Samuel B. Poll,
James M. Corbin, Roger W. Hanson, James M. Speer,
James A. Duncan, Ben Hardin Helm, Fielding Vaughan,
Joshua Dunn, John L. Irwin, Willie Walley,
Robert B. English, Andrew J. James, T. H. M. Winn—32.
James M. Fogle, James S. Litttlepage, Mr. Whiteley, from the same committee, reported a bill to improve
the navigation of Big Sandy river.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken­
tucky, That the sum of five hundred dollars be and the same is hereby
appropriated for the purpose of removing the obstructions to the nav­
igation of Big Sandy river, known as the “Nigger head and Keyser’s
rocks.”

§ 2. Be it enacted, That George R. Burgess, Andrew J. Prichard, and
Burr Powell, of Lawrence county, be and they are hereby appointed
commissioners, and they are hereby authorized to contract for the re­
moval of the obstructions to Big Sandy river aforesaid, known as the
“Nigger head and Keyser’s rocks” : Provided, That said obstructions
can be removed at a cost not exceeding the sum of five hundred dol­
ars, so as to permit the free and safe navigation of said river at that
point; and it shall be the duty of said commissioners, upon the com­
pletion of said contract to their satisfaction, to certify the same to the
Auditor of State ; and upon the presentation and delivery of such cer­
tificate to the Auditor, he is hereby authorized and directed to draw
his warrant upon the Treasurer in favor of said commissioners for the
sum of five hundred dollars payable out of any money in the treasury
not otherwise appropriated.

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 it was
decided in the affirmative.

The yeas and nays being required thereon by the constitution, were
as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, Andrew J. Prichard,
John B. Anderson, George C. Paris, Benjamin F. Rice,
John B. Auxier, Sidney A. Foss, Robert Richardson,
W. B. A. Baker, John K. Goodloe, Joseph Ricketts,
Mr. Whiteley, from the same committee, reported a bill to amend the law in relation to public roads in Pulaski county.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the county court of Pulaski county shall have the power to appoint one or more road commissioners for said county, requiring of each commissioner so appointed bond, with good and sufficient security, in a penalty sufficient to cover the amount of all money which may come to his hands as such, payable to the commonwealth for the use of the county of Pulaski, with condition that the said commissioner shall well and truly pay to such person or persons, and to such use and purposes, all moneys coming to his hands by virtue of his appointment as such road commissioner, as the county court of Pulaski county may order and direct, and in all other things touching his duty as commissioner aforesaid will obey and execute such orders as the said county court may require of him touching his appointment aforesaid.

§ 2. That when any amount of money shall be subscribed and paid by individuals voluntarily, into the hands of any road commissioner so appointed as aforesaid, for the purpose of improving any public road in said county, by grading, rock, plank, or otherwise, it shall then be lawful for the county court of said county—to be composed of the presiding judge and a majority of all the justices of the peace for said county—to levy a tax ad valorem on the whole taxable property of the county, and such poll tax as they may deem right, sufficient to raise so much money as will be equal to the amount paid as aforesaid by individuals, to be collected in the same manner, under the same restrictions,
rules, and liabilities, as the county levy of said county is by law required to be collected and paid over; which when collected or due, shall be paid by order of said court to such road commissioner as the court may direct, to be applied, together with the money so raised by individual subscription, to the improvement of the road or part of road indicated by the individual subscribers at the time of subscribing.

§ 3. That the sheriff or other collector, before collecting any part of the above road tax, shall give such bond and security as the presiding judge in his county court may require, to secure the payment of all moneys arising from said road tax to such road commissioner as the said county court may direct.

§ 4. That the county court shall have the power to order and direct the execution of the improvement contemplated, but in all cases it shall be the duty of the county court to carry into effect the improvement intended by the individual subscribers; and the taxes levied under this act are hereby dedicated to the purpose of improving the public roads of said county of Pulaski, and no other purpose.

§ 5. That the county court shall require and the presiding judge shall make annual settlement with the sheriff or collector of the county and with all road commissioners receiving money under this act; and in case of refusal to settle, he shall have the same power over the subject to compel settlement, as in cases of executors, administrators, guardians, or sheriffs under existing laws.

§ 6. That this act shall not be in force until a majority of all those voting on the subject shall vote for it. To ascertain which, a poll is hereby directed to be opened by the sheriffs, clerks, and judges at all the election precincts in Pulaski county, at the next August election, and each voter when he comes to the poll shall be asked by the sheriff of election—"are you for or against the road tax?" and as he votes on this proposition so shall his vote be recorded. None but such persons as are qualified to vote for members of the general assembly shall be entitled to vote on this question; and the same penalties are hereby imposed for all improper voting on this as is by law denounced on the subject of illegal voting for members of the general assembly of the Commonwealth of Kentucky; the vote to be counted and certified by the board who count and certify the result of the other voting at the same election.

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. Hanson moved to amend said bill by striking out the 6th section thereof.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) David R. Dugan, John L. Irvan,
Richard B. Alexander, Robert B. English, Gideon P. Jolly,

Those who voted in the negative, were


Mr. James moved to lay said bill on the table.

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

And then the House adjourned.

TUESDAY, MARCH 4, 1856.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, of the following title, viz: An act in relation to the Kentucky Penitentiary.

That they had passed bills and resolutions from this House of the following titles, viz:

An act to provide for the service of process against steamboats.
An act to regulate the office of the clerk of the Court of Appeals.
An act for the benefit of the clerk of the Oldham County and Circuit Courts.

An act to change the time of holding the Breckinridge and Ohio Quarterly Courts.

An act to amend the 42d chapter of the Revised Statutes.

With an amendment to the last named bill.

Resolutions in relation to the alleged claim of the United States to Wolf Island.

With an amendment to said resolutions.

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

An act to provide for the removal of obstructions of navigation from Licking river.

An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.

An act to incorporate the Richmond Royal Arch Chapter, No. 16.

An act to amend the 5th section of article 7, chapter 93, Revised Statutes.

An act to amend Revised Statutes, chapter 102, title, treasury warrant claims.

An act in relation to slavery.

An act to amend section 621 of the Code of Practice.

An act to establish the Deposit Bank of Mount Sterling.

An act to incorporate the Savings Bank of Kentucky, at Covington.

An act to amend chapter 86, articles 3 and 4, of the Revised Statutes title, lands and slaves of infants, &c.

The following bills from the Senate were reported by the several committees to whom the same had been referred, viz:

By the committee on the Judiciary—1. An act to incorporate the New Orleans and Ohio Telegraph Lessees.

By the committee on Internal Improvement—2. An act to incorporate the Nashville and Northwestern Railroad Company.


By the committee on Education—4. An act in relation to the Bourbon Academy.

By same—5. An act to incorporate the Ashland Female Academy.

By same—6. An act for the benefit of the Columbus Masonic Seminary.

By same—7. An act to incorporate the Trustees of the Kentucky Female College.

By same—8. An act to incorporate the United Baptist Church, at Owensboro.

By same—9. An act to establish Olivet University.
By same—10. An act to incorporate the Salem Presbyterian Academy.

By same—11. An act incorporating the Eminence High School.

By same—12. An act to incorporate the Crittenden Male and Female Academy.

The 1st, 3rd, 4th, 5th, 6th, 8th, 9th, 10th, 11th, and 12th bills without, and the 2d and 7th with amendments, which were concurred in.

Ordered, That said bills, the 2d and 7th 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 titles thereof be as aforesaid.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined 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 James M. Bumpass, of Caldwell county.

An act to charter the Breckinridge Coal Oil Company.

An act incorporating the Harrodsburg and Cornishville Turnpike road Company.

An act to incorporate the Union and Richwood Turnpike road Company.

An act to incorporate the Columbia Male and Female High School.

An act to establish a sinking fund for the county of Clarke.

An act to incorporate Bell Colline Female College, Franklin county.

An act for the benefit of John G. Shacklett.

An act for the benefit of Charles Stricker, sheriff of Campbell county.

An act to regulate the office of the clerk of the court of appeals. That they had examined enrolled bills that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Foster Turnpike Road Company.

An act for the benefit of the late sheriffs and deputy sheriffs of Nicholas county.

An act to amend the several acts in relation to Peddlers.

An act to amend an act to incorporate the Perryville and Mitchellsburg Turnpike Road Company, approved March, 1854.

An act for the benefit of the sheriff of Bath county.

An act to amend the charter of the Lexington and Richmond Turnpike Company.
An act for the benefit of the clerk of the Floyd County Court, and the clerk of the Pulaski Circuit Court.

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

An act to incorporate Browiski Lodge, No. 64, I.O.O.F., of Carrollton.

An act to incorporate Chapter, No. 51, of Royal Arch Free and Accepted Masons, in Gallatin county.

An act fixing the time of holding the chancery and criminal courts in the 1st judicial district.

An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1851.

An act to amend and reduce into one the several acts concerning the town of Ghent,

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

A message was received from the Governor by Mr. Bibb, Assistant 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 John Friend, jailor of Floyd county.

An act for the benefit of Iron Masters in Lyon county.

An act to authorize the County Court of Mercer county to subscribe stock in a certain Turnpike road.

An act to incorporate the Nelson County Agricultural Society.

An act to change the time of holding the August term of the Laurel Quarterly Court.

An act to amend the charter of the Greensburg and Taylor county Turnpike Road Company.

An act authorizing the sale and distribution of the Calloway county Seminary lands.

An act to incorporate the Columbia Baptist College.

An act to incorporate the Cook Coal and Iron Mining and Manufacturing Company.

An act to amend and change an act incorporating the Greenville Female College.

An act better to regulate the mode of working and opening roads in Boone county.

An act to improve the road from Cumberland river to Monticello.

An act to incorporate the Buffalo and Hamilton Turnpike road Company.
An act for the benefit of P. W. Napier, late Sheriff of Casey county.
An act declaring Contrary creek a navigable stream.
An act for the benefit of James C. Edwards, sheriff of Green county.
An act declaring Miller's creek a navigable stream.
An act to repeal so much of an act, entitled, an act concerning the Auditor's office and Treasurer's office, as relates to the Treasurer's office.
An act for the benefit of Lemuel Hibbard, late sheriff of Laurel county.
An act for the benefit of Zachariah B. Sailer, Sheriff of Harlan county.
An act for the benefit of William Corum, clerk of the Greenup Circuit and County Courts.
An act for the benefit of the estate of R. W. Warring, deceased, late Sheriff of Greenup county.
An act for the benefit of Worden Kendall.
An act for the benefit of Thos. W. Pickering, late Sheriff of Caldwell county.
An act to change the place of voting in Leache's district, in Bullitt county.
An act for the benefit of the Methodist Episcopal Church South, in Shelbyville.
An act for the benefit of the Georgetown and Lemon's Mill Turnpike road.
An act to revive and modify an act, entitled, an act to incorporate the Barren River Navigation and Manufacturing Company.
An act to amend the charter of the Covington and Dry Creek Turnpike Road Company.
An act to incorporate the Barren River High School.
An act to incorporate the Bardstown and Cedar creek Turnpike road Company.
An act authorizing the County Court of Lyon county to establish an additional voting place in said county.
An act to amend the charter of Bank Lick Turnpike road Company.
An act giving certain authority to the presiding judge of the Greenup county court.
An act to amend the law in relation to appeals from justices of the peace to quarterly courts.
An act for the benefit of the Methodist Episcopal Church South, at Alexandria.
An act legalizing certain proceedings of the Calloway County Court.
An act for the benefit of Rowan county.
An act to regulate the fees of coroners.

An act to change the boundary line between the counties of Shelby and Oldham.

An act to aid in removing free negroes from this State to Liberia.

An act for the benefit of C. Osburn and others, to enable them to protect themselves against milk sickness.

An act for the benefit of Littleton Helm.

An act to increase the salary of the Register of the Land Office.

An act to incorporate the First Presbyterian Church in the city of Augusta.

An act for the benefit of the Methodist Episcopal Church at Alexandria.

An act to authorize the Louisville and Frankfort, and Lexington and Frankfort Railroad Companies to consolidate their Companies.

An act to incorporate the Evangelic Church and School Association, in Alexandria.

An act to incorporate the Springfield, Maxville and Willisburg Turnpike Road Company.

An act appointing trustees for the Hart county Seminary.

An act to amend the charter of the Kentucky Ship building and Lumber Company.

An act for the benefit of the Kentucky Institution for the education of the Blind.

An act for the benefit of E. C. Ashcraft.

An act to amend an act incorporating the Mount Hor Cemetery, in Kenton county.

An act to amend an act incorporating the Louisville Water-works Company.

An act for the benefit of Wm. M. Worsham, late sheriff of Wayne county.

An act for the benefit of J. W. Henderson, of Barren county.

Approved March 3, 1856.

An act to incorporate the Bloomfield and Taylorsville Turnpike road Company.

An act to incorporate the Columbia Male and Female High School.

An act to establish a Sinking Fund for the county of Clarke.

An act incorporating the Harrodsburg and Cornishville Turnpike road Company.

An act for the benefit of James M. Bumpass, of Caldwell county.

An act to incorporate Bell Colline Female College, Franklin county.

An act for the benefit of John G. Shacklett.

An act for the benefit of Charles Stricker, sheriff of Campbell county.
An act to incorporate the Union and Richwood Turnpike road Company.

An act to incorporate the Breckinridge Coal Oil Company.

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

By the committee on Internal Improvement—1. A bill to amend an act to incorporate the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

By same—2. A bill to incorporate the Kentucky and Virginia, Coal Mining and Oil Manufacturing Company.

By same—3. A bill to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.

By same—4. A bill to amend an act, entitled, an act to incorporate the Bryantsville and Cane run Turnpike road Company.

By same—5. A bill for the benefit of the Northern Kentucky Coal Mining Company.

By same—6. A bill for the benefit of the Georgetown and Dry Ridge Turnpike road Company.

By same—7. A bill for the benefit of the Dutch Ridge Turnpike road Company.

By same—8. A bill in relation to tolls on the Kentucky river improvements.

By same—9. A bill to amend an act to incorporate the Kentucky Coal Company of Union county, approved March 1, 1850.

By same—10. A bill to incorporate the Hiawatha Mining Company.

By Mr. Grasty—11. A bill for the benefit of King A. Baker and his illegitimate son, Curtis Davis.

By the committee on Education—12. A bill to amend an act, entitled, an act to incorporate the Mayslick male and female academy, approved March 4, 1854.

By same—13. A bill to incorporate the Minerva Seminary, in Madison county.

By same—14. A bill to incorporate the Sayre Female Institute, in the city of Lexington.

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, 10th, 11th, 12th, 13th, and 14th bills were ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading
of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 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.

A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to establish the Deposit Bank of Winchester.
An act to establish the Deposit Bank of Springfield.
That they had passed bills of the following titles, viz:
An act to establish the Deposit Bank of Carlise.
An act to incorporate the Agricultural Deposit Bank of Lexington.
An act to amend the Savings Institution of Harrodsburg.

That they had received official information from the Governor, that he had approved and signed enrolled bills that originated in the Senate, of the following titles, viz:

An act to authorize the county court of McLean county to establish a ferry or purchase the present ferry over Green river, at Calhoon and Rumsey.
An act to incorporate Logan Lodge, No. 73, of the I. O. O. F., at Russellville.
An act to change the time of holding the quarterly courts of Henry county.
An act for the benefit of the late sheriffs of Lewis county.
An act to change the time of holding the Lewis and Grayson quarterly courts.
An act to change the time of holding the quarterly courts of Hardin county.
An act to prescribe the western boundary of the town of Flemingsburg.
An act to incorporate Merrick Lodge, No. 31, of I. O. O. F., of the city of Lexington.
An act for the benefit of Thomas S. Terrell, of Ballard county.
An act to authorize actions between the county of Jefferson and the city of Louisville.
An act to incorporate the First Presbyterian Church, of Ashland.
An act regulating certain streets and buildings in the town of Williamsburg, and taxing certain buildings adjacent thereto.
An act to incorporate the Ebenezer Baptist Church, in Muhlenburg county.
An act to incorporate the Bourbon Female Institute, at North Mid­dletown.
An act fixing the time of holding the court of claims for Bath county.
An act to authorize the clerk of the Grant county court to purchase deed books, A and B, and transcribe the same.

An act to change the time of holding the Warren and Edmonson quarterly courts.

An act to change the time of holding the Shelby quarterly courts.

An act to regulate the agencies of Foreign Insurance Companies.

An act to incorporate the Commercial Insurance Company.

Approved March 3, 1856.

Mr. Whiteley, from the committee on Internal Improvement, reported a bill to amend an act to authorize the formation of corporations for manufacturing, mining, transporting, mechanical, or chemical purposes.

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That whenever any incorporated company shall be desirous to purchase lands, mines, mining privileges, contracts for the purchase of lands or minerals, or any other description of property whatever required in the prosecution of their business, it shall be competent for said incorporated company to pay for such purchase in shares of the capital stock of said company; and which shares shall be and are hereby declared to be full paid up stock, and not liable to any call for further payments thereupon.

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 it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

Ben Berry,  Gideon P. Jolly,  William Reiley,
William J. Berry, Andrew Jones, George C. Rogers,
Erasmus O. Brown, Richard Jones, James A. Russell,
Colbert Cecil, George F. Lee, Charles C. Smedley,
John B. Cochran, Philip Lee, Richard J. Spurr,
James Culton, Samuel Long, Thomas J. Terry,
Joshua Dunn, John G. Lyon, E. L. Vanwinkle,
Robert B. English, Charles A. Marshall, James T. Ware,
Anderson Gray, John W. Menzies, L. A. Whiteley,
Ben Hardin Helm, Samuel B. Pell, Francis M. Woods,
Greenberry Hicks, Andrew J. Prichard, E. S. Worthington—33.

Those who voted in the negative, were

Mr Speaker, (Huston,) David R. Dugan, James S. Littlepage,
Richard B. Alexander, Ephraim B. Elliott, Pleasant W. Mahan,

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Mr. Whiteley, from the same committee, to whom was referred a bill for the benefit of the Louisville and Covington Railroad Company, reported the same without amendment. Said bill was then amended. The question was then taken on ordering said bill, as amended, to be engrossed and read a third time, and it was decided in the negative. And so said bill was rejected.

Mr. Whiteley, from the same committee, reported a bill for the benefit of Josiah Jackson and Jesse W. Jones. Which was read the first time. The question was then taken on ordering said bill to be read a second time, and it was decided in the negative. And so said bill was rejected.

Mr. Whiteley, from the same committee, to whom was referred a bill for the benefit of the President of the Board of Internal Improvement, reported the same, with an amendment, which was concurred in. Said bill, as amended, reads as follows, viz:

"Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of five hundred dollars be paid in addition to the salary of the President of the Board of Internal Improvement, per annum."

Mr. Irvan moved further to amend said bill by striking out the words "five hundred," and inserting in lieu thereof the words "three hundred."

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, George C. Faris, John W. Menzies, Samuel B. Pell,
W. B. A. Baker, McDowell Fogle, Andrew J. Prichard,
R. P. Beauchamp, Sidney A. Foss, David H. Raymond,
Ben Berry, Daniel Garrard, Robert Richardson,
William J. Berry, John K. Goodloe, Joseph Ricketts,
William S. Bodley, Alfred F. Graham, William Reiley,
William B. Booker, Benjamin Gullion, George C. Rogers,
Archibald C. Brown, Roger W. Hanson, Charles C. Smedley,
Erasmus O. Brown, John S. Hargus, Richard J. Spurr,
Horatio W. Bruce, Ben Hardin Helm, Thomas J. Terry,
Colbert Cecil, John M. Hewitt, Joshua Tevis,
John B. Cochran, Greenberry Hicks, Richard S. Thornton,
George B. Cook, Gideon P. Jolly, D. L. Thurman,
James M. Corbin, Andrew Jones, E. L. Vanwinkle,
Coleman Covington, George F. Lee, James T. Ware,
James Culton, Philip Lee, L. A. Whiteley,
David R. Dugan, Samuel Long, Thomas H. M. Winn,
Charles Duncan, John G. Lyon, Francis M. Woods,
James A. Duncan, Charles A. Marshall, E. W. Worsham,
Joshua Dunn, Jas. H. McCampbell, E. S. Worthington—63.

Those who voted in the negative, were

Richard B. Alexander, James M. Fogle, Pleasant W. Mahan,
Lucien Anderson, Nathan Gaither, John C. McCrearey,
John B. Anderson, Henry Giles, Hiram McElroy,
William T. Anthony, Gordon B. Grasty, William M. Morrow,
John B. Auxier, Anderson Gray, Benjamin F. Rice,
John S. Bohannon, Hiram Hawkins, James M. Speer,
Isaac N. Clement, John L. Irvan, Fielding Vaughan,
Robert B. English, James S. Littlepage,

Resolved, That the title thereof be as aforesaid.

Mr. Whiteley, from the same committee, to whom was referred a bill from the Senate, entitled,
An act to charter the Tradewater Coal and Iron Mining Company.
Reported the same without amendment.
The said bill was then amended.

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

On motion of Mr. Whiteley,

Ordered, That the committee on Internal Improvement be discharged from the further consideration of the petition of Nicholas Richards.

The House then took up the bill to amend the charters of Banks.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no bank of issue, now incorporated, which shall accept the provisions of this act as an amendment of its charter, and no such bank, which has been or may be incorporated at this session of the general assembly or afterwards, shall hereafter, directly or indirectly, make a larger dividend than five per cent. upon the par value of its stock on the business of six months. 2dly. Each such bank may, in addition to the capital stock provided for in its charter, accumulate a contingent fund equal to twenty per cent. upon its capital actually paid in. 3dly. If, after the declaration of any dividend by such bank, its good assets shall cease to be greater than its capital stock and contingent fund as aforesaid; and, whenever they happen to be greater than said stock and contingent fund, the rate of interest and discount on all of its transactions shall be reduced as before prescribed, until its good assets shall cease to be greater than said stock and contingent fund as aforesaid; and, whenever they happen to be greater than said stock and contingent fund, the rate of interest and discount on all of its transactions shall be reduced as before prescribed, until its good assets shall cease to be greater than said stock and contingent fund. 4thly. The president and directors of each bank of issue heretofore incorporated, shall, as soon as it can be done after accepting the provisions of this act, furnish to the secretary of state, to be recorded in his office, a statement, on oath of its cashier or president, of the ordinary expenses of said bank for the preceding three years; and its ordinary expenses, including salaries, shall not exceed, by more than twenty-five per cent., the average expenditure of said three years, without the consent of the legislature expressly given. If no such statement be made by a bank, whether from not having operated three years or from any other cause, the secretary of state shall, from the official bank reports made, ascertain the average expenditure for three years of the bank which shows the lowest average, and, from that, shall fix the amount of expenses which such bank may incur; so that the same shall not exceed, by more than twenty-five per cent., the amount of expenditure due to its capital and business; and his entry, made on his records, shall limit the amount of expenditure which such bank may lawfully take out of its gross profits in ascertaining the dividend to be made; but if the actual expenses are less, they shall be the items of expense in the computation of the sums to be divided. 5thly. Immediately after the declaration of each dividend, it shall be the duty of each bank, under the oaths of its president or cashier, to furnish to the secretary of state a written statement of the assets of the bank and branches, what amount consists of real
estate, discounted notes, discounted bills, specie, their own notes, the notes of other banks, and of other things, and what is the amount of its good assets, and also of the rates of interest, discount and exchange they charged or received during the preceding six months, and of the amount and rate of dividend they have made. 6thly. Any violation of these amendments shall be cause of forfeiture of charter.

§ 2. That upon the acceptance of the provisions of this act by any such bank, and the deposit in the office of the secretary of state of official evidence thereof, all forfeitures of charter by such bank, previously incurred by reason of any violation of the provisions of such charter shall be, and the same are hereby remitted, unless proceedings to enforce such forfeiture shall have been commenced; in which case the forfeiture shall be remitted upon payment of the costs of such proceeding, and one-fourth part of the attorney’s fees hereinafter provided for. And the secretary of state shall, immediately after such acceptance of this act, give notice thereof to the circuit judge and district attorney for each county in which said bank or a branch thereof is situated, and to the attorney general.

§ 3. That upon such acceptance of the provisions of this act by any bank incorporated before the present session, the charter of such bank so accepting shall be, and the same is hereby extended ten years from the expiration of its corporate existence, as now allowed by law.

§ 4. That in each county where is located a bank or a branch of a bank within this act, which shall not have accepted its provisions as aforesaid, the circuit judge shall give this act specially in charge to the grand jury at each term of the circuit court; and it shall be the duty of the grand jury to summon and examine as witnesses the officers of such banks or branches, and such men as they suppose may have had dealings in or with said banks or branches, and diligently to inquire whether or not any violations of the charters of such banks have been committed, and especially, whether or not said banks or branches have received any greater rate of interest than six per cent. per annum, for loans of money, in the form of purchases of discounts of bills of exchange, or in any other form, or under any pretext or device whatever—also, whether or not said banks or branches have taken, under the pretext of exchange, a greater sum than would probably be the current rate of sight exchange at the maturity of the bills, or have charged so much per month as exchange, when there was no reason to believe that the rate of sight exchange would vary accordingly at the end of said months—or have taken, under the pretext of exchange, a greater sum than would be sufficient to change so much coin from the one place to the other, together with legal interest on the necessary time of effecting such change; or have taken the bills when the bank officer at the time knew or had reason to believe that the drawers were not drawing on funds which they expected to be in the hands of the drawees in the ordinary course of business, or knew that such bills were drawn merely for the purpose of obtaining a loan or loans in that form; or that any transaction was made under such circumstances as to show that it was intended by any device to obtain more interest than it was lawful in that transaction to take; or that loans have been made with an agreement, express or implied and understood, that the money should not be immediately drawn out by the borrower or dealer, or that it
should be taken in any paper less valuable than gold or silver coin or the notes of such bank. The circuit judge shall further charge such grand juries to make a presentment in detail of all violations of charter, as aforesaid, and the names of the witnesses by whom each can be proved.

§ 5. That immediately upon the return of any such presentment, the clerk of the court in which it may be made shall transmit a copy thereof to the attorney general, who shall thereupon institute the proper proceedings to vacate and forfeit the charter of such bank.

§ 6. That in the preparation and trial of such actions, the attorney general shall be assisted by the commonwealth's attorney for the district in which the presentment was made; and upon the rendition of a final judgment of forfeiture in any such action in the court of last resort to which it can be carried or in the court inferior to the court of last resort, if so much time has elapsed or such event has occurred, as renders the judgment conclusive and irreversible, the attorney general and said commonwealth's attorney may apply to the auditor, who, upon due proof, may draw his warrant on the treasurer for the sum of — thousand dollars, as a fee for his services, which sum shall be paid out of any money in the treasury not otherwise appropriated; and said fee shall be taxed as costs of said action, and be recovered and collected as such of the bank by the commonwealth.

§ 7. That the governor of this commonwealth shall employ such other counsel to assist the attorney general in such actions as he may deem proper to secure a correct decision of the action; and he may contract to pay therefor contingent fees, to be paid when the fees above provided for are to be paid, and in those conditions only; but said fees, in this section authorized, shall not in the aggregate exceed — thousand dollars.

§ 8. That upon the rendition of a judgment of forfeiture the same shall be remitted upon the acceptance, as above provided, by such bank of the provisions of this act and the payment of all the costs, including the fees hereby allowed to be paid to counsel for the commonwealth.

§ 9. That if any bank shall fail to accept the provisions of this act after the rendition of any such judgment of forfeiture, the governor of this commonwealth shall, by proclamation, appoint commissioners to receive subscriptions of stock in a bank, hereby incorporated, in place of the bank whose charter may have been so forfeited. The stock to be taken, the bank organized, and the powers, duties, limitations, and conditions, amount of capital, terms and times of payment, location of branches, and amount of their capital, to be the same as they were by the charter of such bank and its amendments, and upon subscription and payment, or securing payment of the required amount in the mode so provided, the said bank shall go into operation in the same manner as the former bank, but subject to the provisions of this act; and any bonds or other funds or stock belonging to this commonwealth in the bank so proceeded against, shall be transferred to the bank so to be established in its stead.

§ 10. That the court in which the judgment of forfeiture is rendered shall have and exercise full power, by attachment or otherwise, to
carry its judgment and the provisions of this act into complete execution.

§ 11. That no officer or stockholder of any bank of issue now organized, which has not accepted the provisions of this act, shall be a grand juror in any county in which such bank or either of its branches may be located.

Mr. Bodley moved to amend said bill as follows, viz:

Amend section 4 by striking out all after the word "money," printed in italic, to the close of the section, and inserting in lieu thereof the following, viz:

Made in the form of purchases or discounts of bills of exchange, or in any other form or under any pretext or device whatever, evidenced by taking, under the pretext of exchange, a greater amount than would probably be the current rate of sight exchange at the date of the maturity of the bills; or by charging so much per month as exchange, when there was no reason to believe that the rates of sight exchange would vary accordingly at the end of such months; or by the fact that at the time of purchasing such bills, the officers of such banks or branches knew that the drawers were not drawing on funds which they expected to be in the hands of the drawees in the ordinary course of their business; but that such bills were drawn merely for the purpose of obtaining loans from the banks in such form, or by any other facts attending such transactions, showing that they were devices to cover or disguise loans of money at rates exceeding the six per centum per annum allowed by their charters; and such circuit judge shall further charge such grand jury to make a presentment in detail of all such violations of charter and of all other violations of charter, and of the names of the witnesses by whom each can be proved.

Mr. Hawkins moved to lay the 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. Bodley and Speer, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Daniel Garrard, Jas. H. McCampbell,
Lucien Anderson, Henry Giles, John C. McCreary,
John B. Anderson, John K. Goodloe, Hiram McElroy,
William T. Anthony, Gordon B. Grasty, John W. Menzies,
John B. Auxier, Benjamin Gullion, William M. Morrow,
R. P. Beauchamp, John S. Hargis, David H. Raymond,
William J. Berry, Hiram Hawkins, Robert Richardson,
Robert C. Bowling, Ben Hardin Helm, William Reiley,
Erasmus O. Brown, John M. Hewitt, James A. Russell,
R. P. Beauchamp, John S. Hargis, David H. Raymond,
Robert C. Bowling, Ben Hardin Helm, Robert Richardson,
Erasmus O. Brown, John M. Hewitt, William Reiley,
Horatio W. Bruce, Greenberry Hicks, James A. Russell,
Colbert Cecil, John L. Irvan, Charles C. Smedley,
Isaac N. Clement, Andrew J. James, James M. Speer,
Milton J. Cook, Gideon P. Jolly, Richard J. Spurr,
Thomas H. Corbett, Andrew Jones, Richard S. Thornton,
David L. Thurman,
Coleman Covington, 
James Culon, 
David R. Dugan, 
Joshua Dunn, 
Ephraim B. Elliott, 
James M. Fogle, 
McDowell Fogle, 
Nathan Gaither, 
Richard Jones, 
George F. Lee, 
Philip Lee, 
Jas. S. Littlepage, 
Samuel Long, 
Pleasant W. Mahan, 
Charles A. Marshall, 
E. L. Vanwinkle, 
Fielding Vaughan, 
Willie Waller, 
James T. Ware, 
L. A. Whiteley, 
E. W. Worsham, 
E. S. Worthington—64.

Those who voted in the negative, were
William B. A. Baker, 
Ben Berry, 
William S. Bodley, 
John S. Bohannon, 
William B. Booker, 
James M. Corbin, 
James A. Duncan, 
Robert B. English, 
Sidney A. Foss, 
Alfred F. Graham, 
Anderson Gray, 
Samuel B. Pell, 
Joseph Ricketts, 
George C. Rogers, 
Thomas J. Terry, 
Joshua Tevis, 
T. H. M. Winn, 
Francis M. Woods—18.

Mr. Helm moved to re-consider the vote by which the bill for the benefit of the State road from Mount Sterling to the Virginia State line, was rejected.

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

The question was then again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) 
Lucien Anderson, 
John B. Anderson, 
John B. Auxier, 
William B. A. Baker, 
R. P. Beauchamp, 
William S. Bodley, 
John S. Bohannon, 
William B. Booker, 
Robert C. Bowling, 
Horatio W. Bruce, 
Colbert Cecil, 
Isaac N. Clement, 
John B. Cochran, 
Coleman Covington, 
David R. Dugan, 
Charles Duncan, 
Ephraim B. Elliott, 
George C. Faris, 
McDowell Fogle, 
S. A. Foss, 
Henry Giles, 
John K. Goodloe, 
Anderson Gray, 
Benjamin Gallion, 
Roger W. Hanson, 
John S. Hargis, 
Hiram Hawkins, 
Ben Hardin Helm, 
John M. Hewitt, 
Gideon P. Jolly, 
Andrew Jones, 
Richard Jones, 
Philip Lee, 
John C. Lyon, 
Charles A. Marshall, 
Jas. H. McCampbell, 
John W. Menzies, 
Wm. M. Morrow, 
Samuel B. Pell, 
Andrew J. Prichard, 
David H. Raymond, 
Benjamin F. Rice, 
Robert Richardson, 
Joseph Ricketts, 
William Reiley, 
George C. Rogers, 
James A. Russell, 
Charles C. Smedley, 
Richard J. Spurr, 
Thomas J. Terry, 
Joshua Tevis, 
Richard S. Thornton, 
David L. Thurman, 
L. A. Whiteley, 
Francis M. Woods, 
E. S. Worthington—57.

Those who voted in the negative, were
William T. Anthony, 
William J. Berry, 
James M. Fogle, 
Nathan Gaither, 
Samuel Long, 
Pleasant W. Mahan,

Resolved, That the title thereof be as aforesaid.

The House then took up the motion of Mr. Auxier to re-consider the vote by which the bill to re-organize Transylvania University and establish a Normal School, was rejected.

And the question being taken on re-considering said vote it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Robert B. English, George C. Faris, Samuel B. Pell, Andrew J. Prichard, Benjamin F. Rice, Robert Richardson,
John B. Auxier, Sidney A. Foss, Daniel Garrard, Richard Jones,
William B. A. Baker, John K. Goodloe, Roger W. Hanson, Joseph Rickets,
R. P. Beauchamp, Horatio W. Bruce, Ben Hardin Helm, George C. Rogers,
Ben. Berry, Erasmus O. Brown, John M. Hewitt, James A. Russell,
William J. Berry, William S. Bodley, Archibald C. Brown, Hiram Hawkins, Chas. C. Smedley,
Erasmus O. Brown, Coleman Covington, David R. Dugan, Samuel Long, Richard S. Thornton,
Horatio W. Bruce, Colbert Cecil, John B. Cochran, George B. Cook, James M. Corbin, L. A. Whiteley,
William B. A. Baker, Richard Jones, James Kinsler, John G. Lyon,
Ben. Berry, Ben. Hardin Helm, John M. Hewitt, Jas. H. McCampbell,
William J. Berry, Robert B. English, George C. Faris, John W. Menzies,
John K. Goodloe, John M. Hewitt, James A. Russell,
Ben. Hardin Helm, John M. Hewitt, James A. Russell,
John M. Hewitt, James A. Russell, Samuel Long,
William B. A. Baker, William B. A. Baker, William B. A. Baker,
Ben. Hardin Helm, Robert B. English, Andrew Jones,
Richard Jones, James Kinsler, George F. Lee,
James M. Corbin, Coleman Covington, David R. Dugan, Samuel Long,
Charles Duncan, Charles A. Marshall, Jas. H. McCampbell,
James A. Duncan, Ephraim B. Elliott, John B. Auxier, James M. Fogle,
Richard B. Alexander, McDowell Fogle, Henry Giles, Gideon P. Jolly,
John B. Anderson, Henry Giles, Gideon P. Jolly,
William T. Anthony, Alfred F. Graham, Gordon B. Grasty, Jas. S. Littlepage,
John S. Bohannon, Anderson Gray, Benjamin Gullion, Pleasant W. Mahan,
Robert C. Bowling, Anderson Gray, Benjamin Gullion, John C. McCreaeay,
Isaac N. Clement, Gordon B. Grasty, Anderson Gray, Hiram McElroy,
Milton J. Cook, Benjamin Gullion, Greenberry Hicks, William M. Morrow,
Thomas H. Corbett, Greenberry Hicks, John L. Irvan, William Reiley,
James Cullton, John L. Irvan, James S. Littlepage, James M. Speer,
Joshua Dunn, Andrew J. James, Fielding Vaughan, Willie Waller—30.
Mr. Morrow moved to amend said bill by adding thereto the following engrossed clause by way of rider, viz:

That this act shall be submitted to the people of this Commonwealth at the next August election, and shall not become a law unless approved by a majority of all the votes cast in this Commonwealth.

Mr. Speer moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the rider proposed by Mr. Morrow, and it was decided in the negative.

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

Those who voted in the affirmative, were

Lucien Anderson, Joshua Dunn, Pleasant W. Mahan,
William T. Anthony, Robert B. English, John C. McCreaey,
John S. Bohannon, James M. Fogle, Hiram McElroy,
William B. Boeker, McDowell Fogle, William M. Morrow,
Robert C. Bowling, Henry Giles, William Reiley,
Isaac N. Clement, Gordon B. Grasty, James M. Speer,
Milton J. Cook, Anderson Gray, Thomas J. Terry,
Thomas H. Corbett, Hiram Hawkins, Richard S. Thornton,
James M. Corbin, Greenberry Hicks, David L. Thurman,
Coleman Covington, Andrew J. James, Fielding Vaughan,
James Culton, James S. Littlepage, Willie Waller—33.

Those who voted in the negative, were

Mr. Speaker, (Huston,) Sidney A. Foss, John W. Menzies,
Richard B. Alexander, Nathan Gaither, Elijah F. Nuttall,
John E. Anderson, Daniel Garrard, Samuel B. Pell,
John E. Auxier, John K. Gooldoe, Andrew J. Prichard,
William B. A. Baker, Alfred F. Graham, Benjamin F. Rice,
R. P. Beauchamp, Benjamin Gullion, Robert Richardson,
Ben Berry, Roger W. Hanson, Joseph Bickets,
William J. Berry, John S. Hargis, George C. Rogers,
William S. Bodley, Ben Hardin Helm, James A. Russell,
Laban J. Bradford, John M. Hewitt, Charles C. Smedley,
Archibald C. Brown, John L. Ivvan, Richard J. Spurr,
Erasmus O. Brown, Andrew Jones, Joshua Tereis,
Horatio W. Bruce, Richard Jones, E. L. Vanwinkle,
Colbert Cecil, James Kinstler, James T. Ware,
John B. Cochran, George F. Lee, L. A. Whiteley,
David R. Dugan, Philip Lee, T. H. M. Winn,
Charles Duncan, Samuel Long, Francis M. Woods,
James A. Duncan, John G. Lyon, E. W. Worthington,
Ephram B. Elliott, Charles A. Marshall, E. S. Worthington—60.
The question was then again taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Sidney A. Foss,  Benjamin F. Rice,  
John B. Auxier, Daniel Garrard,  Robert Richardson,  
William B. A. Baker, John K. Goodloe,  Joseph Ricketts,  
R. P. Beauchamp, Roger W. Hanson,  George C. Rogers,  
Ben Berry, John S. Hargis,  James A. Russell,  
William S. Bodley, Hiram Hawkins,  Charles C. Smedley,  
Laban J. Bradford, Ben Hardin Helm,  Richard J. Spurr,  
Archibald C. Brown, Andrew Jones,  Thomas J. Terry,  
Erasmus O. Brown, Richard Jones,  Joshua Tevis,  
Horatio W. Bruce, James Kinslaer,  Richard S. Thornton,  
Colbert Cecil, George F. Lee,  David L. Thurman,  
John B. Cochran, Samuel Long,  E. L. Vanwinkle,  
Coleman Coviington, John G. Lyon,  James T. Ware,  
David R. Dugan, Charles A. Marshall,  L. A. Whiteley,  
Charles Duncan, Jas. H. McCampl,  T. H. M. Wirt,  
James A. Duncan, John W. Menzies,  Francis M. Woods,  
Ephraim B. Elliott, Elijah F. Nuttall,  E. W. Worsham,  
Robert B. English, Samuel B. Pell,  E. S. Worthington—56.  
George C. Faris, Andrew J. Prichard,

Those who voted in the negative, were

Richard B. Alexander, Joshua Dunn,  Andrew J. James,  
Lucien Anderson, James M. Fogle,  Philip Lee,  
John B. Anderson, McDowell Fogle,  James S. Littlepage,  
Wm. T. Anthony, Nathan Gaither,  Pleasant W. Mahan,  
William J. Berry, Henry Giles,  John C. McCready,  
John S. Bohannon, Alfred F. Graham,  Itiram McElroy,  
William B. Booker, Gordon B. Grasty,  William M. Miller,  
Robert C. Bowling, Anderson Gray,  William M. Morrow,  
Isaac N. Clement, Benjamin Gullion,  William Reiley,  
Milton J. Cook, John M. Hewitt,  James M. Speer,  
Thomas H. Corbett, Greenberry Hicks,  Fielding Vaughan,  
James M. Corbin, John L. livan,  Willie Waller—37.  
James Culton,

Resolved, That the title of said bill be amended to read as follows, viz:

An act to re-organize Transylvania University, and establish therein a school for teachers.

A message was received from the Senate, asking to withdraw their report announcing their disagreement to a bill from this House, entitled,

An act in relation to the Kentucky Penitentiary.
Which was granted, and the bill withdrawn.
On motion of Mr. Goodloe,
Leave of absence during the remainder of the session was granted
to Mr. L. Anderson.
Mr. Bodley, from the committee on the Education, to whom were
referred bills from the Senate of the following titles, viz:
An act for the benefit of Jonathan Vancleve and Matthew Murphy,
trustees of school district No. 75, of Daviess county.
An act for the benefit of School District. No. 6, in Fulton county.
An act for the benefit of Common School Districts in this Common-
wealth.
An act for the benefit of school district No. 20, in Carroll county.
Reported the same without amendment.
And the question being severally taken on ordering said bills to be
read a third time, it was decided in the negative.
And so said bills were disagreed to.
Mr. Bodley, from the same committee, to whom were referred the
following bills, viz:
A bill for the benefit of School district, No. 41, in Jefferson county.
A bill to incorporate the Public Church and School House Company.
Reported the same with amendments.
Which were concurred in.
Ordered, That said bills, as amended, 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 engross-
ed,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.
Mr. Bodley, from the same committee, to whom was referred a bill
for the benefit of the Gordonsville Common School district, No. 27, for
Logan county,
Reported the same without amendment.
The question was then taken on ordering said bill to be engrossed
and read a third time, and it was decided in the negative.
And so said bill was rejected.
Mr. Bodley, from the same committee, to whom was referred a bill
from the Senate, entitled,
An act for the benefit of school district No. 38, in Grayson 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.
The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was disagreed to.

A bill from the Senate, entitled,

An act to amend the Savings Institution of Harrodsburg,

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 order of the day for the 5th inst. at 12 o'clock, M.

Mr. Whiteley, from the committee on Internal Improvement, reported a bill to change the Wilderness Turnpike road, in Lincoln county.

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

And so said bill was rejected.

And then the House adjourned.

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WEDNESDAY, MARCH 5, 1856.

A message was received from the Senate announcing that they had concurred in resolutions from this House, in relation to printing the report of the State Geologist, with an amendment thereto.

That they had passed a bill from this House, of the following title, viz:

An act in relation to the Kentucky Penitentiary.

With an amendment thereto.

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

An act to provide for the prosecution of the geological, mineralogical, chemical, topographical, and agricultural survey of the State.

An act to amend in part the 61st chapter of the Revised Statutes.
An act to incorporate the Versailles and South Elkhorn Turnpike road Company.

An act for the benefit of M. T. Shelburne, of Ballard county.

An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.

That they had received official information from the Governor, that he had approved and signed enrolled bills that originated in the Senate, of the following titles, viz:

An act to amend the several acts in relation to Peddlers.

An act to provide for a place of voting in the 4th district in Bath county, instead of the Olympian Spring.

An act for the benefit of the sheriff of Bath county.

An act to incorporate Napoleon Lodge, No. 216, of Free and Accepted Masons.

An act to incorporate Chapter, No. 51, of Royal Arch Free and Accepted Masons, in Gallatin county.

An act for the benefit of the clerk of the Floyd County Court, and the clerk of the Pulaski Circuit Court.

An act to incorporate Mount Eden Lodge, No. 263, of Free and Accepted Masons, of Spencer county.

An act for the benefit of the late sheriffs and deputy sheriffs of Nicholas county.

An act to amend the charter of the Mobile and Ohio Railroad Company, approved February 26, 1848, and the charter of the New Orleans and Ohio Railroad Company, approved January 9, 1852.

An act to amend the charter of the Lexington and Richmond Turnpike Company.

An act fixing the time of holding the chancery and criminal courts in the 1st judicial district.

An act to incorporate Browiski Lodge, No. 64, I. O. O. F., of Carrollton.

An act for the benefit of the Foster Turnpike Road Company.

An act to amend an act to incorporate the Perryville and Mitchellsburg Turnpike Road Company, approved March, 1854.

An act to incorporate the Deposit Bank of Glasgow. Approved March 4, 1856.

Bills were reported as follows, viz:

By Mr. Tevis—1. A bill for the benefit of the County Court of Montgomery county.

By the committee on Education—2. A bill in relation to Franklin Academy, in the town of Washington.
By same—3. A bill for the benefit of school district No. 1, in Graves county.

By same—4. A bill to incorporate the Green River Education Society.

By same—5. A bill to dispose of the seminary land funds of the Bracken Academy.

By same—6. A bill to incorporate the Lafayette Male Academy, in Christian county.

By same—7. A bill for the benefit of certain fractions of common school districts in Pulaski county.

By same—8. A bill for the benefit of Jacob T. Miller.

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 bills were ordered to be engrossed and read a third time, and the 5th was referred to the committee on Education.

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,

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

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

An act to amend and reduce into one all the acts concerning the town of Bowlinggreen.

An act to regulate the office of the clerk of the Court of Appeals.

An act for the benefit of the Methodist Episcopal Church South, in the county of Henry.

Approved March 4, 1856.

A message was received from the Senate, asking to withdraw their report announcing that they had passed a bill, entitled,

An act to amend the charter of the Lexington and Danville Railroad Company.

Which was granted, and the said bill was withdrawn.

Mr. Bodley, from the committee on Education, reported bills of the following titles, viz:

A bill for the benefit of parents and guardians, and of students at incorporated colleges, academies, and military institutions.

A bill to incorporate Penual College.

A bill for the benefit of school district No. 15, in Calloway county.

Which were read the first time.
And the question being severally taken on ordering said bills to be read a second time, it was decided in the negative.

And so said bills were rejected.

The House then took up the bill to extend State aid to Internal Improvements.

Which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the governor of Kentucky to subscribe, in the name of and on behalf of the commonwealth, ten thousand dollars per mile, upon the terms and conditions hereinafter provided, to the capital stock of each railroad company which has been or may be incorporated in this state.

§ 2. That such subscription shall not be made to the capital stock of any railroad company until the governor aforesaid shall be satisfied that at least twenty consecutive miles thereof, (beginning at one of its termini within this state, or at a point within this state to which, at the time of the passage of this act, the graduation and bridging of said road may be already finished,) has been fully graded and bridged, and otherwise made ready for the ballasting and superstructure, nor until said company shall agree that said subscription shall be preferred stock, and that the state of Kentucky shall have and possess a lien upon the property and franchises of said company to the extent of the stock held by the state, and the dividends accruing thereon, and that said lien shall have precedence of all others.

§ 3. That whenever the governor shall be satisfied that any railroad company contemplated by this act has brought itself within the provisions of the preceding section, it shall be his duty to subscribe as aforesaid to the capital stock of said company to the amount of ten thousand dollars per mile for the twenty miles before mentioned; and he shall, from time to time, make such additional subscription, in like manner, to the capital stock of said company to the amount of ten thousand dollars per mile, for each five miles, whenever he shall be satisfied that said company has completed the graduation and bridging of an additional contiguous and continuous five miles of said road, as provided in the preceding section, unless a shorter distance shall reach a station or the terminus of said road, in which case said subscription shall be made for such distance.

§ 4. That if any railroad company obtaining the benefit of the preceding sections of this act, shall make it appear to the satisfaction of the governor that it has used, in laying the track of its road, iron rails manufactured within this state from iron ore mined within this state, it shall be the duty of the governor to subscribe to the capital stock of said company, upon the terms herein prescribed, fifteen hundred dollars per mile (in addition to the ten thousand dollars per mile before provided for) for the length of said road so laid with rails manufactured as prescribed in this section.

§ 5. That inasmuch as the erection of permanent bridges of sufficient strength and durability to insure the safe transit of trains of railroad cars across the Tennessee, Cumberland, Green, and Kentucky rivers will necessarily cost large sums of money, over and above the
price of ordinary graduation and masonry, the governor is hereby authorized and directed to subscribe to either of the railroad companies claiming the benefit of this act, on which one of said bridges may be necessary, within the limits of this state, an amount in stock equal to one-half the cost thereof, not exceeding in any case the sum of one hundred thousand dollars, to be specially applied to building said bridge when under actual construction.

§ 6. That the benefit of this act shall not extend to any company so far as it may have the track of its road completed and laid at the time of the passage hereof, nor to any company until the governor shall be satisfied that its road is to be at least fifty miles in length, or a connecting link between longer lines, or an extension of a longer line of railroad.

§ 7. That the subscription or subscriptions, hereinbefore provided for, when made, shall entitle the state to a preferred stock, bearing interest at the rate of six per centum per annum, payable semi-annually by the said company between the 1st and 20th days of June and December of each year.

§ 8. That should any of said railroad companies have made or hereafter make any mortgage, deed of trust, or other lien upon their road, such mortgage, deed of trust, or other lien shall have no effect whatsoever to impair or modify the prior lien herein provided to secure the state subscription for stock, and the dividends accruing thereon; but the right of the state to full payment and preference to all other creditors and stockholders shall ever remain inviolate.

§ 9. That the subscriptions provided for herein shall be made to such companies, from time to time, exclusively in payment for the ballasting, superstructure, stations, rolling stock and equipments of their respective roads.

§ 10. That the amount to be subscribed under the foregoing provisions of this act shall not exceed in the aggregate ($7,500,060) seven millions five hundred thousand dollars, not more than one-third of which shall be paid in any one year.

§ 11. That as each company claiming the benefit of this act shall, from time to time, make it appear that it is entitled to a subscription on the part of the state, the governor shall draw or cause to be drawn, a warrant on the treasury in favor of said company, for the amount to which said company may be entitled under the provisions of this act, and he shall take from said company a certificate of capital stock to a like amount as provided for in section 7 of this act.

§ 12. That for the purpose of providing the means necessary to carry out the provisions of the preceding sections of this act, the governor shall, from time to time, as may be required, execute and issue the coupon bonds of the state, having thirty years to run, bearing interest at the rate of six per centum per annum payable semi-annually on the 1st day of January and the 1st day of July in each and every year; which said bonds he may sell at any rate he can obtain for the same, not less than par, but the whole amount of said bonds so issued shall
not exceed, in the aggregate, the sum of ($7,506,000) seven millions and five hundred thousand dollars, nor shall the amount of such bonds so issued in any one year exceed one-third part of said aggregate sum herein provided to be issued.

§ 13. That upon the first subscription of stock in any railroad company under this act, the governor shall appoint therein two directors, in addition to the directors allowed by the charter and elected by the other stockholders of said company, which directors, so appointed, shall have been stockholders in said company for at least three months previous to their appointment, and they shall serve as directors until the end of the next session of the general assembly subsequent to their appointment, and thereafter the governor, by and with the advice of the senate, shall appoint said directors, whose term of office shall be two years.

§ 14. That each railroad company, which shall receive the benefit of this act, shall report to the general assembly, at each session, the amount of work done upon its road, the earnings, expense, travel, trade, and general condition thereof, financial and otherwise, and also the amount thereof since and after the passage of this act.

§ 15. That whenever a dividend is paid upon the stock subscribed by the state in any railroad company under this act, a like dividend shall be paid to all other stockholders in said company, but said dividend to other stockholders shall be paid only in the capital stock of said company, unless the net profits of the business of the company and its financial condition otherwise shall, in the opinion of the board of directors, warrant the payment of said dividend in money: Provided, That the state shall, at all times, be entitled to a larger dividend than six per cent. per annum upon the stock held by it, if a larger dividend be declared upon that held by other stockholders.

§ 16. That it shall be the duty of the governor, between the 1st and 10th days of January of each year, to ascertain the exact amount of railroad stock that may have been subscribed for under this act, on account of the state during the preceding year, until the whole amount provided for herein shall have been subscribed, whereupon he shall make proclamation of the amount, and thereafter the annual tax now assessed upon each one hundred dollars worth of taxable property, "for the ordinary expenses of the government," shall be assessed one and one-half cents less for each one million of dollars of stock so subscribed for, it being the intention of this section to provide, that the amount of dividends received by the state upon the railroad stock subscribed for under this act, shall supply the place of the diminished revenue that will be received into the treasury under the operations of this section.

§ 17. That for the purpose of extending the slack water navigation of Kentucky river and Green river, and rendering more profitable to the state the large amounts heretofore expended thereon, three additional locks, — feet high, shall be erected at suitable points on each river, under the superintendence of a special engineer or engineers, to be employed by the governor; one lock on each river to be erected during the first year, and one more on each river during each succeeding year for two years thereafter, commencing the first Monday in August next; said locks not to cost in the aggregate, including the
services of the engineer or engineers, more than four hundred thousand dollars.

§ 18. That for the purpose of improving the downward navigation of the following streams the following sums are appropriated, to be expended under the management and supervision of the persons named herein as commissioners for each stream, or such of them as may choose to act, under oath, faithfully to discharge the duties imposed upon them, not exceeding one half of each appropriation to be expended in any one year, to-wit:

To Big Sandy river, and the Louisa and Tug forks of the same—thirty thousand dollars, and are appointed commissioners.

To Licking river—seventy thousand dollars, and are appointed commissioners.

To Kentucky river, and its principal forks—seventy thousand dollars, and are appointed commissioners.

To Cumberland river, above the Tennessee State line and below the falls, including Rockcastle river—thirty thousand dollars, and are appointed commissioners.

§ 19. That for the purpose of paying for these river improvements, the governor is authorized, from time to time, as the money may be needed to pay for the work done, to execute and issue, to an amount not exceeding in the aggregate $500,000, state bonds similar to those provided to be issued in the second section of this act, and to sell the same at any price he can obtain therefor, not less than par. The money appropriated herein to extending the slackwater navigation of Kentucky and Green rivers to be paid to the persons entitled by contract to receive the same, according to periodical estimates to be made by the state engineer, reserving in the treasury twenty per cent. of each estimate till the work on each lock shall be completed and handed over to the state in pursuance of the terms of construction. The money appropriated for the purpose of improving the downward navigation of certain streams shall be paid over to the acting commissioners in each case, or to their order, who shall have taken the oath before required, and executed bond to render a full and true account of the expenditure thereof to the auditor of public accounts.

§ 20. That for the purpose of raising money sufficient to pay the interest as it accrues on said bonds hereinbefore provided to be issued, and to discharge the principal thereof within thirty years, there is hereby levied a tax of five (5) cents on each one hundred dollars worth of taxable property in the state for the first year after the passage of this act, and for the second year after the passage of this act there is hereby levied, as aforesaid, a tax of nine and one-half (9 ½) cents, and thereafter there is hereby levied, until said principal and interest are fully satisfied and paid, an annual tax of fourteen and one-half (14½) cents on each one hundred dollars worth of taxable property in this state; which said taxes shall be collected as other taxes are or may be collected, and the proceeds thereof are hereby inviolably pledged and appropriated for the payment of said interest as it accrues, and the discharge of said principal.
§ 21. That the proceeds of said tax, when collected and paid into the treasury, shall be paid over to the commissioners of the sinking fund, who, after paying the interest due upon the bonds issued under the provisions of this act, shall, annually, invest the remainder to the best advantage in state stocks, or the stocks of the banks of this state, and shall continue to re-invest the interest or dividends thereon, as often as received, until the sum thus secured and otherwise directed herein to be applied to the payment of said bonds shall become sufficient to redeem the bonds issued under this act.

§ 22. That whenever said commissioners can purchase any of said bonds at not more than per, they are directed to use for that purpose the funds hereby placed in their hands, and to purchase and cancel said bonds.

§ 23. That this act shall be submitted to the voters of the state for their ratification or rejection at the next general election, on the 1st Monday in August, 1856; at which election it shall be the duty of the judges to cause a poll to be opened for and against it; and it shall be the duty of the sheriff and the clerk together of each county, on the Wednesday after the election, to add up the number of votes cast for and against it, and immediately report both of said numbers to the secretary state, and on the fourth Monday in August next, or as soon thereafter as practicable, the returns from the various counties shall be added up, and the result calculated and compared by the governor, attorney general, and secretary of state, or a majority of them; and if it shall appear that a majority of the votes cast on this question are in favor of the act, then and in that event it shall have full force and effect, and the governor shall make proclamation of the fact; otherwise it shall be null and void.

§ 24. That it shall be the duty of the governor to cause this act to be published in every political newspaper in the state at least once in each month prior to July next, and twice in the month of July next, and the compensation therefor to the proprietors of each of the newspapers publishing the same shall be one dollar per square of three hundred ems brevier or smaller type, for the first insertion, and fifty cents per square for each subsequent insertion; and the governor shall cause a warrant to be drawn up on the treasury in payment therefor in favor of the proprietor of each paper, when it shall appear to his satisfaction that the publication has been made therein according to the requirements of this section.

Mr. Menzies moved to amend said bill by adding thereto the following, viz:

§ 25. That the governor shall subscribe on behalf of the state, and pay as hereinbefore provided, ten thousand dollars per mile to the Covington and Lexington railroad company, for that portion of the road between Paris and Lexington and unfinished, and in those places: Provided, The said company shall agree that the stock thus subscribed shall be preferred, and that there shall be paid thereon to the state semi-annual dividends on the 10th days of June and December in each year, at the rate of not less than six per cent. per annum: And provided further, That the governor shall be first satisfied that the said com-
pany possesses ability to pay such dividends; thereafter the governor shall appoint two directors for said company, as in case of other companies before mentioned.

Mr. Speer 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. Speer and Waller, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, Robert B. English, Gideon P. Jolly,
John B. Anderson, George C. Farris, James Kinaler,
William T. Anthony, James M. Fogle, Philip Lee,
John B. Auxier, McDowell Fogle, J. S. Littlepage,
R. P. Beauchamp, Nathan Gaither, Samuel Long,
John S. Bohannon, Daniel Garrard, Pleasant W. Mahan,
William B. Booker, Henry Giles, John C. McCready,
Erasmus O. Brown, Alfred F. Graham, Hiram McElroy,
Horatio W. Bruce, Gordon B. Grasty, William M. Miller,
Colbert Cecil, Anderson Gray, William M. Morrow,
Isaac N. Clement, Benjamin Gullion, David H. Raymond,
John B. Cochran, Roger W. Hanson, William Reiley,
George B. Cook, John S. Hargis, James A. Russell,
Milton J. Cook, Hiram Hawkins, James M. Speer,
Thomas H. Corbett, Ben Hardin Helm, David L. Thurman,
James M. Corbin, John M. Hewitt, E. L. VanWinkle,
David R. Dugan, Greenberry Hicks, Fielding Vaughan,
James A. Duncan, John L. Irvan, Willie Waller—56.
Joshua Dann, Andrew J. James,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Sidney A. Foss, Joseph Ricketts,
Ben Berry, John K. Goodloe, George C. Rogers,
William J. Berry, Andrew Jones, Richard J. Spurr,
William S. Bodley, Richard Jones, Thomas J. Terry,
Robert C. Bowling, George F. Lee, Joshua Tevis,
Laban J. Bradford, John G. Lyon, James T. Ware,
Archibald C. Brown, Charles A. Marshall, L. A. Whiteley,
Coleman Covington, Jas. H. McCampbell, T. H. M. Winn,
James Culton, John W. Menzie, E. W. Worsham,
Ephraim B. Elliott, Andrew J. Prichard, E. S. Worthington—30.

Mr. Menzies, from the committee on the Judiciary, reported a bill to change the time of the meeting of the general assembly.

Which was read the first time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the stated biennial meetings of the general assembly of the commonwealth of Kentucky shall commence on the first Monday of December.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

Mr. Bodley, from the committee on Education, reported a bill for the benefit of the Kentucky State Medical Society,

Which was read the first time, as follows, viz:

WHEREAS, It has been represented to this General Assembly, that the Kentucky State Medical Society are unable to publish the proceedings
and valuable documents of said society, and that the same would be of great value to the public if published. Therefore, 

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the public printer be directed to print the annual proceedings and valuable documents of said society: Provided, That the same shall not exceed the sum of five hundred dollars per annum; and that a copy shall be sent with the other public documents to each county in the State, the remainder to be delivered to the president of the society for distribution among its members.

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 it was decided in the negative, a majority of all the members elected not having voted in favor of it.

And so said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, Elijah F. Nuttall, 
R. P. Beauchamp, Alfred F. Graham, Samuel B. Pell, 
Ben. Berry, Roger W. Hanson, Robert Richardson, 
William S. Bodley, Ben Hardin Helm, Joseph Ricketts, 
Archibald C. Brown, John M. Hewitt, William Kelley, 
Erasmus O. Brown, Andrew Jones, George C. Rogers, 
Horatio W. Bruce, Richard Jones, James A. Russell, 
John B. Cochran, James Kinlaer, Charles C. Smedley, 
James M. Corbin, George F. Lee, Richard J. Spurr, 
Coleman Covington, Philip Lee, Joshua Tevis, 
David R. Dugan, John G. Lyon, L. A. Whiteley, 
Ephraim B. Elliott, Charles A. Marshall, Thos. H. M. Winn, 
Robert B. English, Jas. H. McCampbell, Francis M. Woods, 
George C. Farris, John W. Menzie, E. S. Worthington—43.

Those who voted in the negative, were

Richard B. Alexander, McDowell Fogle, Samuel Long, 
John B. Anderson, Nathan Gaither, Pleasant W. Mahan, 
William T. Anthony, Daniel Garrard, John C. McCreary, 
John B. Ayxier, Henry Giles, Hiram McElroy, 
John S. Bohannon, Gordon B. Grasty, William M. Miller, 
William B. Booker, Anderson Gray, William M. Morrow, 
Robert C. Bowling, Benjamin Gillion, David H. Raymond, 
Colbert Cecil, John S. Hargis, Benjamin F. Rice, 
George B. Cook, Hiram Hawkins, James M. Speer, 
Milton J. Cook, Greenberry Hicks, Richard S. Thornton, 
Thomas H. Corbett, John L. Irvan, David L. Thornton,
A message was received from the Senate, announcing that they had concurred in the amendments proposed by this House to bills from the Senate of the following titles, viz:

An act to charter the Tradewater Coal and Iron Mining Company.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

An act to incorporate the Nashville and North Western Railroad Company.

An act to incorporate the Board of Trustees of the Kentucky Female College.

An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes.

With an amendment to the last named bill.

That they had disagreed to a bill from this House, of the following title, viz:

An act to extend the boundary of the city of Henderson.

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

An act to amend chapter 103 of the Revised Statutes, title, "Turnpike and Plank Roads."

An act for the benefit of Littleton Helm.

An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.

An act to authorize the County Court of Floyd county to establish a ferry on Sandy river.

An act to incorporate Bagdad and Harrisonville Turnpike Road Company.

An act to amend an act authorizing the Oakland Plankroad Company to construct a branch road.

An act to incorporate the Louisville Bridge Company.

An act to incorporate the Section Dock Company, at Smithland.

An act to incorporate the Falmouth and Milford Turnpike road Company.

An act to incorporate the Falmouth and Clayville Turnpike road Company.

An act incorporating certain turnpike roads in Green county.

An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at lock No. 3, on Green river.

An act to sell the stone owned by the State on Licking river.

An act for the benefit of turnpike roads in which the State is a stockholder.
An act for the benefit of the Lancaster and Crab Orchard Turnpike road Company.

An act to amend the charter of the Covington and Lexington Railroad Company.

With an amendment to the last named bill.

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

An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act for the benefit of the town of Cynthiana.

An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.

An act to amend the charter of the Kentucky Coal and Iron Company.

An act for the benefit of the clerk of the Hickman circuit court.

An act to amend an act incorporating the city of Hickman.

An act to change the time of voting in the 3d district, in Simpson county.

An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.

An act for the benefit of William M. Smith, of Rockcastle county.

An act for the benefit of the sheriff of Washington county.

An act for the benefit of those who may become purchasers of the Maysville and Lexington Railroad.

An act to amend the charter of the city of Lexington.

An act to incorporate Benevolent Lodge, No. 246, of Free and Accepted Masons.

An act to amend an act incorporating the town of Sardis, in Mason county.

An act authorizing the sale of the Buck creek Seminary property, in Shelby county.

An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.

An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.

An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.

An act for the benefit of the State of Connecticut.

An act for the benefit of J. B. Howard and S. P. Williams.

An act to incorporate the Kentucky Female Institute.

An act to incorporate the Paducah and Nashville Telegraph Company.

An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.

An act to repeal an act, approved March 7, 1854, to regulate the appointments of Superintendents of the Western Lunatic Asylum.
An act to incorporate the South Kentucky Mining and Manufacturing Company.

An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.

An act to incorporate the Ashland Fire, Marine, and Life Insurance Company.

That they had received official information from the Governor, that he had approved and signed enrolled bills and a resolution that originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts concerning the town of Ghent.

An act to amend the charter of Danville.

An act for the benefit of Jacob Rice, late Sheriff of Carter county.

An act to establish an additional election precinct and place of voting in Christian county.

An act authorizing the County Court of McLean to establish a ferry or purchase the present ferry over Green river at Calhoon and Rumsey.

An act to incorporate Logan Lodge, No. 73, I. O. O. F., at Russellville.

Resolution in relation to the Hermitage. Approved March 4, 1856.

The House then again took up a bill from the Senate, entitled, An act better to define usury. Mr. Vanwinkle moved to amend said bill as follows, viz:

Strike out all after the enacting clause, and insert in lieu thereof the following, viz:

That when any person, bank, or corporation shall purchase, discount, or acquire in any manner any bill of exchange, draft, or other commercial paper, and shall in such purchase, discount, or acquisition charge, receive, or in any manner obtain usury under pretence of exchange, such person, bank, or corporation shall be deemed guilty of a high misdemeanor.

§ 2. That when any person, bank, or corporation shall make or cause to be made, create or cause to be created, any bill of exchange, draft, or other commercial paper, with the view of purchasing, discounting, or acquiring such bill, draft, or paper in any manner, and shall under pretence of exchange take, charge, or receive usury in the purchase, discount, or acquisition of such paper shall be deemed guilty of a high misdemeanor; and when such person, bank, or corporation shall purchase, discount, or acquire any bill of exchange, draft, or other commercial paper, (other than a note of discount in bank) created or made for the purpose of raising or borrowing money, and which is not based upon a bona fide commercial transaction, such person, bank or corporation shall, if they have good reason to suspect or believe such paper was created or made for the purpose aforesaid, and not based upon a bona fide commercial transaction, be deemed guilty of a misdemeanor;
and the person, bank, or corporation that shall violate any of the provisions of this act shall forfeit and pay a sum of money equal to one-half of the nominal value of the bill, draft, or paper created, made, discounted, purchased, or acquired in the manner herein provided, to be recovered by indictment in the circuit courts of this commonwealth having jurisdiction of the same; one-half to the use of the sinking fund and the other to the commonwealth's attorney; and it shall be the duty of the several judges of this commonwealth to give this act specially in charge to the grand juries.

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

Mr. Nuttall moved to reconsider the vote by which the amendment proposed by Mr. Menzies, on Friday last, to said bill was rejected.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,)  Robert B. English,  John G. Lyon,
Richard B. Alexander,  James M. Fogle,  John C. McCreary,
John B. Anderson,  McDowell Fogle,  John W. Menzies,
John B. Auxier,  Sidney A. Foss,  William M. Morrow,
R. P. Beauchamp,  Nathan Gaither,  Elijah F. Nuttall,
Ben Berry,  Daniel Garrard,  Benjamin F. Rice,
William J. Berry,  Henry Giles,  Robert Richardson,
Erasmus O. Brown,  Gordon B. Grasty,  William Reiley,
Horatio W. Bruce,  Anderson Gray,  Charles C. Smedley,
Colbert Cecil,  Benjamin Gullion,  James M. Speer,
Isaac N. Clement,  Roger W. Hanson,  Richard J. Spurr,
John B. Cochran,  Hiram Hawkins,  Thomas J. Terry,
George B. Cook,  Ben Hardin Heim,  Richard S. Thornton,
Milton J. Cook,  John L. Irvan,  David L. Tharman,
James M. Corbin,  Andrew Jones,  E. L. Vanwinkle,
James Culley,  George F. Lee,  Willie Waller,
David R. Dugan,  Philip Lee,  L. A. Whiteley,
Charles Duncan,  James S. Littlepage,  E. S. Worthington—56.
Ephraim B. Elliott,  Samuel Long,
Mr. A. C. Brown moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of Mr. Menzies’ amendment, and it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott, James S. Littlepage,
John B. Anderson, Robert B. English, Samuel Long,
John B. Auxier, James M. Fogle, John G. Lyon,
R. P. Beanchamp, McDowell Fogle, John W. Menzies,
Ben Berry, Sidney A. Foss, William M. Morrow,
William S. Bodley, Nathan Gaither, Elijah F. Nuttall,
Erasmus O. Brown, Daniel Garrard, Robert Richardson,
Horatio W. Bruce, Henry Giles, William Reiley,
Colbert Cecil, Gordon B. Grasty, Charles C. Smedley,
Isaac N. Clement, Anderson Gray, James M. Speer,
John B. Cochran, Roger W. Hanson, Richard J. Spurr,
George B. Cook, Hiram Hawkins, Richard S. Thornton,
Milton J. Cook, Ben Hardin Helm, David L. Thurman,
James M. Corbin, John L. Irvan, Willie Waller,
James Culton, Andrew Jones, L. A. Whiteley,
David R. Dugan, Philip Lee, E. S. Worthington—48.

Those who voted in the negative, were

Richard B. Alexander, John K. Goodloe, Hiram McElroy,
Wm. T. Anthony, Alfred F. Graham, William M. Miller,
William B. A. Beker, John S. Hargis, Samuel B. Poll,
William J. Berry, Greenberry Hicks, David H. Raymond,
John S. Bohannon, Andrew J. James, Joseph Ricketts,
William B. Booker, Gideon P. Jolly, George C. Rogers,
Robert C. Bowling, Richard Jones, James A. Russell,
Laban J. Bradford, James Kinslaer, Thomas J. Terry,
Archibald C. Brown, George F. Lee, Joshua Tevis,
Thomas H. Corbett, Pleasant W. Mahan, E. L. Vawinkle,
Coleman Covington, Charles A. Marshall, James T. Ware,
Joshua Dunn, Jas. H. McCampbell, T. H. M. Winn,
George C. Faris, John C. McCreary, Hiram Wood—39.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Rogers and R. Jones, were as follows, viz:
Those who voted in the affirmative, were


Those who voted in the negative, were


Ordered, That said bill have its third reading on to-morrow, at 10 o'clock, A. M.

On motion of Mr. Helm,

Ordered, That leave of absence be granted to Mr. English for the remainder of this session of the General Assembly.

The House then took up a bill from the Senate entitled,

An act to amend the Savings Institution of Harrodsburg.

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 it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. M. J. Cook and R. Jones, were as follows, viz:
Those who voted in the affirmative, were


Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

Mr. Bodley, from the committee on Education, reported a bill for the benefit of the law department of Transylvania University.

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,

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. Speer reported a bill concerning fraudulent and insolvent corporations.
Which was read the first time, and ordered to be read a second time.

Mr. Bodley, from the committee on Education, reported a bill in relation to the Superintendent of Public Instruction.

Which was read the first time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the superintendent of public instruction shall keep his office at the seat of government of the State.

§ 2. The salary of the superintendent of public instruction shall be seventeen hundred dollars per annum payable in quarterly instalments out of the public treasury.

§ 3. This act to take effect from its passage.

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 it was decided in the negative.

And so said bill was rejected.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Andrew Jones, Richard Jones, Joseph Ricketts,
William B. A. Baker, James Kinslaer, William Reiley,
R. P. Beauchamp, George F. Lee, George C. Rogers,
Ben Berry, Philip Lee, James A. Russell,
William S. Bodley, Samuel Long, Richard J. Spurr,
Robert C. Bowling, John G. Lyon, Thomas J. Terry,
Laban J. Bradford, Charles A. Marshall, Joshua Tevis,
Archibald C. Brown, Jas. H. McCampbell, David L. Thurman,
Horatio W. Bruce, John W. Ménzies, James T. Ware,
John B. Cochran, W. C. Montgomery, L. A. Whiteley,
Joshua Dunn, Samuel B. Pell, T. H. M. Winn,
Sidney A. Foss, Robert Richardson, Francis M. Woods,
Ben Hardin Helm, Samuel J. Jones, E. S. Worthington—40.

Those who voted in the negative, were

Richard B. Alexander, Ephraim B. Elliott, Pleasant W. Mahan,
John B. Anderson, George C. Faris, John C. McCrearey,
William T. Anthony, James M. Fogle, Hiram McElroy,
John B. Auxier, McDowell Fogle, William M. Miller,
William J. Berry, Nathan Gaihier, Wm. M. Morrow,
John S. Bohannon, Daniel Garrard, Elijah F. Nuttall,
William B. Booker, Henry Giles, Andrew J. Prichard,
Colbert Cecil, Alfred F. Graham, David H. Raymond,
Isaac N. Clement, Gordon B. Gracey, Benjamin F. Rice,
Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

**An act for the incorporation of the Philomathean Society of Bethel College in Russellville, Kentucky.**

**An act to amend the charter of the town of Alexandria.**

**An act to amend section 17, article 4, chapter 47, of Revised Statutes.**

**An act to improve the State road from Columbia to Albany.**

**An act to incorporate the Millersburg Male and Female Seminary.**

**An act to incorporate the Harrison county agricultural and mechanical association.**

**An act to change the time of holding the court of claims in Madison county.**

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

**An act to amend an act, entitled, an act to incorporate the Hickman and State line Plank Road Company.**

**An act to amend the charter of the Helena Turnpike Road Company.**

**An act to amend the charter of the Knobb Lick Turnpike Road Company.**

**An act to incorporate the Barren county and Mammoth Cave Turnpike road Company.**

**An act to incorporate the Stony Hill Turnpike Road Company.**

**An act to incorporate the Merchants' Deposit Bank of Danville.**

**An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1st, 1854.**

**An act to incorporate the Paducah and Blandville Turnpike road Company.**

**An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.**

**An act to incorporate the Cumberland river Coal and Lumber Company.**

**An act regulating the time of holding the Circuit Courts.**

**An act to incorporate the Deposit Bank of Lebanon.**

Whereupon the Speaker affixed his signature thereto.

**Ordered, That Mr. M. J. Cook inform the Senate thereof.**
Mr. Bodley, from the committee on Education, to whom was referred a bill from the Senate, entitled,
   An act for the benefit of Shelby College,
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 said bill was rejected.
Mr. Menzies moved to re-consider the vote by which the bill to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties, was rejected.
On motion of Mr. Menzies,
Ordered, That the further consideration of said motion be postponed until to-morrow, at 3½ o'clock, P. M.
Mr. Cochran moved the following resolution, viz:
   Resolved, That the committee on the Judiciary be instructed to report to this House, at 10 o'clock to-morrow, a bill repealing all lottery grants and privileges in this State.
Mr. Cochran moved the previous question.
And the question being taken, shall the main question be now put?
it was decided in the affirmative.
The main question was then put: Shall the resolution be adopted?
and it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. P. Lee and A. C. Brown, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Mr. Speaker, (Huston,) Joshua Dunn,  
Richard B. Alexander, Sidney A. Foss,  
William B. A. Baker, Daniel Garrard,  
William S. Bodley, Benjamin Gullion,  
Horatio W. Bruce, Roger W. Hanson,  
James M. Corbin, John M. Hewitt,  
Greenberry Hicks, John L. Irvan,  
John W. Menzies, Elijah F. Nuttall,  

And then the House adjourned.

THURSDAY, MARCH, 6, 1856.

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

An act to amend section 17, article 4, chapter 47, of Revised Statutes.

An act to incorporate the Millersburg Male and Female Collegiate Institute.

An act to change the time of holding the court of claims in Madison county.

An act to incorporate the Harrison county agricultural and mechanical association.

An act for the incorporation of the Philomathean Society of Bethel College in Russellville, Kentucky.

An act to improve the State road from Columbia to Albany.

An act to amend the charter of the town of Alexandria.

Approved March 5, 1856.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and resolutions that originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to relieve common school districts not regularly reported.
An act to incorporate Bethel College at Russellville.
An act for the benefit of J. L. Jenkins, late sheriff of Henry county.
An act for the benefit of Hardin county.
An act to establish the Deposit Bank of Winchester.
An act for the benefit of the clerk of the Oldham County and Circuit Courts.

An act to change the time of holding the Breckinridge and Ohio Quarterly Courts.

An act for the benefit of the President of the Board of Internal Improvement.

An act to sell the stone owned by the State on Licking river.

An act for the benefit of turnpike roads in which the State is a stockholder.

An act for the benefit of the Lancaster and Crab Orchard Turnpike Road Company.

Preamble and resolutions in relation to the Missouri compromise, Kansas-Nebraska act, &c.

Also, enrolled bills that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend the charter of the Georgetown Turnpike Road Company.

An act to amend the charter of the Henderson and Hibbardsville Plankroad Company.

An act to incorporate the United Baptist Church, at Owensboro.

An act to incorporate the Salem Presbyterial Academy.

An act incorporating the Eminence High School.

An act to amend the charter of the Bardstown and Louisville Railroad Company.

An act to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.

An act incorporating the Hustonville and McKinney's Station Turnpike Road Company.

An act to incorporate the Burksville and Columbia Turnpike road Company.

An act to incorporate the Muhlenburg Mining and Manufacturing Company.


An act to establish Olivet University.

An act to incorporate the New Orleans and Ohio Telegraph lessees.

An act to incorporate the Crittenden Male and Female Academy.

An act to incorporate the Russellville, Elkton, Hopkinsville, and Paducah Railroad Company.

An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1850.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.
A message was received from the Senate, announcing that they had passed bills from this House, of the following titles, viz:

An act to incorporate the Catholic Benevolent Society, at Covington.
An act to amend the charter of New Haven.
An act to abolish a ferry on the Ohio river, in Meade county.
An act to increase the powers of the Marshal of the town of Mount Sterling.
An act incorporating Peage Lodge, No. 325, of Free and Accepted Masons.
An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.
An act to incorporate Blend Ballard Lodge, No. 38, I. O. O. F.
An act to amend an act incorporating the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

And had received official information from the Governor, that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the several acts concerning the town of Ghent.
An act to amend the charter of Danville.
An act for the benefit of Jacob Rice, late Sheriff of Carter county.
An act to establish an additional election precinct and place of voting in Christian county.
An act authorizing the County Court of McLean to establish a ferry or purchase the present ferry over Green river at Calhoon and Rumsey.
An act to incorporate Logan Lodge, No. 73, I. O. O. F., at Russellville.

Resolution in relation to the Hermitage. Approved March 4, 1856.

Mr. J. B. Anderson, from the committee on Claims, reported a bill for the benefit of John S. Dorman.

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.

Mr. Garrard, from the committee on Military Affairs, reported a bill for the benefit of the State Arsenal,

Which was read the first time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of two hundred and fifty dollars be and is hereby appro-
printed for the purchase and setting up a blacksmith's forge, turning lathe, and emory wheel at the State Arsenal in the city of Frankfort, for the use of said arsenal, which said sum shall be drawn from the treasury by the Quarter Master General, with the approval of the Governor.

**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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

| James M. Fogle, | McDowell Fogle—2.

Resolved, That the title thereof be as aforesaid.

Mr. Garrard, from the same committee, to whom was referred a bill from the Senate, entitled,
An act to prevent the selling and using of certain weapons,  
Reported the same without amendment.  
Said bill reads as follows, viz:  

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person or persons who may hereafter be found guilty of vending, buying, selling, or dealing in the weapons popularly known as colts, brass knuckles, slung shot, or any imitation or substitute therefor, shall forfeit and pay the sum of twenty-five dollars for each and every offense so committed—one-half thereof to be applied to the jury fund, the other to the prosecutor.  
§ 2. That should any person strike, beat, wound, or bruise another by using any of the above named weapons, he or they so offending shall forfeit and pay the sum of one hundred dollars to the party or person so struck, wounded, or bruised, which party shall have his action at law in any circuit court of this commonwealth; and in default of the payment thereof, said offender or offenders shall be imprisoned in the city or county jail until all costs and damages are fully paid.  
§ 3. Should any person be killed by the weapons aforesaid, or any one of them, or in any other way except in self-defense, the wife, if he have one, or heirs at law if he have no wife, shall have an action against all such as were in any wise concerned in such killing, and recover such damages as a jury may deem right; and in default of the payment of such damages, the defendant or defendants may be imprisoned as in other cases of trespass to the person.  
§ 4. This act shall be given in charge to the grand juries of this commonwealth.  

Mr. McElroy moved to amend said bill by striking out the 2d section thereof.  
And the question being taken thereon, it was decided in the affirmative.  
Mr. Nuttall 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. Nuttall and Menzies, were as follows, viz:  

Those who voted in the affirmative, were  
Mr. Speaker, (Huston,) Joshua Dunn, James Kinslaer,  
R. P. Beauchamp, Ephraim B. Elliott, Samuel Long,  
Ben Berry, James M. Fogle, Jas. H. McCampbell,  
William B. Booker, Benjamin Gullion, John W. Menzies,  
Erasmus O. Brown, John S. Hargis, Andrew J. Prichard,  
Horatio W. Bruce, John M. Hewitt, Thomas J. Terry,  
Coleman Covington, Gideon P. Jolly, E. W. Worsham,  
Charles Duncan, Andrew Jones, E. S. Worthington—24.  

Those who voted in the negative, were  
Richard B. Alexander, Henry Giles, Elijah F. Nuttall,  
John B. Anderson, John K. Goodloe, Samuel B. Pell,
Mr. Hanson moved to amend said bill by inserting in the 1st section, after the words "slung shot," the words, "pistols, bowie knives, dirks, and sword canes."

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

Mr. Helm moved to re-consider the vote by which the amendment proposed by Mr. Hanson was adopted.

Mr. Wood moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put, shall the vote by which the amendment proposed by Mr. Hanson was adopted be re-considered? and it was decided in the negative.

Mr. Montgomery moved further to amend said, by adding thereto the following, viz:

Provided, This act shall not apply to sheriffs, constables, and the police officers of this commonwealth.

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

Ordered, That said bill, as amended, be read a third time on to-morrow, at 9½ o’clock, A. M.

The House then took up the bill to establish a patrol on the Ohio river, and the substitute therefor, proposed by Mr. Worthington.

The substitute reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the county judge, and a majority of
the justices in commission of each county bordering on the Ohio river, to appoint a suitable number of patrolers for such county, to keep watch on and near said river to prevent the escape of slaves from this state; such patrolers shall have power to arrest persons suspected of crime, as constables and police officers of cities and towns have.

§ 2. Any patroler may, at any time, with or without notice, be dismissed by the county judge or court and a majority of the justices in commission.

§ 3. All water craft, whilst near the Kentucky shore of said river and not in the immediate use or care of the owner, his agent, or servant, shall be secured by at least one good chain, safely locked to a proper fastening, and the oars or paddles shall be removed to a safe place; and for any omission of this duty, besides liability to any person aggrieved, such craft may be seized, and the person offending, if a free person, may be arrested by any patroler or other officer, and such person taken before a justice of the peace or county judge, who, upon hearing the cause, may fine the offender not exceeding fifteen dollars and costs, or recognize him, as in other cases, to appear at the next circuit court, where, upon conviction, he shall be fined not less than fifteen nor more than five hundred dollars, or imprisoned in the county jail not more than six months, or both; and the craft seized shall be kept, dealt with, and disposed of as if seized by attachment under civil process, to satisfy, so far as the same will, any fine imposed and cost; to which end the justice or judge shall order such craft to be delivered over to the sheriff where the offender is recognized, or to a constable where he is fined, who, as well as the officer making the seizure, shall be entitled to the same fees, with the same restrictions and liabilities, as in attachments under civil process, and the net proceeds shall be accounted for as county revenue officially collected, and go towards paying the wages of said patrolers. If the person offending is a slave, the master may be fined, and other proceedings as prescribed in this act had, as if the master was the offender; but he shall not be imprisoned, and the slave shall be whipped.

§ 4. Towards paying the wages of said patrolers, there shall be allowed to said counties annually, out of any moneys in the treasury not otherwise appropriated, a sum not exceeding that named herein—that is to say: To the counties of Greenup, Lewis, Oldham, and Henderson, twelve hundred dollars each; to the counties of Mason and Boone, twenty-seven hundred dollars each; to the counties of Bracken and Kenton, nine hundred dollars each; to the counties of Pendleton and Hardin, three hundred dollars each; to the county of Campbell, eighteen hundred dollars; to the counties of Gallatin, Carroll, and Trimble, fifteen hundred dollars each; to the county of Jefferson, forty-two hundred dollars; to every other county bordering on said river, six hundred dollars each. And it shall be the duty of said county courts, at their courts held in January, April, July, and October, to audit and allow the claim of each patroler in favor of the person, entitled thereto, specifying what part is to be paid out of the treasury, for which the clerk shall issue a certificate, upon payment of twenty-five cents by the person demanding it; and on presentment of the same, the auditor shall draw his warrant for so much thereof as does not exceed what
is to the credit of said county for the year in which such certificate was issued.

§ 5. To raise a revenue to carry out the object contemplated by this act, in addition to any taxes now established by law, an annual tax of three fourths of a cent upon each hundred dollars of value of the real and personal estate directed to be assessed for taxation, shall be collected and paid over as other revenue.

Mr. Prichard moved to lay the bill and substitute on the table.

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

The yeas and nays being required thereon, by Messrs. Bowling and R. Jones, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, McDowell Fogle, Pleasant W. Mahan,
William T. Anthony, Nathan Gaither, John C. McCreaery,
John B. Auxier, Gordon B. Grasty, William M. Miller,
William B. Booker, Anderson Gray, W. C. Montgomery,
Erasmus O. Brown, John S. Hargis, Andrew J. Prichard,
Horatio W. Bruce, Hiram Hawkins, Joseph Ricketts,
Colbert Cecil, John M. Hewitt, William Reiley,
John B. Cochran, Greenberry Hicks, James A. Russell,
Milton J. Cook, John L. Irvan, Richard S. Thornton,
James Culton, Gideon P. Jolly, David L. Thurman,
Joshua Dunn, Andrew Jones, E. L. Vanwinkle,
Ephraim B. Elliott, James S. Littlepage, Willie Waller,

Those who voted in the negative, were

Mr Speaker, (Huston,) Daniel Garrard, Wm. M. Morrow,
William B. A. Baker, Henry Giles, Elijah F. Nuttall,
Ben Berry, John K. Goodloe, David H. Raymond,
William S. Bodley, Alfred F. Graham, Benjamin F. Rice,
John S. Bohannon, Benjamin Gullion, George C. Rogers,
Robert C. Bowling, Roger W. Hanson, Charles C. Smedley,
Laban J. Bradford, Ben Hardin Helm, James M. Speer,
Isaac N. Clement, Andrew J. James, Richard J. Spurz,
George B. Cook, Richard Jones, Thomas J. Terry,
Thomas H. Corbett, James Kinslaer, Joshua Tevis,
James M. Corbin, George F. Lee, Fielding Vaughan,
Coleman Covington, John G. Lyon, James T. Ware,
David R. Dugan, Charles A. Marshall, L. A. Whiteley,
Charles Duncan, Jas. H. McCampbell, Hiram Wood,
James A. Duncan, Hiram McElroy, E. W. Worsham,
George C. Paris, John W. Menzies, E. S. Worthington—49.

The question was then taken on the adoption of the substitute, and it was decided in the affirmative.
The question was then taken on ordering said bill, as amended, to be engrossed and read a third time, and it was decided in the negative. And so said bill was rejected.

The yeas and nays being required thereon by Messrs. Hewitt and R. Jones, were as follows, viz:

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) Charles Duncan, Mr. Smedley moved to amend said bill by adding thereto the following engrossed clause, by way of ryder, viz:

§ — The provisions of this act shall not apply to banks of deposit.

Mr. Foss moved the previous question.

Richard B. Alexander, Henry Giles, John W. Menzies,
Wm. T. Anthony, Gordon B. Grasty, William M. Morrow,
John B. Auxier, Anderson Gray, Elijah F. Nuttall,
William J. Berry, John S. Hargis, David H. Raymond,
William B. Booker, Hiram Hawkins, Charles C. Smedley,
Horatio W. Bruce, John M. Hewitt, James M. Speer,
Colbert Cecil, Greenberry Hicks, Richard J. Spurr,
John B. Cochran, John L. Irvan, Thomas J. Terry,
Milton J. Cook, Andrew J. James, Joshua Tevis,
Thomas H. Corbett, Gideon P. Jolly, James T. Ware,
James Culton, Andrew Jones, L. A. Whiteley,
Joshua Dunn, Richard Jones, Hiram Wood,
Ephraim B. Elliott, Philip Lee, E. W. Worsham,
James M. Fogle, James S. Littlepage, E. S. Worthington—43.
McDowell Fogle, Samuel Long,
Nathan Gaither, Pleasant W. Mahan,
Daniel Garrard, Jas. H. McCampbell,
David R. Dugan,

Those who voted in the negative, were
Richard B. Alexander, Henry Giles, John C. McCready,
Wm. T. Anthony, Gordon B. Grasty, William M. Miller,
John B. Auxier, Anderson Gray, W. C. Montgomery,
William J. Berry, John S. Hargis, Samuel B. Pell,
William B. Booker, Hiram Hawkins, Andrew J. Prichard,
Horatio W. Bruce, John M. Hewitt, Benjamin F. Rice,
Colbert Cecil, Greenberry Hicks, Joseph Ricketts,
John B. Cochran, John L. Irvan, William Reiley,
Milton J. Cook, Andrew J. James, James A. Russell,
Thomas H. Corbett, Gideon P. Jolly, Richard S. Thornton,
James Culton, Andrew Jones, David L. Thurston,
Joshua Dunn, Richard Jones, E. L. Vanwinkle,
Ephraim B. Elliott, Philip Lee, Fielding Vaughan,
James M. Fogle, James S. Littlepage, Willie Waller,
McDowell Fogle, Samuel Long, T. H. M. Winn,
Nathan Gaither, Pleasant W. Mahan, Francis M. Woods—50.
Daniel Garrard, Jas. H. McCampbell,
And the question being taken, shall the main question be now put? it was decided in the affirmative.

The question was then taken on the adoption of the ryder proposed by Mr. Smedley, and it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon, by Messrs. Winn and R. Jones, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Sidney A. Foss, John G. Lyon,
Richard B. Alexander, Nathan Gaither, John C. McCreary,
William T. Anthony, Daniel Garrard, Hiram McElroy,
John B. Auxier, Henry Giles, John W. Menzies,
R. P. Beauchamp, Gordon B. Grasty, William M. Morrow,
William J. Berry, Anderson Gray, Elijah F. Nuttall,
Erasmus O. Brown, Benjamin Gallion, Benjamin F. Rice,
Colbert Cecil, Roger W. Hanson, Robert Richardson,
Isaac N. Clement, John S. Hargis, William Reiley,
George B. Cook, Hiram Hawkins, James M. Speer,
James M. Corbin, Ben Hardin Helm, Richard J. Spurr,
David R. Dugan, John L. Irvan, Willie Walter,
Ephraim B. Elliott, Philip Lee, L. A. Whiteley,
James M. Fogle, Jas. S. Littlepage, E. S. Worthington—43.
McDowell Fogle,

Those who voted in the negative, were

John B. Anderson, George C. Faris, Andrew J. Prichard,
William B. A. Baker, John K. Goodloe, David R. Raymond,
Ben. Berry, Alfred F. Graham, Joseph Ricketts,
William S. Bedley, John M. Hewitt, George C. Rogers,
John S. Bohannon, Greenberry Hicks, James A. Russell,
William B. Booker, Andrew J. James, Chas. C. Smedley,
Robert C. Bowling, Gideon P. Jolly, Thomas J. Terry,
Laban J. Bradford, Andrew Jones, Joshua Tevis,
Horatio W. Bruce, Richard Jones, Richard S. Thornton,
John B. Coeborn, James Kinslaer, D. L. Thurman,
Milton J. Cook, George F. Lee, E. L. Vanwinkie,
Thomas H. Cerbett, Samuel Long, Fielding Vaughan,
Coleman Covington, Pleasant W. Mahan, James T. Ware,
James Culton, Charles A. Marshall, T. H. M. Winn,
Frank P. Deatherage, Jas. H. McCampbell, Hiram Wood,
Charles Duncan, William M. Miller, Francis M. Woods,
Joshua Dunn, Samuel B. Pell,

Mr. Menzies, from the committee on the Judiciary, reported a bill to repeal all lotery grants in this commonwealth,

Which was read the first time as follows, viz:
Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws of this Commonwealth giving rights and privileges to raise money by lotteries be and the same are hereby repealed.

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. Smedley moved to amend said bill, by adding thereto the following, viz:

§ 2. That the laws giving a lottery grant to Shelby College are not intended to be repealed by this act.

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

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

Mr. Cochran moved to dispense with the third reading of the bill.

Mr. Worthington moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Nuttall and P. Lee, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

The question was then taken on dispensing with the third reading of the bill, and it was decided in the negative, four-fifths of the votes cast not being in favor thereof.

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

Those who voted in the affirmative, were

Richard B. Alexander, McDowell Fogle, Nathan Gaither,
John B. Anderson, Henry Giles,
William T. Anthony, John K. Goodloe,
John B. Auxier, Alfred F. Graham,
R. P. Beauchamp, Gordon B. Grasty,
Ben Berry, Anderson Gray,
William J. Berry, Benjamin Gullion,
William B. Booker, John S. Hargis,
Laban J. Bradford, Greenberry Hicks,
Erasmus O. Brown, Andrew J. James,
Colbert Cecil, Andrew Jones,
John B. Cochran, Richard Jones,
George B. Cook, James Kinslaer,
Milton J. Cook, George F. Lee,
Colome Covington, James S. Littlepage,
James Culton, John G. Lyon,
Frank P. Deatherage, Pleasant W. Mahan,
David R. Dugan, Charles A. Marshall,
James A. Duncan, Jas. H. McCampbell,
Ephraim B. Elliott, John C. McCrarey,
George C. Faris, Hiram McElroy,
James M. Fogle, "

Those who voted in the negative, were

Mr. Speaker, (Huston,) Joshua Dunn, Samuel Long,
William B. A. Baker, Daniel Garrard, Elijah F. Nuttall,
William S. Bodley, Roger W. Hanson, Samuel B. Pell,
John S. Bohannon, Hiram Hawkins, Robert Richardson,
Robert C. Bowling, Ben Hardin Helm, Joseph Ricketts,
Horatio W. Bruce, John M. Hewitt, George C. Rogers,
Isaac N. Clement, John L. Irvan, Richard J. Spurr,
Thomas H. Corbett, Gideon P. Jolly, Thomas J. Terry,
James M. Corbin, Philip Lee, David L. Thurman—28.

Mr. Cochran moved that the bill have its third reading on to-morrow at 9½ o'clock, A. M.
Mr. Nuttall having spoken for ten minutes on the motion, Mr. Hanson moved that the rule of the House, permitting no member to speak longer than ten minutes, be suspended, with a view of allowing Mr. Nuttall to finish his remarks.

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

The yeas and nays being required thereon, by Messrs. E. O. Brown and J. M. Fogle, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


After Mr. Nuttall concluded his remarks, Mr. Speer moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put, shall the bill be read a third time on to-morrow, at 9½ o'clock, A. M.? and it was decided in the affirmative.
The House then took up the bill to increase the number of election districts in Louisville.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That for all elections to be held in the city of Louisville, except those for justices of the peace and constables, said city shall be, by the mayor and council thereof, divided into twenty-one election precincts, as follows: four in the first ward, three in the second ward, four in the eighth ward, including one at Portland, and two in each of the other wards of said city. In fixing the extent and boundaries of said precincts, due regard shall be had to compactness of territory and equality in the number of voters in each; and the place of voting in each precinct shall be designated by the mayor and council, and shall be as near the centre of the precinct as a proper regard for the convenience of a majority of the voters will allow: Provided, That the voting places shall be fixed, throughout the city, at least three squares apart, if practicable, and when not, then as far apart as practicable.

§ 2. The mayor and council of said city shall have power to change the boundaries of said precincts, and the places of voting therein, when it shall be deemed necessary, conforming in such changes with the provisions of the first section of this act. And it shall be the duty of the mayor and council aforesaid, at least two weeks before the holding of any election, to give notice to the public, through at least two of the newspapers of said city, of opposite politics, of the boundaries and voting places of said precincts, and of any changes made therein.

§ 3. If, for any good cause, an election cannot be held at the house appointed as the place of voting, the judges of the election for the precinct may, on the morning of the election, adjourn it to the most convenient place, not inconsistent with the provisions of this act, after having publicly proclaimed the change. This act shall take effect immediately after its passage; and all acts or parts of acts inconsistent with its provisions are hereby repealed.

Mr. Bodley moved to amend said bill as follows, viz:

Strike out all after the enacting clause, and insert in lieu thereof as follows, viz:

That elections in the city of Louisville, except those for justices of the peace and constables and for municipal purposes, shall be held in such precincts and at such voting places as the mayor and council of said city shall prescribe and designate. Until the wards are changed, each ward shall be a precinct except the first and second, each of which shall be divided into two precincts, and the eighth, which shall be divided into two precincts besides that at Portland; and any other ward may also be divided by the said mayor and council into two precincts if they think proper to so. The precincts and voting places may be changed from time to time by the mayor and council, so as to conform as nearly as may be to the ward boundaries and so that there shall be twelve or more election precincts in said city. Publication shall be made of such change, and the change shall not apply to any election held within ninety days after the change is made.

§ 2. This act shall take effect from its passage.
And the question being taken on the adoption of the substitute, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Speer and R. Jones, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were


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 House then took up the motion of Mr. Menzies to re-consider the vote by which the bill to amend an act, entitled, an act in relation to a new road in Lewis and Carter counties was rejected.
And the question being taken thereon, it was decided in the affirmative.

Mr. Bruce moved to amend said bill by adding thereto the following engrossed clause by way of rider, viz:

The provisions of this act shall not apply to Carter county, anything in the previous sections of this act to the contrary notwithstanding.

Which was adopted.

The question was then taken on the passage of said bill as amended, and it was decided in the negative.

And so said bill was again rejected.

The yeas and nays being required thereon by Messrs. Hansan and R. Jones, were as follows, viz:

Those who voted in the affirmative, were

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<tr>
<th>William B. A. Baker</th>
<th>Sidney A. Foss</th>
<th>W. C. Montgomery</th>
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<td>R. P. Beauchamp</td>
<td>John K. Goodloe</td>
<td>Samuel B. Pell</td>
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<td>William J. Berry</td>
<td>Alfred F. Graham</td>
<td>David H. Raymond</td>
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<td>John S. Bohannon</td>
<td>Ben Hardin Helm</td>
<td>Joseph Ricketts</td>
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<td>William B. Booker</td>
<td>Richard Jones</td>
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<td>Robert C. Bowling</td>
<td>James Kinslaer</td>
<td>George C. Rogers</td>
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<td>Laban J. Bradford</td>
<td>George F. Lee</td>
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<td>Erasmus O. Brown</td>
<td>Philip Lee</td>
<td>Joshua Tevis</td>
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<td>Horatio W. Bruce</td>
<td>John G. Lyon</td>
<td>E. L. Vanwinkle</td>
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<td>James Cullton</td>
<td>Jas. H. McCampbell</td>
<td>Francis M. Woods</td>
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<td>Joshua Dunn</td>
<td>John W. Menzies</td>
<td>E. W. Worsham—34</td>
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<tr>
<td>George C. Faris</td>
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</table>

Those who voted in the negative, were

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<tr>
<th>Mr. Speaker, (Huston,) McDowell Fogle</th>
<th>Pleasant W. Mahan</th>
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<tr>
<td>Richard B. Alexander</td>
<td>John C. McCreary</td>
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<td>John B. Anderson</td>
<td>William M. Miller</td>
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<td>William T. Anthony</td>
<td>Elijah F. Nuttall</td>
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<td>John B. Auxier</td>
<td>Robert Richardson</td>
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<td>William S. Bodley</td>
<td>James M. Speer</td>
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<td>Colbert Cecil</td>
<td>Richard J. Spurr</td>
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<td>George B. Cook</td>
<td>Richard S. Thornton</td>
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<td>Milton J. Cook</td>
<td>David L. Thurman</td>
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<td>Thomas H. Corbett</td>
<td>Fielding Vaughan</td>
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<td>James M. Corbin</td>
<td>Willie Waller</td>
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<td>Coleman Covington</td>
<td>James T. Ware</td>
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<td>David R. Dugan</td>
<td>T. H. M. Winn</td>
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<tr>
<td>Charles Duncan</td>
<td>Hiram Wood</td>
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<tr>
<td>Ephraim B. Elliott</td>
<td>E. S. Worthington—47</td>
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<tr>
<td>James M. Fogle</td>
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Mr. J. M. Fogle moved to re-consider the vote by which the bill to establish a patrol on the Ohio river, was rejected.

Mr. Prichard moved to lay said motion to re-consider on the table.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were

Richard B. Alexander, Daniel Garrard, William M. Miller,
John B. Anderson, Henry Giles, W. C. Montgomery,
William T. Anthony, Gordon B. Grasty, Samuel B. Pell,
John B. Auxier, Anderson Gray, Andrew J. Prichard,
John S. Bohannon, John M. Hewitt, William Reiley,
William B. Booker, Greenberry Hicks, George C. Rogers,
Colbert Cecil, John L. Irvin, Richard S. Thornton,
Milton J. Cook, Gideon P. Jolly, David L. Thurman,
Coleman Covington, Samuel Long, Willie Waller,
James Culton, Pleasant W. Mahan, Thos. H. M. Winn,
Joshua Dunn, Jas. H. McCampbell, Francis M. Woods—35.

Those who voted in the negative, were

Mr. Speaker, (Huston,) James M. Fogle, James S. Littlepage,
Wm. B. A. Baker, McDowell Fogle, John C. Lyon,
R. P. Beauchamp, Sidney A. Foss, Hiram McElroy,
Ben. Berry, Nathan Gaither, John W. Menzies,
William S. Bodley, John K. Goodloe, Elijah F. Nuttall,
Robert C. Bowling, Alfred F. Graham, Robert Richardson,
Laban J. Bradford, Benjamin Gallion, Joseph Ricketts,
Erasmus O. Brown, Roger W. Hanson, James M. Speer,
Horatio W. Bruce, Hiram Hawkins, Richard J. Spurr,
George B. Cook, Ben Hardin Helm, Thomas J. Terry,
Thomas H. Corbett, Andrew J. James, Joshua Tevis,
Frank P. Deatherage, Andrew Jones, James T. Ware,
David R. Dugan, Richard Jones, L. A. Whiteley,
Charles Duncan, James Kinslaer, Hiram Wood,
James A. Duncan, George F. Lee, E. W. Worsham,
George C. Faris, Philip Lee, E. S. Worthington—43.

Mr. J. B. Anderson moved the previous question.

And the question being taken, shall the main question be now put? it was decided in the affirmative.

The main question was then put, shall the vote be re-considered, by which the House refused to order said bill to be engrossed and read a third time? and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. B. Anderson and Faris, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) James A. Duncan, George F. Lee,
William B. A. Baker, George C. Faris, Samuel Long,
R. P. Beauchamp, Sidney A. Foss, John C. Lyon,
Ben Berry, Nathan Gaither, Charles A. Marshall,
William S. Bodley, Daniel Garrard, Hiram McElroy,
John S. Bohannon, Henry Giles, John W. Menzies,
William B. Booker, John K. Goodloe, Elijah F. Nuttall,
Robert C. Bowling, Alfred F. Graham, David H. Raymond,
Laban J. Bradford, Benjamin Gullion, James M. Speer,
Erasmus O. Brown, Roger W. Hanson, Richard J. Spurr,
Horatio W. Bruce, Hiram Hawkins, Thomas J. Terry,
George B. Cook, Ben Hardin Helm, Joshua Tevis,
Thomas H. Corbett, Andrew J. James, Fielding Vaughan,
James M. Corbin, Gideon P. Jolly, James T. War, 
Frank P. Deatherage, Andrew Jones, E. W. Worsham,
David R. Dugan, Richard Jones, E. S. Worthington—50.
Charles Duncan, James Kinslaer,

Those who voted in the negative, were
John B. Anderson, McDowell Fogle, Samuel B. Pell,
Wm. T. Anthony, Gordon B. Grasty, Andrew J. Prichard,
John B. Auxier, Anderson Gray, Benjamin F. Rice,
William J. Berry, John M. Hewitt, Joseph Ricketts,
Colbert Cecil, Greenberry Hicks, William Reiley,
Isaac N. Clement, John L. Irvan, George C. Rogers,
Milton J. Cook, Pleasant W. Mahan, Richard S. Thornton,
Coleman Covington, Jas. H. McCampbell, David L. Thurman,
James Culf, John C. McCready, Willie Waller,
Joshua Dunn, William M. Miller, T. H. M. Winn,

Mr. Irvan moved to reconsider the vote by which the substitute of
Mr. Worthington for the original bill was adopted.
And the question being taken thereon, it was decided in the nega­
tive.

Mr. Worthington moved the previous question.
And the question being taken, shall the main question be now put?
It was decided in the affirmative.
The main question was then put, shall the bill be engrossed and read
a third time? and it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Hewitt and
Nuttall, were as follows, viz:

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) Charles Duncan, James Kinslaer,
William B. A. Baker, James A. Duncan, George F. Lee,
R. P. Beauchamp, George C. Faris, John G. Lyon,
William S. Bodley, Sidney A. Foss, Charles A. Marshall,
John S. Bohannon, Nathan Gaither, John W. Menzies,
William B. Booker, Henry Giles, Elijah F. Nuttall,
Robert C. Bowling, John K. Goodloe, David H. Raymond,
Laban J. Bradford, Alfred F. Graham, James M. Speer,
Isaac N. Clement, Benjamin Gullion, Richard J. Spurr,
Those who voted in the negative, were

Richard B. Alexander, Gordon B. Grasty, Samuel B. Pell,
John B. Anderson, Anderson Gray, Andrew J. Prichard,
William T. Anthony, John M. Hewitt, Benjamin F. Rice,
John B. Auxier, Greenberry Hicks, Joseph Ricketts,
William J. Berry, John L. Irvan, William Reiley,
Horatio W. Bruce, Andrew J. James, George C. Rogers,
Colbert Cecil, Philip Lee, Richard S. Thornton,
Milton J. Cook, James S. Littlepage, David L. Thurman,
James Culton, Samuel Long, Fielding Vaughn,
Joshua Dunn, Pleasant W. Mahan, Willie Waller,
Ephraim B. Elliott, Jas. H. McCampbell, T. H. M. Winn,
James M. Fogle, John C. McCrea, Hiram Wood,
McDowell Fogle, Wm. M. Miller, Francis M. Woods—41.
Daniel Garrard, W. C. Montgomery.

On motion of Mr. Nuttall,

Ordered, That said bill have its third reading on to-morrow, at 10 minutes past 9 o'clock, A. M.

A message was received from the Senate, announcing that they had disagreed to bills from this House, of the following titles, viz:

An act for the benefit of E. Shivel.

An act to increase the jurisdiction of the Mayor's Court of Covington.

That they had passed a bill from this House, of the following title, viz:

An act to amend an act, entitled, an act for the incorporation of voluntary associations, approved March 9, 1854.

That they had received official information from the Governor, that he had approved and signed enrolled bills that originated in the Senate, of the following titles, viz:

An act regulating the time of holding the Circuit Courts.

An act to incorporate the Cumberland river Coal and Lumber Company.

An act to incorporate the Stony Hill Turnpike Road Company.

An act to amend an act incorporating the Jamestown Turnpike Company, approved March 1st, 1854.

An act to amend the charter of the Helena Turnpike Road Company.
An act to amend the charter of the Knobb Lick Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Franklin and Owen Turnpike Company.

An act to amend the charters of the Covington and Lexington, and Lexington and Danville Railroad Companies.

An act to incorporate the Paducah and Blandville Turnpike road Company.

An act to incorporate the Barren county and Mammoth Cave Plank-road Company.

An act to amend an act, entitled, an act to incorporate the Hickman and State line Plank Road Company.

An act to incorporate the Merchants' Deposit Bank of Danville.

An act to incorporate the Deposit Bank of Lebanon.

Approved March 5, 1856.

The House then took up the amendments proposed by the Senate to a bill from this House, entitled,

An act in relation to the Kentucky Penitentiary.

Which were twice read and concurred in.

Bills from the Senate, of the following titles, viz:

An act for the benefit of George W. Hampton, of Morgan county.

An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.

An act to incorporate the Breckinridge and Grayson county Turnpike road Company.

An act to incorporate the Taylorsville Turnpike road Company.

An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.

An act to incorporate Bagdad and Harrisonville Turnpike Road Company.

An act supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.

An act to change the name of the Clear Creek Turnpike Road Company.

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.

An act to charter the Williamsburg, Cumberland river, and Tennessee Railroad Company.

An act to incorporate the Downingsville Turnpike Road Company.

An act to incorporate a company to construct a turnpike road in Barren county.
An act to amend the charter of the Danville, Dix River, and Lancaster Turnpike road Company.
An act to authorize the County Court of Fulton county, to change the State road.
An act to create an additional civil district in Hickman county.
An act changing the boundary of certain election districts in Clarke county, and to change the voting place in district, No. 5.
An act to repeal an act, entitled, an act to regulate the duties of the Christian County Court in laying the county levy.
An act for the benefit of John W. How, late sheriff of Lawrence county.
An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and Lyon counties.
An act for the benefit of Wm Mayneer, sheriff of Morgan county.
An act for the benefit of W. T. E. Furman.
An act for the benefit of Thomas Helm, late clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.
An act to provide for any deficiency in the Treasury that may occur during the year 1856.
An act for the benefit of Benjamin Norman.
An act for the benefit of Aaron Johnson, sheriff of Laurel county.
An act for the benefit of Braxton Small.
An act to incorporate the President and Board of Examination of Eddyville Female College.
An act to amend an act, entitled, an act to incorporate the Franklin Female Institute.
An act to amend the charter of the Parochial School of the Hanging Fork Presbyterian Church.
An act to amend an act for the benefit of certain common school districts in Boyle and Mercer counties.
An act authorizing the sale of Franklin school house and lot in Boyle county.
An act authorizing the sale of Cranetown school house and lot, in Boyle county.
An act for the benefit of the school commissioners of Owen county.
An act for the benefit of Ashland common school district in Greenup county.
An act to establish the Academical Institute of Louisville.
An act to incorporate and endow the Western Kentucky College.
An act to incorporate the Kentucky Christian Education Society.
An act for the benefit of Daniel Boone Eclectic Institute.
An act to incorporate the Daniel Boone Military Institute.
An act to incorporate the Union Mining and Manufacturing Company.
An act to incorporate the Logan county Agricultural and Mechanical Association.
An act to establish a uniform weight of coal.
An act to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.
An act to amend the charter of the city of Louisville.
An act to incorporate Carroll Lodge, No. 45, I. O. O. F.
An act to change the time of holding the Harrison county court.

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 the town of Prestonsburg,
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,
Said bill was then amended.
The question was then taken on ordering said bill, as amended, to be read a third time, and it was decided in the negative.
And so said bill was rejected.

Bills from the Senate, of the following titles, viz.:
1. An act to amend the charter of the Lexington and Big Sandy Railroad Company.
2. An act relating to the late keeper of the Penitentiary.

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 Improvement, and the 2d and 3d to the committee on Claims.

Ordered, That the committee on Internal Improvement report on the 1st bill on the 7th inst., at 10 o'clock, A.M., and that the committee on Claims report on the 2d bill on the 8th inst., at 12 o'clock, M.

The House then took up the bill for the benefit of William Chiles.
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 said bill was rejected.
And then the House adjourned.

FRIDAY, MARCH 7, 1856.

On motion of Mr. Gray,
Leave of absence for the remainder of the session, was granted to Mr. Woods.

On motion of Mr. Worthington,
Leave of absence for the remainder of the session, was granted to Mr. E. O. Brown,

A message was received from the Senate announcing that they had disagreed to an amendment proposed by this House to the amendment proposed by the Senate, to a bill from this House, entitled, An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

That they had disagreed to bills from this House, of the following title, viz:
An act to mitigate the punishment for duelling.
An act for the punishment of slaves in certain cases.
An act for the benefit of John Ripy.
An act to amend an act, entitled, an act to amend the several acts in relation to peddlers.

That they had passed bills from this House, of the following titles, viz:
An act to incorporate the town of Hazel Green.
An act to incorporate College City, in Caldwell county.
An act to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved 6th February, 1839.
An act to amend the Odd Fellows’ Hall Association, of Covington.
An act to incorporate the Maysville Fire, Life, and Marine Insurance Company.
An act for the benefit of Edward Morris, of Calloway county.
An act incorporating Hustonville Lodge, No. 184, of Free and Accepted Masons.

An act incorporating Spring Hill Lodge, No. 139, of Free and Accepted Masons.

An act directing the boundary line between the counties of Butler and Ohio, to be run and re-marked.

An act to amend and reduce into one the several acts relating to the town of Taylorsville.

An act extending the mechanics' lien law to the town of Lebanon and Marion county.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

An act for the benefit of the trustees of the town of Princeton.

An act for the benefit of the town of Calhoun.

An act to incorporate Tempkinsville Lodge, No. 321, of Free and Accepted Masons.

An act to incorporate the town of Paradise.

An act for the benefit of Barbette Rozenthal.

An act for the benefit of James W. Thurman, of Bullitt county.

An act for punishing negro stealing.

An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.

An act to incorporate Good Samaritan Lodge No. 174, of Free and Accepted Masons.

An act to incorporate McLean Lodge, No. 120, I. O. O. F.

An act to incorporate Rusling Lodge, No. 112, I. O. O. F.

An act to incorporate Schiller Lodge, No. 64, I. O. O. F.

An act to amend an act, entitled, an act to incorporate the Kentucky and Louisville Mutual Insurance Company.

An act to incorporate the Union Insurance Company, of Louisville.

An act to incorporate the Young America Insurance Company, of Louisville.

An act for the benefit of the kindred of Louisa Smith.

An act to fix the time of holding the Quarterly Court in Barren county.

An act for the benefit of Caroline B. Anderson.

An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.

An act for the benefit of the estate of Joseph Robb, deceased.

An act for the benefit of the jailer of Graves county.

An act concerning the town of Versailles.
An act to incorporate Claysville Division, No. 346, Sons of Temperance.
An act to continue in force an act to incorporate the town of Port Royal, Henry county.
An act for the benefit of John McDyer, late sheriff of Lawrence county.
An act for the benefit of the mechanics of McLean county.
An act for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.
An act to incorporate the Ballard and Graves county Railroad Company.
An act to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.
An act to authorize the County Court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.
An act for the benefit of the county court of Montgomery county.
An act to amend the law in relation to attachments in civil cases.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.
An act for the benefit of Mary S. Bacon.
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 to incorporate the Salem Presbyterian Academy.
An act to incorporate the New Orleans and Ohio Telegraphiessees.
An act to amend the charter of the Bardstown and Louisville Railroad Company.
An act incorporating the Eminence High School.
An act to amend the charter of the Georgetown Turnpike Road Company.
An act to amend the act incorporating the Henderson and Nashville Railroad Company, approved March 4, 1850.
An act to establish Olivet University.
An act to incorporate the United Baptist Church, at Owensboro.
An act to incorporate the Crittenden Male and Female Academy.
An act to incorporate the Kentucky and Tennessee Mining and Manufacturing Company.
An act to amend the charter of the Henderson and Hibbardsville Plankroad Company.
An act to incorporate the Burksville and Columbia Turnpike road Company.
An act to incorporate the Muhlenburg Mining and Manufacturing Company.
An act incorporating the Hustonville and McKinney’s Station Turnpike Road Company.
An act to incorporate the Russellville, Elkton, Hopkinsville, and Paducah Railroad Company. Approved March 6, 1866.

A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and a preamble and resolutions, that originated in this House, of the following titles, viz:

An act to sell the stone owned by the State on Licking river.
An act for the benefit of turnpike roads in which the State is a stockholder.
An act for the benefit of the clerk of the Oldham County and Circuit Courts.
An act to change the time of holding the Breckinridge Quarterly Courts.
An act to change the time of holding the quarterly courts in the counties of Knox and Harlan.
An act for the benefit of the President of the Board of Internal Improvement.
An act to incorporate Bethel College at Russellville.
An act for the benefit of the Lancaster and Crab Orchard Turnpike road Company.
An act for the benefit of J. L. Jenkins, late sheriff of Henry county.
An act to establish the Deposit Bank of Winchester.
An act to relieve common school districts not regularly reported.
An act for the benefit of Hardin county.

Preamble and resolutions in relation to the Missouri compromise, Kansas-Nebraska act, &c. Approved March 6, 1856.

Mr. P. Lee, from the committee on Claims, to whom was referred a bill for the benefit of George Early,

Reported the same with an amendment as a substitute for said bill, which was adopted.

The substitute reads as follows, viz:

WHEREAS, It has been represented and made manifest to the General Assembly, that George Early is entitled to be remunerated by this Commonwealth for damages sustained by him in the loss of the steamboat Sophia, in Lock No. 3, on Green river, on the 7th February, 1854.

Therefore,
Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be and he is hereby directed to issue his warrant on the Treasurer, in favor of George Early, for three thousand eight hundred dollars, to be paid out of any money in the treasury not otherwise appropriated; and that this act take effect from and after its passage.

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,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

William J. Berry, Milton J. Cook, James M. Corbin, Joshua Dunn, Greenberry Hicks, Samuel Long, Benjamin F. Rice, Thomas J. Terry—8.

Resolved, That the title thereof be as aforesaid.

The House then took up the bill for the benefit of the Georgetown and Dry Ridge Turnpike road Company.
Said bill reads as follows, viz:

WHEREAS, The president and directors of the Georgetown and Dry Ridge turnpike road company, by the authority and under the order of the State, as will appear by the provisions of an act of the General Assembly of the Commonwealth of Kentucky, approved March 22, 1851, created a debt for the purpose of completing the unfinished portion of said turnpike road, amounting, at the time of its completion, to about sixteen thousand dollars; and whereas, said president and directors were, by the act aforesaid, directed to apply and have appropriated the dividends accruing on the stock in said road owned by individuals and by the State, to the payment of the debt aforesaid, and the same has been reduced only about one-half in amount; and whereas, the State owns over two-thirds of the capital stock of said road, and the president and directors thereof have been compelled, by reason of the indebtedness aforesaid, to borrow money and pay interest thereon; and whereas, it is expedient and economical to pay off the remaining portion of said debt as soon as possible, so that interest may be saved, and the dividends arising from the stock owned by the State may find their way into the treasury, and it is evident that that end will be most speedily and certainly attained by an increase of the State's share of stock in said road Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be and he is hereby authorized and directed to subscribe, in behalf of the Commonwealth of Kentucky, an additional six thousand dollars to the capital stock of said Georgetown and Dry Ridge turnpike road company, and that the Auditor thereupon be authorized and is hereby ordered to draw his warrant for six thousand dollars upon the Treasurer of this Commonwealth in favor of the treasurer of said turnpike road company, upon the order of the president thereof, to be paid out of any moneys in the treasury not otherwise appropriated, who shall apply the same to the payment of the debt mentioned in the preamble of this act.

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 it was decided in the negative.

And so said bill was rejected.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Robert Richardson, Hiram Wood—5.
John W. Menzies, L. A. Whiteley,

Those who voted in the negative, were

Richard B. Alexander, Ephraim B. Elliott, John G. Lyon,
William T. Anthony, George C. Faris, Pleasant W. Mahan,
A bill from the Senate, entitled,

An act to provide for the prosecution of the geological, mineralogical, chemical, topographical, and agricultural survey of the State.

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 again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Joshua Dunn, Elijah F. Nuttall,
John B. Anderson, Ephraim B. Elliott,
John B. Auxier, S. A. Foss,
R. P. Beauchamp, John K. Goodloe,
Ben Berry, Alfred F. Graham,
William J. Berry, Anderson Gray,
William S. Bodley, Roger W. Hanson,
John S. Bohannon, Ben Hardin Helm,
Robert C. Bowling, Hiram Hawkins,
Laban J. Bradford, Ben Hardin Helm,
Archibald C. Brown, John M. Hewitt,
Erasmus O. Brown, Andrew J. James,
Horatio W. Bruce, Gideon P. Jolly,
Colbert Cecil, Andrew Jones,
Isaac N. Clement, George F. Lee,
Joshua Dunn, Samuel Long.
A message was received from the Senate, asking to withdraw their report announcing their disagreement to a bill from this House, entitled,

An act to increase the jurisdiction of the Mayor's Court of Covington.

Which was granted, and the said bill was withdrawn.

The House then took up the bill to establish a patrol on the Ohio river,

Which was read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Before the Speaker announced the vote, Mr. Marshall who was absent when his name was called, came in and asked leave to record his vote.

The Speaker read the rule of the House respecting the case.

Mr. Hanson moved that the rule of the House be suspended to enable Mr. Marshall and several other members who had come in, to record their votes.

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

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Frank P. Deatherage, Charles A. Marshall,
John B. Anderson, David R. Dugan, Jas. H. McCampbell,
William T. Anthony, Charles Duncan, Hiram McElroy,
John B. Auxier, James A. Duncan, John W. Menzies,
R. P. Beauchamp, George C. Faris, W. C. Montgomery,
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<td>John B. Cochran</td>
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<td>E. S. Worthington—56</td>
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<td>George B. Cook</td>
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<td>Gordon B. Grasty</td>
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Those who voted in the negative, were

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<td>Jas. S. Littlepage</td>
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<td>Hiram Wood—22</td>
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<td>Gordon B. Grasty</td>
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Messrs. Marshall, Marshall, R. Jones, Bruce, W. J. Berry, and Russell then recorded their votes on the passage of said bill.

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were

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Those who voted in the negative, were

Richard B. Alexander, Gordon B. Grasty, Samuel B. Pell,
John B. Anderson, Anderson Gray, Andrew J. Prichard,
William T. Anthony, John S. Hargis, Benjamin F. Rice,
John B. Auxier, John M. Hewitt, Joseph Rickets,
William J. Berry, Greenberry Hicks, William Reiley,
Colbert Cecil, John L. Irvan, George C. Rogers,
Isaac N. Clement, Andrew J. James, Richard S. Thornton,
Milton J. Cook, James S. Littlepage, David L. Thurman,
James Culton, Samuel Long, Fielding Vaughn,
Joshua Dunn, Pleasant W. Mahan, Willie Waller,
Ephraim B. Elliott, Jas. H. McCampbell, T. H. M. Winn,
McDowell Fogle, John C. McCreary, Hiram Wood—38.
Daniel Garrard, W. C. Montgomery.

Resolved, That the title of said bill be amended to read as follows, viz:
An act to give further protection to slave property.
A message was received from the Senate, announcing that they had disagreed to a bill from this House of the following title, viz:
An act to authorize the Judge of the Breathitt County Court to establish an additional precinct and place of voting in said county.
That they had passed bills from this House, of the following titles, viz:
An act to incorporate the People’s Insurance Company, of Louisville.
An act for the benefit of George Early.
An act to extend the corporate limits of the city of Louisville.
An act to incorporate the Western Insurance Company.
An act for the benefit of the Edmonson County Court.
An act to reduce the width of High street, in Louisville.
An act to repeal the act incorporating the town of Florence, in Boone county.
An act to amend the charter of the town of Brooksville, in Bracken county.
An act to incorporate the town of Baltimore, in Hickman county.
An act for the benefit of William Alcock.
An act to incorporate the Harrodsburg Springs Company.
An act to incorporate the Covington Building and Loan Association.
An act for the benefit of the trustees of the town of Boston, Whitley county.
An act to incorporate Loraine Lodge, No. 4, of the I. O. O. F.
An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.
An act to change the time of holding the Nicholas County Court.
An act for the benefit of Benoni Hotchkiss' heirs and A. F. Gowdy.
An act for the benefit of the town of Bradfordsville.
An act to change the time of holding the terms of the Pulaski Quarterly Court.
An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.
An act to change the time of holding the Quarterly Court of Green county.
An act to incorporate the Second Presbyterian Church, at Covington.
An act for the benefit of the Methodist Episcopal Church South, at Hartford.
An act to incorporate Saint Paul's Church, Louisville.
An act to incorporate Christ Church, Louisville.
An act for the benefit of Vincent Taylor, of Cumberland county.
An act for the benefit of the clerk of the Marion Circuit Court.
An act to reduce the price of vacant lands in the counties of Johnson and Floyd.
An act for the benefit of the Masonic Fraternity of Louisville.
An act to authorize the County Court of Floyd county to establish a ferry on Sandy river.
An act to change the May term of the County Court of Gallatin county.
An act to change the time of holding the Bracken County Court.
An act to authorize the County Judge to extend the boundary of the election precincts in Oldham county.
An act to change the time of holding the Whitley Quarterly Court.
An act to indemnify in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs.
An act to regulate the duties of county and commonwealth's attorneys.
An act to incorporate the Kentucky and Henderson Mutual Insurance Company.
An act for the benefit of the iron masters of Muhlenburg county.
With amendments to the last four bills:
That they had passed bills of the following titles, viz:
An act for the benefit of the Western Lunatic Asylum.
An act for the benefit of the Eastern Lunatic Asylum.
An act for the benefit of Thomas J. Helm, late clerk of the county court of Barren.
An act to authorize Willis Peet and wife to sell two slaves.
An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county,
An act to incorporate the Graefenburg and Louisville Turnpike Road Company, of Shelby county.
An act prescribing the mode of proving the laws of any of the states or territories.
An act to extend the time of registering surveys founded on Kentucky land office warrants.
An act for the benefit of the law department of the University of Louisville.
An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.
An act for the protection of minors.
An act to incorporate the Clay Fire and Marine Insurance Company, of Newport.
An act for the benefit of Francis E. Hay.
An act to incorporate the city of Paducah.
An act creating an additional justice's district and voting precinct in Morgan county.
An act to increase the powers of the marshal of Owingsville.
An act to establish an additional election and civil district in Christian county.

Bills from the Senate of the following titles, viz.: 
An act to amend chapter 86, articles 3 and 4, of the Revised Statutes title, lands and slaves of infants, &c.
An act to establish the Deposit Bank of Carlisle.
An act to incorporate the Agricultural Deposit Bank of Lexington.
An act to incorporate the Savings Bank of Kentucky, at Covington.
An act to amend in part the 61st chapter of the Revised Statutes.
An act to incorporate the Versailles and South Elkhorn Turnpike road Company.
An act for the benefit of M. T. Shelburne, of Ballard county.
An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Ridge Turnpike road Company.
An act for the benefit of those who may become purchasers of the Maysville and Lexington Railroad.
An act to amend the charter of the city of Lexington.
An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.
An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.
An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.
An act for the benefit of the clerk of the Hickman circuit court.
An act to change the place of voting in the 3d district, in Simpson county.
An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.
An act for the benefit of the sheriff of Washington county.
An act for the benefit of the town of Cynthiana.
An act to incorporate the Prestonsburg Coal and Iron Company.
An act to provide for the removal of obstructions of navigation from Licking river.
An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.
An act to incorporate the Richmond Royal Arch Chapter, No. 16.
An act to amend the 5th section of article 7, chapter 93, Revised Statutes.
An act to amend section 621 of the Code of Practice.
An act to establish the Deposit Bank of Mount Sterling.
An act for the benefit of Amanda M. Kress.
An act to incorporate the State Mining, Manufacturing, and Building Company.
An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.
An act in relation to the McCracken county court.
An act to amend the charter and laws of the city of Newport, in certain cases.
An act authorizing the sale of the Buck creek Seminary property, in Shelby county.
An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.
An act to amend an act incorporating the town of Sardis, in Mason county.
An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.
An act for the benefit of the State of Connecticut.
An act for the benefit of J. B. Howard and S. P. Williams.
An act to incorporate the Kentucky Female Institute.
An act to incorporate the Paducah and Nashville Telegraph Company.
An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.
An act to repeal an act, approved March 7, 1854, to regulate the appointment of Superintendents of the Western Lunatic Asylum.
An act to incorporate the South Kentucky Mining and Manufacturing Company.
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An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.
An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.
An act for the benefit of Mary S. Bacon.
An act to incorporate the Bell Mine Coal Company, of Crittenden county.
An act for the benefit of Thomas J. Helm, late clerk of the county court of Barren.
An act to authorize Willis Peet and wife to sell two slaves.
An act to incorporate the Graefenburg and Louisville Turnpike Road Company, of Shelby county.
An act prescribing the mode of proving the laws of any of the states or territories.
An act supplemental to an act to incorporate the Barren County Railroad Company.
An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county.
An act to extend the time for registering surveys founded on Kentucky land office warrants.
An act for the benefit of the law department of the University of Louisville.
An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.
An act to incorporate the Clay Fire and Marine Insurance Company, of Newport.
An act for the benefit of Francis E. Hay.
An act creating an additional justices' district and voting precinct in Morgan county.
An act to increase the powers of the marshal of Owingsville.
An act to establish an additional election and civil district in Christian 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 bill having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. P. Lee, 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. Irvan moved to amend said bill by striking out the 38th clause, and inserting in lieu thereof the following, viz:

38. To the Auditor of Public Accounts five hundred dollars per annum in addition to the amount now allowed by law to be expended in clerk hire.

And the question being taken on the adoption of said amendment it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Sidney A. Foss, Jas. H. McCampbell,
John B. Anderson, Henry Giles, John W. Menzies,
R. P. Beauchamp, John K. Goodloe, William M. Miller,
Ben Berry, Benjamin Gallion, W. C. Montgomery,
William S. Bodley, Roger W. Hanson, Samuel B. Pell,
John S. Bohannon, John M. Hewitt, Joseph Ricketts,
Robert C. Bowling, Gideon P. Jolly, William Reiley,
Laban J. Bradford, Andrew Jones, George C. Rogers,
Archibald C. Brown, Richard Jones, James A. Russell,
Erastus O. Brown, James Kinslaer, Charles C. Smedley,
Horatio W. Bruce, George F. Lee, Richard J. Spurr,
John B. Cochran, Philip Lee, Thomas J. Terry,
James M. Corbin, Samuel Long, David L. Thurman,
Frank P. Deatherage, John G. Lyon, L. A. Whiteley,
Charles Duncan, Charles A. Marshall, E. S. Worthington—46.

Those who voted in the negative, were

Richard B. Alexander, McDowell Fogle, Pleasant W. Mahan,
Wm. T. Anthony, Nathan Gaither, John C. McCreary,
John B. Auxier, Daniel Garrard, Andrew J. Prichard,
William J. Berry, Alfred F. Graham, David H. Raymond,
William B. Booker, Gordon B. Grasty, Benjamin F. Rice,
Colbert Cecil, Anderson Gray, Robert Richardson,
Isaac N. Clement, John S. Hargis, James M. Speer,
George B. Cook, Hiram Hawkins, Fielding Vaughan,
Milton J. Cook, Greenberry Hicks, Willie Waller,
Thomas H. Corbett, John L. Irvan, T. H. M. Winn,
Coleman Covington, Andrew J. James, Hiram Wood,
Joshua Dunn, James S. Littlepage, E. W. Worsham—37.

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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, John C. McCrory, 
John B. Anderson, McDowell Fogle, Hiram McElroy, 
William T. Anthony, Sidney A. Foss, John W. Manlies, 
John E. Auxier, Nathan Gaither, William M. Miller, 
William B. A. Baker, Daniel Garrard, W. C. Montgomery, 
R. P. Beauchamp, Henry Giles, Elijah F. Nuttall, 
Ben Berry, John K. Godloe, Samuel B. Pell, 
William J. Berry, Alfred F. Graham, Andrew J. Prichard, 
William S. Bodley, Gordon B. Grasty, David H. Raymond, 
John S. Bohannon, Benjamin Gullion, Robert Richardson, 
William B. Booker, Roger W. Hansen, Joseph Ricketts, 
Robert C. Bowling, John S. Hargis, William Reiley, 
Laban J. Bradford, Hiram Hawkins, George C. Rogers, 
Archibald C. Brown, Ben Hardin Helm, James A. Russell, 
Erasmus O. Brown, John M. Hewitt, Charles C. Smedley, 
Horatio W. Bruce, Greenberry Hicks, James M. Speer, 
Colbert Cecil, John L. Irvan, Richard J. Spurr, 
Issac N. Clement, Andrew J. James, Thomas J. Terry, 
John B. Cochran, Gideon P. Jolly, Joshua Tevis, 
George B. Cook, Andrew Jones, Richard S. Thornton, 
Milton J. Cook, Richard Jones, David L. Thurman, 
Thomas H. Corbett, James Kinslaer, E. L. Vanwinkle, 
James M. Corbin, George F. Lee, Fielding Vaughan, 
Coleman Covington, Philip Lee, Willie Waller, 
Frank P. Deathridge, Jas. S. Littlepage, James T. Ware, 
David R. Dogan, Samuel Long, L. A. Whiteley, 
Charles Duncan, John G. Lyon, T. H. M. Winn, 
James A. Duncan, Pleasant W. Mahan, Hiram Wood, 
Joshua Dunn, Charles A. Marshall, E. W. Worsham, 
Ephraim B. Elliott, Jas. H. McCamajil, E. S. Worthington—90.

Those who voted in the negative, were


Resolved, That the title thereof be as aforesaid.

The House then took up the bill from the Senate entitled, An act to prevent the selling and using of certain weapons, Which was read a third time.

The question was then taken on the passage of said bill as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ben Berry and Speer, were as follows, viz:
Those who voted in the affirmative, were

Mr. Speaker, (Huston,) McDowell Fogle, Hiram McElroy,
Richard B. Alexander, Henry Giles, William M. Miller,
John B. Anderson, John K. Goodloe, Elijah F. Nuttall,
William T. Anthony, Gordon B. Grasty, Samuel B. Pell,
John B. Auxier, Anderson Gray, David H. Raymond,
Wm. B. A. Baker, Benjamin Gullion, Benjamin F. Rice,
R. P. Beauchamp, Roger W. Hanson, William Reiley,
William J. Berry, John S. Hargis, James A. Russell,
Leban J. Bradford, John M. Hewitt, Charles C. Smedley,
Archibald C. Brown, Andrew J. James, James M. Speer,
Erasmus O. Brown, Gideon P. Jolly, Richard J. Spurr,
Isaac N. Clement, Andrew Jones, David L. Thurman,
John B. Cochran, Richard Jones, Fielding Vaughan,
Milton J. Cook, James Kinslaer, Willie Walter,
Thomas H. Corbett, John G. Lyon, Thos. H. M. Winn,
Coleman Covington, Pleasant W. Mahan, Hiram Wood,
Frank P. Deatherage, Charles A. Marshall, E. S. Worthington-52.
David R. Dugan,

Those who voted in the negative, were

Ben. Berry, Sidney A. Foss, John C. McCreahey,
William S. Bodley, Nathan Gaither, John W. Menzies,
John S. Bohannon, Daniel Garrard, W. C. Montgomery,
William B. Booker, Alfred F. Graham, Andrew J. Prichard,
Robert C. Bowling, Hiram Hawkins, Joseph Ricketts,
Horatio W. Bruce, Ben Hardin Helm, George C. Rogers,
Colbert Cecil, Greenberry Hixes, Thomas J. Terry,
George B. Cook, John L. Irvan, Joshua Tevis,
James M. Corbin, George F. Lee, Richard S. Thornton,
Charles Duncan, Philip Lee, E. L. Vanwinkle,
James A. Duncan, Jas. S. Littlepage, James T. Ware,
Joshua Dunn, Samuel Long, L. A. Whiteley,
George C. Faris,

Resolved, That the title thereof be as aforesaid.
The House then took up the bill to repeal all Lottery grants in this Commonwealth.
Which was read the third time.
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The amendments proposed by the Senate to bills and resolutions from this House, of the following titles, viz:
An act to amend the 42d chapter of the Revised Statutes.
An act to amend the charter of the Covington and Lexington Railroad Company.
An act to amend the law in relation to attachments in civil cases.
An act to indemnify in certain case the owners of property in Louisville, that may be injured, taken away, or destroyed by mobs.
An act for the benefit of iron masters of Muhlenburg county.
An act to incorporate the Kentucky and Henderson Mutual Insurance Company.
An act to regulate the duties of county and commonwealth attorneys.
Resolutions in relation to printing the report of the State Geologist.
Resolutions in relation to the alleged claim of the United States to Wolf Island.

Were taken up, twice read, and concurred in.

The amendments proposed by the Senate to the amendment proposed by this House to a bill from the Senate of the following title, viz:
An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes.

Were taken up, twice read, and concurred in.

The House then took up the disagreement of the Senate to the amendment proposed by this House, to the amendment proposed by the Senate to the bill from this House, entitled,
An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.

Resolved, That this House recede from the amendment proposed by it to the amendment of the Senate to the above recited bill.

Bills from the Senate, of the following titles, viz:
An act for the benefit of William M. Smith, of Rockcastle county.
An act to amend Revised Statutes, chapter 102, title, treasury warrant claims.
An act for the protection of minors.

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

Bills from the Senate, of the following titles, viz:
An act to amend the charter of the Kentucky Coal and Iron Company.

An act to amend an act incorporating the city of Hickman.
An act in relation to slavery.

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,
The question was then severally taken on the passage of said bills, and it was decided in the negative.
And so said bills were disagreed to.

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

Resolved by the General Assembly of the Commonwealth of Kentucky,
That a committee of five on the part of the House of Representatives,
be appointed to act in conjunction with a similar committee to be ap-
pointed by the Senate to take into consideration the additional appro-
priation asked by the Eastern and Western Lunatic Asylums, with
instructions to report to this General Assembly as soon as practicable.

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. R. Jones reported a bill for the benefit of Richard Jones, of
Greenup county.
Which was read the first time.

Mr. Bodley moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affir-

Mr. Hanson reported a bill for the benefit of R. J. Didlake.

Be it enacted by the General Assembly of the Commonwealth of Kentucky,
That the provisions of a law passed by this General Assembly, repea-
ling all laws in relation to billiard tables, shall not apply to R. J. Dild-
lake, of the city of Lexington, until the 1st of March, 1857.

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. Whiteley moved to amend the substitute by striking out all
after the enacting clause, and inserting in lieu thereof the following,
viz:

That the act, entitled, an act to repeal all laws to license Billiard
Tables, Bowling Saloons, and Jenny Lind Tables, passed at the pre-
sent session of the General Assembly, shall not apply to any person
already licensed, until the first day of March, 1857.

And the question being taken thereon, it was decided in the affirma-
tive.

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 it was
decided in the affirmative.

The yea and nay being required thereon, by Messrs. Speer and
Beauchamp, were as follows, viz:
Those who voted in the affirmative, were:

Mr. Speaker, (Huston,) George C. Faris, John C. McCready,
Richard B. Alexander, Sidney A. Foss, John W. Menzies,
John B. Anderson, Nathan Gaither, William M. Miller,
Wm. T. Anthony, Daniel Garrard, Elijah P. Nuttall,
John B. Auxier, Henry Giles, Samuel B. Pell,
William B. A. Baker, Alfred F. Graham, Andrew J. Prichard,
R. P. Beauchamp, Gordon B. Grasty, David H. Raymond,
Ben Berry, Anderson Gray, Robert Richardson,
William J. Berry, Roger W. Hanson, Joseph Ricketts,
William S. Bodley, Hiram Hawkins, William Reiley,
William B. Booker, John M. Hewitt, George C. Rogers,
Robert C. Bowling, Greenberry Hicks, Charles C. Smedley,
Horatio W. Bruce, John L. Irvan, Richard J. Spurr,
Colbert Cecil, Andrew J. James, Thomas J. Terry,
Isaac N. Clement, Andrew Jones, Richard S. Thornton,
John B. Cochran, James Kinslaer, David L. Tharman,
George B. Cook, George F. Lee, Fielding Vaughan,
Thomas H. Corbett, Philip Lee, L. A. Whiteley,
Coleman Covington, James S. Littlepage, T. H. M. Winn,
James Culton, Samuel Long, Hiram Wood,
David R. Dugan, Pleasant W. Mahan, E. S. Worthington—55
Ephraim B. Elliott, Jas. H. McCampbell,

Those who voted in the negative, were:

Erasmus O. Brown, Hiram McElroy, James M. Speer,
Joshua Dunn, Benjamin F. Rice, Willie Waller—7.
McDowell Fogle,

Resolved, That the title of said bill be amended to read as follows, viz:

An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind Table.
The House then took up the bill concerning fraudulent and insolvent corporations.
Which was read a second time.
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 House then took up bills of the following titles, viz:
A bill to incorporate the Ohio River Improvement Company.
A bill for the benefit of the Louisville and Portland Railroad Company.
A bill for the benefit of the Crab Orchard and Mount Vernon, Columbia and Burksville Turnpike Roads.
And the question being severally taken on ordering said bills to be engrossed and read a third time, it was decided in the negative. And so said bills were rejected.

A bill from the Senate, entitled,

An act for the benefit of the sheriff of Fayette county,

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,

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, so as to read as follows, viz.

An act to authorize the county court of Fayette county to appoint a collector of railroad tax.

A bill from the Senate, entitled,

An act to incorporate the Ashland Fire, Marine, and Life Insurance Company.

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,

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 as aforesaid.

A bill from the Senate, entitled,

An act to incorporate the city of Paducah.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Frank P. Deatherage, Philip Lee,

William B. A. Baker, Joshua Dunn, Jas. H. McCampbell,

Ben Berry, George C. Paris, Hiram McElroy,

John S. Bohannon, Sidney A. Foss, John W. Menzies,

William B. Booker, John K. Goodloe, Samuel B. Pell,
Robert C. Bowling, Gordon B. Grasty, Andrew J. Pritchard,
Laban J. Bradford, Ben Hardin Helm, Robert Richardson,
Horatio W. Bruce, Greenberry Hicks, Joseph Nickels,
Colbert Cecil, John L. Irvan, William Reiley,
John B. Cochran, Gideon P. Jolly, George C. Rogers,
Thomas H. Corbet, Andrew Jones, Richard S. Thornton,
James M. Corbin, Richard Jones, Willie Waller,
Coleman Covington, James Kinslaer, L. A. Whiteley,
James Culton, George F. Lee, T. H. M. Winn—42.

Those who voted in the negative, were

John B. Auxier, Henry Giles, James M. Speer,
William J. Berry, Alfred F. Graham, Richard J. Spurr,
William S. Bodley, Roger W. Hanson, Thomas J. Terry,
Isaac N. Clement, John S. Hargis, Joshua Tevis,
George B. Cook, Hiram Hawkins, Fielding Vaughn,
Milton J. Cook, Andrew J. James, Hiram Wood,
David R. Dugan, Pleasant W. Mahan, E. S. Worthington—21.

Resolved, That the title thereof be as aforesaid.

Resolutions from the Senate in relation to the removal of obstructions in Cumberland river, Pulaski county,

Were taken up, twice read, and concurred in.

Bills from the Senate were reported by the committees to whom they were referred, of the following titles, viz:

By the committee on the Sinking Fund—An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Shaper, deceased.

By the committee on County Courts—An act authorizing the Surveyors' books of Wayne county to be transcribed.

By same—An act authorizing the County Court of Shelby to sell the poor-house and grounds of said county.

By same—An act for the benefit of the trustees of the town of Russellville.

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.

Bills from the Senate were reported by the committees to whom they were referred, of the following titles, viz:

By the committee on the Code of Practice—An act to repeal section 349 of the Criminal Code, and substituting other provisions in lieu thereof.

By the committee on Internal Improvement—An act to amend the charter of the Lexington and Big Sandy Railroad Company.
By the committee on County Courts—An act to authorize the County Court of Logan to sell or otherwise dispose of the clerk's office.

By same—An act to reduce into one the several acts in relation to the town of Harrodsburg.

The first three without, and the last with an amendment, which was concurred in.

The first three 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 titles thereof be as aforesaid.

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

By Mr. Montgomery—A bill incorporating the Crab Orchard and Gilmore's Lick Turnpike Company.

By Mr. P. Lee—A bill to change the August term of the Bullitt County Court.

By Mr. Auxier—A bill for the benefit of the trustees of the town of Prestonsburg.

By the committee on County Courts—A bill changing the time of holding the county courts in Montgomery county.

By same—A bill to change the time of holding the court of claims in Montgomery county.

By same—A bill changing the time of holding the county courts in Powell county.

By same—A bill to change the time of holding the Breathitt quarterly courts.

By same—A bill to change the time of holding the county courts of Henderson.

By same—A bill to give a term to the Rockcastle county court.

By same—A bill to change the time of holding the quarterly courts of Butler county.

By same—A bill to change the time of holding the quarterly courts in Meade county.

By same—A bill for the benefit of the trustees of the Methodist Episcopal Church South, at Maysville.

By same—A bill to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

By same—A bill for the benefit of the county of Franklin.

By same—A bill to give the Henderson county court power to appoint processioners.
By same—A bill to change the time of holding the Washington county court.
By same—A bill to regulate the office of the Kenton county court clerk.
By same—A bill for the benefit of Nicholas Sandifer.
By same—A bill to change the boundary of Perry county.
By same—A bill for the benefit of Nicholas Combs, late sheriff of Perry 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 bill having been dispensed with, and the same being engrossed.
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tevis, from the committee on County Courts, reported a bill to enforce the law requiring suits before justices to be brought in the district where the defendant resides.
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. Worthington moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirmative.

Mr. Tevis, from the same committee, reported a bill to amend chapter 48 of the Revised Statutes.
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 said bill was rejected.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act incorporating certain turnpike roads in Green county.
An act to amend the charter of New Haven.
An act for punishing negro stealing.
An act for the benefit of Barbette Rozenthall.
An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.
An act to incorporate Good Samaritan Lodge No. 174, of Free and Accepted Masons.
An act to fix the time of holding the Quarterly Court in Barren county.

An act incorporating Poage Lodge, No. 325, of Free and Accepted Masons.

An act for the benefit of Edward Morris, of Calloway county.

An act for the benefit of the jailer of Graves county.

An act to amend an act incorporating the Muldrouth's Hill, Campbellsville, and Columbia Turnpike road Company.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

An act for the benefit of James W. Thurman, of Bullitt county.

An act to incorporate the Catholic Benevolent Society, at Covington.

An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

An act to continue in force an act to incorporate the town of Port Royal, Henry county.

Also, enrolled bills that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Hickman and Graves County Plankroad Company.

An act for the benefit of W. T. E. Furman.

An act for the benefit of Braxton Small.

An act to amend the Savings Institution of Harrodsburg.

An act to charter the Tradewater Coal and Iron Mining Company.

An act to incorporate the Board of Trustees of the Kentucky Female College.

An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.

An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.

An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.

An act for the benefit of George W. Hampton, of Morgan county.

An act for the benefit of John W. How, late sheriff of Lawrence county.

An act for the benefit of Benjamin Norman.

An act to create an additional civil district in Hickman county.

An act to repeal an act, entitled, an act to regulate the duties of the Christian County Court in laying the county levy.

An act to authorize the County Court of Fulton county, to change the State road.

An an act to amend the charter of the Danville, Dix river, and Lancaster Turnpike road Company.
An act in relation to the Bourbon Academy.

An act to incorporate the Ashland Female Academy.

An act for the benefit of Wm. Mayneer, sheriff of Morgan county.

An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and Lyon counties.

An act to incorporate the President and Board of Examination of Eddyville Female College.

An act for the benefit of the Columbus Masonic Seminary.

An act to provide for the prosecution of the geological, mineralogical, chemical, topographical, and agricultural survey of the State.

An act to amend chapter 86, articles 3 and 4, of the Revised Statutes title, lands and slaves of infants, &c.

An act to establish the Deposit Bank of Carlisle.

An act to amend the act incorporating the Lexington and Winchester Turnpike road Company.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

And then the House adjourned.

SATURDAY, MARCH 8, 1856.

A message was received from the Senate, announcing that they had disagreed to bills from this House, of the following titles, viz:

An act to incorporate the Hamilton and Florence Turnpike road Company.

An act to regulate turnpike tolls.

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

An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory.

An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.

An act for the benefit of William Watson.

An act for the benefit of James H. Holloway and John G. Parks, adm'rs of Lewis H. Arnold.
An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.

An act for the benefit of William B. Johnson, late sheriff of Laurel county.

An act for the benefit of the administrators of John Gilbert, deceased.

An act to reduce the price of vacant lands in Cumberland county.

An act for the benefit of T. A. Ireland, sheriff of Owen county.

An act for the benefit of Thomas B. Harrison, late sheriff of Logan county.

An act for the benefit of James M. Speer, late sheriff of Oldham county.

An act to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.

An act for the benefit of W. B. A. Baker, late sheriff of Mason county.

An act for the benefit of James M. Smith and John Wesley Shelley.

An act to authorize the Whitley county court to change the state road from Williamsburg to the state line.

An act to amend the charter of the Louisville and Newport Branch Railroad Company.

An act for the benefit of the Louisville and Cane Run Plank Road Company.

An act for the benefit of certain clerks of this Commonwealth.

An act for the benefit of certain sheriffs of this Commonwealth.

An act to amend the charter of the Twelve Mile Turnpike Company.

An act declaring Rockcastle creek, in Johnson county, navigable.

An act to amend the charter of the Elizabethtown and Bell's Tavern Turnpike road Company.

An act to change the August term of the Bullitt county court.

An act legalizing the locality of the first toll-gate from Danville to Crab Orchard.

An act for the benefit of David Bailey, sheriff of Harlan county.

With amendments to the last two bills.

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

An act to amend the charter of the Lexington and Danville Railroad Company.

An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.

An act for the benefit of Samuel Salyer.

Bills from the Senate were reported by the committees to whom the same had been referred, of the following titles, viz:

By the committee on Military Affairs—An act to increase the number of examiners in Morgan county.
MARCH 8.) HOUSE OF REPRESENTATIVES.

By the committee on Claims—An act for the benefit of Israel C. Winfrey and A. D. Robinson.

By the committee on County Courts—An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners therefor.

The first two without and the last bill with an amendment, which was 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 said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hawkins, from the committee on Military affairs, reported a bill to amend the militia laws.

Which was read the first time.

Mr. Bradford moved to lay said bill on the table.

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

Mr. Nuttall from the committee on the Expenditures of the Board of Internal Improvement, made the following report, viz:

The committee on Expenditures of the Board of Internal Improvement respectfully beg leave to make the following report:

Your committee have made a very thorough examination of the books and vouchers kept by the President of the Board of Internal Improvement, and as far as your committee are capable of judging from said examination, we are satisfied the accounts are all reasonable and just, and properly entered of record. The disbursements were made by the board for the purposes of keeping the lines of public improvements in good order, for the free and unobstructed navigation of said lines by every description of water craft, and for the purpose of paying lock-keepers and superintendent's salaries. The president of the board has charge of all the turnpike roads in which the state holds stock. His attention to the interest of those roads have been promptly and earnestly given. For a full knowledge of the receipts, disbursements, and dividends upon the Kentucky, Green and Barren river lines of navigation, and for the dividends declared upon the turnpike roads, we refer you to the annual report of the President of the Board of Internal Improvement.

We are of opinion that Dr. D. R. Haggard, the president of the board, has discharged his official duties to the entire interest of the State and honor to himself. He has bestowed his almost undivided and exclusive attention to the complicated duties of his office, with that energy, economy, and punctuality that characterizes him wherever he is known, as a faithful public officer of the Commonwealth. The following facts will clearly evince that the State has been fortunate in selecting him to take charge of the internal improvement department:
When he took charge of the public works, the average expenditures upon the Kentucky river per annum, exceeded the expenses since his connection with it, $2,452.26 per annum. Since the completion of the railroad from this point (Frankfort) to Louisville, under his prompt and efficient management the State has realized a net dividend of $24,683.07, contrary to the expectation of every person who was acquainted with the previous management of said river.

The average expenditures upon the Green and Barren line of Improvement, for the four years preceding his connection with said line, exceeded the expenditures for the same time since, the sum of 1,544.24 per annum. The expenditures for the same time exceeded the receipts $11,648.59; but since that line has been under the control and management of the present president, (four years,) the State, instead of sustaining a loss of the above sum, the line has paid a net dividend of $20,413.85 into the sinking fund. Your committee are gratified to be able to state, that since the present president has had charge of the public works, he has paid into the treasury, as net dividends upon the two lines of navigation, the sum of $45,096.92.

All of which is respectfully submitted,

E. F. NUTTALL, Chairman,
R. P. BEAUCHAMP,
J. T. WARE,
JAMES H. McCAMPBELL,
A. F. GRAHAM.

Mr. Balford, from the committee on the Penitentiary, to whom was referred a bill from the Senate, entitled,

An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital,

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,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Sidney A. Foss, John W. Menzies,
Richard B. Alexander, Henry Giles, William Miller,
John B. Anderson, John K. Goodloc, W. C. Montgomery,
John B. Auxier, Alfred F. Graham, Elijah F. Nuttall,
William B. A. Baker, Gordon B. Grasty, Samuel B. Pell,
R. P. Beauchamp, Benjamin Gullary, Andrew J. Prichard,
Ben. Berry, Roger W. Hanson, David H. Raymond,
William J. Berry, Ben Hardin Helm, Robert Richardson,
William S. Bodley, John M. Hewitt, Joseph Ricketts,
John S. Bohannon, Greenberry Hicks, William Reiley,
William B. Booker, John L. Irvan, George C. Rogers,
Resolved, That the title thereof be as aforesaid.

Mr. P. Lee, from the committee on Claims, to whom was a referred a bill from the Senate, entitled,

An act relating to the late keeper of the Penitentiary.

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the commissioners of the sinking fund be and they are hereby authorized and directed, in their final settlement with Newton Craig, late agent and keeper of the penitentiary, to allow the said Craig a further credit for the sum of two thousand six hundred and eighty-six dollars and thirty-four cents, being one-third of the net profits of said institution for the years 1844 and 1845, which sum is allowed to said Craig in full discharge of all claims, either in law or equity, which he, the said Craig, may have against the Commonwealth growing out of his connection with the penitentiary.

§ 2. This act to take effect from its passage.

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 it was decided in the negative.

And so said bill was disagreed to.

The yeas and nays being required thereon, by Messrs. Rice and McDowell Fogle, were as follows, viz:
Those who voted in the affirmative, were


Mr. P. Lee, from the same committee, to whom was referred a bill from the Senate, entitled,

An act for the benefit of John B. Floyd, and the widow of John Coleman, 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,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, Joshua Dunn, John C. McCreary, John B. Anderson, Ephraim B. Elliott, Wm. M. Miller,

Resolved, That the title thereof be as aforesaid.

Mr. P. Lee, from the same committee, to whom were referred a bill from the Senate, entitled, An act for the benefit of Bright and Bright, and Chapman and Meriwether,

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,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Resolved, That the title thereof be as aforesaid.

Mr. P. Lee, from the same committee, to whom was referred a bill from the Senate, entitled, An act for the benefit of William S. Rand, late Commissioner of the State of Kentucky, at the exhibition of the industry of all nations, Reported the same without amendment. Said bill reads as follows, viz: Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be and he is hereby authorized to draw his warrant on the Treasurer of this State, in favor of William S. Rand, late Commissioner for the State of Kentucky to the exhibition of the industry of all nations, for the sum of one thousand dollars, payable out of any moneys in the treasury not otherwise appropriated.

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 it was decided in the negative, a constitutional majority not voting in favor of it.

And so said bill was disagreed to. The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

Ben. Berry,  Gideon P. Jolly,  George C. Rogers,
William S. Bodley,  Andrew Jones,  Charles C. Smedley,
William B. Booker,  George F. Lee,  James M. Speer,
Robert C. Bowling,  Philip Lee,  Joshua Tevis,
Horatio W. Bruce,  Samuel Long,  David L. Thurman,
John B. Cochran,  John G. Lyon,  L. A. Whiteley,
Thomas H. Corbett,  Charles A. Marshall,  Thos. H. M. Winn,
Ephraim B. Elliott,  Jas. H. McCampbell,  Hiram Wood,

Those who voted in the negative, were

Mr. Speaker, (Huston,) Sidney A. Foss,  Pleasant W. Mahan,
William J. Berry,  Nathan Gaither,  John C. McCarey,
John S. Bohannon,  Daniel Garrard,  Hiram McElroy,
Archibald C. Brown,  Henry Giles,  William M. Miller,
Colbert Cecil,  Alfred F. Graham,  David H. Raymond,
George B. Cook,  Gordon B. Grasty,  Robert Richardson,
Milton J. Cook,  Anderson Gray,  Joseph Ricketts,
James M. Corbin,  John M. Hewitt,  William Reiley,
Coleman Covington,  Greenberry Hicks,  James A. Russell,
James Cullin,  John L. Irvan,  Richard J. Spurr,
Frank P. Deatherage,  Andrew J. James,  Thomas J. Terry,
Joshua Dunn,  Richard Jones,  Fielding Vaughan,
McDowell Fogle,  Jas. S. Littlepage,  Willie Waller—39.

Mr. P. Lee, from the same committee, to whom was referred a bill
from the Senate, entitled,

An act for the benefit of John P. Campbell, Samuel Shryock, and
James F. Buckner, late building commissioners of the Western Lunatic
Asylum,

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,

The question was then taken on the passage of said bill, and it was
decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were
as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Ephraim B. Elliott,  William M. Miller,
Richard B. Alexander,  Sidney A. Foss,  W. C. Montgomery,
John B. Anderson,  John K. Goodloe,  Elijah F. Nuttall,
John B. Auxier,  Alfred F. Graham,  Samuel B. Pelt,
William B. A. Baker,  Gordon B. Grasty,  Andrew J. Pirchard,
R. P. Beauchamp,  Anderson Gray,  Benjamin F. Rice,
Ben Berry,  Benjamin Gullion,  Robert Richardson,
William J. Berry,  Roger W. Hanson,  Joseph Ricketts,
William S. Bodley  Ben Hardin Helm,  William Reiley.
Resolved, That the title thereof be as aforesaid.

Mr. P. Lee, from the same committee, reported a bill to provide for paying the debts due to the contractors of the Western Lunatic Asylum,

Which was read the first time, as follows, viz:

WHEREAS, It appears from the report of the commissioners appointed by the act of the last General Assembly to settle with the building commissioners of the Western Lunatic Asylum, that there is a balance due to the contractors of the sum of seventeen thousand three hundred and twenty-five dollars and ninety-one cents; for the payment whereof,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of seventeen thousand three hundred and twenty-five dollars and ninety-one cents be and the same is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for the payment of the debts due to the contractors for work done on said asylum; that said sum shall be paid over to Robert McKee, Zach. Glass, and John Stites, as commissioners for the payment of said contractors.

§ 2. That before said sum shall be drawn by said commissioners, they shall file, in the office of the Secretary of State, a bond with good security, in the penalty of twenty thousand dollars, to be approved by the Governor, conditioned for the faithful appropriation of said money.

§ 3. That said commissioners shall take from said contractors or assignees, to whom said sums may be due, receipts for the money so paid them, specifying for what said sum was paid; and upon the return, by said commissioners to the Governor, of the receipts of said contractors or their assignees, showing the payment of the sums of money due them respectively, then the Governor shall order the bond
so executed by said commissioners, to be cancelled and returned to said commissioners; and that this act shall take effect from its passage.

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 it was decided in the affirmative.

The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) Charles Duncan, Pleasant W. Mahan,
John B. Anderson, James A. Duncan, Charles A. Marshall,
John B. Auxier, Joshua Dunn, Jas. H. McCampbell,
William B. A. Baker, Ephraim B. Elliott, William M. Miller,
R. P. Beauchamp, George C. Paris, W. C. Montgomery,
Ben Berry, Sidney A. Foss, Elijah F. Nuttall,
William J. Berry, John K. Goodloe, Samuel B. Pell,
William S. Bodley, Alfred F. Graham, Andrew J. Prichard,
William B. Booker, Gordon B. Grasty, Benjamin F. Rice,
Laban J. Bradford, Roger W. Hanson, Joseph Ricketts,
Archibald C. Brown, John L. Irvan, William Reiley,
Horatio W. Bruce, Andrew J. James, George C. Rogers,
Colbert Cecil, Gideon P. Jolly, James A. Russell,
Isaac N. Clement, Andrew Jones, Richard J. Spurr,
John B. Cochran, Richard Jones, Joshua Tevis,
George B. Cook, James Kinslaer, David L. Thurman,
Thomas H. Corbett, George F. Lee, Willie Waller,
James M. Corbin, Philip Lee, James T. Ware,
Coleman Covington, James S. Littlepage, L. A. Whiteley,
Frank P. Deatherage, Samuel Long, Hiram Wood,
David R. Dugan, John G. Lyon, E. S. Worthington—63.

Those who voted in the negative, were

Richard B. Alexander, Henry Giles, David H. Raymond,
John S. Bohannon, Anderson Gray, James M. Speer,
James Coit, Benjamin Gullion, Fielding Vaughan
Nathan Gaither, Greenberry Hicks, T. H. M. Winn—14.
Daniel Garrard, John C. McCreary,

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of the Western Lunatic Asylum.

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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, Charles A. Marshall, Jas. H. McCampbell, John W. Menzies,
John B. Anderson, S. A. Foss, John W. Menzies, W. C. Montgomery,
William B. A. Baker, John K. Goodloe, Samuel B. Pell,
R. P. Beachamp, Alfred F. Graham, David H. Raymond,
Ben Berry, Gordon B. Grasty, Joseph Ricketts,
William J. Berry, Anderson Gray, William Reiley,
William S. Bodley, Benjamin Gullion, James A. Russell,
William B. Booker, Roger W. Hanson, Charles C. Smedley,
Laban J. Bradford, John S. Hargis, Richard J. Spurr,
Archibald C. Brown, Ben Hardin Helm, Thomas J. Terry,
Horatio W. Bruce, Greenberry Hicks, Joshua Tevis,
Colbert Cecil, John L. Irvan, David L. Thurman,
Isaac N. Clement, Andrew J. James, Fielding Vaughan,
John B. Cochran, Gideon P. Jolly, Willie Waller,
Coleman Covington, Andrew Jones, James T. Ware,
Frank P. Deatherage, James Kinlaec, L. A. Whiteley,
David R. Dugan, George F. Lee, Hiram Wood,
Charles Duncan, Philip Lee, E. S. Worthington—61.
James A. Duncan, Samuel Long,
Joshua Dunn, John G. Lyon,
Ephraim B. Elliott,

Those who voted in the negative, were

Richard B. Alexander, Henry Giles, Hiram McElroy,
John S. Bohannon, James S. Littlepage, Benjamin F. Rice,
James Culon, Pleasant W. Mahan, James M. Speer,
Daniel Garrard,

Resolved, That the title thereof be as aforesaid.

A bill from the Senate, entitled, an act for the benefit of the Eastern 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,

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 it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:
Mr. Speaker, (Huston,) Daniel Garrard, W. O. Montgomery,
John B. Anderson, John K. Goodloe, Elijah F. Nuttall,
John B. Auxier, Alfred F. Graham, Samuel B. Pell,
W. B. A. Baker, Anderson Gray, David H. Raymond,
Ben Berry, Benjamin Gullion, Benjamin F. Rice,
William S. Bedley, Roger W. Hanson, Robert Richardson,
William B. Booker, John S. Hargis, Joseph Ricketts,
Laban J. Bradford, Ben Hardin Helm, William Reiley,
Archibald C. Brown, Greenberry Hicks, James A. Russell,
Horatio W. Bruce, John L. Irvan, Charles C. Smedley,
Colbert Cecil, Andrew J. James, Richard J. Spurr,
John B. Cochran, Gideon P. Jolly, Thomas J. Terry,
George B. Cook, Andrew Jones, Joshua Tevis,
Coleman Covington, James Kinslacer, D. L. Thurman,
Frank P. Deatherage, George F. Lee, Fielding Vaughan,
David R. Dungan, Samuel Long, Willie Walker,
Charles Duncan, John G. Lyon, James T. Ware,
Joshua Dunn, Charles A. Marshall, L. A. Whiteley,
Ephraim B. Elliott, Jas. H. McCampbell, Hiram Wood,
George C. Faris, John C. McCready, E. W. Worsham,
Sidney A. Foss, John W. Menzies, E. S. Worthington—63.

Those who voted in the affirmative, were

Those who voted in the negative, were

John S. Bohannon, Nathan Caithier, Pleasant W. Mahan—5.
James Culton, Henry Giles,

Resolved, That the title thereof be as aforesaid.

Mr. Milton J. Cook, from the committee on Enrollments, reported that the committee had examined 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 those who may become purchasers of the Maysville and Lexington Railroad.

An act to incorporate Carroll Lodge, No. 45, I. O. O. F.

An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.

An act to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.

An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.

An act for the benefit of M. T. Shelburne, of Ballard county.

An act to incorporate the Logan county Agricultural and Mechanical Association.

An act to establish a uniform weight of coal.

An act to incorporate and endow the Western Kentucky College.

An act to incorporate the Daniel Boone Military Institute.
An act to provide for any deficiency in the Treasury that may occur during the year 1856.
An act to establish the Academical Institute of Louisville.
An act for the benefit of Ashland common school district in Greenup county.
An act to incorporate the Kentucky Christian Education Society.
An act to incorporate the Agricultural Deposit Bank of Lexington.
An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.
An act to incorporate the Richmond Royal Arch Chapter, No. 16.
An act for the benefit of the clerk of the Hickman circuit court.
An act to amend the 5th section of article 7, chapter 93, Revised Statutes.
An act to incorporate the Paducah and Nashville Telegraph Company.
An act to incorporate the Nashville and North Western Railroad Company.
An act to change the place of voting in the 3d district, in Simpson county.
An act for the benefit of the sheriff of Washington county.
An act to amend section 621 of the Code of Practice.
An act in relation to the McCracken county court.
An act to amend the charter of the Parochial School of the Hanging Fork Presbyterian Church.
An act to amend the charter of the city of Louisville.
An act to change the time of holding the Harrison county court.
An act for the benefit of Aaron Johnson, sheriff of Laurel county.
Also, enrolled bills that originated in this House, of the following titles, and had found the same truly enrolled, viz:
An act for the benefit of trustees of the town of Princeton.
An act for the benefit of the town of Calhoon.
An act for the benefit of the administrator of John McDyer, deceased.
An act directing the boundary line between the counties of Butler and Ohio, to be run and re-marked.
An act for the benefit of the mechanics of McLean county.
An act for the benefit of the county court of Montgomery county.
An act to incorporate Rusling Lodge, No. 112, I. O. O. F.
An act to incorporate Schiller Lodge, No. 64, I. O. O. F.
An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.
An act to authorize the County Court of Montgomery county to sub-
scribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.

An act to abolish a ferry on the Ohio river, in Meade county.

An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at lock No. 3, on Green river.

An act to provide for the service of process against steamboats.

An act to increase the powers of the Marshal of the town of Mount Sterling.

An act to incorporate the Falmouth and Clayville Turnpike road Company.

An act to incorporate the Falmouth and Milford Turnpike road Company.

An act to incorporate Taylor Lodge, No. 34, I. O. O. F.

An act extending the mechanics' lien law to the town of Lebanon and Marion county.

An act to incorporate the Section Dock Company, at Smithland.

An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.

An act to incorporate Bagdad and Harrisonville Turnpike Road Company.

An act to amend chapter 103 of the Revised Statutes, title, “Turnpike and Plank Roads.”

An act to amend an act authorizing the Oakland Plankroad Company to construct a branch road.

An act to establish the Deposit Bank of Springfield.

Whereupon, the Speaker affixed his signature thereto.

**Ordered, That Mr. M. J. Cook inform the Senate thereof.**

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

An act incorporating certain turnpike roads in Green county.

An act for punishing negro stealing.

An act to amend the charter of New Haven.

An act to fix the time of holding the Quarterly Court in Barren county.

An act to incorporate Good Samaritan Lodge No. 174, of Free and Accepted Masons.

An act for the benefit of Barbette Rozenthall.

An act to incorporate Gordonsville Lodge, No. 217, of Free and Accepted Masons.

An act for the benefit of Edward Morris, of Calloway county.

An act incorporating Poage Lodge, No. 325, of Free and Accepted Masons.
An act for the benefit of the jailer of Graves county.

An act to amend an act incorporating the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

An act to incorporate Claysville Division, No. 34, Sons of Temperance.

An act to amend an act, entitled, an act to amend an act incorporating the town of Raywick.

An act for the benefit of James W. Thurman, of Bullitt county.

An act to incorporate the Catholic Benevolent Society, at Covington.

An act to continue in force an act to incorporate the town of Port Royal, Henry county.

An act to incorporate Bland Ballard Lodge, No. 38, I. O. O. F.

Approved March 7, 1856.

A message was received from the Senate, announcing that they had disagreed to bills from this House of the following titles, viz:

An act to give further protection to slave property.

An act to amend an act, entitled, an act to authorize Daniel Breck, jr., and F. A. Ramsey to build a dam across the north fork of the Kentucky river.

That they had disagreed to the amendments proposed by this House to a bill from the Senate, entitled, an act to prevent the selling and using of certain weapons.

That they had concurred in the 1st and 2d, and disagreed to the 3d amendment proposed by this House, to a bill from the Senate, entitled,

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

That they had concurred in the amendments proposed by this House to bills from the Senate, of the following titles, viz:

An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.

An act to reduce into one the several acts in relation to the town of Harrodsburg.

An act to amend the charter of the Lexington and Big Sandy Railroad Company.

An act to incorporate the Ashland Fire, Marine, and Life Insurance Company.

That they had passed bills and a resolution from this House of the following titles, viz:

An act to increase the number of election districts in Louisville.
An act to incorporate the Public Church and School House Company.
An act for the benefit of School district, No. 41, in Jefferson county.
An act to amend the common school laws.
An act to incorporate the Kenton County Agricultural Society.
An act to re-organize Transylvania University, and establish there a school for teachers.
An act to cause writings to be made in the English language.
An act to incorporate the Louisville Fuel Coal Company.
An act to incorporate the commissioners of the Sinking Fund for Montgomery county.
An act to incorporate the Nashville and Rowena Coal Company.
An act for the benefit of the Louisville and Oldham Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.
An act to incorporate the Lexington and Frankfort Turnpike road Extension Company.
An act to authorize the county court of Christian county to establish a road through certain lands in said county.
An act to incorporate the Paris and Bethlehem Turnpike road Company.
An act to amend the law incorporating the Burlington and Florence Turnpike road Company.
An act to incorporate the Union and Big Bone Turnpike road Company.
An act to incorporate the Princeton and Eddyville Turnpike road Company.
An act to incorporate the Lebanon and Maxville Turnpike road Company.
An act to incorporate the Bryantsville and Boyle County Turnpike road Company.
An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike road to Taylor county.
An act to provide for the sale of certain lands belonging to the Commonwealth.
An act to authorize the President of the Board of Internal Improvement to sell certain property.
An act to improve the navigation of Big Sandy River.
An act to incorporate the Livingston County Coal Mining Company.
An act declaring Jenny's creek, in Johnson county, a navigable stream.
An act authorizing the Breckinridge and Meade county courts to change a part of the State road leading from Brandenburg to Bowling Green.

An act providing for certain turnpike road companies in Anderson county.

An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.

An act to amend the charter of the Pleasant Run Turnpike road Company.

An act declaring Licking river, in Floyd county, navigable.

An act to amend an act declaring Miller's creek, in Estill county, a navigable stream.

An act to incorporate the Cruise's Knob and Somerset Turnpike road Company.

An act to incorporate the Lancaster and Buckeye Turnpike road Company.

An act to amend the charter of the Eagle creek and New Liberty Turnpike road Company.

An act to amend the charter of the Versailles and Anderson Turnpike road Company.

An act to incorporate the Edmonton and Woodsonville Turnpike road Company.

An act to incorporate the Kentucky River Coal and Lumber Company.

An act for the benefit of King F. Baker and his illegitimate son, Curtis Davis.

Resolution in relation to appropriating a room in the Capitol to the use of the State Geologist.

With an amendment to said resolution.

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

An act in relation to the office of Attorney General.

An act to amend 68th chapter Revised Statutes.

Resolution concerning the publication of the laws of a general nature, passed at the present session.

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 W. T. E. Furman.

An act for the benefit of Braxton Small.

An act to incorporate the Hickman and Graves County Plankroad Company.

An act in relation to the Bourbon Academy.
An act for the benefit of Wm. Mayneer, sheriff of Morgan county.
An act to incorporate the President and Board of Examination of Eddyville Female College.
An act for the benefit of the Columbus Masonic Seminary.
An act for the benefit of Charles F. Jenkins, late sheriff of Caldwell and Lyon counties.
An act to incorporate the Board of Trustees of the Kentucky Female College.
An act to prevent the destruction of fish in the waters of the North Fork of Licking river, within Mason and Bracken counties, and North Elkhorn, in Scott county.
An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, Mason county.
An act for the benefit of George W. Hampton, of Morgan county.
An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company.
An act for the benefit of John W. Haws, late sheriff of Lawrence county.
An act for the benefit of Benjamin Norman.
An act to repeal an act, entitled, an act to regulate the duties of the Christian County Court in laying the county levy.
An act to create an additional civil district in Hickman county.
An act to amend the charter of the Danville, Dix river, and Lancaster Turnpike road Company.
An act to authorize the County Court of Fulton county, to change the State road.
An act to incorporate the Ashland Female Academy.
An act to provide for the prosecution of the geological, mineralogical, chemical, topographical, and agricultural survey of the State.
An act to amend the act incorporating the Lexington and Winchester Turnpike road Company. Approved March 7, 1856.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:
By the committee on Claims—A bill for the benefit of Jacob Corbett, of Ballard county.
By same—A bill repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved Mar. 6, 1854.
By same—A bill for the benefit of William Harman and Samuel B. Hughes.
By same—A bill for the benefit of J. P. Hammons.
By same—A bill for the benefit of James N. Early, of Boone county.
By same—A bill for the benefit of John Elison.
By same—A bill for the benefit of Robert Scott, of Clarke county.
By same—A bill for the benefit of Jesse Bayles.
By same—A bill for the benefit of the city of Lexington.
By same—A bill for the benefit of George Neithercult, of Carter county.
By the committee on Propositions and Grievances—A bill for the benefit of A. L. Offult, late sheriff of Scott county.
By same—A bill for the benefit of the assessor of the county of Union.
By the committee on Agriculture and Manufactures—A bill to incorporate the Columbia Fair ground Association.
By same—A bill to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.
By same—A bill to amend the charter of the Kentucky Agricultural and Mechanical Association.
By same—A bill to incorporate the Jefferson County Association.
By same—A bill to protect the growers of sheep in Fayette county.
By the committee on the Sinking Fund—A bill relative to the tolls on the different bridges and turnpike roads in this State.
By the committee on Banks—A bill to incorporate the Home Insurance and Trust Company.
By same—A bill to amend the charter of the Franklin Savings Institution.
By same—A bill to incorporate the Bracken County Insurance Company.
By Mr. Jolly—A bill to change the voting place in the 10th district, in the county of Breckenridge.
By the committee on Public Offices—A bill to amend the law in relation to Public Buildings.
By Mr. W. J. Berry—A bill to change the place of voting in Justices and Election district No. 3, in Ohio county.
By the committee on County Courts—A bill authorizing the county court of Harrison to make sale of the poor house lands in said county.
By same—A bill to amend the act creating a town marshal in Harford.
By same—A bill authorizing the appointment of additional assessors of lands in Lincoln county.
By same—A bill creating a treasurer for the county of Bracken.
By same—A bill to allow the trustees of the seminary of the town of Prestonsburg, to build a house for school and church purposes.
By same—A bill for the benefit of the county judge and justices in Ohio county.
By same—A bill to authorize the Garrard county court to subscribe stock in turnpike roads.
By same—A bill conferring certain power on the Monroe county court.

By same—A bill authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.

By same—A bill authorizing the Muhlenburg county court to re-district said county, and creating an additional district.

By same—A bill for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

By same—A bill to extend the boundaries of the town of Woodbury.

By same—A bill to incorporate the town of Gordonsville.

By same—A bill for the protection of public roads in Carter county.

By same—A bill to authorize the appointment of a collector of the revenues of Greenup county.

By same—A bill to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.

By same—A bill to give further power to the Boyle county court.

By same—A bill for the benefit of the town of Tompkinsville.

By same—A bill to legalize the February term of the Casey county court, 1854.

By the committee on Revised Statutes—A bill to punish having altered money in possession.

By same—A bill to amend article 1, chapter 58, of the Revised Statutes.

By same—A bill to amend section 3, chapter 102, of the Revised Statutes.

By same—A bill to amend the 2d section, of the 5th article, chapter 86, of the Revised Statutes.

By same—A bill to authorize the Boyle county court to subscribe stock in turnpike roads.

By same—A bill regulating the time of sheriffs paying in the revenue to the treasury, and fixing their compensation.

By the committee on Propositions and Grievances—A bill establishing a police court in Catlettsburg.

By the committee on the Code of Practice—A bill to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence."

By same—A bill to appoint beneficiary scholars to the Bracken Academy.

By Mr. Whiteley—A bill for the benefit of Rebecca Moyses.

By the committee on the Judiciary—A bill to incorporate Marshall Lodge, No. 29, I. O. O. F.

By same—A bill to incorporate Corinthian Lodge, No. 74, I. O. O. F.
By same—A bill concerning express companies.
By same—A bill to incorporate the Green river Mining and Manufacturing Company.
By the committee on Religion—A bill to empower David Cooley to perform the rites of matrimony.
By Mr. Bruce—A bill concerning the Greenup circuit court.
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.
Bills from the Senate were reported by the committees to whom they were referred, of the following titles, viz:
By the committee on Claims—An act for the benefit of William Winston, jr., of McCracken county.
By the committee on Agriculture and Manufactures—An act to incorporate the South Kentucky-Fair Grounds Association.
By the committee on Privileges and Elections—An act to create an additional voting and justices district, in Perry county.
By the committee on Revised Statutes—An act to amend chapter 86, of the Revised Statutes, title, "sales of infant's real estate," &c.
By the committee on County Courts—An act to amend the law in relation to Guardians.
By the committee on Revised Statutes—An act for the benefit of Transylvania University and the law library of Louisville.
By same—An act to amend chapter 7, section 1, of the Revised Statutes.
By the committee on the Judiciary—An act to amend the laws limiting the time of commencing certain actions.
By same—An act concerning the collection of officers' fees.
By same—An act to incorporate the Grand Division of South Kentucky, Sons of Temperance.
By the committee on County Courts—An act to increase the powers and jurisdiction of the mayor of the city of Newport.
By the committee on Revised Statutes—An act to amend the law in relation to crimes and punishment.
The first ten without, and the last two with amendments, which were concurred in.
Ordered, That said bills, the last two 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 titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had disagreed to bills from this House, of the following titles, viz:

An act concerning fraudulent and insolvent corporations.
An act to repeal all Lottery grants in this Commonwealth.
That they had passed bills from this House, of the following titles, viz:

An act for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute.
An act for the benefit of the State road from Mount Sterling to the Virginia State line.
An act to amend an act to incorporate the Muldrough’s Hill, Campbellsville, and Columbia Turnpike road Company.
An act to incorporate the Kentucky and Virginia Coal Mining and Oil Manufacturing Company.
An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike road Company.
An act for the benefit of the Northern Kentucky Coal Mining Company.
An act for the benefit of the Dutch Ridge Turnpike road Company.
An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.
An act to incorporate the Hiawatha Mining Company.
An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.
An act to incorporate the Minerva Seminary, in Madison county.
An act to incorporate the Sayre Female Institute, in the city of Lexington.
An act in relation to Franklin Academy, in the town of Washington.
An act for the benefit of school district, No. 1, in Graves county.
An act to incorporate the Green river Education Society.
An act to incorporate the Lafayette Male Academy in Christian county.
An act to change the time of the meeting of the General Assembly.
An act for the benefit of certain fractions of common school districts, in Pulaski county.
An act for the benefit of Jacob T. Miller.
An act for the benefit of the law department of the Transylvania University.
An act for the benefit of John S. Dorman.
An act for the benefit of the State Arsenal.
An act incorporating the Crab Orchard and Gilmore's Lick Turnpike Company.
An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind Table.
An act for the benefit of the trustees of the town of Prestonsburg.
An act changing the times of holding the county courts in Montgomery county.
An act to change the time of holding the Court of Claims in Montgomery county.
An act changing the times of holding the County Courts in Powell county.
An act to change the time of holding the Breathitt Quarterly Courts.
An act to change the time of holding the County Courts in Henderson.
An act to give a term to to the Rockcastle County Court.
An act to change the time of holding the Quarterly Courts of Butler county.
An act to change the time of holding the Quarterly Courts in Meade county.
An act for the benefit of the trustees of the Methodist Episcopal Church South, at Maysville.
An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.
An act for the benefit of the county of Franklin.
An act to give the Henderson County Court power to appoint processioners.
An act to change the time of holding the Washington County Court.
An act to regulate the office of the Kenton County Court clerk.
An act for the benefit of Nicholas Sandifer.
An act to change the boundary of Perry county.
An act for the benefit of Nicholas Combs, late sheriff of Perry county.
An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum.
An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.
An act for the benefit of Robert Scott, of Clarke county.
An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.
An act in relation to tolls on the Kentucky river improvements.
With amendments to the last two bills.
Mr. McElroy, from the committee on Propositions and Grievances,
reported a bill to add part of the county of Ohio to Hancock, and for other purposes;
Which was read the first time, and ordered to be read a second time.

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

By the committee on Agriculture and Manufactures—A bill to incorporate the Fejee Mining Company.
By the committee on Banks—A bill to amend the charter of the Farmers' Bank of Kentucky.
By Mr. Bruce—A bill to amend the act incorporating the town of Sherburne.
By the committee on the Code of Practice—A bill to amend the law regulating appeals from the Circuit Court to the Court of Appeals.

Which were read the first time.
And the question being severally taken on ordering said bills to be read a second time, it was decided in the negative.
And so said bills were rejected.

Mr. Winn from the committee on Banks, reported a bill to incorporate the Milton Bank of Kentucky.
Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby established, in the town of Milton, Trimble county, Kentucky, a bank by the name of "The Milton Bank of Kentucky," with a capital stock of two hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, and subscribed and paid for by individuals, companies, or corporations in the manner hereinafter specified; which subscribers, shareholders, their successors and assigns, shall be, and are hereby, created a body politic and corporate, by the name and style of the President, Directors, and Company of the Milton Bank of Kentucky, and shall so continue until the 1st day of January, 1886; and by that name shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, defend and be defended, in all courts or places, and in all matters whatsoever, as natural persons, with full power and authority to acquire, hold, possess, use, occupy, and enjoy, and the same to sell, convey, and dispose of all such real estate, goods, effects, and chattels, as shall be necessary and convenient, for the transaction of its business, or which may be conveyed to said bank as collateral security for, or received in payment of, any debt which may become due or owing to the same, or which may be conveyed or purchased, in satisfaction of any judgment of a court of law, or any order or decree of equity in their favor; and may have and use a common seal, and alter, change, or renew the same at pleasure, and may make, ordain, and establish, and put in execution, such by-laws, ordinances, rules, and regulations, as may be necessary and proper for the good government of said bank, and the prudent and efficient management of its affairs: Provided, The
same shall not be in any wise contrary to the constitution and laws of this state or of the United States.

§ 2. That said bank shall have and keep an office of discount and deposit in the town of Milton, Trimble county, Kentucky, and at no other place, where its banking business shall be transacted, and its books of accounts, journals, and records shall be kept; and it shall be lawful for said bank to loan money, deal in bills of exchange, checks, and promissory notes; and to discount upon banking principles and usages, bills of exchange, promissory notes and other negotiable paper, for the payment of a certain sum of money; also, to issue bills or bank notes, payable to bearer on demand, at its office of discount and deposit; also, to draw and issue post notes, bills of exchange, on individuals, companies, or corporations, payable to order, and at such place and time as the directors, for the time being, may deem expedient: Provided, That it shall not be lawful for said bank to issue any bill or bank note, payable to bearer, of a less denomination than one dollar. The promissory notes made payable to any person or persons, and negotiable and payable at the Milton Bank of Kentucky, and indorsed to, and discounted by said bank, shall be and they are hereby placed on the same footing as foreign bills of exchange, so that the like remedy may be had jointly or severally, against the drawer or drawers, and indorser and indorsers, and with like effect, except as to damages, and except that in a regular course of administration they shall have no other, or greater dignity, or priority of payment, than any other promissory notes. The bank shall not directly or indirectly deal or trade in anything except bills of exchange, gold or silver bullion, or in the sale of goods and chattels, rights and credits, really and truly pledged for money lent, and not redeemed in due time, or goods which shall be the proceeds of its lands.

§ 3. That said bank shall not at any time owe, whether by bond, bill, note or other contract, an amount exceeding twice the amount of capital stock paid in, exclusive of sums due on deposit. That said bank shall not, at any time, suspend, fail or refuse payment, in gold or silver, of any of its notes, bills or other obligations, due and payable, or any moneys received on deposit; and in case the officers, at the office of discount and deposit of said bank, shall fail, refuse or unreasonably delay payment, in gold or silver, of any note or bill of said bank, there presented for payment during usual banking hours, or the payment of any money previously deposited therein, and there demanded by any person or persons entitled to receive the payment of the same, said bank shall be liable to pay as additional damages, at the rate of twelve per cent. per annum, on the amount thereof, from the time of such failure, refusal or delay, until the payment thereof; and for such failure, or refusal, as well as for the violation of any of the provisions of this charter, the same shall be forfeited, and a scire facias sued out in the name of the commonwealth of Kentucky, on the motion of the attorney for the commonwealth, or attorney general, and such proceedings had, as to declare such forfeiture, by the judgment of the court; and from and after the rendition of such judgment of the forfeiture, said corporation shall cease to exercise any of the powers or privileges granted in this charter, provided that such forfeiture shall
not be so construed as to prevent said bank from suing and being sued, and continuing said corporation, for the purpose of closing its concerns, and from making all contracts, that may be necessary and proper for that purpose.

§ 4. That the business, property, and management of said bank shall be under the direction and control of five directors, who shall be stockholders three months previous to the election, after the first election, and shall be citizens of the state of Kentucky; after the first election they shall be elected annually on the first Monday in October, by the stockholders, at such time of the day, and at such place in the town of Milton, as the president and directors for the time being may prescribe. They shall hold their offices for twelve months, and until their successors are duly qualified; and notice of every such election shall be published in a newspaper printed in the city of Louisville, for at least sixty days next preceding the same; and shall be by ballot, and plurality of votes, by and under the inspection of three stockholders under oath, and previously appointed by the president for that purpose. At every election and meeting of the stockholders, held under the provisions of this charter, each and every shareholder shall be entitled to one vote for each and every share he may hold in his own right—which vote may be cast in person or by proxy. And after the first election, no share shall confer the right of suffrage which shall not have been held by the then owner thereof, and so appear on the books of said bank, at least two calendar months previous to the election. And no director of any other bank in this commonwealth shall be eligible to the office of director to this bank. And if it shall so happen that an election of directors shall not be made on any day when by this act it ought to have been made, the corporation shall not for that cause be dissolved, but it shall be lawful for the stockholders to make an election of directors on any other day that may be designated by their by-laws. And if the president or cashier shall fail or become insolvent after his election or appointment, he shall thereby become incapable to serve in that capacity, and his place shall be supplied in the manner prescribed in the fifth section of this act. Nor shall any person who may have failed in business hold the office of president or cashier, unless he has paid off the debts for which he failed, or obtains an acquittal or discharge from such debts.

§ 5. That the directors chosen under the provisions of this charter, shall as soon as may be, after the first and every annual election, elect a president from their own body, who shall preside at the board until his successor is appointed and qualified, and in case of death, absence, or resignation of the president, the board shall choose a president pro tempore; and shall fill all vacancies which may occur in their own body during the time for which they may have been elected, and appoint a cashier and subordinate officers, clerks, agents and servants of said bank, fix their compensation, define their powers, and prescribe their duties; and shall require of them such bonds and in such penalties, and with such conditions and sureties as they shall deem right, the same to be altered or amended, and additional security demanded, whenever the directory may think it expedient and proper. The president and directors shall from time time make such by-laws, rules and regulations
for their own government, and for the management and disposition of the property, funds, and business of the bank and all matters appertaining thereto, which they may judge expedient, not contrary to the provisions of this charter, and the by-laws, rules, and regulations which the stockholders may from time to time prescribe at their meetings. They may hold stated meetings at least once a week, or on such day as they may from time to time designate, and at such other times as the president may require. And a majority shall constitute a quorum, and shall be competent to the transaction of any business within the scope of their powers. They shall, on the first Mondays of January and July annually, make and declare such dividends resulting from the profits of said bank, and cause such dividends to be paid on demand, to the stockholders: Provided, That no dividend shall be declared on the capital stock of this bank until the stock subscribed is fully paid, nor until the surplus profits of the bank shall exceed the sum of twenty thousand dollars; and that no dividend shall at any time be declared that will reduce the contingent fund below ten thousand dollars. The cashier of said bank shall, on the first day of May in each year, after the bank commences business, pay into the treasury of the state fifty cents on each share of the capital stock held and paid for, which shall be in full of all tax or bonus on said bank. And if the president and directors of said bank shall, at any time, make any dividend of the profits or other property of the bank, by which the capital stock thereof shall in any wise be lessened or impaired, or shall, by any neglect of duty, cause any loss or deficiency of the capital stock of the bank, the directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly or severally liable in their individual capacities to any stockholder who may be injured thereby; and the president and each and every director shall be deemed to have consented to such dividend, and been guilty of such mismanagement or neglect, unless he shall forthwith give notice of his dissent thereto, and have the same entered on the books of the bank.

§ 6. That if the cashier or any of the officers, agents or servants of said corporation, shall embezzle, and without authority from the president and directors of said bank, appropriate any of the funds of said corporation to his own use, with intent to cheat and defraud the president, directors and company of said bank, or shall fail to make correct entries or shall make false entries on the books of said bank, with the intent to defraud said bank or any other person whatever, said officer, agent or servant, shall be held and deemed guilty of felony; and shall, upon conviction thereof, be sentenced to confinement in the jail and penitentiary of the State, for not more than twenty years. And it shall be the duty of the president and directors, and they are hereby required, as often as once in each month, to cause a strict examination to be made of the accounts of the cashier, and a full and complete settlement thereof, and the same entered on the journals of the proceedings of the board. It shall not be lawful for the cashier or other subordinate officer, clerk or teller of said bank, to engage in, or carry on any other business than that of said bank, without the especial license of the president and directors, under the penalty of one thousand dollars, to be recovered in the corporate name, and for the use of
§ 7. That the president and directors of said bank shall, during the first week of the session of each legislature, transmit to the auditor of state, a full and accurate statement of the condition of the bank, as it existed on the first day of the preceding month, which statement shall specify the amount of capital stock paid in, and the value of the real estate belonging to the same, together with its cost, the amount of stock, (if any,) subscribed and not paid for; the total amount of debts due to and from said bank; the amount of specie on hand, the money deposited, of bills in circulation, of bills on hand on solvent banks incorporated by this State, and by each of the other States or the United States, the number of notes in circulation, of each denomination issued by the bank, with the amount of each dividend of profits made by the bank, with the amount of surplus or contingent fund of said bank, which statement shall be laid before the legislature of Kentucky at its then session, and the auditor shall cause the same to be published, at the expense of the bank, in a public newspaper printed at the seat of government, and one having a circulation in the county of Trimble.

§ 8. That said president and directors shall keep a record and journal of all of their proceedings, which they shall exhibit to the stockholders at any regular meeting, and shall always be subject to the inspection of any three stockholders, and the books, papers, correspondence, and funds of said bank, shall, at all times, be subject to the inspection of the board of directors, or any member thereof.

§ 9. That the certificates of deposit, bills, notes, bills of exchange, post notes, or orders of said bank, signed by the president, and countersigned by the cashier, promising or directing the payment of money, to any person or persons, or order, or to bearer, shall be obligatory on said bank, though not under the seal thereof; and all such bills, notes, or orders, payable to order, shall be transferable and negotiable by indorsement, and those payable to bearer on delivery. That the shares of the capital stock of said bank, shall be considered and held in law as personal property, and assignable and transferable only as the president and directors shall prescribe. It shall not be lawful for the corporation hereby created, either directly or indirectly, to use or employ any of its capital stock, money, funds, or effects, in trade or business of buying and selling goods, wares, and merchandise, in any way and manner whatever, save as provided for in section first.

§ 10. That said bank shall not contract for, or receive a greater rate of interest than at the rate of six per centum per annum, for the loan or forbearance of money; and interest on promissory notes, negotiable and payable at said bank, and there discounted, shall be calculated on the true time such notes have to run, including three days grace, and shall be paid in advance and on banking principles, in conformity with Rowlett's tables of discount and interest.

§ 11. That a general meeting of the stockholders of said bank shall be held in the town of Milton, on the first Monday in October in each year, at the time and place of holding the election for directors, to
which meeting the directors for the year immediately preceding shall present a full and accurate statement of the condition and affairs of said bank, and of the surplus and contingent fund, (if any,) arising from the profits thereof, after deducting losses and dividends; and general meetings of the stockholders may be held in Milton at any other time when ordered by the president and directors, or by any number of stockholders their by-laws may prescribe.

§ 12. That Lindsey Cooper, Daniel Brannin, John M. Trout, and James Young, are hereby constituted and appointed commissioners to open books and receive subscription for the capital stock of said bank, and to superintend the election of the first board of directors thereof, any six of whom shall be competent to exercise the powers and perform the duties required of them by this act. They shall have power, and are hereby authorized, on the first day of April, 1856, or at any other time within twelve months thereafter, having given not less than thirty days notice thereof in a newspaper printed in Louisville, to open books at some suitable place in the town of Milton, for the subscription of the capital stock of said bank, and cause said books to be kept open four hours each day, or until the capital stock is all subscribed; or the company may close them sooner, if by them deemed advisable and expedient. If the whole of the two thousand five hundred shares of capital stock shall not be taken, when the books of subscription shall first be opened by the commissioners, the president and directors shall open the books from time to time, and at such times as they may determine, and cause them to be kept open, if they choose, until the whole or any part of the residue of the capital stock shall be subscribed. And the president and directors may require such premium on the stock sold, at the reopening of books, as they shall deem best for the interest of the bank—and such premium shall be the property of the bank.

§ 13. When not less than one thousand shares of the capital stock shall have been taken or subscribed, and the commissioners shall have closed the books, it shall be their duty to give notice, in some newspaper printed in Louisville, naming a day and place in said town of Milton, for the election of the first board of directors for said bank, who shall hold their offices until the next succeeding annual election. And not less than thirty days notice shall be given of the time and place of holding the election. Any three or more of said commissioners shall act as inspectors of the election, after being duly qualified, and perform all the duties of inspectors of elections in like cases.

§ 14. That the payment of shares of said capital stock shall be made in gold and silver, and at the times and in the manner following, viz: Five dollars on each share to the commissioners at the time of subscribing, and five dollars on each share within ten days after the election of the first board of directors, and ten dollars on each share within sixty days thereafter, and the residue in such installments as the president and directors may require. But any shareholder may, at his own option, pay the full amount of his subscription before required by the directory; and where any share of stock shall be fully paid, the president and directors shall issue scrip to the own thereof, in such form as the stockholders shall have prescribed. Should any subscriber fail to make the second payment on such share required by this act, such sub-
§ 14. That the president, directors, cashier, teller and clerk, previous to their entering on the duties of their several offices, shall take an oath before some justice of the peace of Trimble county, Kentucky, faithfully and honestly to discharge the duties of their several offices and stations, created by this charter, or which may be required by the by-laws of said corporation; and furthermore, that they will not, during their continuance in office, sanction or permit any of the provisions of this charter to be violated, if in their power to prevent it.

§ 15. That the president, directors, cashier, teller and clerk, previous to their entering on the duties of their several offices, shall take an oath before some justice of the peace of Trimble county, Kentucky, faithfully and honestly to discharge the duties of their several offices and stations, created by this charter, or which may be required by the by-laws of said corporation; and furthermore, that they will not, during their continuance in office, sanction or permit any of the provisions of this charter to be violated, if in their power to prevent it.

§ 16. That no one person, in their own name and for themselves, shall have the right to subscribe for more than one hundred shares of the capital stock of this bank. And, for the greater security of the creditors and bill-holders of the Milton bank of Kentucky, the stockholders are hereby declared liable and responsible in their individual and private capacity to an amount equal to the amount of stock they may own in said bank, and so soon as the property, valuables and effects of the corporation has been exhausted, and not before, may be proceeded against by creditors or holders of the bills of said bank, in any court of equity in this commonwealth; and that no stockholder shall pay any debt he may owe the bank by a surrender of his stock to the bank, until all the corporate debts are paid; and stockholders shall be compelled to pay their indebtedness to said bank as other debtors.

§ 17. That it shall not be lawful for said bank to issue any note, bill, or to loan money after it shall have refused or failed to redeem its issues in specie; and if the said institution shall presume to do so, the bond, note or other instrument of promise made to said bank in consideration of such negotiation, shall be utterly void.

§ 18. That so soon as five directors shall have been elected by the stockholders, under the superintendence of the commissioners, as prescribed in section thirteen of this act, and said directors being fully qualified, they shall receive the books of subscription of stock, properly certified by said commissioners, with the amount paid upon the stock subscribed, which amount of stock subscribed, and the number and amount of installments paid in, shall be published in a paper in the town of Milton; at which time, and not before, this bank shall be, and is hereby legally authorized to commence its business.

§ 19. That at no one time shall there be a greater amount than thirty-three and a third per cent. of the funds of this bank employed in dealing in foreign or domestic bills of exchange, and that two-thirds shall be used in dealing in negotiable and accommodation paper, indorsed and properly secured.

§ 20. The legislature reserve the right to so amend this charter as to restrict its issues to bills of the denomination of not less than five dollars.

§ 21. That nothing herein contained shall prevent the stockholders
from electing two additional directors, if they deem it expedient or best for the interest of this body politic and corporate, and when elected performing the duties of their office as other directors.

§ 22. That the president, directors and company of said bank shall be authorized to establish a branch of said bank at Stanford, in Lincoln county, with a capital of one hundred thousand dollars, which shall be joint stock, with the stock of the mother bank, which shall be subject to all the restrictions in all its dealings that the mother bank is under by this charter: Provided, That the citizens of Stanford, and Lincoln county, shall subscribe the capital stock of said branch; but there shall be no increase of the capital stock of said bank on account of the establishment of said branch.

§ 23. This act to take effect from its passage.

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 it was decided in the affirmative.

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

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, W. C. Montgomery,
William T. Anthony, Alfred F. Graham, Elijah F. Nuttall,
John B. Auxier, John M. Hewitt, Samuel B. Pell,
William B. A. Baker, Gideon P. Jolly, Andrew J. Prichard,
Ben Berry, Andrew Jones, George C. Rogers,
Heratio W. Bruce, Richard Jones, James A. Russell,
Colvert Cecil, James Kinslaer, Joshua Tevis,
David R. Dugan, George F. Lee, Richard S. Thornton,
James A. Duncan, John G. Lyon, David L. Thurman,
Ephraim B. Elliott, Pleasant W. Mahan, L. A. Whiteley,
McDowell Fogle, Jas. H. McCampbell, T. H. M. Winn,
Henry Giles, John C. McCrearey, E. S. Worthington—36.

Those who voted in the negative, were

Richard B. Alexander, James Culion, Philip Lee,
William J. Berry, Frank P. Deatherage, James S. Littlepage,
William S. Bodley, Charles Duncan, Hiram McElroy,
John S. Bohannon, Joshua Dunn, John W. Menzies,
William B. Booher, Nathan Gaither, David H. Raymond,
Robert C. Bowling, Daniel Garrard, Joseph Ricketts,
Laban J. Bradford, Gordon B. Grasty, William Reiley,
Archibald C. Brown, Greenberry Hicks, Fielding Vaughan,
Milton J. Cook, John L. Irvan, Willie Waller,
James M. Corbin, Andrew J. James, Hiram Wood—30.

Resolved, That the title thereof be as aforesaid.
Mr. C. Duncan, from the committee on the Library, to whom was referred a bill to preserve historic facts, reported the same, without amendment. Mr. Smedley 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 committees to whom they were referred, viz:

By the committee on Public Offices—A bill to put in order the Capitol Square.

By the committee on Federal Relations—A bill to prevent the destruction of fish in the Beech Fork.

Without amendment. And the question being severally taken on the passage of said bills, and it was decided in the negative. And so said bills were rejected.

Mr. Russell, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled, An act to fix the salary of the Judge of the Louisville City Court. 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, The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Frank P. Deatherage, Jas. S. Littlepage, James T. Ware,
David R. Dugan, Samuel Long, L. A. Whiteley,
James A. Duncan, John G. Lyon, T. H. M. Winn,
Charles Duncan, Pleasant W. Mahan, E. S. Worthington—64.
Ephraim B. Elliott,

Those who voted in the negative, were
William T. Anthony, Daniel Garrard, Benjamin F. Rice,
Archibald C. Brown, Anderson Gray, Robert Richardson,

Resolved, That the title thereof be as aforesaid.
Mr. Tevis, from the committee on County Courts, to whom was re­
ferred a bill from the Senate, entitled,
An act to increase the powers of the Marshal and Police Judge in
Columbia, in Adair county.
Reported the same without amendment.
Ordered, That said bill be read a third time.
Mr. Tevis, from the same committee, to whom was referred a bill
from the Senate, entitled,
An act for the benefit of Conrad Carpenter.
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 said bill was disagreed to.
The following bills were reported by the committees to whom they
were referred, viz:
By the committee on County Courts—1. A bill to authorize the Coun­
ty Court of Hopkins county to sell the poor house and the land on
which it is situated.
By the committee on the Code of Practice—2. A bill to change the
fees of officers of the Quarterly Courts in appeal cases.
By same—3. A bill to regulate proceedings against ferries.
By the committee on Revised Statutes—4. A bill for the benefit of
millers.
By the committee on the Judiciary—5. A bill to incorporate the
Rough and Ready Coal Mining Company, of Union county.
The first four bills without, and the last bill with an amendment,
which was concurred in.
The fourth bill was then amended.
Ordered, That said bills, the 4th and 5th as amended, 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 engross­
ed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Goodloe, from the committee on Revised Statutes, reported a bill to regulate the two Lunatic Asylums,

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. McElroy moved to lay the bill on the table.

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

Mr. Ricketts, from the committee on Revised Statutes, to whom was referred a bill from the Senate, entitled,

An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That every sale, mortgage or assignment which shall be made by debtors in contemplation of insolvency, and with the design to prefer one or more creditors to the exclusion in whole or in part of others, shall operate as an assignment and transfer of all the property and effects of such debtor, and shall inure to the benefit of all his creditors, except as hereinafter provided, in proportion to the amount of their respective demands, including those which are future and contingent; but nothing in this section shall vitiate or effect any mortgage made in good faith to secure any debt or liability created simultaneously with such mortgage, and lodged for record within thirty days after its execution.

§ 2. All such transfers as are herein declared to inure to the benefit of creditors generally, shall be subject to the control of courts of equity, upon the petition of any person interested, filed within six months after the recording of such transfer, or the delivery of the property or effects transferred.

§ 3. Any number of persons interested may unite in the petition; but it shall not be necessary to make persons defendants, except the debtor and the transferee; and the suit and proceedings as to the mode of proving claims, and otherwise, shall be conducted as suits and proceedings for the settlement of the estates of deceased persons are now required to be conducted, so far as the same are applicable.

§ 4. The court may at any time pending the suit, and upon such terms as it shall deem proper, compel the transferee to surrender to a receiver of the court all the property and effects in his possession or under his control; and it may make such orders respecting the property as it may make concerning attached property. And when it is decided that a sale, mortgage or assignment was made in contemplation of insolvency, and with the design to prefer one or more creditors to the
exclusion, in whole or in part, of others, the court shall compel the debtor to surrender to such receiver all property and effects in his possession or under his control, except such property as is exempt from execution, to disclose the amount of his debts, the names and residence of his creditors, all offsets or defenses to any claim against him, or any other matter which shall be deemed proper—and the court shall also compel every person who shall acquire by purchase, assignment, or otherwise, any property or effects from such debtor, after the suit contemplated by this act shall be instituted, to surrender the same to such receiver.

§ 5. The court may make distribution of assets on hand, from time to time, and the decision of the court at the time of any distribution allowing or disallowing any claim, shall be held a final judgment, and may be appealed from as other final judgments.

§ 6. The court or judge, or the presiding judge of a county court, may grant against such debtor, in addition to the order of arrest now provided by law, a writ of ne exequiet, when it shall be made to appear by affidavit that such writ is necessary to secure the surrender or disclosures provided for herein.

§ 7. In the distribution of the assets of any debtor, as provided in section 2, debts due as guardian or administrator, or executor, shall have priority.

§ 8. This act shall take effect from and after July 1st, 1856.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

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

Those who voted in the affirmative, were:


Those who voted in the negative, were:

Ordered, That said bill have its third reading on Monday next, at 10 o'clock, A. M.

Mr. Booker, from the same committee, reported a bill defining the duties of Coroner in certain cases.
Which was read the first time.
Mr. Rogers moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.

Mr. Rogers, from the committee on the Code of Practice, reported a bill authorizing the advertisement of sales of property under execution, and other legal advertisements.
Which was read the first time.
Mr. Corbett moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.

A bill from the Senate, entitled, an act in relation to the office of Attorney General,
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 it was decided in the affirmative.
The yeas and nays being required thereon, by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) John K. Goodloe, John W. Menzies,
John B. Anderson, Alfred F. Graham, Samuel B. Pell,
W. B. A. Baker, Anderson Gray, David H. Raymond,
Ben Berry, Greenberry Hicks, Robert Richardson,
William S. Bodley, John L. Irvan, Joseph Ricketts,
Robert C. Bowling, Andrew J. James, William Reiley,
Laban J. Bradford, Gideon P. Jolly, George C. Rogers,
Horatio W. Bruce, Andrew Jones, James A. Russell,
Thomas H. Corbett, Richard Jones, Charles C. Smedley,
James M. Corbin, James Kinslaer, Richard J. Spurr,
Coleman Covington, George F. Lee, Thomas J. Terry,
James Culton, Phillip Lee, Joshua Tevis,
Frank P. Deatherage, Samuel Long, D. L. Thurman,
David R. Dugan, John G. Lyon, James T. Ware,
Charles Duncan, Pleasant W. Mahan, L. A. Whiteley,
Joshua Dunn, Charles A. Marshall, Thomas H. M. Winn,
George C. Faris, Jas. H. McCambell, E. S. Worthington—52.
Sidney A. Foss,
Those who voted in the negative, were

John S. Bobannon,  James S. Littlepage,  Fielding Vaughan,
Daniel Garrard,

Resolved, That the title thereof be as aforesaid.

Bills from the Senate, of the following titles, viz:
An act to amend the 68th chapter of the Revised Statutes.
An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.
An act to amend the charter of the Lexington and Danville Railroad Company.
An act for the benefit of Samuel Salyer.

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 first named bill was then amended.
Ordered, That said bills, the first 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 titles thereof be as aforesaid.

A resolution from the Senate, concerning the publication of the laws of a general nature, passed at the present session,

Was taken up, twice read, and concurred in.
The amendments proposed by the Senate to bills and a resolution from this House of the following titles, viz:

An act legalizing the locality of the first toll-gate from Danville to Crab Orchard.
An act for the benefit of David Bailey, sheriff of Harlan county.
An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.

Resolution in relation to appropriating a room in the Capitol to the State Geologist.

Were taken up, twice read, and concurred in.
The amendments proposed by the Senate to a bill from this House entitled,

An act in relation to tolls on the Kentucky river improvements,

Were taken up, twice read, and disagreed to.
The House then took up the disagreement of the Senate to the third amendment proposed by this House, to the bill from the Senate, entitled,

An act to incorporate the Kentucky State Agricultural Society, and
to give encouragement to all the arts and sciences connected therewith.

Resolved, That this House recede from the third amendment proposed by it to the above recited bill from the Senate.

Mr. James moved the following resolution, viz:

Resolved, That the Public Printer forward to each Representative one hundred copies of the titles and synopsis of the acts passed at the present session of the General Assembly.

Which was adopted.

Mr. Bradford moved the following resolution, viz:

Resolved, That the committee on Education be instructed to report back to this House immediately, the bill to divide out the Bracken Academy fund to the several school districts in said county.

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

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes.

An act to charter the Williamsburg, Cumberland river, and Tennessee Railroad Company.

An act to amend an act, entitled, an act to incorporate the Franklin Female Institute.

An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.

An act to incorporate the Ashland Fire, Marine, and Life Insurance Company.

An act for the benefit of Mary S. Bacon.

An act for the benefit of Amanda M. Kress.

An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.

An act to repeal section 340 of the Criminal Code, and substituting other provisions in lieu thereof.

An act to change the name of the Clear Creek Turnpike Road Company.

An act for the benefit of William Winston, jr., of McCracken county.

An act for the benefit of Israel C. Winfrey and A. D. Robinson.

An act to amend the charter of the city of Lexington.

An act to incorporate the Graefenburg and Louisville Turnpike Road Company, of Shelby county.
An act supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.

An act for the benefit of J. B. Howard and S. P. Williams.

An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county.

An act creating an additional justices' district and voting precinct in Morgan county.

An act to incorporate the Breckinridge and Grayson county Turnpike road Company.

An act to incorporate the Versailles and South Elkhorn Turnpike road Company.

An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

An act to amend in part the 61st chapter of the Revised Statutes.

An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.

An act to incorporate the Bagdad and Harrisonville Turnpike road Company.

An act to incorporate the Taylorsville Turnpike road Company.

An act to incorporate the Kentucky Female Institute.

An act to incorporate the Union Mining and Manufacturing Company.

An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.

An act authorizing the sale of the Buck creek Seminary property, in Shelby county.

An act for the benefit of the school commissioners of Owen county.

An act authorizing the sale of Franklin school house and lot, in Boyle county.

An act to amend an act for the benefit of certain common school districts in Boyle and Mercer counties.

An act authorizing the sale of Cranetown school house and lot, in Boyle county.

An act changing the boundary of certain election districts in Clarke county, and to change the voting place in district No. 5.

An act for the benefit of Thomas Helm, late clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.

An act to incorporate a company to construct a turnpike road in Barren county.

An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.
An act to amend an act incorporating the town of Sardis, in Mason county.

An act to incorporate the Savings Bank of Kentucky, at Covington.

An act to amend the charter and laws of the city of Newport, in certain cases.

An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

An act for the benefit of Francis E. Hay.

An act to provide for the removal of obstructions of navigation from Licking river.

An act for the benefit of John P. Campbell, Samuel Shryock, and James F. Buckner, late building commissioners of the Western Lunatic Asylum.

An act for the benefit of John B. Floyd, and the widow of John Coleman, deceased.

An act to increase the number of Examiners in Morgan county.

An act authorizing the County Court of Shelby to sell the Poorhouse and grounds of said county.

An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.

An act for the benefit of Bright and Bright, and Chapman and Meredith.

An act to repeal an act, approved March 7, 1854, to regulate the appointment of Superintendents of the Western Lunatic Asylum.

An act for the benefit of the State of Connecticut.

An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Schaper, deceased.

An act for the benefit of the trustees of the town of Russellville.

An act to incorporate the Downingsville Turnpike Road Company.

An act to authorize the county court of Fayette county to appoint a collector of railroad tax.

An act to incorporate the South Kentucky Mining and Manufacturing Company.

An act for the benefit of the Western Lunatic Asylum.

An act authorizing the Surveyor’s books of Wayne county to be transcribed.

Resolutions in relation to the removal of obstructions in Cumberland river, in Pulaski county.

Also, enrolled bills and resolutions that originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Benoni Hotchkiss’ heirs and A. F. Gowdy.

An act for the benefit of the town of Bradfordsville.
An act for the benefit of William B. Johnson, late sheriff of Laurel county.

An act for the benefit of W. B. A. Baker, late sheriff of Mason county.

An act for the benefit of James M. Speer, late sheriff of Oldham county.

An act for the benefit of Thomas B. Harrison, late sheriff of Logan county.

An act for the benefit of T. A. Ireland, sheriff of Owen county.

An act to authorize the Whitley county court to change the state road from Williamsburg to the state line.

An act to amend the charter of the Louisville and Newport Branch Railroad Company.

An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.

An act for the benefit of William Watson.

An act to incorporate Loraine Lodge, No. 4, of the I. O. O. F.

An act to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.

An act for the benefit of James H. Holladay and John G. Parks, adm'rs of Lewis H. Arnold.

An act for the benefit of James M. Smith and John Wesley Shelley.

An act to reduce the price of vacant lands in Cumberland county.

An act for the benefit of the Louisville and Cane Run Plank Road Company.

An act for the benefit of the administrators of John Gilbert, deceased.

An act for the benefit of Caroline B. Anderson.

An act to repeal the act incorporating the town of Florence, in Boone county.

An act to incorporate the Covington Building and Loan Association.

An act to regulate the duties of county and commonwealth's attorneys.

An act for the benefit of the iron masters of Muhlenburg county.

An act concerning the town of Versailles.

An act to incorporate the town of Baltimore, in Hickman county.

An act for the benefit of the kindred of Louisa Smith.

An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.

An act for the benefit of the estate of Joseph Robb, deceased.

An act to incorporate College City, in Caldwell county.

An act to incorporate the Maysville Fire, Life, and Marine Insurance Company.
An act to incorporate the Second Presbyterian Church, at Lexington.
An act to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved 6th February, 1839.
An act in relation to the Kentucky Penitentiary.
An act to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.
An act to incorporate the town of Paradise.
An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.
An act for the benefit of the trustees of the town of Boston, Whitley county.
An act to amend the 42d chapter of the Revised Statutes.
An act for the benefit of the Edmonson County Court.
An act to incorporate the town of Hazel Green.
An act to increase the number of election districts in Louisville.
An act for the benefit of the Louisville and Oldham Turnpike road Company.
An act to reduce the width of High street, in Louisville.
An act for the benefit of William Allecock.
An act to amend the Odd Fellows' Hall Association, of Covington.
An act to amend an act, entitled, an act for the incorporation of voluntary associations, approved March 9, 1854.
An act incorporating Hustonville Lodge, No. 184, of Free and Accepted Masons.
An act incorporating Spring Hill Lodge, No. 130, of Free and Accepted Masons.
An act to incorporate the Harrodsburg Springs Company.
An act to incorporate the Kentucky and Henderson Mutual Insurance Company.
An act to change the time of holding the Nicholas County Court.
An act to change the time of holding the terms of the Pulaski Quarterly Court.
An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.
An act to incorporate McLean Lodge, No. 120, I. O. O. F.
An act to incorporate the Louisville Fuel Coal Company.
An act to incorporate the Union Insurance Company, of Louisville.
An act to incorporate the Young America Insurance Company, of Louisville.
An act for the benefit of Vincent Taylor, of Cumberland county.
An act for the benefit of George Early.
An act to change the time of holding the Whitley Quarterly Court.
An act to change the August term of the Bullitt county court.
An act for the benefit of School district, No. 41, in Jefferson county.
An act to incorporate the commissioners of the Sinking Fund for Montgomery county.
An act to incorporate the Louisville Bridge Company.
An act to incorporate the Kenton County Agricultural Society.
An act to cause writings to be made in the English language.
An act for the benefit of the Methodist Episcopal Church South, at Hartford.
An act declaring Rockcastle creek, in Johnson county, navigable.
An act for the benefit of certain sheriffs of this Commonwealth.
An act to amend the charter of the Twelve Mile Turnpike Company.
An act to incorporate Saint Paul's Church, Louisville.
An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.
An act to incorporate Tompkinsville Lodge, No. 321, of Free and Accepted Masons.
An act to incorporate Christ Church, Louisville.
An act declaring Licking river, in Floyd county, navigable.
An act for the benefit of certain fractions of common school districts, in Pulaski county.
An act to incorporate the People's Insurance Company, of Louisville.
An act for the benefit of the clerk of the Marion Circuit Court.
An act to reduce the price of vacant lands in the counties of Johnson and Floyd.
An act for the benefit of the Masonic Fraternity of Louisville.
An act to authorize the County Court of Floyd county to establish a ferry on Sandy river.
An act to change the May term of the County Court of Gallatin county.
An act to change the time of holding the Bracken County Court.
An act to authorize the County Judge to extend the boundary of the election precincts in Oldham county.
An act for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.
An act to amend the law incorporating the Burlington and Florence Turnpike road Company.
An act declaring Jenny's creek, in Johnson county, a navigable stream.
An act authorizing the Breckinridge and Meade county courts to change a part of the State road leading from Brandenburg to Bowling Green.
An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.

An act to amend the charter of the Pleasant Run Turnpike road Company.

An act to amend an act declaring Miller's creek, in Estill county, a navigable stream.

An act to amend the charter of the Versailles and Anderson Turnpike road Company.

An act for the benefit of King F. Baker and his illegitimate son, Curtis Davis.

An act to incorporate the Sayre Female Institute, in the city of Lexington.

An act to incorporate the Green river Education Society.

Resolutions in relation to printing the report of the State Geologist.

Report and resolutions in relation to the alleged claim of the United States to Wolf Island.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

And then the House adjourned.

MONDAY, MARCH 10, 1856.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor shall direct the Quartermaster General to sell and dispose of such arms and military equipments in the State arsenal as he shall think entirely useless to the State, and cannot be repaired without a greater cost than they are worth; and the sums realized by such sales shall be paid into the treasury.

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 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 Code of Practice—A bill to amend section 25 of the Code of Practice.
By Mr. Bradford—A bill for the benefit of P. H. Clayton, of Bracken county.

By the committee on the Judiciary—A bill to incorporate the Hebra Nehema, or Consolalation Rendering Society.

By Mr. Richardson—A bill for the benefit of the Concord Church, of Madison 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.

A message was received from the Governor, by Mr. Brown, Secretary of State, which was read as follows, viz:

EXECUTIVE OFFICE,
FRANKFORT, MARCH 10, 1856.

Gentlemen of the House of Representatives:

An act for the benefit of Caroline B. Anderson has been presented to me for my approval and signature. Believing it to be in conflict with the Constitution of the State, I cannot approve it. It authorizes the guardian of Caroline B. Anderson to file his petition in the Boyle Circuit Court to have ratified and confirmed, by said court, the sale of a negro man, the property of said Caroline, provided the court is of opinion that the interest of the ward has not been prejudiced by said sale. The 32d section of the 2d article of the constitution provides, that “the General Assembly shall have no power to direct the sales of estates belonging to infants or other persons laboring under legal disabilities, by special legislation; but by general laws shall confer such powers on the court of justice.” This act is special legislation, virtually directing the sale of an infant’s estate. A general law would undoubtedly provide for the security or investment of the proceeds of the sale made under it; but such a law as the present makes no provision for the infant beyond the personal liability of the guardian. In this instance, I entertain no doubt whatever as to the security of the fund arising from the sale, in the hands of her guardian, upon his individual responsibility; but this may not be the case in other instances, and it was to guard against such legislation as this, that the clause in question was inserted in the constitution. I therefore return the bill with my objections.

C. S. MOREHEAD.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for Clifton Rodes, guardian for Caroline B. Anderson, to file his petition in the Boyle Circuit Court, to have ratified and confirmed, by said court, the sale of a negro man, named Jim, the
property of said Caroline, provided the court is of opinion that the
interest of the ward has not been prejudiced by said sale.

JNO. B. HUSTON,
Speaker of the House of Representatives.

JAS. G. HARDY,
Speaker of the Senate.

The question was then taken on the passage of said bill, the Gov­
er's objections to the contrary notwithstanding, and it was decided
in the negative.

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were


Those who voted in the negative, were

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<th>Mr. Speaker, (Huston,)</th>
<th>Joshua Dunn</th>
<th>Philip Lee</th>
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<td>Richard B. Alexander</td>
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<td>George C. Faris</td>
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<td>Andrew Jones</td>
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<td>Charles Duncan</td>
<td>Richard Jones</td>
<td>Willie Walker</td>
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<tr>
<td>James A. Duncan;</td>
<td>George F. Lee</td>
<td>E. S. Worthington—63.</td>
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A message was received from the Senate announcing that they had
concurred in the 1st and disagreed to the 2d amendment proposed by
this House, to a bill from the Senate, entitled,

An act to incorporate the Hickman and Graves county Plankroad
Company.

That they had concurred in the amendments proposed by this House
to a bill from the Senate, entitled,

An act to increase the power and jurisdiction of the Mayor of the
city of Newport.

That they had passed a bill from this House, of the following title,

An act for the benefit of Jacob Corbett, of Ballard county.
Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolution that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to amend the law in relation to guardians.
An act to amend the laws limiting the time of commencing certain actions.
An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.
An act to incorporate the South Kentucky Fair Grounds Association.
An act to create an additional voting and justice's district in Perry county.
An act to amend chapter 7, section 1, of the Revised Statutes.
An act for the benefit of Transylvania University and the Law Library of Louisville.
An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate," &c.
An act concerning the collection of officer's fees.
An act to incorporate the Grand Division of South Kentucky Sons of Temperance.
An act to fix the salary of the Judge of the Louisville City Court.
An act to amend the charter of the Lexington and Big Sandy Railroad Company.
An act to incorporate the Prestonsburg Coal and Iron Company.
An act to amend the charter of the Lexington and Danville Railroad Company.
An act to establish the Deposit Bank of Mount Sterling.
An act for the benefit of the town of Cynthiana.
An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.
An act for the benefit of Mary S. Bacon.
An act to authorize Willis Peet and wife to sell two slaves.
An act prescribing the mode of proving the laws of any of the states or territories.
An act to extend the time of registering surveys founded on Kentucky land office warrants.
An act supplemental to an act to incorporate the Barren County Railroad Company.
An act for the benefit of the law department of the University of Louisville.
An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.
An act to incorporate the Clay Fire and Marine Insurance Company, of Newport.
An act to increase the powers of the marshal of Owingsville.
An act to establish an additional election and civil district in Christian county.
An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.
An act for the benefit of Samuel Salyer.
An act in relation to the office of Attorney General.
Resolution concerning the publication of the laws of a general nature, passed at the present session.
Also, enrolled bills and resolutions that originated in this House, of the following titles, and had found the same truly enrolled, viz:
An act for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute.
An act to extend the corporate limits of the city of Louisville.
An act to incorporate the Western Insurance Company.
An act to amend the law in relation to attachments in civil cases.
An act to amend the charter of the Covington and Lexington Railroad Company.
An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory.
An act to incorporate the Public Church and School House Company.
An act to amend and reduce into one the several acts relating to the town of Taylorsville.
An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.
An act to change the time of holding the Quarterly Court of Green county.
An act legalizing the locality of the first toll-gate from Danville to Crab Orchard.
An act to amend an act, entitled, an act to incorporate the Kentucky and Louisville Mutual Insurance Company.
An act for the benefit of David Baily, sheriff of Harlan county.
An act for the benefit of certain clerks of this Commonwealth.
An act to amend the charter of the Elizabethtown and Bell's Tavern Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.
An act to authorize the county court of Christian county to establish a road through certain lands in said county.
An act to incorporate the Union and Big Bone Turnpike road Company.
An act to incorporate the Princeton and Eddyville Turnpike road Company.
An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike road to Taylor county.
An act to provide for the sale of certain lands belonging to the Commonwealth.
An act to authorize the President of the Board of Internal Improvement to sell certain property.
An act to improve the navigation of Big Sandy River.
An act to incorporate the Lexington Coal Mining Company.
An act providing for certain turnpike road companies in Anderson county.
An act to amend the charter of the Eagle creek and New Liberty Turnpike road Company.
An act to incorporate the Kentucky River Coal and Lumber Company.
An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.
An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike road Company.
An act for the benefit of the Dutch Ridge Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.
An act to incorporate the Minerva Seminary, in Mason county.
An act to incorporate the Sayre Female Institute, in the city of Lexington.
An act in relation to Franklin Academy, in the town of Washington. An act for the benefit of school district, No. 1, in Graves county.
An act to incorporate the Lafayette Male Academy in Christian county. An act to change the time of the meeting of the General Assembly.
An act for the benefit of Jacob T. Miller.
An act for the benefit of the law department of the Transylvania University.
An act for the benefit of John S. Dorman.
An act for the benefit of the State Arsenal.
An act incorporating the Crab Orchard and Gilmore's Lick Turnpike Company.
An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind Table.
An act for the benefit of the trustees of the town of Prestonsburg.
An act changing the times of holding the county courts in Montgomery county.
An act to change the time of holding the Court of Claims in Montgomery county.

An act changing the times of holding the County Courts in Powell county.

An act to change the time of holding the Breathitt Quarterly Courts.

An act to change the time of holding the County Courts in Henderson.

An act to give a term to the Rockcastle County Court.

An act to change the time of holding the Quarterly Courts of Butler county.

An act for the benefit of the trustees of the Methodist Episcopal Church South, at Maysville.

An act to change the time of holding the Quarterly Courts in Meade county.

An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

An act for the benefit of the county of Franklin.

An act to give the Henderson County Court power to appoint processers.

An act to change the time of holding the Washington County Court.

An act to regulate the office of the Kenton County Court clerk.

An act for the benefit of Nicholas Sandifer.

An act to change the boundary of Perry county.

An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum.

An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.

An act for the benefit of Robert Scott, of Clarke county.

Resolution in relation to appropriating a room in the Capitol to the State Geologist.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. M. J. Cook inform the Senate thereof.

The House then took up the disagreement of the Senate to the second amendment proposed by this House, to the bill from the Senate, entitled

An act for the benefit of the Eastern Lunatic Asylum.

Resolved, That this House recede from the second amendment proposed by it to the above recited bill.

Mr. G. F. Lee reported a bill vesting in the Circuit Court the power to confirm the sales of slaves by guardians.

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 said bill was rejected.

Mr. Bowling moved the following resolution, viz:

Resolved, That no new business be introduced into this House from this time during the remainder of the session.

Which was adopted.

A message was received from the Senate, announcing that they insist on their 2d and 3d amendments proposed to a bill from this House, entitled,

An act to indemnify in certain cases the owners of property in Louisville that may be injured, taken away, or destroyed by mobs.

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

An act for the benefit of William Harman and Samuel B. Hughes.
An act for the benefit of J. P. Hammens.
An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.
An act for the benefit of James N. Early, of Boone county.
An act for the benefit of John Elison.
An act for the benefit of Jesse Bayles.
With an amendment to the last bill.

The House then took up a bill from the Senate, entitled,

An act for the benefit of William Harman and Samuel B. Hughes.

An act for the benefit of J. P. Hammens.
An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.
An act for the benefit of James N. Early, of Boone county.
An act for the benefit of John Elison.
An act for the benefit of Jesse Bayles.

With an amendment to the last bill.

The House then took up a bill from the Senate, entitled,

An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances,

Which was read a third time.

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

The House then took up the bill to add part of the county of Ohio to the county of Hancock, and for other purposes.

Which was read a second time.

Said bill was then amended.

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

And the question being taken on dispensing with the third reading, it was decided in the negative.

The House then took up the report of the Senate's insisting on their 2d and 3d amendments proposed to the bill from this House, entitled,

An act to indemnify in certain cases the owners of property in Louisville, that may be injured, taken away, or destroyed by mobs.

And the question being taken, will the House recede from its disagreement to said proposed amendment? it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Hewitt and Bowling, were as follows, viz:

Those who voted in the affirmative, were:

Richard B. Alexander, Nathan Gaither, Charles A. Marshall,
John B. Auxier, Daniel Garrard, Jas. H. McCampbell,
R. P. Beauchamp, Henry Giles, John C. McCreary,
Ben Berry, John K. Goodloe, Samuel B. Pell,
William S. Bodley, Anderson Gray, Andrew J. Prichard,
Horatio W. Bruce, Benjamin Gullion, Benjamin F. Rice,
Colbert Cecil, John S. Hargis, Robert Richardson,
John B. Cochran, Hiram Hawkins, Joseph Ricketts,
Frank P. Deatherage, Greenberry Hicks, Joshua Tevis,
Charles Duncan, Andrew Jones, Fielding Vaughan,
Ephraim B. Elliott, Philip Lee, Willie Waller,
George C. Faris, John G. Lyon, E. S. Worthington—36.

Those who voted in the negative, were:

Mr. Speaker, (Huston,) James A. Duncan, George F. Lee,
William J. Berry, Joshua Dunn, John W. Menzies,
William B. Booker, Alfred F. Graham, W. C. Montgomery,
Robert C. Bowling, Gordon B. Grasty, David H. Raymond,
Laban J. Bradford, Ben Hardin Helm, William Reiley,
Archibald C. Brown, John M. Hewitt, George C. Rogers,
Thomas H. Corbett, Andrew J. James, Richard J. Spurr,
James M. Corbin, Gideon P. Jolly, Thomas J. Terry,

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 benefit of George Nethercutt, of Carter county.
An act for the benefit of A. L. Offut, late sheriff of Scott county.
An act for the benefit of the assessor of the county of Union.
An act to incorporate the Columbia Fair ground Association.
An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.
An act to amend the charter of the Kentucky Agricultural and Mechanical Association.
An act to incorporate the Jefferson County Association.
An act to protect the growers of sheep in Fayette county.
An act to change the voting place in the 10th district, in the county of Breckenridge.
An act to amend the law in relation to Public Buildings.
An act authorizing the county court of Harrison to make sale of the poor house lands in said county.
An act to amend the act creating a town marshal in Hartford.
An act authorizing the appointment of additional processioners of lands in Lincoln county.

An act to change the place of voting in Justices and Election district No. 3, in Ohio county.

An act creating a treasurer for the county of Bracken.

An act to allow the trustees of the seminary, of the town of Prestonsburg, to build a house for school and church purposes.

An act for the benefit of the county judge and justices in Ohio county.

An act to authorize the Garrard county court to subscribe stock in turnpike roads.

An act conferring certain power on the Monroe county court.

An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.

An act authorizing the Muhlenburg county court to re-district said county, and creating an additional district.

An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.

An act to extend the boundaries of the town of Woodbury.

An act to incorporate the town of Gordonsville.

An act for the protection of public roads in Carter county.

An act to amend the charter of the Franklin Savings Institution.

An act to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.

An act to give further power to the Boyle county court.

An act for the benefit of the town of Tompkinsville.

An act to legalize the February term of the Casey county court, 1854.

An act to incorporate the Home Insurance and Trust Company.

An act to incorporate the Bracken County Insurance Company.

Ordered, That a message be sent to the Senate, asking leave to withdraw the report of this House, announcing its disagreement to a bill from the Senate, entitled,

An act relating to the late keeper of the Penitentiary.

After a short time the messenger returned with said bill.

Mr. Rice moved to re-consider the vote by which said bill was disagreed to.

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

The question was then again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hargis and Worthington, were as follows, viz:
Those who voted in the affirmative, were


Those who voted in the negative, were


Daniel Garrard,

The Speaker announced that the bill had passed, when Mr. Richardson moved that the Clerk be directed to enter on the Journal, that said bill was rejected, it not having received the constitutional majority.

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

Resolved, That the title thereof be as aforesaid.

The House then took up a bill from the Senate, entitled, An act to increase the powers of the Marshal and Police Judge in Columbia, in Adair county.

Which was read a third time.

And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Gaither and G. F. Lee, were as follows, viz:

Those who voted in the affirmative, were

Archibald C. Brown, Greenberry Hicks, Joseph Ricketts,
Horatio W. Bruce, Gideon P. Jolly, George C. Rogers,
Milton J. Cook, Andrew Jones, Richard J. Spurr,
James M. Corbin, Richard Jones, Thomas J. Terry,
Coleman Covington, George F. Lee, Joshua Tovis,
Frank P. Deatherage, Philip Lee, L. A. Whiteley,
Joshua Dunn.

Those who voted in the negative, were

Richard B. Alexander, Nathan Gaither, David H. Raymond,
William T. Anthony, Daniel Garrard, Benjamin F. Rice,
John B. Auxier, Henry Giles, Robert Richardson,
William B. A. Baker, Alfred F. Graham, William Reiley,
Colbert Cecil, Gordon B. Grasty, Charles C. Smedley,
John B. Cochran, John S. Hargis, Richard S. Thornton,
Thomas H. Corbett, Hiram Hawkins, Fielding Vaughan,
David R. Dugan, Andrew J. James, Willie Walker,
Ephraim B. Elliott, John C. McCready, E. S. Worthington—28,
George C. Faris,

Resolved, That the title thereof be as aforesaid.

A message was received from the Senate announcing that they had
disagreed to an amendment proposed by this House to a bill from the
Senate, entitled,

An act to amend 68th chapter Revised Statutes.

That they had concurred in the amendment proposed by this House
to the bill from the Senate, entitled,

An act to amend the law in relation to crimes and punishments.

That they had disagreed to a bill from this House, entitled,

An act to change the fees of officers of the Quarterly Courts in ap­
peal cases.

That they had passed bills from this House of the following titles,

viz:

An act to incorporate the Rough and Ready Coal Mining Company of
Union county.

An act to punish having altered money in possession.

An act to amend article 1, chapter 58, of the Revised Statutes.

An act to authorize the Boyle county court to subscribe stock in
turnpike roads.

An act establishing a police court in Catlettsburg.

An act for the benefit of Rebecca Moyses.

An act to incorporate Marshall Lodge, No. 29, I. O. O. F.

An act bill to appoint beneficiary scholars to the Bracken Academy.

An act for the benefit of P. H. Clayton, of Bracken county.

An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.
An act for the appropriation of money.
With amendments to the two last bills.

Mr. M. J. Cook, from the committee on Enrollments, reported that
the committee had examined enrolled bills that originated in the Sen­
ate, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act to establish a Sinking Fund for Bour­
bon county, and to provide for the appointment of commissioners there­
of.

An act to increase the powers and jurisdiction of the mayor of the
city of Newport.

An act to incorporate the Kentucky State Agricultural Society, and
to give encouragement to all the arts and sciences connected there­
with.

Also, enrolled bills that originated in this House, of the following
titles, and had found the same truly enrolled, viz:

An act for the benefit of J. P. Hammons.
An act to re-organize Transylvania University, and establish a
school for teachers.
An act to incorporate the Nashville and Rowena Coal Company.
An act to incorporate the Ballard and Graves county Railroad Com­
pany.
An act to incorporate the Lexington and Frankfort Turnpike road
Extension Company.
An act to incorporate the Paris and Bethle­hem Turnpike road Com­
pany.
An act to incorporate the Lebanon and Maxville Turnpike road
Company.
An act to incorporate the Bryantsville and Boyle County Turnpike
road Company.
An act to incorporate the Cruise’s Knob and Somerset Turnpike road
Company.
An act to incorporate the Lancaster and Buckeye Turnpike road
Company.
An act to incorporate the Edmonton and Woodsonville Turnpike
road Company.

An act to amend an act to incorporate the Muldrough’s Hill, Camp­
bellsville, and Columbia Turnpike road Company.
An act to incorporate the Kentucky and Virginia Coal Mining and
Oil Manufacturing Company.
An act for the benefit of the Northern Kentucky Coal Mining Com­
An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.
An act to incorporate the Hiawatha Mining Company.
An act for the benefit of William Harman and Samuel B. Hughes.
An act for the benefit of James N. Early, of Boone county.
An act for the benefit of John Elison.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. M. J. Cook inform the Senate thereof.
The amendments proposed by the Senate to bills from this House of the following titles, viz:
An act for the benefit of Jesse Bayles.
An act to amend the 676th 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence." Were taken up, twice read, and concurred in.
The House then took up the disagreement of the Senate to the amendments proposed by this House, to bills from the Senate of the following titles, viz:
An act to prevent the selling and using of certain weapons,
An act to amend the 68th chapter of the Revised Statutes.
Resolved, That this House recede from its amendments proposed to the above recited bills from the Senate.
The amendments proposed by the Senate to a bill from this House, entitled,
An act for the appropriation of money,
Were then taken up and twice read as follows, viz:
Add to the bill the following, viz:
1. That the sum of three hundred dollars per annum, for the next two years, be appropriated as additional salary to R. C. Wintersmith, Treasurer of the State of Kentucky.
2. To Iverson Jones, for the use of servant in waiting on Senate and House, at this session, twenty dollars.
3. Be it further enacted, That the annual salary of the Assistant Auditor be and the same is hereby increased one hundred dollars for the next two years.
4. That the sum of forty dollars be appropriated to George F. Lee, to pay a portion of the expenses of Dr. H. B. Wilbur, for coming to Frankfort to lecture before the members of the Legislature on the subject of educating idiotic children.
5. Strike out the 35th section, and insert in lieu thereof the following, viz:
§ 35. For support of the Eastern Lunatic Asylum for two years, from the 31st day of December last, the sum of twenty-five thousand dollars per annum, payable quarterly in advance; Provided, The treasurer of said asylum shall pay all sums for support thereof to the order of the superintendent thereof only; whose duty it shall be to direct and control the character, amount, and price of all expenditures for supplies; and for the faithful discharge of which duty, in a vigi-
lant and economical manner, he shall be answerable to the board of managers of said asylum, and the next General Asylum: and provided, The said superintendent, from and after the 1st day of April next, shall have power and authority to appoint the steward and matron of said asylum, and the same to remove at pleasure.

For support of the Western Lunatic Asylum for one year from the 31st day of December last, the sum of fifteen thousand five hundred dollars, and for support for the year next ensuing the 31st day of December, 1856, twenty-one thousand seven hundred and fifty dollars, payable quarterly in advance: Provided, That the board of managers of said asylum shall diligently scrutinize the expenditure of all money hereby appropriated thereto, and draw from the treasury no greater amount of the several sums aforesaid, than shall prove to be necessary for the economical support of said asylum during each of the years aforesaid.

It is expressly declared and enacted, that the above appropriations to the said asylum must defray all salaries and expenses of officers and attendants, as well as patients admitted therein, for the period named, together with all expenses attending the conveyance of patients to the said asylum and their discharge therefrom, et cetera.

The sums hereby appropriated shall be paid to the treasurers of said asylums, on the order of their respective board of managers; the said boards shall all allow the same salaries (payable out of the aforesaid sums) as heretofore, except that they may increase the salary of the assistant physician to five hundred dollars. Said managers shall report or cause to be reported to the next General Assembly, within two weeks after the first day of the session, a correct statement of expenditure, by items, giving amounts and prices, of the foregoing appropriations: Provided, also, That where no contract shall be made, paying patients shall not be admitted in either asylum, at a less rate than one hundred and forty dollars per annum.

The provisions of an act for the benefit of the Eastern Lunatic Asylum, and of an act for the benefit of the Western Lunatic Asylum, passed at the present session of this Legislature, so far as applicable, shall govern the appropriations contained in this section.

The question being taken on concurring in the 1st amendment, it was disagreed to, a constitutional majority not voting in favor thereof.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, John W. Menzies,
R. P. Beauchamp, Sidney A. Foss, W. C. Montgomery,
Ben Berry, John K. Goodloe, Samuel B. Pell,
William S. Bodley, Roger W. Hanson, Robert Richardson,
Robert C. Bowling, Ben Hardin Helm, William Reiley,
Laban J. Bradford, John M. Hawitt, George C. Rogers,
Archibald C. Brown, Gideon P. Jolly, Richard J. Spurr,
Horatio W. Bruce, Andrew Jones, Thomas J. Terry,
James M. Corbin, George F. Lee, Joshua Tevis,
Frank P. Deatherage, Philip Lee, James T. Ware,
Charles Duncan, John G. Lyon, L. A. Whiteley,
Joshua Dunn, Jas. H. McCampbell, E. S. Worthington—36.

Those who voted in the negative, were
Richard B. Alexander, Daniel Garrard, John C. McCrarey,
William T. Anthony, Henry Giles, Andrew J. Prichard,
John B. Auxier, Alfred F. Graham, David H. Raymond,
William J. Berry, Gordon B. Grasty, Benjamin F. Rice,
Colbert Cecil, Anderson Gray, Joseph Ricketts,
Milton J. Cook, Benjamin Gullion, Charles C. Smedley,
Coleman Covington, John S. Hargis, Richard S. Thornton,
David R. Dugan, Hiram Hawkins, Fielding Vaughan,
James A. Duncan, Greenberry Hicks, Willie Waller,
Ephraim B. Elliott, Andrew J. James, T. H. M. Winn—28.

The second amendment was then concurred in.

The question was then taken on concurring in the third amendment,
and it was decided in the negative, a constitutional majority not voting
in favor thereof.

Those who voted in the affirmative, were
Mr. Speaker, (Huston,) John K. Goodloe, Samuel B. Pell,
R. P. Beauchamp, Roger W. Hanson, David H. Raymond,
Ben. Berry, Ben Hardin Helm, Robert Richardson,
William J. Berry, John M. Hewitt, Joseph Ricketts,
William S. Bodley Gideon P. Jolly, George C. Rogers,
Robert C. Bowling, Andrew Jones, Charles C. Smedley,
Laban J. Bradford, George F. Lee, Richard J. Spurr,
Archibald C. Brown, Philip Lee, Thomas J. Terry,
Horatio W. Bruce, John G. Lyon, Joshua Tevis,
James M. Corbin, Charles A. Marshall, James T. Ware,
Frank P. Deatherage, Jas. H. McCampbell, L. A. Whiteley,
Joshua Dunn, John W. Menzies, T. H. M. Winn,
Sidney A. Foss, W. C. Montgomery, E. S. Worthington—39.

Those who voted in the negative, were
Richard B. Alexander, George C. Faris, Greenberry Hicks,
William T. Anthony, Daniel Garrard, Andrew J. James,
John B. Auxier, Henry Giles, John C. McCrarey,
Colbert Cecil, Alfred F. Graham, Andrew J. Prichard,
Milton J. Cook, Gordon B. Grasty, Benjamin F. Rice,
Coleman Covington, Anderson Gray, William Reiley,
David R. Dugan, Benjamin Gullion, Richard S. Thornton,
James A. Duncan, John S. Hargis, Fielding Vaughan,

The fourth amendment was then concurred in.

The question was then taken on concurring in the fifth amendment,
and it was decided in the affirmative.

The yeas and nays being required thereon by the constitution, were
as follows, viz:
Those who voted in the affirmative, were

Mr. Speaker, (Huston,) George C. Faris, Jas. H. McCampbell,  
Richard B. Alexander, McDowell Pogue, John C. McCreaey,  
William T. Anthony, Sidney A. Foss, John W. Menzies,  
R. P. Beauchamp, Nathan Gaither, W. C. Montgomery,  
Ben Berry, Daniel Garrard, Samuel B. Pell,  
William J. Berry, Henry Giles, Andrew J. Prichard,  
William S. Bodley, John K. Goodloe, David H. Raymond,  
William B. Booker, Alfred F. Graham, Robert Richardson,  
Robert C. Bowling, Gordon B. Grasty, Joseph Ricketts,  
Laban J. Bradford, Anderson Gray, William Reiley,  
Archibald C. Brown, Benjamin Gullion, George C. Rogers,  
Horatio W. Bruce, Roger W. Hanson, Charles C. Smedley,  
Colbert Cecil, Hiram Hawkins, Richard J. Spurr,  
John B. Cochran, Ben Hardin Helm, Thomas J. Terry,  
Milton J. Cook, John M. Hewitt, Joshua Tevis,  
Thomas H. Corbett, Greenberry Hicks, Richard S. Thornton,  
Coleman Covington, Andrew J. James, Fielding Vaughan,  
Frank P. Deatherage, Gideon P. Jolly, Willie Waller,  
David R. Dugan, Andrew Jones, James T. Ware,  
Charles Duncan, George F. Lee, L. A. Whiteley,  
James A. Duncan, John G. Lyon, T. H. M. Winn,  
Joshua Dunn, Charles A. Marshall, E. S. Worthington—67.

In the negative—Philip Lee.

The Speaker having retired from the chair,

Mr. Booker moved the following resolution, viz:

Resolved, That the thanks of this House are due and are hereby most cordially tendered to Hon. John B. Huston, for the able, dignified, and impartial manner with which he has presided over this body during the present session of the General Assembly:

Which was unanimously adopted.

A message was received from the Senate, announcing that they had receded from the 1st and 3d amendments proposed by them to a bill from this House, entitled,

An act for the appropriation of money.

That they had passed bills and a resolution from this House, of the following titles, viz:

An act concerning express companies.
An act to incorporate the Green River Mining and Manufacturing Company.
An act to empower David Cooley to perform the rites of matrimony.
An act concerning the Greenup circuit court.
An act to incorporate the Hebra Nehema, or Consolation Rendering Society.
An act for the benefit of the Concord Church, of Madison county.
Resolution authorizing the sale of old arms, &c., in the arsenal.
That they had passed bills and a resolution of the following titles, viz:
An act to amend the 4th article of the Revised Statutes, under the head of revenue and taxation.
An act for the benefit of Fayette county.
An act to incorporate the Ewing Female Institute, at Perryville.
An act to amend the Deposit Bank of Covington.
Resolution in relation to the Banks of Kentucky.
A bill from the Senate, entitled,
An act to amend the 4th article of the Revised Statutes, under the head of revenue and taxation.
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. R. Jones moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
Bills from the Senate, of the following titles, viz:
An act for the benefit of Fayette county.
An act to incorporate the Ewing Female Institute, at Perryville.
An act to amend the Deposit Bank of Covington.
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 said bills do pass, and that the titles thereof be as aforesaid.
A resolution from the Senate in relation to the Banks of Kentucky.
Was taken up, twice read,
And the question being taken on concurring, therein it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Worthington and P. Lee, were as follows, viz:

Those who voted in the affirmative, were

Richard B. Alexander, Joshua Dunn, Andrew Jones,
William T. Anthony, Ephraim B. Elliott, George F. Lee,
John B. Auxier, Sidney A. Foss, Philip Lee,
Ben Berry, Nathan Gatther, Charles A. Marshall,
Archibald C. Brown, Daniel Garrard, John C. McCreaey,
Colbert Cecil, Henry Giles, John W. Menzies,
Milton J. Cook, Roger W. Hanson, Andrew J. Prichard,
James M. Corbin, John S. Hargis, Benjamin F. Rice,
David R. Dugan, Ben Hardin Helm, Richard J. Spurr,
Charles Duncan, Gideon P. Jolly, E. S. Worthington—31.
MARCH 10.]

HOUSE OF REPRESENTATIVES.

Those who voted in the negative, were:

Mr. Speaker, (Huston,) Benjamin Gullion, William Reiley, George C. Rogers,
R. P. Beauchamp, John M. Hewitt, George C. Rogers,
William S. Bodley, Greenberry Hicks, James A. Russell,
William B. Booker, Andrew J. James, Charles C. Smedley,
Robert C. Bowling, Richard Jones, Thomas J. Terry,
Laban J. Bradford, John G. Lyon, Joshua Tevis,
John B. Cochran, Jas. H. McCampbell, Richard S. Thornton
Coleman Covington, W. C. Montgomery, Fielding Vaughn,
John K. Goodloe, Samuel B. Pell, James T. Ware,

Mr. A. Jones moved the following resolution, viz:
Resolved, That the thanks of this House are hereby tendered to the several ministers of the gospel resident in Frankfort, who have officiated in opening this House with prayer during the present session of the General Assembly.
Which was adopted.

Mr. Graham moved the following resolution, viz:
Resolved, That the thanks of this House are due and hereby tendered to John M. S. McCorkle and Charles E. Nourse, the principal and assistant Clerks, to William R. Campbell, the Door-Keeper, and to Joseph Gray, the Sergeant-at-Arms, for the very efficient manner in which they have discharged the duties of their respective offices.
Which was adopted.

Mr. Bowling moved the following resolution, viz:
Resolved, That the thanks of this House are tendered to Joe Towles and Sam. Brown for the able, efficient, and very pleasant manner in which they have discharged their duties as pages to this House.
Which was adopted.

Mr. Helm moved the following resolution, viz:
Resolved, That this House tender its thanks to the reporters of the Commonwealth and Yeoman newspapers for the ability and impartiality with which they have reported its proceedings.
Which was adopted.

Mr. M. J. Cook, from the committee on Enrollments, reported that the committee had examined enrolled bills and a resolutions that originated in the Senate, of the following titles, and had found the same truly enrolled, viz:

An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances,
An act to amend the law in relation to crimes and punishments,
An act relating to the late keeper of the Penitentiary,
An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith,
An act to reduce into one the several acts in relation to the town of Harrodsburg.
An act to prevent the selling and using of certain weapons.
An act to increase the powers of the Marshal and Police Judge in Columbia, in Adair county.
An act to incorporate the State Mining, Manufacturing, and Building Company.
An act to incorporate the Bell Mine Coal Company, of Crittenden county.
An act for the benefit of the Eastern Lunatic Asylum.
An act to incorporate the city of Paducah.
An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.
An act to amend 68th chapter Revised Statutes.
An act for the benefit of Fayette county.
An act to incorporate the Ewing Female Institute, at Perryville.
An act to amend the Deposit Bank of Covington.
Resolution in relation to the Banks of Kentucky.
Also, enrolled bills and a resolution that originated in this House, of the following titles, and had found the same truly enrolled, viz:
An act to indemnify in certain cases the owners of property in cities, that may be injured, taken away, or destroyed by mobs.
An act for the appropriation of money.
An act for the benefit of A. L. Offut, late sheriff of Scott county.
An act for the benefit of the assessor of the county of Union.
An act to change the place of voting in Justices and Election district No. 3, in Ohio county.
An act authorizing the appointment of additional processioners of lands in Lincoln county.
An act creating a treasurer for the county of Bracken.
An act to allow the trustees of the seminary, of the town of Prestonburg, to build a house for school and church purposes.
An act for the benefit of the county judge and justices in Ohio county.
An act conferring certain power on the Monroe county court.
An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.
An act to amend the charter of the Kentucky Agricultural and Mechanical Association.
An act to amend the charter of the Franklin Savings Institution.
An act authorizing the county court of Harrison to make sale of the poor house lands in said county.
An act to extend the boundaries of the town of Woodbury.
An act for the protection of public roads in Carter county.
An act to legalize the February term of the Casey county court, 1854.

An act to punish having altered money in possession.
An act to amend article 1, chapter 58, of the Revised Statutes.
An act to authorize the Boyle county court to subscribe stock in turnpike roads.
An act in relation to tolls on the Kentucky river improvements.
An act for the benefit of Jesse Bayles.
An act to give further power to the Boyle county court.
An act to amend the charter of the town of Brooksville, in Bracken county.
An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.
An act for the benefit of Jacob Corbett, of Ballard county.
An act for the benefit of George Neithercult, of Carter county.
An act to protect the growers of sheep in Fayette county.
An act to change the voting place in the 10th district, in the county of Breckenridge.
An act to amend the law in relation to Public Buildings.
An act to amend the act creating a town marshal in Hartford.
An act to appoint beneficiary scholars to the Bracken Academy.
An act for the benefit of P. H. Clayton, of Bracken county.
An act to incorporate the Bracken County Insurance Company.
An act for the benefit of Rebecca Moyses.
An act to incorporate Marshall Lodge, No. 29, I. O. O. F.
An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.
An act to incorporate the Rough and Ready Coal Mining Company of Union county.
An act to incorporate the Columbia Fair ground Association.
An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics’ Institute, at Louisville.
An act to incorporate the Home Insurance and Trust Company.
An act to authorize the Garrard county court to subscribe stock in turnpike roads.
An act authorizing the Muhlenburg county court to re-district said county, and creating an additional district.
An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.
An act to incorporate the town of Gordonsville.
An act to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.
An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence."
An act to incorporate the Jefferson County Association.
An act for the benefit of the town of Tompkinsville.
An act establishing a police court in Catlettsburg.
An act to empower David Cooley to perform the rites of matrimony.
An act concerning the Greenup circuit court.
An act for the benefit of the Concord Church, of Madison county.
An act to incorporate the Hebra Nehema, or Consolation Rendering Society.
An act concerning express companies.
An act to incorporate the Green river Mining and Manufacturing Company.
Resolution authorizing the sale of old arms, &c., in the arsenal.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. M. J. Cook inform the Senate thereof.
A message was received from the Governor, by Mr. Bibb, Assistant Secretary of State, announcing that he had approved and signed enrolled bills and resolutions, that originated in this House, of the following titles, viz:
An act to incorporate Ringgold Lodge, No. 27, I. O. O. F.
An act to incorporate the Section Dock Company, at Smithland.
An act to incorporate the Falmouth and Milford Turnpike road Company.
An act for the benefit of trustees of the town of Princeton.
An act for the benefit of the town of Calhoon.
An act to abolish a ferry on the Ohio river, in Meade county.
An act to authorize the President of the Board of Internal Improvement to purchase a certain lot of land at lock No. 3, on Green river.
An act extending the mechanics' lien law to the town of Lebanon and Marion county.
An act to incorporate Taylor Lodge, No. 34, I. O. O. F.
An act to increase the powers of the Marshal of the town of Mount Sterling.
An act to provide for the service of process against steamboats.
An act to incorporate Schiller Lodge, No. 64, I. O. O. F.
An act to incorporate Rusling Lodge, No. 112, I. O. O. F.
An act for the benefit of the mechanics of McLean county.
An act for the benefit of the county court of Montgomery county.
An act directing the boundary line between the counties of Butler and Ohio, to be run and re-marked.
An act for the benefit of the administrator of John McDyer, deceased.
An act to incorporate the Rough Creek Navigation and Manufacturing Company.
An act to incorporate the Falmouth and Clayville Turnpike road Company.
An act to authorize the County Court of Montgomery county to subscribe stock to turnpike roads in that county, and to levy a tax to pay such subscriptions.
An act to incorporate Ion Lodge, No. 301, of Free and Accepted Masons.
An act to amend chapter 103 of the Revised Statutes, title, "Turnpike and Plank Roads."
An act to amend an act authorizing the Oakland Plankroad Company to construct a branch road.
An act to incorporate Bagdad and Harrisonville Turnpike Road Company.
An act for the benefit of Vincent Taylor, of Cumberland county.
An act to change the August term of the Bullitt county court.
An act to incorporate the Second Presbyterian Church, at Covington.
An act to change the time of holding the Whitley Quarterly Courts.
An act for the benefit of George Early.
An act to regulate the duties of county and commonwealth's attorneys.
An act for the benefit of the iron masters of Muhlenburg county.
An act for the benefit of the kindred of Louisa Smith.
An act to incorporate Bigham Lodge, No. 256, of Free and Accepted Masons.
An act to incorporate the town of Baltimore, in Hickman county.
An act concerning the town of Versailles.
An act for the benefit of the estate of Joseph Robb, deceased.
An act for the benefit of the town of Bradfordsville.
An act for the benefit of Benoni Hotchkiss' heirs and A. F. Gowdy.
An act to incorporate Loraine Lodge, No. 4, of the I. O. O. F.
An act for the benefit of James M. Speer, late sheriff of Oldham county.
An act for the benefit of W. B. A. Baker, late sheriff of Mason county.
An act to amend the 42d chapter of the Revised Statutes.
An act for the benefit of the trustees of the town of Boston, Whitley county.
An act in relation to the Kentucky Penitentiary.
An act to repeal the act incorporating the town of Fillmore, in Boone county.

Approved March 8, 1856.
An act for the benefit of the Louisville and Cane Run Plank Road Company.
An act to incorporate the town of Hazel Green.
An act to incorporate the Harrodsburg Springs Company.
An act to incorporate the People’s Insurance Company, of Louisville.
An act to incorporate the Young America Insurance Company, of Louisville.
An act to incorporate the Kentucky and Henderson Mutual Insurance Company.
An act to incorporate the Maysville Fire, Life, and Marine Insurance Company.
An act to reduce the price of vacant lands in the counties of Johnson and Floyd.
An act to authorize the County Court of Floyd county to establish a ferry on Sandy river.
An act to incorporate Christ Church, Louisville.
An act to incorporate Tempkinesville Lodge, No. 321, of Free and Accepted Masons.
An act to authorize the county courts of Powell, Owsley, Morgan, Breathitt, Perry, and Letcher counties to construct a road from Stanton, in Powell county, to the Virginia State line.
An act to incorporate Saint Paul’s Church, Louisville.
An act for the benefit of certain sheriffs of this Commonwealth.
An act for the benefit of the Methodist Episcopal Church South, at Hartford.
An act declaring Rockcastle creek, in Johnson county, navigable.
An act to amend the charter of the Twelve Mile Turnpike Company.
An act to incorporate the Kenton County Agricultural Society.
An act to cause writings to be made in the English language.
An act to incorporate the Louisville Bridge Company.
An act to incorporate the commissioners of the Sinking Fund for Montgomery county.
An act declaring Licking river, in Floyd county, navigable.
An act for the benefit of School district, No. 41, in Jefferson county.
An act to incorporate the Green river Education Society.
An act to amend the charter of the Versailles and Anderson Turnpike road Company.
An act to amend the act declaring Miller’s creek, in Estill county, a navigable stream.
An act authorizing the Breckinridge and Meade county courts to change a part of the State road leading from Brandenburg to Bowling Green.
An act for the benefit of William Alcock.
An act to amend the Odd Fellows' Hall Association, of Covington.
An act declaring Jenny's creek, in Johnson county, a navigable stream.
An act to amend the law incorporating the Burlington and Florence Turnpike road Company.
An act to incorporate McLean Lodge, No. 120, I. O. O. F.
An act incorporating Hustonville Lodge, No. 184, of Free and Accepted Masons.
An act for the benefit of T. A. Ireland, sheriff of Owen county.
An act for the benefit of Thomas B. Harrison, late sheriff of Logan county.
An act for the benefit of William B. Johnson, late sheriff of Laurel county.
An act for the benefit of Daniel G. Colyer, late sheriff of Rockcastle county.
An act for the benefit of William Watson.
An act to amend the charter of the North Middletown, Mount Ida, and Mount Sterling Turnpike road Company.
An act to incorporate the town of Paradise.
An act to incorporate the Covington Building and Loan Association.
An act to authorize the Whitley county court to change the state road from Williamsburg to the state line.
An act to amend the charter of the Louisville and Newport Branch Railroad Company.
An act to amend an act, entitled, an act to amend and reduce into one the several acts relating to the town of Princeton.
An act for the benefit of James H. Holladay and John G. Parks, adm'rs of Lewis H. Arnold.
An act to repeal an act authorizing Nathan May, of Daviess county, to peddle without license.
An act to amend an act, entitled, an act to establish the town of Frederick, in Barren county, approved 6th February, 1829.
An act for the benefit of the administrators of John Gilbert, deceased. Approved March 10, 1856.
An act to reduce the width of High street, in Louisville.
An act to amend an act, entitled, an act for the incorporation of voluntary associations, approved March 9, 1854.
An act to change the time of holding the Bracken County Court.
An act for the benefit of the Edmonson County Court.
An act to incorporate the Union Insurance Company, of Louisville.
An act to authorize the County Judge to extend the boundary of the election precincts in Oldham county.
An act to incorporate the trustees of the Pleasant Grove Presbyterian Church, in Washington county.

An act to amend the common school laws.

An act to change the time of holding the Nicholas County Court.

An act to change the May term of the County Court of Gallatin county.

An act to change the time of holding the terms of the Pulaski Quarterly Court.

An act for the benefit of the clerk of the Marion Circuit Court.

Report and resolutions in relation to the alleged claim of the United States to Wolf Island.

An act to increase the number of election districts in Louisville.

An act for the benefit of the Masonic Fraternity of Louisville.

Resolutions in relation to printing the report of the State Geologist.

An act for the benefit of King F. Baker and his illegitimate son, Curtis Davis.

An act to amend the charter of the Bloomfield and Springfield Turnpike road Company.

An act to incorporate the Lafayette Male Academy, in Christian county.

An act to incorporate the Sayre Female Institute, in the city of Lexington.

An act to change the time of holding the Quarterly Court of Graves.

An act to amend the law in relation to attachments in civil cases.

An act to provide for the removal of the remains of Gen. George Rogers Clarke to the Frankfort Cemetery, and the erection of a monument to his memory.

An act providing for certain turnpike road companies in Anderson county.

An act to extend the corporate limits of the city of Louisville.

An act for the benefit of Jacob T. Miller.

An act for the benefit of the State Arsenal.

An act supplemental to the act in relation to Billiard Tables, Bowling Saloons, and Jenny Lind Table.

An act for the benefit of Nicholas Combs, late sheriff of Perry county.

An act to incorporate the Lebanon and Maxville Turnpike road Company.

An act to incorporate the Lexington and Frankfort Turnpike road Extension Company.

An act to authorize the President of the Board of Internal Improvement to sell certain property.
An act for the benefit of the Northern Kentucky Coal Mining Company.

An act to incorporate the Hiawatha Mining Company.

An act to improve the navigation of Big Sandy river.

An act to incorporate the Kentucky and Virginia Coal Mining and Oil Manufacturing Company.

An act to provide for the sale of certain lands belonging to the Commonwealth.

An act to establish the Deposit Bank of Springfield.

An act for the benefit of the Louisville and Oldham Turnpike road Company.

An act for the benefit of certain fractions of common school districts, in Pulaski county.

An act to incorporate the Louisville Fuel Coal Company.

An act incorporating Spring Hill Lodge, No. 139, of Free and Accepted Masons.

An act for the benefit of the mechanics and laborers of Oldham, Hickman, Garrard, and Hancock counties.

An act to amend the charter of the Pleasant Run Turnpike road Company.

An act incorporating the Crab Orchard and Gilmore's Lick Turnpike Company.

Resolution in relation to appropriating a room in the Capitol to the State Geologist.

An act to incorporate the Union and Big Bone Turnpike road Company.

An act to incorporate the Minerva Seminary, in Mason county.

An act to amend the charter of the Eagle creek and New Liberty Turnpike road Company.

An act in relation to Franklin Academy, in the town of Washington.

An act to amend an act, entitled, an act to incorporate the Mayslick Male and Female Academy, approved March 4, 1854.

An act to increase the jurisdiction of justices of the peace in Jefferson county, and the city of Louisville.

An act to re-organize Transylvania University, and establish a school for teachers.

An act to incorporate the Western Insurance Company.

An act to amend an act to incorporate the Muldrough's Hill, Campbellsville, and Columbia Turnpike road Company.

An act to amend an act to incorporate the Kentucky Coal Company, of Union county, approved March 1, 1850.

An act supplemental to an act appropriating the revenue of Muldrough's Hill Turnpike road to Taylor county.
An act to give the Henderson County Court power to appoint processers.
An act to change the time of holding the Washington Quarterly Court and County Court.
An act to authorize the county court of Christian county to establish a road through certain lands in said county.
An act to incorporate the Kentucky River Coal and Lumber Company.
An act to regulate the office of the Kenton County Court clerk.
An act to amend an act, entitled, an act to incorporate the Kentucky Union Railway Company, approved March 10, 1854.
An act for the benefit of Nicholas Sandifer.
An act to change the boundary of Perry county.
An act for the benefit of Robert Scott, of Clarke county.
An act repealing an act, entitled, an act to prevent the destruction of fish in Salt river, approved March 6, 1854.
An act to provide for paying the debts due to the contractors of the Western Lunatic Asylum.
An act for the benefit of the county of Franklin.
An act for the benefit of the trustees of the Methodist Episcopal Church South, at Maysville.
An act to incorporate the Livingston Coal Mining Company.
An act to incorporate the Princeton and Eddyville Turnpike road Company.
An act for the benefit of Col. R. T. P. Allen, late superintendent of the Kentucky Military Institute.
An act for the benefit of the Dutch Ridge Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Kentucky and Louisville Mutual Insurance Company.
An act for the benefit of school district, No. 1, in Graves county.
An act to give a term to the Rockcastle County Court.
An act to change the time of holding the Breathitt Quarterly Courts.
An act to give further power to the Boyle County Court.
An act for the benefit of Jesse Bayles.
An act in relation to tolls on the Kentucky river improvements.
An act to legalize the February term of the Casey County Court, 1854.
An act authorizing the county court of Harrison to make sale of the poor house lands in said county.
An act for the protection of public roads in Carter county.
An act to extend the boundaries of the town of Woodbury.
An act to amend an act, entitled, an act to incorporate the Lexington and Frankfort Railroad Company.
An act to amend the charter of the Covington and Lexington Railroad Company.

An act to incorporate the Catlettsburg and Louisa Turnpike Road Company.

An act for the benefit of John S. Dorman.

An act to amend an act, entitled, an act to incorporate the Bryantsville and Cane Run Turnpike road Company.

An act to amend the charter of the Elizabethtown and Bell's Tavern Turnpike road Company.

An act for the benefit of certain clerks of this Commonwealth.

An act for the benefit of the trustees of the town of Prestonsburg.

An act to change the time of holding the Quarterly Courts in Meade county.

An act to change the time of holding the Court of Claims in Montgomery county.

An act changing the times of holding the County Courts in Powell county.

An act to change the time of holding the Quarterly Courts of Butler county.

An act for the benefit of the law department of the Transylvania University.

An act to change the time of holding the County Courts in Henderson.

An act to change the time of the meeting of the General Assembly.

An act legalizing the locality of the first toll-gate from Danville to Crab Orchard.

An act changing the times of holding the county courts in Montgomery county.

An act for the benefit of David Baily, sheriff of Harlan county.

An act to incorporate the Public Church and School House Company.

An act to indemnify in certain cases the owners of property in cities, that may be injured, taken away, or destroyed by mobs.

An act to amend the charter of the Kentucky Agricultural and Mechanical Association.

An act to authorize the Boyle county court to subscribe stock in turnpike roads.

An act to amend the charter of the Franklin Savings Institution.

An act to punish having altered money in possession.

An act to amend article 1, chapter 58, of the Revised Statutes.

An act to amend and reduce into one the several acts relating to the town of Taylorsville.

An act to incorporate the Ballard and Graves county Railroad Company.
An act for the benefit of John Elison, of Lawrence county.
An act for the benefit of James N. Early, of Boone county.
An act for the benefit of the county judge and justices in Ohio county.
An act to allow the trustees of the seminary, of the town of Prestonsburg, to build a house for school and church purposes.
An act for the benefit of the assessor of the county of Union.
An act authorizing the appointment of additional processioners of lands in Lincoln county.
An act to incorporate the Bryantsville and Boyle County Turnpike road Company.
An act for the benefit of J. P. Hammons.
An act for the benefit of William Harman and Samuel B. Hughes.
An act to incorporate the Lancaster and Buckeye Turnpike road Company.
An act creating a treasurer for the county of Bracken.
An act to change the place of voting in Justices and Election district No. 3, in Ohio county.
An act conferring certain power on the Monroe county court.
An act authorizing the Muhlenburg and Ohio county courts to appoint additional land processioners in said counties.
An act to incorporate the Cruise's Knob and Somerset Turnpike road Company.
An act to incorporate the Paris and Bethlehem Turnpike road Company.
An act to incorporate the Edmonton and Woodsonville Turnpike road Company.
An act to incorporate the Nashville and Rowena Coal Company.
An act for the benefit of P. H. Clayton, of Bracken county.
An act to appoint beneficiary scholars to the Bracken Academy.
An act for the benefit of A. L. Offutt, late sheriff of Scott county.
An act to protect the growers of sheep in Fayette county.
An act to change the voting place in the 10th district, in the county of Breckenridge.
An act to amend the law in relation to Public Buildings.
An act to authorize the County Court of Hopkins to sell the poorhouse and the land on which it is situated.
An act for the benefit of Jacob Corbett, of Ballard county.
An act to amend an act, entitled, an act to incorporate the Kentucky Mechanics' Institute, at Louisville.
An act to authorize the Garrard county court to subscribe stock in turnpike roads.
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An act for the benefit of Alfred Miller, late sheriff of Muhlenburg county.
An act authorizing the Muhlenburg county court to re-district said county, and creating an additional district.
An act to incorporate the Columbia Fair ground Association.
An act to create the offices of police judge and town marshal, in the town of Lewisport, in Hancock county.
An act to incorporate the Rough and Ready Coal Mining Company of Union county.
An act for the benefit of the town of Tompkinsville.
An act to amend the charter of the town of Brooksville, in Bracken county.
An act establishing a police court in Catlettsburg.
An act to empower David Cooley to perform the rites of matrimony.
An act to incorporate the Jefferson County Association.
An act to amend the act creating a town marshal in Hartford.
An act for the benefit of George Neithercult, of Carter county.
An act to amend the 676th, 677th, 678th, and 679th sections of the Code of Practice in civil cases, title "Perpetuation of Evidence."
An act to incorporate the town of Gordonsville.
An act to incorporate the Home Insurance and Trust Company, of Louisville.
An act to incorporate Corinthian Lodge, No. 74, I. O. O. F.
An act to incorporate Marshall Lodge, No. 29, I. O. O. F.
An act to incorporate the Bracken County Insurance Company.
An act for the benefit of Rebecca Moyses.
An act concerning the Greenup circuit court.
An act for the appropriation of money.
An act concerning express companies.
Resolution authorizing the sale of old arms, &c., in the arsenal.
An act to incorporate the Hebra Nehema, or Consolation Rendering Society.
An act to incorporate the Green River Mining and Manufacturing Company.

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, that originated in the Senate, of the following titles, viz:
An act to allow R. M. Bradley & Co., to build dams and buildings on the Cumberland river, and for other purposes.
An act to incorporate the Nashville and North Western Railroad Company.
An act to charter the Tradewater Coal and Iron Mining Company.
An act to incorporate the Richmond Royal Arch Chapter, No. 16.
An act to incorporate Richmond Lodge, No. 25, of Free and Accepted Masons.
An act to amend the 5th section of article 7, chapter 93, Revised Statutes.
An act for the benefit of the clerk of the Hickman circuit court.
An act to provide for any deficiency in the Treasury that may occur during the year 1856.
An act to incorporate the Daniel Boone Military Institute.
An act to establish a uniform weight of coal.
An act to incorporate Benevolent Lodge, No. 58, of Ancient York Masons.
An act for the benefit of Daniel Boone Eclectic Institute.
An act for the benefit of Ashland common school district in Greenup county.
An act to amend section 621 of the Civil Code of Practice.
An act in relation to the McCracken county court.
An act to incorporate the Paducah and Nashville Telegraph Company.
An act for the benefit of the sheriff of Washington county.
An act to change the place of voting in the 3d district, in Simpson county.
An act for the benefit of Aaron Johnson, sheriff of Laurel county.
An act to change the time of holding the Harrison county court.
An act supplemental to an act, entitled, an act to incorporate the Rough Creek Navigation and Manufacturing Company.
An act to amend an act, entitled, an act to incorporate the Central Kentucky Agricultural and Mechanical Association.
An act to repeal an act, passed by the present General Assembly, amending the charter of the Covington and Dry Creek Turnpike road Company.
An act to amend an act, entitled, an act to incorporate the Franklin Female Institute.
An act to amend the charter of the city of Louisville.
An act to amend the charter incorporating the Parochial School of the Hanging Fork Presbyterian Church.
An act to incorporate the Ashland Fire, Marine, and Life Insurance Company.
An act to incorporate the Kentucky Christian Education Society.
An act to incorporate and endow the Western Kentucky College.
An act to establish the Academical Institute of Louisville.
An act to incorporate the Logan county Agricultural and Mechanical Association.
An act for the benefit of M. T. Shelburne, of Ballard county.
An act to incorporate Carroll Lodge, No. 45, I. O. O. F.
An act for the benefit of those who may become purchasers of the Maysville and Lexington Railroad.
An act to establish the Deposit Bank of Carlise.
An act to amend chapter 86, articles 3 and 4, of the Revised Statutes, title lands and slaves of infants, &c.

Resolutions in relation to the removal of obstructions in Cumberland river, in Pulaski county.

Approved March 8, 1856.

An act to incorporate the Prestonsburg Coal and Iron Company.
An act for the benefit of the town of Cyathiana.
An act to amend chapter 7, section 1, of the Revised Statutes.
An act for the benefit of Transylvania University and the Law Library of Louisville.
An act to amend the law in relation to guardians.
An act to amend chapter 86 of the Revised Statutes, title, "sale of infants' real estate," &c.
An act changing the name of the town of Hardinsville, in Shelby county, to that of Graefenburg.
An act supplemental to an act to incorporate the Barren County Railroad Company.
An act to establish an additional election and civil district in Christian county.
An act prescribing the mode of proving the laws of any of the states or territories.
An act to incorporate the Kentucky River Coal, Salt, and Lumber Company.
An act to extend the time of registering surveys founded on Kentucky land office warrants.
An act to amend the charter of the Lexington and Danville Railroad Company.
An act concerning the collection of officer's fees.
An act to incorporate the Grand Division of South Kentucky Sons of Temperance.

Resolution concerning the publication of the laws of a general nature, passed at the present session.
An act authorizing the Board of Internal Improvement to appoint members of the board for Shelby county.
An act to amend the laws limiting the time of commencing certain actions.
An act in relation to the office of Attorney General.
An act for the benefit of Samuel Salyer.
An act for the benefit of Mary S. Bacon.
An act to increase the powers of the marshal of Owingsville.
An act to amend the charter of the Lexington and Big Sandy Railroad Company.
An act to authorize the County Court of Logan to sell or otherwise dispose of the old clerk's office.
An act to incorporate the South Kentucky Fair Grounds Association.
An act to create an additional voting and justice's district in Perry county.
An act to fix the salary of the Judge of the Louisville City Court.
An act to incorporate Dew Drop Lodge, Sons of Temperance, No. 342, of Grant county.
An act creating an additional justices' district and voting precinct in Morgan county.
An act for the benefit of J. B. Howard and S. P. Williams.
An act supplemental to an act incorporating the Kirksville Turnpike Road Company, in Madison county.
An act to incorporate the Graefenburg and Louisville Turnpike Road Company, of Shelby county.
An act to amend the charter of the city of Lexington.
An act for the benefit of Israel C. Winfrey and A. D. Robinson.
An act for the benefit of William Winston, jr., of McCracken county.
An act to provide for the extension of the area of the Penitentiary, and to build a new cell-house and a hospital.
An act for the benefit of Bright and Bright, and Chapman and Meriwether.
An act to repeal section 340 of the Criminal Code, and substituting other provisions in lieu thereof.
An act to change the name of the Clear Creek Turnpike Road Company.
An act authorizing the trustees to sell and appropriate the Seminary lands of Laurel county.
An act for the benefit of Amanda M. Kress.
An act to incorporate the South Kentucky Mining and Manufacturing Company.
An act for the benefit of Thomas J. Helm.
An act for the benefit of the trustees of the town of Russellville.
An act for the benefit of the Western Lunatic Asylum.
An act to authorize the county court of Fayette county to appoint a collector of railroad tax.
An act for the benefit of John P. Campbell, Samuel Shryock, and James F. Buckner, late building commissioners of the Western Lunatic Asylum,

An act for the benefit of James M. Smith and John Wesley Shelley.

An act to reduce the price of vacant lands in Cumberland county.

An act to incorporate the Downingsville Turnpike Road Company.

An act to provide for the removal of obstructions of navigation from Licking river.

An act authorizing the Surveyor's books of Wayne county to be transcribed.

An act authorizing the County Court of Shelby to sell the Poorhouse and grounds of said county.

An act to increase the number of Examiners in Morgan county.

An act to incorporate the Breckinridge and Grayson county Turnpike road Company.

An act to amend the charter and laws of the city of Newport, in certain cases.

An act to incorporate a company to construct a turnpike road in Barren county.

An act for the benefit of Thomas Helm, late clerk of the circuit and county courts of Lincoln, Thomas B. Nichols, late clerk of the county court of Boyle, and Reuben McCarty, late clerk of the circuit and county courts of Pendleton.

An act to amend an act incorporating the town of Sardis, in Mason county.

An act to revive and amend an act, entitled, an act to incorporate the Salt river Turnpike road Company.

An act changing the boundary of certain election districts in Clarke county, and to change the voting place in district No. 5.

An act authorizing the Commissioners of the Sinking Fund to loan any surplus moneys they may have on hand.

An act for the benefit of James G. and Archibald G. King, executors of Heinrich C. L. Schaper, deceased.

An act for the benefit of the State of Connecticut.

An act for the benefit of Francis E. Hay.

An act authorizing the sale of Cranetown school house and lot, in Boyle county.

An act to amend an act, approved February 25, 1854, entitled, an act for the benefit of certain common school districts in Boyle and Mercer counties.

An act for the benefit of the school commissioners of Owen county.

An act authorizing the sale of Franklin school house and lot, in Boyle county.
An act authorizing the sale of the Buck creek Seminary property, in Shelby county.

An act to incorporate Robert Burns Lodge, No. 163, of Ancient York Masons.

An act to incorporate the Union Mining and Manufacturing Company.

An act to incorporate the Kentucky Female Institute.

An act to incorporate the Hodgenville Turnpike road Company.

An act to incorporate the Bagdad and Harrisonville Turnpike road Company.

An act to authorize the town of Morgantown, in Butler county, to elect a police judge and town marshal.

An act to amend in part the 61st chapter of the Revised Statutes.

An act to incorporate Hope Lodge, No. 246, of Free and Accepted Masons.

An act to incorporate the Versailles and South Elkhorn Turnpike road Company.

An act to incorporate the Agricultural Deposit Bank of Lexington.

An act to incorporate the Kentucky State Agricultural Society, and to give encouragement to all the arts and sciences connected therewith.

An act to amend an act to establish a Sinking Fund for Bourbon county, and to provide for the appointment of commissioners thereof.

An act for the benefit of the Eastern Lunatic Asylum.

An act to amend 68th chapter Revised Statutes.

An act to incorporate the city of Paducah.

An act to increase the powers and jurisdiction of the mayor of the city of Newport.

An act to incorporate a Deposit Bank in the town of Mount Sterling, to be called the Exchange Bank of Kentucky.

An act to incorporate the State Mining, Manufacturing, and Building Company.

An act to increase the powers of the Marshal and Police Judge in Columbia, in Adair county.

An act to amend the law in relation to crimes and punishments.

An act to reduce into one the several acts in relation to the town of Harrodsburg.

An act to repeal all laws to license Billiard tables, Bowling Saloons, and Jenny Lind tables.

An act to authorize the appointment of an additional commissioner for the Jefferson county court.
An act for the benefit of the law department of the University of Louisville.

An act to incorporate the Clay Fire and Marine insurance Company, of Newport.

An act to charter the Williamsburg, Cumberland river, and Tennessee Railroad Company.

An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances.

An act relating to the late keeper of the Penitentiary.

An act to prevent the selling and using of certain weapons.

An act to incorporate the Bell Mine Coal Company, of Crittenden county.

An act to amend and reduce into one the several acts incorporating the town of Dover, Mason county.

Resolution in relation to the Banks of Kentucky.

An act to amend the Deposit Bank of Covington.

An act to incorporate the Savings Bank of Kentucky, at Covington.

An act for the benefit of Fayette county.

An act to incorporate the Ewing Female Institute, at Perryville.

Approved March 10, 1856.

A message was received from the Senate, by Mr. Buckner, announcing that they had closed their legislative business, and were now ready to close the present session of the General Assembly by an adjournment on their part without day, and had appointed a committee on their part to act in conjunction with a similar committee on the part of this House, to wait on the Governor, and to inform him of the proposed adjournment of the General Assembly, and to know of him if he had any other or further communication to make.

Ordered, That Mr. Bodley inform the Senate that this House had also closed their legislative business, and were now ready to close the present session of the General Assembly by an adjournment without day.

Whereupon, Messrs. Bodley, Booker, James, Bowling, and Marshall were appointed a committee on the part of this House to wait on the Governor.

The committee then retired, and after a short time returned, when Mr. Bodley 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.

Whereupon, the Speaker having delivered a valedictory address, adjourned the House without day.
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