JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
COMMONWEALTH OF KENTUCKY,
BEGIN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY,
THE SECOND DAY OF SEPTEMBER, IN THE YEAR OF OUR
LORD 1861, AND OF THE COMMONWEALTH
THE SEVENTIETH.

FRANKFORT, KY.: PRINTED AT THE YEOMAN OFFICE.
JNO. B. MAJOR, STATE PRINTER.
1861.
At a General Assembly, begun and held for the Commonwealth of Kentucky, on Monday, the 2d day of September, in the year of our Lord one thousand eight hundred and sixty-one, and in the seventieth 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—F. D. Rigney.
From the county of Allen—Joseph W. Heeter.
From the county of Anderson—Vincent Ash.
From the county of Boyle—Wm. C. Anderson.
From the county of Bracken—F. L. Cleveland.
From the county of Bullitt—Wm. J. Heady.
From the county of Bourbon—Brutus J. Clay.
From the county of Barren—John S. Barlow.
From the county of Breckinridge—Alfred Allen.
From the county of Boone—James Calvert.
From the counties of Breathitt and Magoffin—Joseph Gardner.
From the county of Ballard—William M. Coffee.
From the county of Bath—Van B. Young.
From the counties of Butler and Edmondson—Larkin J. Proctor.
From the counties of Boyd and Lawrence—Daniel W. Johns.
From the county of Campbell—Cyrus Campbell and George P. Webster.

From the county of Caldwell—W. H. Edmunds.
From the county of Christian—George Poindexter.
From the county of Clarke—John B. Huston.
From the county of Carroll—John C. Lindsey.
From the counties of Casey and Russell—James M. C. Lisenby.
From the counties of Clinton and Cumberland—Otho Miller.
From the counties of Carter and Rowan—Stephen J. England.
From the counties of Clay and Owsley—Alex. T. White.
From the county of Daviess—George H. Yeaman.
From the counties of Estill and Jackson—Albert A. Curtis.
From the county of Franklin—R. C. Anderson.
From the county of Fayette—Richard A. Buckner.
From the counties of Floyd and Johnson—John M. Elliott.
From the county of Fleming—L. W. Andrews.
From the county of Gallatin—A. B. Chambers.
From the county of Graves—A. R. Boon.
From the county of Greenup—Wm. C. Ireland.
From the county of Grant—Wm. S. Rankin.
From the county of Grayson—Wm. L. Conkling.
From the county of Garrard—Alex. Lusk.
From the county of Green—David P. Mears.
From the county of Hopkins—John Ray.
From the county of Henderson—Milton Young.
From the county of Hardin—Bryan R. Young.
From the county of Hancock—W. P. D. Bush.
From the county of Henry—J. Press. Sparks.
From the counties of Harlan and Perry—Hiram S. Powell.
From the county of Hart—P. L. Maxey.
From the county of Harrison—Lucius Desha.
From the county of Jessamine—Geo. S. Shanklin.
From the county of Jefferson—John H. Harney.
From the county of Kenton—John W. Finnell and G. Clay Smith.
From the county of Knox—James W. Anderson.
From the county of Larue—N. A. Rapier.
From the counties of Letcher and Pike—David May.
From the counties of Laurel and Rockcastle—E. B. Bacheller.
From the county of Lewis—Geo. M. Thomas.
From the county of Lincoln—John C. Cooper.
From the county of Logan—Geo. W. Ewing.
From the county of Muhlenburg—Joseph Ricketts.
From the county of Madison—Curtis F. Burnam.
From the counties of Montgomery and Powell—Thomas Turner.
From the county of Mercer—Elijah Gabbert.
From the county of Marion—John R. Thomas.
From the county of Mason—Harrison Taylor and M. Smith.
From the county of Meade—Thomas W. Owings.
From the county of Monroe—Daniel E. Downing.
From the county of Metcalfe—Marion N. Carr.
From the county of McLean—Henry Griffith.
From the counties of Morgan and Wolfe—Geo. M. Hampton.
From the county of Marshall—J. C. Gilbert.
From the county of McCracken—John Q. A. King.
From the county of Nicholas—John W. Campbell.
From the county of Nelson—Felix G. Murphy.
From the county of Oldham—Richard T. Jacob.
From the county of Owen—E. F. Burns.
From the county of Ohio—Remus Gibson.
From the county of Pulaski—Tho. Z. Morrow
From the county of Pendleton—Wm. A. Braun.
From the county of Simpson—John M. Henry.
From the county of Shelby—John B. Cochran.
From the county of Spencer—Robt. Cochran.
From the county of Scott—Wm. Johnson.
From the county of Todd—W. E. Kennedy.
From the county of Taylor—Jos. H. Chandler.
From the county of Trigg—Jno. W. Gaines.
From the county of Trimble—E. M. Garriott.
From the county of Union—Robt. A. Spalding.
From the county of Woodford—Zeb. Ward.
From the county of Wayne—Jno. S. Vanwinkle.
From the county of Warren—Jos. R. Underwood.
From the county of Whitley—H. F. Finley.
From the county of Washington—W. H. Hays.
From the city of Louisville—1st District, John C. Beeman; 2d District, Nat. Wolfe; 3d District, Joshua Tevis; 4th District, W. P. Boone.

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

Mr. Tevis nominated Mr. Richard A. Buckner as a suitable person to fill the office of Speaker, and Mr. Desha nominated Mr. J. S. Barlow; and the vote being taken, it stood thus:

Those who voted for Mr. Buckner, were—


Those who voted for Mr. Barlow, were—


Mr. Buckner having received a majority of all the votes given, was declared duly elected Speaker, and conducted to the Chair, from whence he returned thanks for the honor conferred, and recommended the observance of order and decorum.
Mr. Tevis nominated Mr. William T. Samuels as a suitable person to fill the office of Clerk, and Mr. Chambers nominated Mr. Clinton McClarty; and the vote being taken, it stood thus:

Those who voted for Mr. Samuels, were—

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Mr. Samuels having received a majority of all the votes given, was declared duly elected Clerk; whereupon he took the oaths prescribed by the constitution.

Mr. Tevis nominated Anderson Gray as a suitable person to fill the office of Door-keeper, and Mr. Barlow nominated Mr. Jno. M. Helms; and the vote being taken, it stood thus:

Those who voted for Mr. Gray, were—

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Mr. Samuels having received a majority of all the votes given, was declared duly elected Door-keeper; whereupon he took the oaths prescribed by the constitution.

Mr. Tevis nominated Anderson Gray as a suitable person to fill the office of Door-keeper, and Mr. Barlow nominated Mr. Jno. M. Helms; and the vote being taken, it stood thus:

Those who voted for Mr. Gray, were—

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[Signatures and dates]
Those who voted for Mr. Helms, were—

Vincent Ash, Lucius Desha, J. C. Gilbert,
John S. Barlow, W. H. Edmunds, George M. Hampton,
A. R. Boon, John M. Elliott, William Johnson,
E. F. Burns, George W. Ewing, John Q. A. King,
W. P. D. Bush, John W. Gaines, David May,
A. B. Chambers, Joseph Gardner, Felix G. Murphy,
William M. Coffee, Evan M. Garriott, Rob't A. Spalding—21.

Mr. Gray having received a majority of all the votes given, was declared duly elected Door-keeper; whereupon he took the oaths prescribed by the constitution.

Mr. John L. Smedley was unanimously elected Sergeant-at-Arms; whereupon he took the oaths prescribed by the constitution.

Mr. Tevis nominated Mr. James B. Lyne as a suitable person to fill the office of Assistant Clerk, and Mr. Desha nominated Mr. Samuel C. Sayres; and the vote being taken, it stood thus:

Those who voted for Mr. Lyne, were—

Mr. Speaker, (Buckner,)Hugh F. Finley, Larkin J. Proctor,
Alfred Allen, John W. Finnell, William S. Rankin,
Jas. W. Anderson, Elijah Gabbert, Nicholas A. Rapier,
R. C. Anderson, Remus Gibson, John Ray,
W. C. Anderson, Henry Griffith, Joseph Ricketts,
Landaff W. Andrews, John H. Harney, F. D. Rigney,
E. B. Bacheller, William H. Hays, George S. Shanklin,
Those who voted for Mr. Sayres, were—

Vincent Ash, Lucius Desha, J. C. Gilbert,
John S. Barlow, W. H. Edmunds, George M. Hampton,
A. R. Boon, John M. Elliott, William Johnson,
E. F. Burns, George W. Ewing, John Q. A. King,
W. P. D. Bush, John W. Gaines, David May,
A. B. Chambers, Joseph Gardner, Felix G. Murphy,
William M. Coffee, Evan M. Garriott, Rob't A. Spalding—21.

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

Mr. Tevis moved the following resolution, viz:

Resolved by the House of Representatives, That the general rules of the session of 1859-60 be, and they are hereby, adopted as the rules of proceeding for present session, and that the usual number of copies be printed.

Which was adopted.

Mr. Tevis moved the following resolution, viz:

Resolved, That a committee of three be appointed to inform the Senate that the House is organized and ready to proceed to business, and to act in conjunction with a committee from the Senate to inform the Governor that the General Assembly is organized and ready to receive any communications he may be pleased to make.

Which was adopted.

Whereupon Messrs. Tevis, Elliott, and Turner were appointed a committee in pursuance of said resolution.
Mr. Huston moved the following resolution, viz:

Resolv'd, 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 this House, each day, with prayer.

Which was adopted.

And then the House adjourned.

TUESDAY, SEPTEMBER 3, 1861.

Mr. John W. Blue, the member returned to serve in this House from the county of Crittenden; and Daniel Mathewson, the member returned to serve in this House from the county of Calloway; and George W. Silvertooth, the member returned to serve in this House from the counties of Hickman and Fulton; and George R. Merritt, the member returned to serve in this House from the counties of Lyon and Livingston, appeared, and having severally taken the oaths prescribed by the constitution, took their seats.

Mr. Huston moved the following resolution:

Resolved, That the following be a rule of this House, viz: Resolutions presented shall be received and referred without debate, unless the House shall otherwise direct.

Which was adopted.

And then the House adjourned.
Mr. W. C. Anderson moved the following resolution, viz:

Resolved, That the Speaker of this House be empowered to employ a page, at the same compensation of those employed by the Sergeant-at-Arms.

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

Mr. Cleveland moved the following resolution, viz:

Resolved, That the reporters for the different papers published in Kentucky be admitted to seats upon this floor.

Mr. Tevis moved the following resolution as a substitute for Mr. Cleveland's resolution, viz:

Resolved, That the Speaker be authorized to admit such reporters as he may think proper to a seat on the floor of this House.

And the question being taken upon the adoption of the substitute, it was decided in the affirmative.

Mr. Rankin presented the petition of John J. Landram, contesting the seat of A. B. Chambers, admitted in this House from the county of Gallatin, which is as follows, viz:

To the House of Representatives of the Commonwealth of Kentucky:

The undersigned, John J. Landram, respectfully represents, that at the election for members of the House of Representatives, held in this Commonwealth on the first Monday in August, 1861, A. B. Chambers and himself were the only opposing candidates for said office in the county of Gallatin; that your memorialist, and not the said A. B. Chambers, received a majority of all the legal votes cast for Representative in said county at said election; yet the said A. B. Chambers, and not your memorialist, has received and now holds a certificate of election to said office from the Board of Examiners in and for said county, by virtue of which he now holds a seat in your body. Your memorialist further represents, that in pursuance of the requirements of the statute and laws regulating contested elections, he served, duly and legally, a written notice of contest upon said A. B. Chambers, setting forth and notifying him specifically the grounds for said contest, which notice and the officers' return thereon, are herewith filed, referred to, and made part of this memorial. Your memorialist is therefore, for the reasons and causes set forth in said notice, entitled to the seat now occupied by the said A. B. Chambers in your body, as the Representative from the said county of Gallatin.

He therefore most respectfully prays that the subject may be inquired.
into the House, according to the constitution and laws, and the usual course of proceeding of this House in similar cases, and that your memorialist be declared entitled and admitted to a seat in the House of Representatives as the duly and legally elected member thereof from the county of Gallatin.

J. J. LANDRAM.

WARSAW, KENTUCKY, August 20, 1861.

Dr. A. B. Chambers:

Dear Sir: Take notice, that I will, before the next House of Representatives of the General Assembly of Kentucky, contest your election and right to a certificate as member of said House, elected from the county of Gallatin, State of Kentucky, on the 5th day of August, 1861, upon the following grounds hereinafter specified, to wit:

1. I deny that George Lee, who voted for you and against me, in the first election district, at Hoggins' school-house, one of the places of voting in Gallatin county, was a legal voter, he having no fixed place of residence in said county, and in fact having moved from said county last fall or winter, with purpose of making some other State his residence, and so asserted at the time. He had not resided in the election district sixty days preceding said election, on the said 5th day of August last, when he cast his vote for you.

2. Thomas Bolling's vote is recorded for you and against me on the poll-book in said precinct. I deny that any such person presented himself at said precinct to vote on said 5th day of August. Said vote ought not to be counted for you.

3. Martin Miler and Pat Miler voted for you and against me at said precinct, on the said 5th day of August. I deny that either of them were legal voters, they not having resided in the said election district sixty days preceding said election, and therefore should not be counted for you.

4. John Winn's vote is recorded for you and against me on said poll-book at said election precinct. I deny that any such person presented himself at said precinct on said 5th day of August to vote for you. Said vote is erroneous, and ought not to be counted for you.

5. Henry Hisel voted for me, and after returning from the polls, through the importunities of your friends, he was afterwards induced to go back and have his vote changed and recorded for you and against me, at said precinct, on the day aforesaid, which the judges of said election should not and could not legally allow. I deny that said Hisel could legally have his vote changed after deliberately casting it.

6. J. S. Bond voted for you and against me at said precinct, on the day aforesaid, who was not a resident of said election district, but resided in Carroll county.

7. J. T. Ford voted for you and against me at said precinct, on the day aforesaid, who had no permanent residence in said election district for sixty days preceding said election.

8. A. W. Fuller voted for you and against me at said precinct on said day under duress per minas, he having been put in fear of bodily harm, and threats also being made to him that he would have his house torn down if he did not so vote.

9. R. O. Bolling's vote is recorded for you on the poll-books of said
precinct. I deny that any such person was a legal voter in said election district on that day; or that any such person presented himself at said precinct to vote on the day aforesaid.

10. Wm. Williams voted for you and against me at said precinct on the day aforesaid. I deny that said Williams has had any permanent residence in said election district for sixty days preceding said election.

11. James Turner, Jack Winn, and — — Smith's votes should be polled and counted for me, as they were going to the polls to vote for me, and was far advanced on the road, and would have arrived at said place of voting and cast their votes for me, on the day aforesaid, long before seven o'clock, P. M., the legal time for closing the polls: but the judges of said election closed the polls at said precinct about five o'clock, P. M., and thereby prevented said votes from being recorded for me, said polls being closed before the hour appointed by law, without my knowledge or consent.

12. Samuel Carroll's, Laurence Riley's, and Thomas Johnson's votes were recorded on the poll-books at the Warsaw precinct, in the second election district of Gallatin county, for you and against me. I deny that said Carroll, Riley, and Johnson, had resided in the State of Kentucky two years, or the said county of Gallatin one year, or said election district sixty days preceding the said 5th day of August, 1861, or that they were entitled to a vote in said district or county on that day.

13. Milton Buchannen voted for you and against me at said precinct in said election district, on the said 5th day of August, who was not of lawful age. He told the sheriff, a party friend of yours, that he was not twenty-one years of age; yet that sheriff allowed him to record his vote for you. Said vote should not be counted for you.

14. George Buchannen voted for you at said precinct on said election day, who is non composit mentis, does not know his right hand from his left, nor cannot even tell his own name—entirely void of mind. Such a vote should not be counted and is illegal.

15. W. Kirby's vote is recorded against me and for you on the poll-book of said precinct, in said election district, on said 5th day of August. I deny that any such person presented himself at said precinct on said day and voted for you. Said vote should not be counted.

16. David Kemper voted for you and against me, at the Napoleon precinct, in the third election district of Gallatin county, on the 5th day of August, 1861. I deny that said Kemper had arrived at the age of twenty-one years when he gave said vote; it therefore should not be counted.

17. Michael Ryan, Willis House, Ben. F. Daviss, Michael Barlow, and Samuel Bollington, voted for you and against me in said election district, at the Napoleon precinct, on the said 5th day of August, neither of whom had resided in the said election district sixty days preceding said election, nor in the county one year (except House) or State two years preceding said election.

18. T. M. Brown's vote is recorded on the poll-book of said Napoleon precinct for you and against me. I deny that any such person presented himself at said precinct on said 5th day of August and voted for you.

19. The poll-book kept at the precinct at Hoggins' school-house, in
the first election district in Gallatin county, on the 5th day of August, 1861, for the recording of votes for Representative in the next General Assembly of the Commonwealth of Kentucky, for the said county of Gallatin, at the head of the columns of which your name and mine appeared as candidates for that office, and at the foot of said columns Wm. F. Graham's name is signed as clerk of the election, ought not to be counted as part of the election returns of said county; said poll-book should be entirely excluded from said returns, and no vote registered thereon, either for you or myself, should be counted by the commissioners that footed up and compared the poll-books of said county, because said poll-book was not kept, and the votes registered thereon according to law; that is, the clerk of said election did not commence at the head of each column of said book with the figure 1, and so continue the count in numerals down to the foot of the page, and then commence with figure 1 at the head of next column, and so on, &c., &c., but commenced with the figure 1 on first page, at the head of first column, and continued the count on to the foot of the last column on last page in said book, contrary to law, as provided in act of Legislature approved February 6, 1860.

20. Said poll-book should be excluded, because the judges at said election, in said precinct, on the day aforesaid, failed to conduct the election according to law, in this: they closed the poll-book of said precinct, and refused to receive any votes after 5 o'clock, P. M.; at least said poll-book was closed, and the judges had left the place of voting long before 7 o'clock, P. M., the hour appointed by law for closing the polls, without my knowledge or consent.

21. I further say that the votes on said poll-book should not be counted for either of us, because the judges and clerk, at said election, failed to record their certificate in said poll-book, as the law requires, and that said poll-book should not have been received as a poll-book by the Board of Examiners.

Yours respectfully,

J. J. LANDRAM.

Which petition was received, the reading dispensed with, and referred to the Committee on Privileges and Elections.

And then the House adjourned.

THURSDAY, SEPTEMBER 5, 1861.

A message was received from the Senate by Messrs. Alexander, Grover, and Gillis, announcing that the Senate had met, formed a quorum, and elected its officers, and was now ready to proceed to legislative business.

Mr. Tevis, from the committee appointed to inform the Senate that the House had met, formed a quorum, and organized, and to wait on
the Governor and inform him that the two Houses were now ready to receive any communication he might have to make to them, reported that the committee had performed the duties assigned them, and had been informed by the Governor that he would forthwith make a communication in writing to the two Houses in their respective chambers.

A message was received from the Governor, by Hon. Thomas B. Monroe, jr., Secretary of State, which reads as follows, viz:

**Commonwealth of Kentucky,**

**EXECUTIVE DEPARTMENT, Sept. 2, 1861.**

*Gentlemen of the Senate and House of Representatives:*

You have assembled as the representatives of the people of the Commonwealth of Kentucky, under circumstances of peculiar gloom and embarrassment. A sense of near danger and wide distrust pervades and excites the popular mind. Let us, without a moment's delay, address our exertions to the effort to allay the excitement, remove the danger, restore confidence in our business, political and social relations, preserve the peace and promote the prosperity of the people, praying to God to give us wisdom in our counsels, and bless our labor with success.

In obedience to a provision of the Constitution of our State, I proceed to lay before you its condition up to the 1st of August last, with such suggestions and recommendations as seem to me to be proper.

**FINANCES.**

Below I submit to you a statement of the finances of the State, from 10th October, 1859, to 1st August, 1861. It will be seen that the taxable property of the State for the year ending 10th October, 1860, was $516,766,167, and exceeded that of the previous year the sum of $23,356,804, and that the balance remaining in the treasury on the 1st August, 1861, was $186,870 18, belonging to the different funds. See statement below.

**REVENUE PROPER.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxable property—total valuation for 1859</td>
<td>$432,469,363</td>
</tr>
<tr>
<td>Taxable property—total valuation for 1860</td>
<td>516,766,167</td>
</tr>
<tr>
<td>Increase over 1859</td>
<td>$84,296,804</td>
</tr>
<tr>
<td>Total receipts for the year 1859</td>
<td>$593,623 37</td>
</tr>
<tr>
<td>Balance in treasury 10th October, 1859</td>
<td>36,727 88</td>
</tr>
<tr>
<td>Making</td>
<td>$1,960,360 55</td>
</tr>
<tr>
<td>Expenses for 1859</td>
<td>863,887 38</td>
</tr>
<tr>
<td>Balance in the Treasury 10th October, 1859</td>
<td>$136,463 47</td>
</tr>
<tr>
<td>Total receipts for 1860</td>
<td>1,111,284 88</td>
</tr>
<tr>
<td>Making</td>
<td>$1,247,748 35</td>
</tr>
<tr>
<td>Expenses for the year 1860</td>
<td>1,401,628 86</td>
</tr>
<tr>
<td>Excess of expenditures 10th October, 1860</td>
<td>$153,879 71</td>
</tr>
</tbody>
</table>
Amount of school fund deficit .......................... $66,717.37
Amount of revenue deficit .................................. 142,386.90

Making .......................................................... $209,104.27
Amount of sinking fund balance ............................ 45,173.95
Excess of expenditures as above .............................. $153,930.32
Total receipts to 1st August, 1861 ...................... $1,367,476.63
Excess of expenditures 10th October, 1860 .............. $153,879.71
Expenses to 1st August, 1861 .............................. 1,026,726.74
Balance in the treasury 1st August, 1861 .......... 1,186,606.45

Of this belongs to—

Revenue ........................................... $33,433.40
School fund ........................................ 88,038.32
Sinking fund ........................................ 5,001.54
Commissioners military fund .......................... 49,317.01

$186,670.45

Note.—In the receipts from 10th October, 1860, to 1st August, 1861, there are included the following amounts, to wit:
From Sinking Fund Commissioners for revenue proper, per act Assembly, approved 30th March, 1861 .................................................. $200,000.00
From Bank Kentucky for revenue proper .............. 60,000.00
From Gov. Magoffin, military loan, paid in treasury 57,659.48
Making .................................................. $317,559.48

From the foregoing it appears that the increase of the taxable property of the State for the year ending October 10, 1860, over 1859, was $23,356,804. Yet owing to the large appropriations of the last Legislature, and the extraordinary expenses of its several called and adjourned sessions, as well as to the failure of sheriffs to collect and pay into the treasury the revenue, I was compelled to borrow, under the acts of the Legislature herein referred to, the sum of $200,000 from the sinking fund. And after that sum was exhausted in meeting the demands upon the treasury, an arrangement was made with the Bank of Kentucky for $60,000 more, for which no bond was executed. For the payment of these sums I recommend that provision be made.

The following is the amount of revenue outstanding 1st August, 1861, viz:

Sheriffs' revenue, 1840 ........................................ $485.22
Sheriffs' revenue, 1841 ...................................... 1,700.48
Sheriffs' revenue, 1842 ..................................... 360.02
Sheriffs' revenue, 1843 ..................................... 15.98
Sheriffs' revenue, 1844 ..................................... 1,280.98
Sheriffs' revenue, 1845 ..................................... 186.53
Sheriffs' revenue, 1846 ..................................... 634.25
Sheriffs' revenue, 1847 ..................................... 4,715.74
Sheriffs' revenue, 1848 ..................................... 4,991.01
Sheriffs' revenue, 1849 ..................................... 522.87
Sheriffs' revenue, 1850 ..................................... 4,073.83
Sheriffs' revenue, 1851 ..................................... 416.13

Amount carried forward ................................ $18,145.91
Amount brought forward.................. $13,145 01
Sheriffs' revenue, 1858.................. 36,874 66
Sheriffs' revenue, 1859.................. 37,349 21
Sheriffs' revenue, 1860 .................. 241,977 27

Total......................................$397,366 18

Deduct commissions, delinquents, &c., which the several sheriffs will be entitled
to upon settlement of their accounts, say about........................................ 60,000 00

Leaving an uncollected revenue this day.....................................................$337,366 18

Executions have been issued against the sheriffs of the different counties from which the above amount is due for a greater portion of it, and are now in the hands of the sheriffs for collection, but from the unsettled condition of the country and the scarcity of money, no estimate of the amount that will be paid can be made.

From the ruin of trade, the destruction of confidence, and the breaking up of our commercial relations, our banks and capitalists have been compelled to protect themselves by withdrawing from circulation an immense amount of money needed to carry on the business of the people, and that, too, at a time when their assistance was most needed. These causes have rendered it impossible for the sheriffs to collect the balance above reported. Some of the sheriffs have resigned rather than make further efforts to collect. Property has been advertised again and again in many places, and put up at auction to be sold, but there were no bidders. In other instances great sacrifices have been made in consequence of the scarcity of money. In some counties threats have been made against the officers and resistance to the laws have been threatened, rather than suffer the sacrifice of sales. I have deemed it my duty to say this much in palliation of the conduct of the sheriffs in not collecting and paying into the treasury the outstanding revenue.

Of the loan of $80,000 referred to in a previous message as contracted by me from the banks, $57,559 48, the amount unexpended in my hands, was transferred to the credit of the Military Board. The balance was employed in the purchase of arms, munitions, &c., all of which is now the property of the State. For the loan the bonds of the State have been executed by the Military Board, as authorized by an act of the Legislature, which will be explained more fully in the report of the Board, here referred to. I recommend that provision be made for the payment of the principal and semi-annual interests of these bonds. In this report I would particularly call your attention to the seizure of a large quantity of the public arms, and our efforts to repossess them from our citizens after they were returned from Tennessee. Forty-four stand of arms were also seized by some unknown and lawless persons, and taken, as the Board were informed,
to camp Boone, in the same State. The commanding officer, upon demand made for them, replied he was ready to deliver them to an authorized agent, upon proof of their identity and that they were the property of the State.

An increase in the taxation of the taxable property of the State is recommended to provide for the payment of the indebtedness herein-before referred to, and the deficiencies in the revenue occasioned by a decrease in the value of property and the increase of expenditures. Kentucky has suffered far less than many of the States up to this date, and our people will bear the necessary burden with cheerfulness.

**SINKING FUND.**

Below you have a statement of the amount in the sinking fund proper to meet the payment of the interest and principal of the State debt.

The balance on the 1st August, 1861, in treasury, not embraced in the previous statement, belonging to the sinking fund proper, which should be added to that from the revenue department, as above stated, is $162,272 61. Then add the outstanding loan at 6 per cent. to individuals, under an act of the Legislature, due 1st August, 1861, §201,132 29; also, amount of loan to State of Kentucky by sinking fund commissioners, under act of the Legislature, approved 30th March, 1861, and you have the whole amount of the sinking fund proper, $568,406 44:

**SINKING FUND PROPER.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total receipts for 1859</td>
<td>$572,877 99</td>
</tr>
<tr>
<td>Balance in the treasury 10th October, 1858</td>
<td>41,163 88</td>
</tr>
<tr>
<td>Expenses for the year 1859</td>
<td>$514,911 17</td>
</tr>
<tr>
<td>Making</td>
<td></td>
</tr>
<tr>
<td>Leaving balance in the treasury 10th October, 1859</td>
<td>$506,655 55</td>
</tr>
<tr>
<td>Receipts for the year 1859</td>
<td>928,088 99</td>
</tr>
<tr>
<td>Expenses for the year 1859</td>
<td>$1,134,139 18</td>
</tr>
<tr>
<td>Making</td>
<td></td>
</tr>
<tr>
<td>Leaving in the treasury 10th October, 1860</td>
<td>$259,427 73</td>
</tr>
<tr>
<td>Add that due from revenue department, as above</td>
<td>48,173 55</td>
</tr>
<tr>
<td>Sinking fund loan outstanding 10th October, 1860</td>
<td>281,599 59</td>
</tr>
<tr>
<td>Total amount of sinking fund 10th October, 1860</td>
<td>$563,931 96</td>
</tr>
<tr>
<td>Total receipts to 1st August, 1861</td>
<td>$574,362 29</td>
</tr>
<tr>
<td>Balance in the treasury 10th October, 1860</td>
<td>408,437 72</td>
</tr>
<tr>
<td>Expenses to 1st August, 1861</td>
<td>$294,810 01</td>
</tr>
<tr>
<td>Leaving balance in the treasury 1st August, 1861</td>
<td>$162,272 61</td>
</tr>
<tr>
<td>Sinking fund loan outstanding August 1st, 1861</td>
<td>291,132 29</td>
</tr>
<tr>
<td>Add that due from revenue department, as above</td>
<td>291,132 29</td>
</tr>
<tr>
<td>Add amount of loan to State of Kentucky (for revenue proper) by sinking fund commissioners, under act of 30th March, 1861, payable 9 and 6 months after date, bearing 6 per cent. interest</td>
<td>5,001 54</td>
</tr>
<tr>
<td>Total amount in the treasury 1st August, 1861</td>
<td>$568,406 44</td>
</tr>
</tbody>
</table>
Resources of the Sinking Fund are as follows, viz:

1st. Tax on the surplus fund of Commercial Bank of Kentucky.
2d. Tax on the capital stock of the Bank of Kentucky.
3d. Tax on the capital stock of the Northern Bank of Kentucky.
4th. Tax on the capital stock of the Bank of Louisville.
5th. Tax on the capital stock of the Southern Bank of Kentucky.
6th. Dividends on 7,000 shares stock in Bank of Kentucky.
7th. Dividends on 2,000 shares stock in Bank of Kentucky.
8th. Dividends on 3,500 shares stock in Northern Bank.
9th. Dividends on 5,000 shares stock in Southern Bank.
10th. Dividends on State stock in turnpike roads and profits on works of internal improvements.
11th. Dividends on 400 shares stock in Northern Bank of Kentucky.
12th. Dividends on 406 shares stock in Bank of Louisville.
13th. Proceeds of sales, water licenses, etc., on slack-water improvements.
14th. Proceeds of stock in turnpike roads.
16th. Redemption of forfeited Bank and insurance certificates.
17th. Five-cent revenue tax.
18th. Dividend on 2,178 shares of stock in Frankfort and Lexington railroad company.
19th. Tax on capital stock of Commercial Bank of Kentucky.
20th. Tax on capital stock of North Bank of Kentucky.
21st. Tax on capital stock of Southern Bank.
22nd. Tax on capital stock of Deposit Bank.
23rd. Tax on capital stock of Northern Bank.
24th. Tax on capital stock of Southern Bank.
25th. Tax on capital stock of Northern Bank.
26th. Tax on capital stock of Southern Bank.
27th. Tax on capital stock of Northern Bank.
28th. Tax on capital stock of Southern Bank.
29th. Tax on capital stock of Northern Bank.
30th. Tax on capital stock of Southern Bank.
31st. Tax on capital stock of Northern Bank.
32nd. Tax on capital stock of Southern Bank.
33rd. Tax on capital stock of Northern Bank.
34th. Tax on capital stock of Southern Bank.
35th. Tax on capital stock of Northern Bank.
36th. Tax on capital stock of Southern Bank.
37th. Tax on capital stock of Northern Bank.
38th. Tax on capital stock of Southern Bank.
39th. Tax on capital stock of Northern Bank.
40th. Tax on capital stock of Southern Bank.
41st. Tax on capital stock of Northern Bank.
42nd. Tax on capital stock of Southern Bank.
43rd. Tax on capital stock of Northern Bank.
44th. Tax on capital stock of Southern Bank.
45th. Tax on capital stock of Northern Bank.
46th. Tax on capital stock of Southern Bank.
47th. Tax on capital stock of Northern Bank.
48th. Tax on capital stock of Southern Bank.
49th. Tax on capital stock of Northern Bank.
50th. Tax on capital stock of Southern Bank.
51st. Tax on capital stock of Northern Bank.
52nd. Tax on capital stock of Southern Bank.
53rd. Tax on capital stock of Northern Bank.
54th. Tax on capital stock of Southern Bank.
55th. Tax on capital stock of Northern Bank.
56th. Tax on capital stock of Southern Bank.
57th. Tax on capital stock of Northern Bank.
58th. Tax on capital stock of Southern Bank.
59th. Tax on capital stock of Northern Bank.
60th. Tax on capital stock of Southern Bank.
61st. Tax on capital stock of Northern Bank.
62nd. Tax on capital stock of Southern Bank.
63rd. Tax on capital stock of Northern Bank.
64th. Tax on capital stock of Southern Bank.
65th. Tax on capital stock of Northern Bank.
66th. Tax on capital stock of Southern Bank.
67th. Tax on capital stock of Northern Bank.
68th. Tax on capital stock of Southern Bank.
69th. Tax on capital stock of Northern Bank.
70th. Tax on capital stock of Southern Bank.
71st. Tax on capital stock of Northern Bank.
72nd. Tax on capital stock of Southern Bank.
73rd. Tax on capital stock of Northern Bank.
74th. Tax on capital stock of Southern Bank.
75th. Tax on capital stock of Northern Bank.
76th. Tax on capital stock of Southern Bank.
77th. Tax on capital stock of Northern Bank.
78th. Tax on capital stock of Southern Bank.
79th. Tax on capital stock of Northern Bank.
80th. Tax on capital stock of Southern Bank.
81st. Tax on capital stock of Northern Bank.
82nd. Tax on capital stock of Southern Bank.
83rd. Tax on capital stock of Northern Bank.
84th. Tax on capital stock of Southern Bank.
85th. Tax on capital stock of Northern Bank.
86th. Tax on capital stock of Southern Bank.
87th. Tax on capital stock of Northern Bank.
88th. Tax on capital stock of Southern Bank.
89th. Tax on capital stock of Northern Bank.
90th. Tax on capital stock of Southern Bank.
91st. Tax on capital stock of Northern Bank.
92nd. Tax on capital stock of Southern Bank.
93rd. Tax on capital stock of Northern Bank.
94th. Tax on capital stock of Southern Bank.
95th. Tax on capital stock of Northern Bank.
96th. Tax on capital stock of Southern Bank.
97th. Tax on capital stock of Northern Bank.
98th. Tax on capital stock of Southern Bank.
99th. Tax on capital stock of Northern Bank.
100th. Tax on capital stock of Southern Bank.

The following is a statement of the interest of the State debt due semi-annually:

| Amount interest on 6 per cent. bonds | $168,747 84 |
| Amount interest on 5 per cent. bonds | $5,313 50 |
| Total interest paid annually | $174,061 34 |
| Semi-annual interest | $87,030 67 |

**INTERNAL IMPROVEMENTS.**

As part of the resources of the State, the following stocks are owned by the State in works of internal improvement, amounting to $74,544,616 (exclusive of the stock held by the State in the Frankfort and Lexington railroad, and the bond upon the Louisville and Frankfort railroad) the actual value of which does not exceed $1,000,000; but the people are somewhat compensated for the loss by the benefits received by those in whose neighborhood the improvements were made:

**Amount of stock owned by the State in the following improvements:**

| Kentucky river navigation | $900,932 70 |
| Green and Harren river navigation | $899,266 79 |
| Licking river navigation | $379,520 70 |
| Mayville, Washington, Paris, and Lexington | $84,000 00 |
| Franklin county, from Frankfort to Shelby county | $10,000 00 |
| Tumpka road, Shelby county | $5,000 00 |
| Mulholland's Hill and Bridge | $5,145 48 |
| Franklin county, from Hardinsville to Crab Orchard | $47,064 90 |
| Anderson county, from Hardinsville to Crab Orchard | $3,850 00 |
| Mercer county, from Hardinsville to Crab Orchard | $74,000 00 |
| Lincoln county, from Hardinsville to Crab Orchard | $51,299 00 |
| Franklin county, Lexington and Versailles | $18,122 00 |
| Daviell, Lancaster, Nicholasville, and Lexington | $101,326 08 |
| Frankfort to Georgetown (Franklin portion) | $15,400 00 |

Amount carried forward | $2,394,943 65 |
### JOURNAL OF THE

The following statement shows the amount of the State debt 1st August, 1861:

<table>
<thead>
<tr>
<th>Description of bond</th>
<th>Original issue</th>
<th>Amount redeemed</th>
<th>Amount unredeemed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount due and outstanding of the 6 per cent. issue of $600,000 of 6 year bonds, and Internal Improvement Railroad Stocks</td>
<td></td>
<td></td>
<td>$402 00</td>
</tr>
<tr>
<td>Bonds issued May 25th, 1836, to Bank of Kentucky, under an act of February 28, 1835, payable 30 years after date, bearing 5 per cent. interest at the Bank of Kentucky</td>
<td>$100,000 00</td>
<td>$77,000 00</td>
<td>23,000 00</td>
</tr>
<tr>
<td>Bonds issued August 1st, 1835, to Prine, Ward &amp; King, under an act of February 28th, 1835, payable 30 years after date, bearing 5 per cent. interest at New York</td>
<td>100,000 00</td>
<td>7,000 00</td>
<td>93,000 00</td>
</tr>
<tr>
<td>Bonds issued April 23, 1836, to Northern Bank of Kentucky, under an act of February 29, 1836, payable 30 years after date, bearing 5 per cent. interest at Northern Bank of Kentucky</td>
<td>100,000 00</td>
<td>5,000 00</td>
<td>95,000 00</td>
</tr>
<tr>
<td>Bonds issued June 1st, 1836, to Bank of Kentucky, under an act of February 29, 1836, payable 30 years after date, bearing 5 per cent. interest at the Northern Bank of Kentucky</td>
<td>50,000 00</td>
<td>46,000 00</td>
<td>4,000 00</td>
</tr>
<tr>
<td>Bonds issued April 1st, 1837, to War Department, under an act of February 23, 1837, payable 30 years after date, bearing 5 per cent. interest at New York</td>
<td>165,000 00</td>
<td></td>
<td>165,000 00</td>
</tr>
<tr>
<td>Bonds issued September 20, 1843, to John Tilford, agent to sell, under an act of March 8, 1843, payable 30 years after date, bearing 5 per cent. interest at New York</td>
<td>200,000 00</td>
<td>21,000 00</td>
<td>179,000 00</td>
</tr>
<tr>
<td>Bonds issued July 1st, 1838, to the American Life Insurance and Trust Company, under an act of February 18, 1838, payable 30 years after date, and bearing 5 per cent. interest at New York</td>
<td>1,550,000 00</td>
<td>203,000 00</td>
<td>1,347,000 00</td>
</tr>
</tbody>
</table>

$2,884,942 65

---

$1,250,000 00

---

$100,000 00

---

$80,000 00

---

$25,948 00

---

$28,100 00

---

$110,385 00

---

$30,000 00

---

$149,488 91

---

$23,548 00

---

$2,655 82

---

$4,611,691 16

---

$184,783 83

---

$4,830,474 99

---

$203,000 00

---

$179,000 00

---

$179,000 00

---

$179,000 00

---

$179,000 00

---

$179,000 00

---
<table>
<thead>
<tr>
<th>Description of bond</th>
<th>Original issue</th>
<th>Amount redeemed</th>
<th>Amount unredeemed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bonds issued from 22d April, 1840, to 19th February, 1841, to contractors on public works, under act of February 22, 1839, payable 30 years after date, bearing 6 per cent interest at New York</td>
<td>$33,000 00</td>
<td>$6,000 00</td>
<td>$27,000 00</td>
</tr>
<tr>
<td>Bonds issued November 4, 1840, to Northern Bank of Kentucky, under an act of February 21, 1840, payable 30 years after date, bearing 6 per cent interest at New York</td>
<td>235,000 00</td>
<td>47,000 00</td>
<td>188,000 00</td>
</tr>
<tr>
<td>Bonds issued November 4, 1840, to Bank of Kentucky, under an act of February 21, 1840, payable 30 years after date, bearing 6 per cent interest at New York</td>
<td>180,000 00</td>
<td>29,000 00</td>
<td>151,000 00</td>
</tr>
<tr>
<td>Bonds issued from April 3, 1841, to April 1, 1842, to contractors, and in exchange for 6 year bonds, under act of February 21, 1840, February 1841, and March 3d, 1842, March 11, 1843, and March 2, 1844, payable 30 years after date, and bearing 6 per cent. interest at New York</td>
<td>1,741,000 00</td>
<td>315,000 00</td>
<td>1,426,000 00</td>
</tr>
<tr>
<td>Bonds issued January 1, 1845, to holders of Lexington and Ohio Railroad bonds, under act of March 1, 1844, payable 15 or 30 years after date, at the pleasure of the State, bearing 6 per cent. interest at New York</td>
<td>150,000 00</td>
<td>147,000 00</td>
<td>3,000 00</td>
</tr>
<tr>
<td>Bonds issued from 7th October, 1846, to 15th June, 1848, to holders of 6 year bonds and others, under act of February 23, 1846, and March 1, 1847, payable 15 or 30 years after date, at the pleasure of the State, bearing 6 per cent. interest at New York</td>
<td>70,000 00</td>
<td>23,000 00</td>
<td>48,000 00</td>
</tr>
<tr>
<td>Bonds issued to Southern Bank of Kentucky, under the several acts chartering said bank, bearing 6 per cent. interest</td>
<td>600,000 00</td>
<td>600,000 00</td>
<td>00</td>
</tr>
<tr>
<td>Bonds held by the Board of Education</td>
<td>1,326,770 01</td>
<td>1,326,770 01</td>
<td>00</td>
</tr>
<tr>
<td>Bond for unexpended county distribution, issued 23d August, 1855, and held by the Board of Education</td>
<td>49,894 72</td>
<td>49,894 72</td>
<td>00</td>
</tr>
<tr>
<td>Bond for unexpended county distribution, issued 21st February, 1857, and held by Board of Education</td>
<td>12,167 30</td>
<td>12,167 30</td>
<td>00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,255,832 03</strong></td>
<td><strong>1,525,000 00</strong></td>
<td><strong>$4,731,234 03</strong></td>
</tr>
</tbody>
</table>

Amount of 6 per cent. debt due and outstanding | $402 00 | 450,000 00 | 2,690,000 00 |

No. 1. At thirty years date, bearing 6 per cent interest, dated August 9, 1840 | $24,000 00 | 00 |

No. 20. At thirty years date, bearing 6 per cent interest, dated January 16, 1840 | 21,500 00 | 00 |

No. 21. At thirty years date, bearing 6 per cent interest, dated January 1, 1840 | 22,000 00 | 00 |

No. 22. At thirty-five years date, bearing 6 per cent interest, dated January 18, 1840 | 500,000 00 | 00 |

No. 23. At thirty-five years date, bearing 6 per cent interest, dated January 22, 1840 | 170,000 00 | 00 |

No. 24. At thirty-five years date, bearing 6 per cent interest, dated January 22, 1840 | 180,000 00 | * Due in 1861.*

No. — Bearing 6 per cent interest from January 1, 1848, and made payable at the pleasure of the Legislature, and dated December 30, 1848 | 308,985 49 | 00 |
Description of bond  | Original issue  | Amount redeemed  | Amount unredeemed  
--- | --- | --- | --- 
No. | Amount of bond issued for balance due for interest on State bonds, and same dated July 5, 1850, and made payable at the pleasure of the Legislature, and to bear interest at the rate of 5 per cent. per annum, from January 1, 1850. | $161,001.69 | 1,286,770.01 
| Bond issued by the Governor for surplus due the several counties, dated 23d August, 1855, held by Board of Education. | | 42,894.72 
| Bond issued by the Governor for surplus due the several counties, dated 21st February, 1857, held by Board of Education. | | 12,167.30 | $4,731,234.03 

The State has the following means to meet her indebtedness as above, $4,731,234 03, if they could be applied, viz:

- Stock in Bank of Kentucky | $299,909.00 
- Stock in Northern Bank of Kentucky | 40,600.00 
- Stock in Bank of Louisville | 660,000.00 
- Stock in Southern Bank of Kentucky | 1,670,500.00 
- Stock in Frankfort and Lexington railroad company | $217,800.00 
- Bonds in Louisville and Frankfort railroad company | 74,519.50 | 1,363,819.50 

Total amount sinking fund 1st Aug. 1861. | $568,406 44 | $2,531,235.94 

We have in addition to this the investments made by the State in turnpike roads, rivers, &c., the present value of which is uncertain, amounting in the aggregate to $4,830,474 90. It appears the total amount of sinking fund, August 1st, 1861, was $568,406 44. The investments made by the State, now uncertain, to meet the debt, amount to $4,830,474 90. From this statement it will be readily observed that the State debt has been greatly reduced within the last two years, and the resources are amply sufficient to meet the balance as it falls due.

The commissioners of the sinking fund have been calling in the loan from individuals in such installments as would not oppress the debtors with the view of having the means on hand of purchasing the bonds of the State before they fell due, and as they were offered at the current rates; but such has been the high character and credit of the Commonwealth, at a time of revolution and civil war, that but few comparatively have been offered in the markets of the country under par or at a serious sacrifice to the holders. It is a matter of just pride and pleasure, at such a time as this, that our banks and the finances of the State have been so managed, under the most alarming events and the most embarrassing circumstances, as to affect our credit, perhaps less than any State in the Union.
AUDITOR’S OFFICE.
In view of the increasing business of this office, I deem it my duty to recommend an additional allowance of money for the employment of more clerks. I am informed by the laborious and highly competent head of this department, that it is impossible for him, with the present number of clerks, to perform the duties of the office with that dispatch that the necessities of the country require. His efficient, systematic, and laborious predecessor, Mr. Thomas S. Page, recommended an additional sum for clerk hire during his administration of this, the most important of all the departments of the State government; and the business has been constantly increasing since. If it were necessary then, it needs no argument to prove it is so now.

TREASURY.
You are referred to the report of the active, capable, and efficient officer of the treasury for information connected with his department; and in view of the accumulating business he has to transact, I recommend, earnestly, he be allowed a clerk at a reasonable salary.

COMMON SCHOOLS.
Below you have a statement of the receipts and expenditures of the school fund from 31st December, 1858, to 1st August, 1861, with the number of children at school during the years 1858, ’59, and ’60, and also the resources of the school fund:

SCHOOL FUND.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receipts for the year ending 31st December, 1858</td>
<td>$328,808.50</td>
</tr>
<tr>
<td>Balance 31st December, 1858</td>
<td>$2,126.49</td>
</tr>
<tr>
<td>Making</td>
<td>$330,934.79</td>
</tr>
<tr>
<td>Expenses for the year ending 31st December, 1858</td>
<td>$317,579.81</td>
</tr>
<tr>
<td>Making</td>
<td>$9,354.98</td>
</tr>
<tr>
<td>Receipts for the year ending 31st December, 1859</td>
<td>$475,823.91</td>
</tr>
<tr>
<td>Balance 31st December, 1859</td>
<td>$2,925.35</td>
</tr>
<tr>
<td>Expenses for the year ending 31st December, 1859</td>
<td>$4,617.39</td>
</tr>
<tr>
<td>Balance 31st December, 1859</td>
<td>$299,357.55</td>
</tr>
<tr>
<td>Making</td>
<td>$150,510.44</td>
</tr>
<tr>
<td>Receipts from 31st December, 1859 to 15th October, 1860</td>
<td>$126,346.73</td>
</tr>
<tr>
<td>Making</td>
<td>$366,057.17</td>
</tr>
<tr>
<td>Expenses from 31st December, 1859 to 10th October, 1860</td>
<td>$348,974.54</td>
</tr>
<tr>
<td>Excess of expenses 10th October, 1860</td>
<td>$66,473.37</td>
</tr>
<tr>
<td>Expenses from 10th October, 1860 to 31st December, 1860</td>
<td>$1,401.01</td>
</tr>
<tr>
<td>Making</td>
<td>$38,118.38</td>
</tr>
<tr>
<td>Receipts from 10th October, 1860 to 31st December, 1860</td>
<td>$193,858.95</td>
</tr>
<tr>
<td>Balance 31st December, 1860</td>
<td>$137,743.58</td>
</tr>
<tr>
<td>Receipts from 31st December, 1860 to August 1st, 1861</td>
<td>$151,290.67</td>
</tr>
<tr>
<td>Making</td>
<td>$249,070.55</td>
</tr>
<tr>
<td>Expenses from 31st December, 1860 to 1st August, 1861</td>
<td>$263,041.92</td>
</tr>
<tr>
<td>Balance 1st August, 1861</td>
<td>$86,059.33</td>
</tr>
</tbody>
</table>
Average number of children at school 1858... 97,601
Average number of children at school 1859... 96,368
Average number of children at school 1860... 107,219
Average number of children at school 1861... No report yet.

RESOURCES OF THE SCHOOL FUND
Interest on State bonds amounting to $1,381,832 03.
Dividend on 735 shares of Bank of Kentucky stock, $73,500 00.
Tax on Farmers' Bank capital and surplus fund.
Tax on Commercial Bank capital.
Tax on Bank of Ashland capital.
One fourth, or five cents, of the revenue collected each year.

The whole number of children reported to the Superintendent of Public Instruction by the county commissioners for the school year ending December 31, 1860, is 286,370—a larger number than ever reported before. Of these, the highest number of children actually attending the district schools was 165,534; the lowest number at school, 53,387; and the average number attending school, 107,219. The number of district schools reported for the past year is 4,696.

A comparison of the above returns with those of former years will very strikingly attest the prosperity of our common school system. It will reveal a very marked and gratifying increase in the number of children actually attending school and receiving the benefits of education. It is in this channel that increase is most to be desired; and will be, in its effects, most vitally important. It must be a matter of sincere congratulation to all who have been instrumental in founding and sustaining a system of popular education in this Commonwealth, to witness the rapid progress and continued prosperity of this important and increasing public interest. Too much praise cannot be awarded to the able and accomplished Superintendent of Public Instruction for his unceasing efforts in the management and perfection of the system.

BANKS.
I hazard nothing in saying that our banks, looking to their safety and the interests of the stockholders, have been managed with great caution and prudence. Their circulation had been reduced in the last eighteen months from thirteen millions to less than seven millions, as shown by their reports. They have afforded, under the judicious management of the managers, a sound, safe, and uniform currency, at all times convertible into gold and silver, and are now able to meet all the heavy demands made upon them in the same coin. It is to be regretted that their own safety demanded the heavy reduction in the circulation so much needed by the industry and products of the State; but the condition of the whole country made it unavoidable.

CHARITABLE INSTITUTIONS.
Since the burning of the Western Lunatic Asylum at Hopkinsville, the patients have been greatly reduced in number, but have been as
comfortably provided for as circumstances would permit. I deem it of the highest importance that a liberal appropriation be made by the Legislature for the completion of the building.

The Eastern Lunatic Asylum, under the management of its accomplished and talented Superintendent, is in a highly prosperous condition, and daily improving; but the hospital accommodations for these helpless and unfortunate persons are totally inadequate. The institution is now crowded. The house has suitable accommodations for 225 patients, the number assigned by law. They have now 239 under treatment, 14 over their number; and the number is not objectionable, if they had additional room. An addition for 100 patients in this asylum, when the Western Lunatic Asylum is rebuilt, will afford all the accommodation required by the insane of the State. The disturbed, unhappy, and embarrassed condition of the State may forbid it; but the most terrible of all human maladies under which these unfortunates labor, impose a duty upon me to ask that relief for them from a generous, humane, and enlightened Legislature, which their condition requires. The means appropriated by the last Legislature to build a kitchen and bakery disconnected from the main buildings, have rendered them secure from fire. These buildings are nearly completed; and had similar precautions been adopted at the Western Asylum, according to the repeated suggestions of the Board of Managers, the State would not now be called on to replace the building to which we have called your attention. The annual report of these institutions will be received on the 1st of October, when I will take pleasure in laying them before your honorable body.

It is with more than ordinary degree of satisfaction and pride that I invite your attention to the success of the last of the charities of the State established by the Legislature. I refer you to the report of the indefatigable and highly competent superintendent of that institution, at the late called session of the Legislature, for information on this subject. Many, perhaps most persons, doubted the success of the enterprise when it was recommended by me. The experiment has far more than met the expectations of its most sanguine friends. I invite particular attention to its management, as it is located in a beautiful grove near the city, which can be visited in a walk for exercise during the session. I hazard little in saying that there are few, very few, cases of imbecility not susceptible of such improvement as will enable them to take care of themselves, and make them comparatively useful members of that society to which they were objects of loathsomeess. Last October the commissioners contracted with Messrs. Cook & Brawner, of the city of Frankfort, to
Put the building under roof, &c. They will complete the contract in a few days, I have been informed, in which the balance of the appropriation of the last Legislature will be exhausted; the sum of $6,500 having been expended in the purchase of the farm and buildings where it is located. For its completion it will require the appropriation of a further sum, which I recommend, estimated at $9,200.

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>For carpenter's work, plastering, painting, glazing, &amp;c.</td>
<td>$6,900 00</td>
</tr>
<tr>
<td>Heating apparatus</td>
<td>600 00</td>
</tr>
<tr>
<td>Grading, sewer, and fencing</td>
<td>1,100 00</td>
</tr>
<tr>
<td>Cistern complete</td>
<td>250 00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,200 00</strong></td>
</tr>
</tbody>
</table>

It is too early to receive the regular reports from the Deaf and Dumb and the Blind Asylums, but I will submit them at an early day after they are received for your inspection. No two institutions could be more faithfully or successfully managed to accomplish the great purposes for which they are designed, and I commend them to your care and protection.

**PENITENTIARY.**

The report of the Keeper of the Penitentiary will be transmitted to you. The buildings ordered to be erected by the Legislature are nearly completed in accordance with the requirements of the law. The prison is in good condition and in all respects well managed. The efficient lessee, owing to the prostration of trade and the destruction of the legitimate fruits of the labor employed, may suffer serious loss.

I have thus endeavored as briefly as possible to present a true statement of the condition of the State. It is a source of pride and just congratulation that our resources, with abundant crops, are comparatively greater, our burdens less, and our credit far better than many of our sister States. I congratulate you that our policy has been such as to preserve the peace at home and thus far to save us from being involved in the pending war. No man can contemplate the strife now raging between the hostile sections without shuddering. No one can think of war among ourselves without horror. If possible, let us avoid such a calamity. Can we do it? Can we maintain our present position? All philanthropists, patriots, and Christians will come up in earnest to the good work. Let us preserve inviolate our position of neutrality, and it is accomplished. That position is our only hope. If it be invaded from one side, it will be violated on the other, and Kentucky will become the dark and bloody battle-ground of the warring sections.

**FEDERAL RELATIONS.**

Looking to the Constitution of the United States, the nature of our institutions, the philosophy of their construction, and the causes of
this war, I think Kentucky has a right to assume a neutral position. Kentucky had no agency in the organization and fostering of that sectional party in the free States which has proven so disastrous to the Union, nor did she approve the separate action and secession of the Southern States at the time. We are not responsible for the war, and ought not to be invoked by either section to involve her people or the State in the struggle. Moreover, our relations are such as to leave to the State no other position. The Presidents of the United States and of the Confederate States are her children, both natives of Kentucky. Many of the chief actors on both sides are Kentuckians. Our people have time and again manifested and proven their love for and loyalty to the Union; but it cannot be controverted that their sympathies and trade, their associations, and ties of blood and friendship, their institutions and interests, are mainly identified with the South. The Northwestern and Southern States are peopled with our kindred. Neither party ought to expect Kentucky at this time to abandon her chosen position of neutrality and engage in the war against her brethren and friends, and in violence to the sympathies, feelings, and convictions of her people. Especially ought not this to be asked or expected when it is manifest that, owing to the division among our people, Kentucky, while benefiting neither party, would herself become a prey to civil war, the very acme of all social or political calamities. Let us, then, labor to avert the impending ruin. Let us preserve our position of neutrality as the only anchor of peace, of hope, and of safety. Thus may we avert civil war, and save our soil from the desolation of the conflict of hostile armies.

Until recently, the neutrality of Kentucky has not been seriously aggressed upon by either of the belligerent powers. Lawless raids upon our soil have been suffered from both sides, private property has been seized, our commerce interrupted and our trade destroyed. These wrongs have been borne by our citizens with great patience, and reparation obtained in all cases where it was possible. But recently a military force has been organized, equipped, and encamped in the central portion of the State, the officers are commissioned by, and act under, the authority of the President of the United States, and the soldiers of which are sworn into the Federal service. The authorities of the State were not consulted in this movement. It was done but a short time before the assembling of a Legislature fresh from the people, and into whose hands and keeping has been committed the policy and destinies of the Commonwealth. Under what provision of the Constitution, by what laws of Congress or this State, the Federal Government has proceeded to raise volunteers in Kentucky, and quar-
ter an army in our midst, I do not know. For what purpose their army is encamped in our State, what good is expected to result from its presence, and what the plea of policy or necessity which has induced the President and his advisers to disregard the thrice chosen position of neutrality on the part of our people, I am not advised. Is any protection needed in Kentucky which the representatives of the people cannot afford? Do a majority of the citizens of the State desire the presence of a Federal army in the State? I think not. Is there a larger force needed? Increase it. Is the present law defective? Alter it—amend it—give it efficiency. Place a sufficient army in the field, if need be, to make our position respected; but let it be done under the laws and Constitution of Kentucky. I recommend that the law of last spring be so amended as to enable the Military Board to borrow a sufficient sum of money to purchase the arms and munitions of war for defense.

Soon after the organization and encampment of this force in the State, I commissioned two gentlemen of Lexington, Messrs. W. A. Dudley and F. K. Hunt, to proceed to Washington City, to urge upon the President either the disbanding of this force, or its removal beyond the limits of the State. I also commissioned Mr. George W. Johnson, of Scott county, to proceed to Richmond, Va., and urge upon the President of the Confederate States a continued observance of our position. The report of the commissioners, with the entire correspondence upon the subject, is herewith submitted. In this connection, I submit a correspondence between the Governor of Tennessee and myself on the same subject.

In his response to my communication, the President of the United States says he has "acted upon the urgent solicitation of many Kentuckians, and in accordance with what" he "believed to be the wish of a majority" of our people, and that he does "not believe it is the popular wish of Kentucky that the force shall be removed." Thus impressed as to the wish of the people of Kentucky, he respectfully declined to comply with my request. The inference seems to be fair, that if advised of the wish of the people of Kentucky for the removal of this force, the President would comply with it.

Believing that a large majority of the people of Kentucky, including a majority of the Union men, never desired the establishment of these camps, and now desire their removal, that the presence of this military force in our midst is without the sanction of the people or the authority of the Constitution, and that unless removed, our people will be sooner or later embroiled in the war, I recommend that you pass resolutions requesting the disbanding, or removal from the State; of
any and all military bodies not under the authority of the State. The tone of the letter of the President indicates that he will respect your will in shaping the policy of the State; and if duly advised by you through resolutions, I cannot doubt that this most alarming cause of excitement and danger to the peace of the Commonwealth will be removed. Kentucky is, I believe, at this time, the only State in the Union where the Constitution and laws of the country, both State and National, are respected. We yet enjoy the freedom of speech and of the press. Our State is yet a safe retreat from the oppressions of both sections. Let us cling to our position and policy as the only hope of peace and safety.

The continued introduction of Federal guns into the State, and their distribution to private citizens, unwarranted by law, is another source of constant irritation, and a fruitful cause of violence and trouble. You could in no way more effectually contribute to the maintenance of peace within the State than by arresting this prolific source of excitement, irritation, and violence.

Numerous cases of aggressions upon private rights by both the belligerent governments have been reported to me, but in many cases I have had no right or power to afford the redress claimed. The seizure of the steamers "W. B. Terry" by a Federal gun-boat from Cairo, the "Orr" by private parties who have carried her into Tennessee, and of the Pocahontas by Confederate soldiers, are referred to as cases of recent occurrence. To embody the reports in reference to all these cases of wrong, would swell this paper beyond its proper dimensions. In reference to the two cases of seizure of the steamers "Terry" and "Orr," I submit the report of Dr. John M. Johnson and a letter from Gov. Isham G. Harris, of Tennessee, to both of which your attention is invited. In this connection I mention also a case of recent violence in Harrison county, involving the killing of one man and the wounding of another. My order to Gen. Crittenden, and his prompt and ready execution of it, as shown by his report, are submitted to you. I would recommend this whole subject to your attention, and do not doubt that in your wisdom you will take some action to secure to the person and property of our citizens the much needed protection.

In regard to our national difficulties, my action, from first to last, has been dictated by an earnest wish to preserve the neutrality and peace of Kentucky. I am not conscious of any lack of vigilance or effort; on my part, in maintaining the peaceful attitude of neutrality which the people of the State have determined to occupy. The very corner-stone of the theory of the States Rights party, to which I
have always adhered, is the right of the people of a State, by a lawful expression of a majority thereof, to determine the policy and the relations of the Commonwealth. My functions are purely executive, and I am bound by my oath of office to carry out the lawful will of the people, whether the policy they prefer accords with my own views or not. The Constitution is the only barrier between the people and the Executive which I recognize. I was elected Governor by a majority of the people, who well knew my political sentiments. Since my election great questions have arisen, which, if contemplated in the canvass, it was hoped would be settled by adjustment in the councils of the Federal Government; and these questions unhappily involve the external relations, the peace and prosperity of Kentucky. I deprecated the introduction of these questions, and did all I could to avert the issues. No man lives, or ever did live, who more honestly and earnestly desired to uphold and perpetuate the Union, by a faithful execution of the Federal Constitution. In the canvass which led to my election as Chief Executive Magistrate of the State, I contended for the principle, to which I had ever been faithful, that the people of a State, as a distinct aggregate sovereignty, had the rightful authority to regulate their internal policy, and to define their external relations, according to their own pleasure. Since then the people of this State have thrice been summoned to the polls, and, according to my interpretation of their votes, have expressed themselves in favor of preserving the neutrality and peace of the State. I have construed these expressions as signifying that the people were not yet prepared to dissolve their relation to the old Union, and were not to be employed in any way, directly or indirectly, as partisans for or against either of the belligerents in the unhappy fratricidal war between the Federal and Confederate States. I have also construed them as emphatic refusals to be made the instruments of coercing the people of the seceded States by force of arms. I have never been able to construe the votes of the people of Kentucky as meaning that unconstitutional aggressions could be sanctified by any display of numerical or military power. The Constitution would be a snare, a fraud, a mockery, if the rights which it undertakes to protect may be violated by any majority, however large.

When a sectional party was enthroned in power, pledged not only not to cease the dangerous agitation, but to continue it regardless of the constitution and the judiciary—when the sectional party had, through its representative official leaders, announced its purpose to wage an irrepressible conflict till all the States should be free or all slave States, meaning thereby that all should be free—even then, the statesmen of
Kentucky, earnestly anxious to preserve and perpetuate the Union and the government established by our fathers, presented the olive branch to their northern brethren, in the form of proposed amendments to the constitution. Those amendments, presented by a distinguished Senator from Kentucky, proposed no aggression upon any northern rights. They asked no new rights for the South. They simply required fresh guarantees for existing rights; and they demanded less for the South than the Supreme Court had solemnly decided the South to be constitutionally entitled to enjoy. These amendments, accepted by the North, would have been satisfactory to the South. The now President and the late Secretary of State of the Confederate States, then Senators of the United States, avowed their willingness to accept the Crittenden amendments as satisfactory to the South. Their acceptance by the dominant party in Congress would have diminished no earthly right or enjoyment of the North; nor added one earthly right to the South, except a pledge of future tranquility in the enjoyment of existing constitutional rights. The olive branch thus tendered was rudely repelled by the North. All other proposals of compromise, adjustment, and peace were arrogantly rejected, and the insolent menace of coercion was insolently held in terrorem over a free people!

Now, I have glanced at these facts as pertinent to a correct interpretation of the will of the people of Kentucky, signified by their late votes. Undoubtedly, the people of Kentucky are ardently attached to the Union established by the fathers and operated according to the rule of the constitution. Undoubtedly, they have meant that all civil remedies shall be exhausted before they will relinquish the fond hope of its restoration and perpetuation. Undoubtedly, they have meant that all civil remedies shall be exhausted before they will relinquish the fond hope of its restoration and perpetuation. Undoubtedly, they have meant to wait the exhaustion of all civil remedies before they will even consider the question of assuming new external relations.

All this I perfectly understand as the sense of the people, and I have cordially respected their meaning. But I have never understood the proud and brave and just-minded freemen of Kentucky to mean that they will tamely submit to unconstitutional aggression upon their sacred rights. I have never understood them to renounce the sentiment and feeling of sympathy with the people of aggrieved sister States. Nor can I interpret any of their expressions to mean an approval of the war to subjugate the South. Still less can I construe any of their votes as meaning that they will submit themselves as joint instruments in prosecuting a coercive war against their Southern brethren. They have only meant to say, that they still have some hope of the restoration and perpetuation of the Union; and until that
hope is utterly blasted, they will not alter their existing relations. It was in this view that they have struggled to preserve the neutrality and peace of the State, and hold her in position to exercise a mediatorial office between the belligerents. Should all such hopes and offices fail, they will then assume such attitude as their own judgment may sanction; and they will maintain it with the valor and fortitude characteristic of Kentuckians.

Their final decision will be law to me. Every constitutional act of their lawful representatives will be executed by me with as much vigilance and fidelity as if it originated in my own brain. No true States Rights man can ever set himself in factious opposition to the will of the people of his State, however honestly he may be opposed to her policy. I have no consciousness that, in any thought, word, or act of mine, I have thwarted the lawful purposes of the people of Kentucky. On the contrary, I have used unceasing vigilance and efforts to preserve the neutrality and peace of the State. In proof of this, I refer to every act of mine, public or private, since the day of my inauguration. Some of these acts were reported to the former sessions of the Legislature. Others have gone to the public in other forms; and others still are herewith reported. And no word or act of mine can be cited inconsistent with those now and heretofore reported. Whatever the rancor of distempered partisans may suggest, the judgment of my unimpassioned fellow-citizens and impartial history will render me justice and vindicate my motives, acts, and good name against all unfavorable criticism.

It is scarcely necessary, but a brief reference will establish the averments above made. I cite the declarations of my inaugural; the reports and exhibits of all my messages; my correspondence with commissioners to Kentucky from Southern States; my efforts to procure a national convention; then to procure a convention of the Slave States; then of the Border Slave States; then my correspondence with the Governors of Ohio and Indiana to keep peace on our borders; then my endeavor, associated with General Thomas L. Crittenden, to interpose the mediatorial offices of Kentucky between the belligerents; the missions of General Buckner and Senator Johnson to Cairo, Columbus, and Tennessee; the arrangement between Gen. Buckner and Gen. McClellan; the assurances I have received, and which have never been violated, from the Governor of Tennessee, of his purpose not to violate the neutrality of Kentucky; the conference between Gen. Buckner and the President of the United States; and, lastly, though I might cite many other acts, all inspired by the same purpose of preserving our neutrality and peace, the mis-
sions herewith reported to the Federal and Confederate States. The honest people of Kentucky will correctly interpret the spirit and purpose of all these acts; nor can calumny deny nor malice successfully distort them. Neither can any act, public or private, inconsistent with the spirit and purpose of these efforts to preserve the peace and neutrality of the State, ever be brought home to my door. But my earnest endeavors to save the State from the horrors of civil war are established by evidences which will remain a perfect historic record; and which I owe it to my own good name, to my fellow-citizens of Kentucky, and to my children, to leave among the archives of the State.

The President's war proclamation, of April 15, in which he called for 75,000 militia, was, in my opinion, illegal, even in view of the professed objects of the call; and I did not then doubt that the real object of it was the prosecution of an unconstitutional war of coercion against the South. I did not and could not hesitate, therefore, in returning a peremptory refusal to the demand upon me for Kentucky troops. The Constitution of the United States must be construed rationally. The powers given to Congress were not intended to be exercised by the President without the intervention of Congress. For instance, the power to declare war is given to Congress. This implies that the President constitutionally cannot declare war without the consent of Congress. The act of 1795 was passed by Congress to provide for calling forth the militia to execute the laws of the Union, to suppress insurrections and to repel invasions. Upon a careful consideration of this act, it is manifest that the calling forth of the militia contemplated was where there had been a judicial investigation, a decision of the court and execution awarded, and the power of the courts and the marshal's power not being sufficient, the President being officially informed, should call out the militia. This act, therefore, did not authorize the President to call out 75,000 men, for two reasons; first, there had been by the courts no judgment or decision, or efforts on the part of the marshals to execute the law; second, the alleged insurrection consisted of a number of States of the Confederacy withdrawing from the Union, and could not be coerced back without making war on them; and Congress alone having the war-making power, and having declined a short time before, after full consideration of the proposition, the President's call was the initiatory step to the war which he had not the constitutional power to make. If part of the States have no other than a revolutionary right to separate from the others, it was not provided in the Constitution that the remaining States should have the right and the power to coerce them back, unless it be under the power to declare and make war, which, it is fair to believe, was intended for

1776
foreign nations, and not a part of our own, as it is a part of the history of the Constitution that the convention which formed it refused to grant the power to coerce back a seceding State.

This act of 1795 was on the statute book when Mr. Webster denied to President Jackson the power to call on the military force of the country to coerce the collection of the revenues in 1833. The history of that case shows that the President awaited the action of Congress, and did not take any step towards calling out the militia until specially authorized by Congress. I refused troops, therefore, because, in my judgment, the President's call was unconstitutional and without the sanction of law. The President admits, in his message to Congress, that necessity had compelled him to act without the authority of law; and asks that his acts shall be sanctioned. I could easily shelter myself under a similar plea of necessity. If the necessity of which he speaks was great in his case, it was far greater in mine, because no other policy, in my humble judgment, could have been pursued by Kentucky which would have prevented civil war among our own people, and that I regarded as the worst of all calamities. The call for additional forces for the land and naval service; the blockade of the southern seaports; the blockades and embargoes established on rivers and roads; the suspension of the sacred writ of habeas corpus; the imprisonment of men without warrant, hearing, or trial by jury; the suppression of civil authority and the establishment of martial law in various cities; the unreasonable seizures and searches of persons, houses, and papers; the arrest, search, and imprisonment even of women; the suppression of newspapers; the withdrawal of mail facilities in Kentucky west of the Tennessee; the establishment of martial law in Missouri; the confiscation of the property, emancipation of the slaves, and subversion of the State government of that people by Maj. Gen. Fremont, and the total obliteration of all State lines and authorities, these, and that demoralizing, monstrous, and unconstitutional confiscation bill recently passed by Congress, make up a record well calculated to alarm and to startle a free people justly jealous of their rights. I have been, and am still, unable to give to these acts any sort of sanction. They are acts which give to the government, intended to be conducted according to the Constitution, the character, in substance, at once of a usurpation and a despotism.

In conscientiously taking such a view of the President's rule, I have not intended to be disloyal to our State or Federal Government. I have refused obedience to only one demand made on me by the Federal authorities, and in that have been sustained by the people of Kentucky and by the Constitution of my country. The people have
sustained me in my recommendation against coercion, in my recommendation of Senator Crittenden's amendments to the Constitution as a settlement to our national difficulties, against the occupation of our soil by a Federal military force, in favor of peace and neutrality, and for voting men and money to arm the State. And now, addressing myself to the representatives of the people of Kentucky, I protest, in their name and presence, in the name of constitutional liberty, and in presence of heaven and earth, against all and every of the President's usurpations, and unconstitutional and illegal acts; and I protest, furthermore, against the further prosecution of a war professedly for the object of restoring the government, an object utterly impossible of attainment by such insane means as a war of coercion; and I protest, moreover, against Kentucky being made a camping ground, or the pathway for the movement of forces, by either belligerent; and I recommend earnestly to the General Assembly the prompt passage of resolutions requiring both belligerents to keep off our soil, and to respect in good faith the neutrality which the people of Kentucky, with unexampled unanimity, in good faith desire to preserve. The valor and fortitude of the Southern people are underrated by those who imagine that they can be subjected to terms of humiliating submission by any military force which the North can possibly find means to maintain in the field. It is my opinion, therefore, that the General Assembly of Kentucky ought to declare, by solemn resolution, that this war ought to be instantly stopped. If it is not, our people, already oppressed by taxation, will be bankrupted, our markets destroyed, our trade ruined, our fields ravaged, every home made desolate and in mourning; and after the expenditure of all our treasure and the loss of a million of lives in the vain effort to subjugate the South, the belligerents at last will be compelled to negotiate a peace, the people and our children having been made barbarians, and the last hope of liberty extinguished. It is the policy of Kentucky to take no part in it. She should keep firmly her present position of neutrality, and when opportunity offers, as a mediator, present terms of peace and of settlement alike honorable to both of the contending parties.

I submit the whole matter to the wisdom of your counsels. The peace, position, character, and honor of the State are in your keeping. The people of the whole Commonwealth are looking to you for protection. The minority have a right to the enjoyment of their political opinions as well as the majority. You are aware of the responsibilities that devolve upon you. I have confidence the expectations of the people will be realized. I have confidence there will be unity of purpose and
unanimity of action on your part. I implore you, in the attainment of
this all-important end, to confide in each other—to cultivate relations
of a closer friendship—to counsel each other affectionately—to inter-
change your views coolly, respectfully, and frankly, as becomes brothers
who have the same great interests and patriotic purposes in view, lay-
ing aside all party associations in this dread and trying hour of our
history.

It is my duty to execute all constitutional laws of the Common-
wealth, and no matter what may be my opinions in regard to
their wisdom, my respect for States rights, States sovereignty, and
the will of a majority of the people, is such as to make me acquiesce
in their decision, and bow in respectful submission to that will as long
as I am a citizen of Kentucky. I expect to follow her fortunes
through weal or woe, whether my counsels prevail or not—counselling
moderation, forbearance, and the cultivation of friendly relations
among those of opposite opinions. To the accomplishment of this end,
and to keep the peace among our people, all my efforts, which have
heretofore been successful, will be directed.

Preparations are being made to prosecute the war upon the most
gigantic scale. If it continues, it will be the most frightful of all civil
wars that has ever blackened the history of the world, and must end in
bankruptcy, anarchy, and ruin. Already our once prosperous and
happy people are beginning to feel severely the burdens of taxation,
and realize its demoralizing effect upon themselves. The laws are
being disregarded—a fiendish spirit is being engendered even between
brothers and members of the same family—all, everything, indicating
that it must end, even if the present purposes of the government are
finally accomplished, in the destruction of all the material interests of
the country, in the total demoralization of our people, and in the over-
throw of our present system of government.

To preserve peace at home, and to avert this sad calamity, I will
co-operate with you most earnestly and cheerfully in any just measures
your wisdom may suggest.

B. MAGOFFIN.
to the consideration as gentlemen who well understand the condition of public affairs in this State, and will present to you fully the urgent necessities of the step I have urged.

Very respectfully, your obedient servant,

B. MAGOFFIN.

[No. 2.]

COMMONWEALTH OF KENTUCKY, EXECUTIVE DEPARTMENT, Frankfort, Aug. 19, 1861.

To His Excellency, ABRAHAM LINCOLN, President of the United States:

Sir: From the commencement of the unhappy hostilities now pending in this country, the people of Kentucky have indicated an earnest desire and purpose, as far as lay in their power, while maintaining their original political status, to do nothing by which to involve themselves in the war; up to this time they have succeeded in securing to themselves and to the State peace and tranquility as the fruits of the policy they adopted. My single object now is to promote the continuance of these blessings to the people of this State.

Until within a brief period the people of Kentucky were quiet and tranquil, free from domestic strife, and undisturbed by internal commotion. They have resisted no law, rebelled against no authority, engaged in no revolution, but constantly proclaimed their firm determination to pursue their peaceful avocations, earnestly hoping that their own soil would be spared the presence of armed troops, and that the scene of conflict would be kept removed beyond the border of their State. By thus avoiding all occasions for the introduction of bodies of armed soldiers, and offering no provocation for the presence of military force, the people of Kentucky have sincerely striven to pre-
serve in their State domestic peace and avert the calamities of sanguinary engagements.

Recently a large body of soldiers have been enlisted in the United States army and collected in military camps in the central portion of Kentucky. This movement was preceded by the active organization of companies, regiments, &c., consisting of men sworn into the United States service, under officers holding commissions from yourself. Ordnance, arms, munitions, and supplies of war are being transported into the State and placed in large quantities in these camps. In a word, an army is now being organized and quartered within the State, supplied with all the appliances of war, without the consent or advice of the authorities of the State, and without consultation with those most prominently known and recognized as loyal citizens. This movement now imperils that peace and tranquility which, from the beginning of our pending difficulties, have been the paramount desire of this people, and which, up to this time, they have so secured to the State. Within Kentucky there has been, and is likely to be, no occasion for the presence of military force. The people are quiet and tranquil, feeling no apprehension of any occasion arising to invoke protection from the Federal arm. They have asked that their territory be left free from military occupation, and the present tranquility of their communication left uninvaded by soldiers. They do not desire that Kentucky shall be required to supply the battle-field for the contending armies, or become the theater of the war.

Now, therefore, as Governor of the State of Kentucky, and in the name of the people I have the honor to represent, and with the single and earnest desire to avert from their peaceful homes the horrors of war, I urge the removal from the limits of Kentucky the military force now organized and in camp within the State. If such action as is hereby urged be promptly taken, I firmly believe the peace of the people of Kentucky will be preserved, and the horrors of a bloody war will be averted from a people now peaceful and tranquil.

I am, very respectfully,
Your obedient servant,

B. MAGOFFIN.

[No. 3.]
LEXINGTON, Ky., August 29, 1861.

His Excellency, BERRIAH MAGOFFIN, Frankfort:

Sir: In conformity with your request, we proceeded to Washington to deliver to the President of the United States your communication concerning the encampment of troops in Kentucky. We had an interview with him on Thursday, the 22d inst., and delivered to him your communication, and also your letter accrediting us to him as Commissioners authorized to represent the condition of things in Kentucky, and the urgent reasons for the withdrawal of the troops. We made
this representation as fully as we could, and urged the withdrawal of the troops by the reasons that occurred to us as likely to have an influence. The President heard us courteously; but said little in reply, except to promise that the matter should have his anxious consideration. He said that he would let us know the next day what course he should determine to take in regard to your communication. And at the time fixed he addressed us a note, saying that he would be prepared to deliver an answer to it on the following Monday. On that day he delivered to us the letter which we have now the honor of transmitting to your Excellency.

We are, sir, very respectfully,
Your obedient servants,

W. A. DUDLEY,
F. K. HUNT.

[No. 4.] WASHINGTON, D. C.,
August 24, 1861.

To His Excellency, B. Magoffin, Governor of the State of Kentucky:

SIR: Your letter of the 19th inst., in which you "urge the removal from the limits of Kentucky of the military force now organized, and in camp within said State," is received.

I may not possess full and precisely accurate knowledge upon this subject; but I believe it is true that there is a military force in camp within Kentucky, acting by authority of the United States, which force is not very large, and is not now being augmented.

I also believe that some arms have been furnished to this force by the United States.

I also believe this force consists exclusively of Kentuckians, having their camp in the immediate vicinity of their own homes, and not assailing or menacing any of the good people of Kentucky.

In all I have done in the premises, I have acted upon the urgent solicitation of many Kentuckians, and in accordance with what I believed, and still believe, to be the wish of a majority of all the Union-loving people of Kentucky.

While I have conversed on this subject with many eminent men of Kentucky, including a large majority of her members of Congress, I do not remember that any one of them, or any other person, except your Excellency and the bearers of your Excellency's letter, has urged me to remove the military force from Kentucky, or to disband it. One other very worthy citizen of Kentucky did solicit me to have the augmenting of the force suspended for a time.

Taking all the means within my reach to form a judgment, I do not believe it is the popular wish of Kentucky that this force shall be removed beyond her limits; and, with this impression, I must respectfully decline to so remove it.

I most cordially sympathize with your Excellency in the wish to
preserve the peace of my own native State, Kentucky; but it is with regret I search, and cannot find, in your not very short letter, any declaration, or intimation, that you entertain any desire for the preservation of the Federal Union.

Your obedient servant,

A. LINCOLN.

[No. 5.]

Correspondence with the President of the Confederate States.

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT, Frankfort, Aug. 19, 1861.

To Hon. Jefferson Davis, President of the Confederate States:

Sir: This is to accredit to you Geo. W. Johnson, Esq., as a Commissioner from the State of Kentucky. Mr. Johnson is the bearer of a communication which will fully explain the object of his mission. I take pleasure in commending to your consideration Mr. Johnson as a gentleman well advised of the existing posture of public affairs in Kentucky.

Very respectfully,

Your obedient servant,

B. MAGOFFIN.

[No. 6.]

FRANKFORT, KY., Sept 3, 1861.

His Excellency, B. MAGOFFIN, Governor of Kentucky:

Sir: In conformity with your request, I proceeded to Richmond and presented to Hon. Jefferson Davis, President of the Confederate States, the communication intrusted to me. His response is embodied in a letter which I have the honor herewith to hand to you.

I am, sir, very respectfully, your obedient servant,

GEORGE W. JOHNSON.

[No. 7.]

RICHMOND, August 28, 1861.

To the Hon. B. MAGOFFIN, Governor of Kentucky, &c.:

Sir: I have received your letter informing me that "since the commencement of the unhappy difficulties yet pending in the country, the people of Kentucky have indicated a steadfast desire and purpose to maintain a position of strict neutrality between the belligerent parties." In the same communication you express your desire to elicit "an authoritative assurance that the Government of the Confederate
States will continue to respect and observe the neutral position of Kentucky."

In reply to this request, I lose no time in assuring you that the government of the Confederate States of America neither intends nor desires to disturb the neutrality of Kentucky. The assemblage of troops in Tennessee, to which you refer, had no other object than to repel the lawless invasion of that State by the forces of the United States, should their government seek to approach it through Kentucky without respect for its position of neutrality. That such apprehensions were not groundless has been proved by the course of that government in the States of Maryland and Missouri, and more recently in Kentucky itself, in which, as you inform me, “a military force has been enlisted and quartered by the United States authorities.”

The government of the Confederate States has not only respected most scrupulously the neutrality of Kentucky, but has continued to maintain the friendly relations of trade and intercourse which it has suspended with the people of the United States generally.

In view of the history of the past, it can scarcely be necessary to assure your Excellency that the government of the Confederate States will continue to respect the neutrality of Kentucky so long as her people will maintain it themselves.

But neutrality, to be entitled to respect, must be strictly maintained between both parties; or if the door be opened on the one side for the aggressions of one of the belligerent parties upon the other, it ought not to be shut to the assailed when they seek to enter it for purposes of self-defense.

I do not, however, for a moment believe that your gallant State will suffer its soil to be used for the purpose of giving an advantage to those who violate its neutrality and disregard its rights, over others who respect them both.

In conclusion, I tender to your Excellency the assurance of my high consideration and regard.

And am, sir, very respectfully, yours, &c.,

JEFF’N DA VIS.

[No. 8.]
COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT, Frankfort, August, 1861.

HON. JEFFERSON DAVIS, Richmond, Virginia:

Sir: Since the commencement of the unhappy difficulties yet pending in the country, the people of Kentucky have indicated a steadfast desire and purpose to maintain a position of strict neutrality between the belligerent parties. They have earnestly striven, by their policy, to avert from themselves the calamity of war, and protect their own soil from the presence of contending armies. Up to this period they have enjoyed comparative tranquility and entire domestic peace.

Recently a military force has been enlisted and quartered by the
United States authorities within this State. I have on this day addressed a communication and dispatched Commissioners to the President of the United States, urging the removal of these troops from the soil of Kentucky, and thus exerting myself to carry out the will of the people in the maintenance of a neutral position. The people of this State desire to be free from the presence of the soldiers of either belligerent, and to that end my efforts are now directed.

Although I have no reason to presume that the Government of the Confederate States contemplate, or have ever purposed any violation of the neutral attitude thus assumed by Kentucky, there seems to be some uneasiness felt among the people of some portion of the State, occasioned by the collection of bodies of troops along their southern frontier. In order to quiet this apprehension, and to secure to the people their cherished object of peace, this communication is to represent these facts, and elicit an authoritative assurance that the Government of the Confederate States will continue to respect and observe the position indicated as assumed by Kentucky.

Very respectfully, your obedient servant,

B. MAGOFFIN.

[No. 9.]

Correspondence with Governor Harris, of Tennessee.

EXECUTIVE DEPARTMENT.

Nashville, Tenn., August 4th, 1861.

His Excellency, B. MAGOFFIN, Governor of Kentucky:

Sir: From the date of the proclamation of your Excellency declaring the neutrality of Kentucky, it has been the settled policy of the authorities of Tennessee to respect Kentucky as a neutral power, and to carefully avoid all acts that could be construed into a violation of any of her rights as such. This policy has been adhered to with perfect fidelity, and will be adhered to by Tennessee as long as the people of Kentucky will act the part of neutrals and the Federal Government respect their neutrality.

But it is proper that I call the attention of your Excellency to the fact that each day brings its accumulation of evidence, forcing me to the conclusion that the Federal Government is organizing military companies, battalions, and regiments in the State of Kentucky, for the avowed purpose of invading Tennessee, and transporting arms and munitions to some of her rebellious citizens, thus aiding and encouraging the rebellion.

It requires no argument to prove to your Excellency that this is a gross and palpable violation of the principles of neutrality which Kentucky has declared she would maintain, and which, I doubt not, it is the purpose of your Excellency to maintain fully and in good faith. I therefore call the attention of your Excellency to the matter, feeling assured that your Excellency will institute such investigations as will
develop whatever action as is being taken within your State, and take such steps as will prevent any organization in Kentucky for the purpose of aiding or abetting the Federal Government in this wicked war that it wages for the purpose of crushing and subjugating the Southern States.

I have the honor to be,

Very respectfully, yours, &c.,

ISHAM G. HARRIS.

[No. 10.]

EXECUTIVE DEPARTMENT,

August 12, 1861.

His Excellency, I. G. HARRIS, Governor of Tennessee:

SIR: I have just returned from the neighborhood of the military encampment to which you have been pleased to call my attention in your letter to me of the 4th instant, and am truly gratified to inform you that the organization is disapproved of by a large majority of the Union men with whom I have conversed, some of them being the most prominent citizens of our State. The persons engaged in it have given the most solemn assurances they do not intend an invasion of Tennessee, or any hostile purposes in that direction; but have organized solely for the purpose of protecting the State from invasion. Many of them believe, or affect to believe, there is great danger of an invasion from Tennessee. I have taken steps to prevent the organization of these troops, or their encampment upon our soil, with strong hopes of success; and your Excellency may rest assured I will do every thing in my power to have respected the neutrality of Kentucky as set forth in my proclamation. In a few days I hope to be able to inform your Excellency of the disbanding of the organizations to which you have been pleased to call my attention. I am satisfied a large majority even of the Union men in Kentucky are opposed to any such organization here by the Federal Government, or the transportation of arms, men, or munitions over our soil to the State of Tennessee. Many of them are in good faith co-operating with me to prevent it, and most earnestly desire to maintain our position of neutrality during this wicked war.

I have the honor to be, very respectfully, yours, &c.,

B. MAGOFFIN.
arresting Messrs. Watson, Stoveall, and Carter, citizens of Ballard county, Ky., and the seizure of the steamer W. B. Terry at the wharf of the city of Paducah.

Owing to various causes, I did not reach Cairo until the 25th inst. Thinking it best to go by land and see the people, especially the parties that had been arrested, and thus gather from both sides the real facts of the case, it lengthened the trip, and very greatly increased the labor. I was received with marked respect by Col. T. J. Oglesby, commanding, who declined, however, to regard my visit as official in its character; but entered freely into conversation, and, with the most manly frankness, explained the motives that had prompted his action in the matter complained of. He said, that on the morning of the arrest of Messrs. Watson and Stoveall, he saw an unusual number of persons on the Kentucky shore, opposite to Cairo, and he supposed them to be Confederate troops or a party of engineers from their camp at Union City, Tennessee, or elsewhere, who, under their authority, were engaged in sketching a profile of the grounds, with the view to its occupation for military purposes. Under this supposition, he ordered a company, or squad, of men to cross over and drive them off, or to arrest and detain them for examination. Upon the landing of the troops, the other party (who were citizens from the surrounding counties attracted by an unusual amount of heavy firing of cannon, and which they concluded was a battle then in progress) fled, being wholly unarmed, and not meditating hostilities, leaving only the two gentlemen above named, who refused to retreat. They were arrested, and taken to Cairo, and detained forty-four hours, which long detention, I learn from all the parties, was owing to the absence of the commanding officer. He required them to bring proof that they were good, law-abiding citizens; and Mr. Charles S. Marshall was sent for, who, upon his arrival, gave the necessary assurances, and both were released.

It is proper to remark that Col. Oglesby asked them if they were Seccessionists, and they promptly said they were. He told them, and also told me, that that was not the cause of their arrest and detention—that they had a right to their opinions, and this he would, under no circumstances, take from any man—but he would arrest spies or persons unlawfully giving aid and comfort to those with whom they were at war.

For further particulars in reference to the arrest of these two gentlemen, I refer you to their report of the transaction, herewith inclosed, from the parties themselves.

The man Carter was a citizen of Ballard county, but was arrested at Norfolk, Missouri, opposite Island No. 1. His arrest was thought to be malicious, and he was discharged, after a short detention, without the intervention of any one in his behalf.

The practice of administering an oath to support the Constitution, with other conditions, generally called an oath of allegiance, to suspected persons, has not been practiced by Col. Oglesby, and he declared to me that he would arrest no man on account of his opinions.

In regard to the question of arresting persons in Kentucky, Colonel
Oglesby said that he had scrupulously observed our neutrality, except in the case referred to, and that the step taken was only precautionary to the end of preventing those he was at war with from occupying a position that would be dangerous to him. He said, however, that he was acting under instructions, and he could not tell how long the present policy would remain unchanged.

The facts in regard to the seizure of the steamer Terry are already known. Commodore Rogers, of the United States Navy, is in command of the fleet of gun-boats (three in number) at and about Cairo. He regards the Terry as a lawful prize, and any negotiations in regard to her must be had with the Government at Washington. She was a regular packet trading between Paducah and Eastport, on the Tennessee river, where for four years she had run regularly as a mail-boat twice a week, and the officers were not aware that the trade was unlawful. Three of the owners of the Terry are citizens of Kentucky, and one a citizen of Mississippi, and the loss of the boat sweeps away the last dollar that one at least of the owners is worth.

The seizure of the W. B. Terry was followed on the same day by that of the steamer Samuel Orr, the United States mail packet between Paducah and Evansville. This was done by the officers and crew of the W. B. Terry, with the assistance of three other persons, one or two of whom were citizens of Paducah—the others are mainly citizens of Tennessee. She was heavily freighted, and the cargo was owned by citizens of Paducah. The boat, with the cargo, was taken up the Tennessee river, into the State of Tennessee, where she now lies awaiting the action of the authorities of that State. By the seizure of the Orr, Paducah has lost its entire up-river trade, which is seriously felt by all classes of citizens, and universally regretted.

Permit me to call your attention to the substance of a conversation had with Commodore Rogers of the United States Navy. He complained of bad treatment at the hands of our citizens, as the gun-boats were passing on their first trip down to Cairo, and that if it was repeated he would bombard the city. The bad treatment complained of was from a number of boys who waved a small Southern flag, threw up their hats, and one of them threw a stone, as he alleged. Not one adult took part in the demonstration. I was not present, but learn from some of the best men of Paducah, that none but children were engaged in it.

He also said that he had made a contract for some timber up the Tennessee river, and if the timber was interfered with, and not passed the city, that he would not leave a house standing.

There is great uneasiness felt throughout the border counties. Many persons have removed their families; and many gentlemen who have been threatened by General Prentiss, while in command, have no regular place to sleep. All this feeling of insecurity induces the practice of wearing arms, and will lead to violence towards those of opposite opinions, if a better state of things cannot be brought about.

There are many reckless men who wish to monopolize the smuggling business, for which there are great facilities, and these are continually going with complaints to the commander at Cairo, and other places—
where good bargains may be had—of bad usage from Secessionists, the better to impose upon the federal port officer, who generally listens willingly, and gives a permit to the poor persecuted Union man from Paducah to ship as much bacon, whisky, and coffee as he can buy. Thus their loyalty has been turned into merchandise, and paid well up to this time. And, as a general thing, those that have complained the most have made the most by it.

I have the honor to be, &c.,

JOHN M. JOHNSON.

[No. 12.]

LETTER FROM GOV. HARRIS, OF TENNESSEE.

EXECUTIVE DEPARTMENT,
Nashville, Tenn., August 30th, 1861.

His Excellency, B. Magoffin:

Sir: I am informed by gentlemen of the highest respectability, that, on or about the 21st instant, a gun-boat, commanded by Federal officers, and manned by Federal troops, seized the steamer “Terry” at Paducah, Kentucky, and carried her to Cairo, Illinois. The “Terry,” I understand, was owned by citizens of your State, who retaliated by seizing the steamer “Samuel Orr,” a mail packet, plying between Evansville, Indiana, and Paducah, and owned by citizens of the former place.

The “Orr,” with her cargo of groceries, was, by her captors, run up the Tennessee river, and now lies under the guns of Fort Henry, within the State of Tennessee. The boat and cargo having been brought within the jurisdiction of Tennessee by citizens of Kentucky, and placed in the custody of military officers under my command, I have deemed it due to you, and the neutrality of Kentucky, that I report the facts to you, and hold the boat and cargo subject to such order as your Excellency may see proper to make in the premises.

It is with profound interest and regret that I have witnessed recently the open violation of the neutrality of Kentucky by the government of the United States, by the establishment of military encampments and other warlike preparations within the territorial limits and jurisdiction of your State. If we should unfortunately be on the eve of a collision between our States, produced by the machinations of a common enemy, I desire, at this time, on behalf of Tennessee, to renew to your Excellency, as the official representative of Kentucky, the assurances heretofore given that the authorities and people of Tennessee have faithfully observed and respected the neutrality of your State, and will, if permitted by the authorities and people of Kentucky, continue to do so; that nothing but hostile acts and demonstrations against Tennessee and the Confederate States shall ever initiate the contest between our States, though citizens of different governments, and they at war with each other. Our people cannot forget the past. The relations and connections formed in peace and
war during an association of three fourths of a century, cannot be severed in a month or a year. The indignation felt by us towards the aggressive and vindictive majority of the people of the free States has never been entertained towards Kentuckians.

We feel that socially, commercially, politically, and geographically, you are so connected with us as to render hatred and hostility anomalous and unnatural. The Confederate Government has never demanded, and we trust and believe never will demand, that we should wantonly or unjustly infringe the neutrality of Kentucky; and our policy and intentions in this regard have been not only expressed but demonstrated by our conduct up to this time.

Under these circumstances, we cannot believe that Kentucky will, at the instigation of either of the belligerents, abandon the position of neutrality so lately and solemnly assumed; or permit it to be used as to render a hollow peace more harassing and dangerous than open war.

I cannot close this communication without again calling the attention of your Excellency to the continuance of some and the formation of other encampments of Federal troops within the State of Kentucky, evidently for purposes of hostility to Tennessee and the Confederate States, as well as the transportation of arms and munitions to some of our discontented citizens.

I have no doubt that Kentucky assumed the position of neutrality in good faith, nor do I doubt the determination of your Excellency to maintain it fairly and honorably, but would respectfully ask the concurrence of all departments of your State government in the removal of these irritating and harassing causes of controversy, which constantly endanger the peaceful relations of our States and people.

I have the honor to be,

Very respectfully, yours, &c.,

ISHAM G. HARRIS.

[No. 13.]

Correspondence with Brigadier General Thos. L. Crittenden,

Executive Department,

Frankfort, August 30, 1861.

Brigadier General Thos. L. Crittenden:

Sir: I have received information, though not official, that two guards of a railroad bridge over South Licking, below Cynthiana, were fired on last night, one of whom was killed and the other wounded, and that the bridge was fired in two places. Such outrages must be summarily stopped, and I authorize you to go to the scene of disturbance immediately, learn the true state of facts, and call out any number of companies of the State Guard you may deem necessary for the protection of the bridge in question, or any other bridge on the line of that railroad, or any other property of the railroad company which in your judgment may need protection. I wish you to execute this order immediately in person, and report to me as soon as may be.

B. MAGOFFIN,

Commander-in-Chief.
To His Excellency, Gov. Magoffin:

Sir: In accordance with your order of the 30th ultimo, I started as soon as practicable, and reached Cynthiana at 12 o'clock on the next day. I regret to say that your information was correct. Two men, who had been placed by the manager of the railroad as watchmen on a bridge, about one and a half miles above Cynthiana, had been shot during the night of the 29th ult. One of them was killed, and the other slightly wounded. The bridge also had been fired in two places. I conferred frankly with many of the most prominent and intelligent men of both parties, citizens of Cynthiana and Harrison county, and learned from them that the crime just committed had excited feelings of horror and detestation in the minds of all. I learned also, that before my arrival the citizens of the town and county had, in a series of resolutions, a copy of which I herewith inclose, expressed and published, not only their horror of the crime, but their determination to find out and bring to punishment the parties guilty of the outrage—and in all things to maintain the laws of Kentucky. Already a person suspected has been arrested, and is in jail at Cynthiana, and other suspected parties are being pursued. It was the opinion of all the gentlemen with whom I conversed, and they were numerous, intelligent, and prominent, that there was no danger except from individual felons who unfortunately infest, now and then, every community, and that the ordinary civil tribunals together with the present feelings and watchfulness of the people, was a sufficient security against them. Under these circumstances, I deemed it unnecessary and improper to detail a guard for the bridges from the State Guard. The proprietor of the road, who was present, upon the announcement of my determination, expressed his entire satisfaction therewith. I will only add, that the officers and men of the Guard were ready for duty if ordered.

Very respectfully, &c.,

T. L. Crittenden,
Brigadier-General K. S. G.

A message was also received from the Governor, which reads as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
Frankfort, Sept. 5, 1861.

Gentlemen of the Senate and House of Representatives:

I have this moment received the following telegraphic dispatch from His Excellency, Isham G. Harris, Governor of Tennessee, which I deem proper to lay before you:

BY TELEGRAPH FROM NASHVILLE.

September 4, 1861.

To His Excellency, B. Magoffin, Frankfort, Ky.:

The Confederate troops that landed at Hickman last night did so without my knowledge or consent, and, I am satisfied, without the
I regret to inform you that Confederate forces in considerable numbers have invaded territory of Kentucky, and are occupying and fortifying strong position at Hickman and Chalk Bluffs.

U. S. GRANT,  
Brigadier-General.

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

Mr. Johnson moved the following resolution, viz:

Resolved, That one hundred copies of the Governor's message be printed and enclosed in envelopes, for the use of each member of this House.

Mr. J. B. Cochran moved to amend said resolution by striking out the words "one hundred," and inserting, in lieu thereof the word "fifty."

Which was adopted.

Said resolution, as amended, was then adopted.

1. Mr. Burnam presented the petition of Peter N. West, praying the passage of an act authorizing the division of a tract of land in Rockcastle county.

2. Mr. Andrews presented the petition of Oliver H. Trumbo, and others, praying to be relieved of damages as securities of John W. McGlasson, sheriff of Rowan county.

3. Mr. Downing presented the petition of sundry citizens of Monroe county, praying the passage of an act in relation to the jailer of said county.

4. The Speaker, (Mr. Buckner,) presented the petition of sundry citizens of Fayette county, praying the removal of Federal camps, resistance to the collection of the war tax, &c.

Which were severally received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Claims; the 3d to Messrs. Downing, Heeter, and Kennedy; and the 4th to the Committee on Federal Relations.
Mr. Wolfe read and laid on the table the following joint resolution:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That the Senators elected to the Senate of Kentucky, at the late August election, whose seats have been declared void by that body, be, and they are hereby, allowed the same per diem compensation, to the time their seats were declared vacant, and the same mileage, as other members of the General Assembly; and the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer for the amount respectively allowed them.

The rule requiring joint resolutions to lie one day on the table having been dispensed with,

The question was taken on the adoption of said 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—


Daniel E. Downing, P. L. Mauzy, David May,
Those who voted in the negative, were—

William S. Rankin,

Mr. Burnam moved the following resolution, viz:

1. Resolved, That so much of the Governor's message as refers to the Finances of the State, be referred to the Committee on Ways and Means.
2. So much as refers to the subject of the Sinking Fund, be referred to the Committee on the Sinking Fund.
3. So much of the same as refers to the subject of Internal Improvements, be referred to the Committee on Internal Improvement.
4. So much as refers to the subject of Common Schools, be referred to the Committee on Education.
5. So much as refers to the subject of Banks, be referred to the Committee on Banks.
6. So much as refers to the subject of Charitable Institutions, be referred to the Committee on Claims.
7. So much as refers to the subject of the Penitentiary, be referred to the Committee on the Penitentiary.
8. So much as refers to the subject of our Federal Relations, be referred to the Committee on Federal Relations.
9. So much as refers to the Auditor's office, be referred to the Committee on public offices.

Which was adopted.

Mr. W. C. Anderson moved the following resolution, viz:

Resolved, That a committee of ten, one from each congressional district, be appointed to report a bill to this House, to lay off and apportion the State of Kentucky into eight congressional districts.

Which was adopted.

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

On motion of Mr. Rigney—1. A bill for the benefit of W. E. Baker.
On motion of Mr. Clay—2. A bill to amend an act to incorporate the Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church, South.
On motion of Mr. W. C. Anderson—3. A bill to establish an additional voting place in Boyle county.
On motion of same—4. A bill to amend the law in relation to grand juries.
On motion of Mr. Cleveland—5. A bill for the benefit of the State Agricultural Society.
On motion of Mr. Proctor—6. A bill for the benefit of F. M. Demumbrum, and others, of Edmonson county.
On motion of Mr. Yeaman—7. A bill to amend an act, entitled
"An act to amend an act requiring the registration of births, marriages, and deaths."

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Education the 2d; Messrs. W. C. Anderson, Gabbert, and Lusk the 3d; the Committee on the Judiciary the 4th; Messrs. Cleveland, Huston, and Shanks the 5th; Messrs. Proctor, Thomas, and Ireland the 6th; and the Committee on the Revised Statutes the 7th.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That J. C. Wickliffe, late Clerk of the Senate, be, and he is, allowed the sum of one hundred dollars; and Clinton McClarty, late Clerk of the House of Representatives, be, and he is, allowed the sum of one hundred dollars, for their services in opening and calling to an organization the present General Assembly; and to W. M. Robb, late Sergeant-at-Arms, for cleaning, furnishing, and opening this House, and services, &c., fifty dollars; and that the Auditor of Public Accounts is directed to draw warrants on the Treasurer in favor of said Wickliffe, McClarty, and Robb, for the said sums, to be paid out of any money in the treasury not otherwise appropriated.

The rule requiring joint resolutions to lie one day on the table having been dispensed with.

The question was taken on the adoption of said 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, (Buckner,) W. H. Edmunds, John M. Elliott, Otho Miller,
Alfred Allen, Stephen J. England, Thomas Z. Morrow,
James W. Anderson, George W. Ewing, Felix G. Murphy,
R. C. Anderson, Hugh F. Finley, Thomas W. Owings,
W. C. Anderson, John W. Gaines, George Poindexter,
Landaff W. Andrews, Elijah Gabbert, Larkin S. Powell,
Vincent Ash, Joseph Gardner, William J. Proctor,
E. B. Bacheller, Evan M. Garriott, William S. Rankin,
John S. Barlow, Remus Gibson, John Ray,
John C. Beeeman, J. C. Gilbert, Joseph Kicketts,
John W. Blue, Henry Griffith, F. D. Riggs,
A. R. Boon, J. C. Gilbert, George S. Shanklin,
William P. Boone, George M. Hampton, Geo. W. Silvertooth,
William A. Brann, John H. Harney, G. Clay Smith,
Curtis F. Burnam, William H. Hays, M. Smith,
E. F. Burns, William J. Heady, Rob't A. Spalding,
W. P. D. Bush, Joseph W. Heeter, James P. Sparks,
A message was received from the Governor, by Hon. Thos. B. Monroe, jr., Secretary of State, which is as follows, viz:

COMMONWEALTH OF KENTUCKY.

EXECUTIVE DEPARTMENT, Sept. 5, 1861.

Gentlemen of Senate and House of Representatives:

Since the preparation of my message, I have addressed to Governor Isham G. Harris, of Tennessee, the following communication, in response to his letter, marked No. 12 in the appendix to my message.

B. MAGOFFIN.

COMMONWEALTH OF KENTUCKY,

EXECUTIVE DEPARTMENT, Sept. 4, 1861.

To His Excellency, Isham G. Harris, Governor of Tennessee:

Sir: Your communication of the 30th ult. is received. In that letter you advise me that the steamer "Orr" and her cargo were seized by citizens of this State, in retaliation of the steamer "Terry," by a Federal gun-boat from Cairo; that the "Orr" having been brought within the jurisdiction of Tennessee, by citizens of Kentucky, and placed in the custody of military officers under your command, you deem it due to me, and to the neutrality of Kentucky, to report the facts to me, and to hold the boat and cargo subject to my order.

I have now to acknowledge, with much gratification, this additional evidence of your Excellency's sincere purpose to respect the position of Kentucky, and to advise you that I have this day appointed, and hereby accredit, Captain B. G. Fowler as my agent, with instructions to proceed to Fort Henry, and take possession of the boat and cargo, to return them to the possession of those from whom they were taken. You will be pleased, therefore, to hand to Captain Fowler the necessary authority to carry out these instructions.

It affords me pleasure to receive from your Excellency renewed expression of the kindly feelings entertained for the Commonwealth.
of Kentucky and her citizens by the people of Tennessee, and to utter my earnest hope and confidence that such sentiments, all of which find a cordial response in the hearts of all true Kentuckians, may continue to control the relations of the two States.

As I had heretofore the honor to communicate to your Excellency, my earnest efforts have been, and are yet, directed to the maintenance by Kentucky of her chosen position of neutrality in good faith. In these efforts I have sought and secured the co-operation of many citizens prominently connected with the Union party. I have yet an abiding hope and confidence that such action may be had by the Legislature, now in session at this place, as will remove the cause of irritation now existing.

I have the honor to be, very respectfully,

Your obedient servant,

B. MAGOFFIN.

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

Mr. Huston, from the special committee appointed to prepare and bring in the same, reported

A bill for the benefit of the State 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.

And then the House adjourned.

FRIDAY, SEPTEMBER 6, 1861.

1. Mr. Burnam presented the petition of S. S. Snow, praying that a child adopted by him be made his lawful heir.
2. Also, the petition of C. C. Harris, and others, praying that they be exempted from working on dirt roads.
3. Mr. Chambers presented a response and notice to J. J. Landram, a contestant for his seat in this House.
Which were severally received, the reading dispensed with, and referred—the 1st to Messrs. Burnam, Curtis, and J. W. Anderson; the 2d to the Committee on Internal Improvement, and the 3d to the Committee on Privileges and Elections.

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

On motion of Mr. Andrews—1. A bill to amend the charter of the Elizaville and Fairview turnpike road company.

On motion of Mr. A. R. Boon—2. A bill to authorize P. B. Adams, late sheriff of Graves, to distrain for fees.

On motion of same—3. A bill for the benefit of W. M. Cargill, of Graves county.


On motion of Mr. Conklin—5. A bill for the benefit of H. P. Bozarth, late sheriff of Grant county.

On motion of Mr. Ireland—6. A bill for the benefit of Joseph Doniphan, of Bracken county.

On motion of Mr. M. Young—7. A bill for the benefit of common school district No. 45, in Henderson county.

On motion of same—8. A bill to charter a female college in Henderson county.

On motion of Mr. Silvertooth—9. A bill for the benefit of J. W. Lawrence, of Hickman county.

On motion of Mr. G. Clay Smith—10. A bill for the benefit of the Odd Fellows' Hall, in Covington.

On motion of Mr. James W. Anderson—11. A bill to amend the law in relation to the Court of Appeals.

On motion of same—12. A bill to amend the law in relation to tavern-keepers.

On motion of Mr. Bacheller—13. A bill to amend an act, entitled “An act to regulate the toll and management of the Crab Orchard fork of the Wilderness road, in Rockcastle county,” approved March 1st, 1860.

On motion of Mr. Tevis—14. A bill to charter the “Southern Planters' Machine Company.”

On motion of same—15. A bill to amend section 9, chapter 35, Revised Statutes.

On motion of Mr. W. P. Boone—16. A bill to amend the charter of the city of Louisville.
On motion of Mr. Wolfe—17. A bill to amend the law concerning passways.

On motion of same—18. A bill to tax telegraph companies.

On motion of same—19. A bill to amend the 5th section of the act regulating the inspection and selling of tobacco in the city of Louisville.

On motion of Mr. Gilbert—20. A bill to change the Aurora and Paducah State road, in Marshall county.


On motion of same—22. A bill to incorporate the town of Briensburg, in Marshall county.


On motion of Mr. George M. Thomas—24. A bill regulating the sale of personal property under execution.


On motion of Mr. Burnam—26. A bill requiring patrols to give bonds.

On motion of same—27. A bill for the benefit of C. C. Harris, and others, of Madison county.

On motion of same—28. A bill for the benefit of Samuel S. Snow, of Madison county.


On motion of Mr. Taylor—30. A bill for the benefit of the Nicholas county court.

On motion of same—31. A bill for the benefit of the Maysville and Blue Run turnpike road company.

On motion of Mr. King—32. A bill to amend the acts relative to the city of Paducah.

On motion of Mr. Griffith—33. A bill for the benefit of W. W. Guyton.

On motion of Mr. Turner—34. A bill for the benefit of John W. Clay, late sheriff of Montgomery county.

On motion of same—35. A bill to establish the county of Menifee.

On motion of Mr. Hampton—36. A bill to provide compensation for taking up loose logs and timber on Licking river.
On motion of Mr. Gibson—37. A bill conferring additional power on the sheriff of Ohio county.

On motion of same—38. A bill to change the time of holding the police court of Hartford.

On motion of Mr. Jacob—39. A bill to incorporate the LaGrange Female Seminary.

On motion of same—40. A bill to amend the militia laws.

On motion of Mr. Burns—41. A bill to amend article 2d, section 14, of an act for the better organization of the militia.

On motion of same—42. A bill to amend the law in relation to schools and seminaries.

On motion of Mr. John B. Cochran—43. A bill to amend the act incorporating the town of Shelbyville.

On motion of same—44. A bill to amend the law in relation to circuit and special judges.

On motion of Mr. Underwood—45. A bill to amend the law in relation to the forwarding of depositions taken out of the State.

On motion of Mr. Ward—46. A bill for the benefit of assessors of tax.

On motion of Mr. Coffee—47. A bill to incorporate Merritt Lodge, No. 147, I. O. O. F., in Blandville.

On motion of same—48. A bill to incorporate Antioch Chapter of Royal Arch Masons.

On motion of Mr. B. R. Young—49. A bill for the benefit of Robt. English, late sheriff of Hardin county.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 27th, and 31st; the Committee on Claims the 3d, 25th, 33d, and 46th; the Committee on Ways and Means the 5th and 10th; the Committee on Court of Appeals the 11th; the Committee on Revised Statutes the 12th, 15th, 24th, and 26th; the Committee on Incorporated Institutions the 14th and 43d; the Committee on Judiciary the 16th, 17th, 18th, 19th, 32d, and 45th; the Committee on Propositions and Grievances the 35th, 37th, and 38th; the Committee on Military affairs the 40th and 41st; the Committee on Education the 42d; the Committee on Circuit Courts the 44th; Messrs. A. R. Boon, Gilbert, and Gaines the 2d and 4th; Messrs. Ireland, Cleveland, and Thomas the 6th; Messrs. M. Young, Ray, and Yeaman the 7th and 8th; Messrs. Silvertooth, Elliott, and Matthewson the 9th; Messrs. Bacheller, J. W. Anderson, and Burnam the 13th; Messrs.
Gilbert, A. R. Boon, and Gaines the 20th, 21st, 22d, and 23d; Messrs. Burnam, Curtis, and J. W. Anderson the 28th; Messrs. J. R. Thomas, W. C. Anderson, and Johnson the 29th; Messrs. Taylor, M. Smith, and J. W. Campbell the 30th; Messrs. Turner, V. B. Young, and Ricketts the 34th; Messrs. Hampton, Bush, and Elliott the 36th; Messrs. Jacob, Ireland, Heeter, and J. B. Cochran the 39th; Messrs. Coffee, A. R. Boon, and Gilbert the 47th and 48th; Messrs. B. R. Young, Conklin, and W. J. Heady the 49th.

Mr. Conklin moved the following resolution, viz:

Whereas, A recent proclamation of General Fremont, extending and declaring martial law over the whole State of Missouri, and assuming extraordinary powers, having made its appearance in the newspapers; therefore,

Resolved, That the Committee on Federal Relations be instructed to inquire whether the same be genuine, and whether it be expedient for this General Assembly to take any measures in regard to said proclamation; and said committee is directed to report to this House on the subject.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Ireland moved the following resolution, viz:

Resolved by the House of Representatives, That during the present session it shall not be necessary to ask leave to introduce measures, but it shall be in order, under a call of the counties, for members to introduce bills.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. J. W. Anderson moved the following resolution, viz:

Resolved, That the Auditor inform the House the amount of mileage paid to each member of the last sessions of the General Assembly, that mileage was paid to; and state also the amount that would have been paid to each Senator and Representative if the distance had been ascertained by the nearest mail route from their residence to the seat of Government.

Ordered, That said resolution be referred to the Committee on Ways and Means.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That as the people of Kentucky were opposed to the inauguration of the war now pending against the Confederate States, and that as Kentucky, by her Legislature, and by the popular vote of the people, have expressed themselves in favor of neutrality, that Kentucky ought not,
and will not, pay one cent of the taxes which are authorized by the General Government to be raised to carry on said war.

Resolved, That it is the deliberate opinion of this General Assembly, that the independence of the Confederate States should be immediately recognized, as we believe this is the only way to save our country from bankruptcy, to spare the precious lives of many citizens, and to restore peace and tranquility to our country.

Mr. Turner moved the following resolution, viz:

Resolved, That there be added to the standing committees of this House, for the present session, a Committee upon Retrenchment and Reform, to consist of five members.

Which was adopted.

Mr. Wolfe moved the following resolution, viz:

Resolved, That two members be added to the Committee on Federal Relations.

Which was adopted.

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

By Mr. Downing—
1. A bill for the benefit of the jailer of Monroe county.
2. A bill for the benefit of the Nicholas county court.
3. A bill to incorporate the Lagrange Female Seminary.
4. A bill for the benefit of Joseph Doniphan, late presiding judge of Bracken county.

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

The rule of the House, constitutional provision, and second and third readings of the 1st, 2d, and 4th bills being dispensed with, and the same being engrossed,

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

The rule of the House, constitutional provision, and second reading of the 3d bill being dispensed with,

Ordered, That said bill be referred to the Committee on Incorporated Institutions.

And then the House adjourned.
SATURDAY, SEPTEMBER 7, 1861.

A message was received from the Senate announcing their concurrence in resolutions from this House of the following titles, viz:

A resolution making appropriation to Messrs. Wickliffe, McClarty, and Robb.

A resolution making appropriation to excluded Senators.

With an amendment to the last named resolution.

Which was concurred in.

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

An act for the benefit of the State Agricultural Society.

An act for the benefit of the jailer of Monroe county.

An act for the benefit of the Nicholas county court.

An act for the benefit of Joseph Doniphan, late presiding judge of Bracken county.

That they had passed a bill, entitled “An act for the benefit of Leroy S. Mitchell, late constable of Union county.”

1. Mr. Andrews presented the petition of sundry citizens of Wolfe and Morgan counties, praying a change in their county lines, and authorizing the citizens of Wolfe county to relocate their county seat.

2. Mr. Heeter presented the petition of sundry citizens of Barren county, praying that they be added and included as citizens of Allen county.

3. Mr. Chandler presented the petition of R. W. Buckner, and others, praying to be released from the payment of damages as securities for Robert P. Saunders, sheriff of Taylor county.

4. Also the petition of John Saunders, and others, securities of Robert P. Saunders, sheriff of Taylor county, praying to be released from damages.

5. Mr. Matthewson presented the petition of sundry citizens of Calloway county, praying a further extension of the relief law suspending courts.

6. Mr. Lindsey presented a memorial and proceedings of citizens of Carroll county, protesting against the war tax, against the occupation of her territory by either belligerent party, &c.
7. Mr. Underwood presented the petition of P. J. Potter, sheriff of Warren county, praying the passage of a law relieving him, and sheriffs generally in Kentucky, for failure to collect taxes, &c.

8. Mr. Ireland presented the petition of John C. Burks, administrator of Joseph Ewing, and guardian for the heirs of said Ewing, deceased, praying that he be allowed to make settlement of his accounts in Boyd county court, in place of Greenup county court, &c.

9. Mr. Ireland presented the petition of Caroline Ferguson, administratrix of A. W. Ferguson, deceased, and Wm. Hampton, guardian for the heirs of A. W. Ferguson, deceased, praying the passage of an act giving the Boyd circuit and county courts jurisdiction of the settlements of said estate and guardianship, in place of Greenup circuit and county courts.

10. Mr. Ewing presented the petition of sundry citizens of Logan county against the payment of the war tax, &c.

Which were received, the reading dispensed with, and referred—the 1st, 2d, 3d, and 4th to the Committee on Propositions and Grievances; the 5th to the Committee on the Judiciary; the 6th and 10th to the Committee on Federal Relations; the 7th to the Committee on Ways and Means, and the 8th and 9th to the Committee on County Courts.

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

On motion of Mr. Van B. Young—1. A bill to amend the law in relation to pleadings in civil and equity courts in this Commonwealth.

On motion of same—2. A bill to increase the powers of the police judge and marshal of Owingsville.

On motion of Mr. Proctor—3. A bill to charter a Hotel and Cave Company in Edmonson county.

On motion of same—4. A bill defining the duties of the county judge of Edmonson county.

On motion of Mr. Johns—5. A bill in relation to the county lines of Lawrence and Floyd counties.

On motion of same—6. A bill for the benefit of John Jones.


On motion of Mr. Webster—8. A bill for the protection of small birds and game in Campbell and adjoining counties.

On motion of Mr. Matthewson—9. A bill to authorize the county judge of Calloway county to change the road from Murray to Callowaytown.
On motion of same—10. A bill to incorporate the Murray cemetery of Calloway county.

On motion of Mr. England—11. A bill to change the county lines of Carter and Rowan counties, so as to include the residence of Scott Fultz in Rowan county.


On motion of Mr. Yeaman—13. A bill to amend chapter 36 of Revised Statutes, in relation to sales of personality.


On motion of same—15. A bill to amend the charter of the Deposit Bank of Owensboro.

On motion of Mr. Curtis—16. A bill for the benefit of Henry Fawbus, late sheriff of Laurel county.

On motion of Mr. Elliott—17. A bill for the benefit of James and Edwin Trimble, of Floyd county.

On motion of same—18. A bill for the benefit of the sheriff of Floyd county.

On motion of Mr. Silvertooth—19. A bill to incorporate Baltimore Lodge of Free Masons, No. 381, in Hickman county.

On motion of Mr. Ireland—20. A bill for the benefit of Odd Fellows' Hall Company.


On motion of Mr. Rankin—22. A bill to amend section 639, title 13, Civil Code of Practice.

On motion of Mr. Powell—23. A bill for the benefit of John McGeorge, late sheriff of Harlan county.


On motion of same—25. A bill for the benefit of Jonathan Lewis and his deputies.


On motion of same—28. A bill regulating the sale of ardent spirits on election days.
On motion of Mr. Ricketts—29. A bill to amend the common school law.

On motion of Mr. J. R. Thomas—30. A bill for the benefit of the sheriff of Marion county.

On motion of Mr. Gibson—31. A bill providing for the election of the marshal of Hartford.

Ordered, That the Committee on County Courts prepare and bring in the 16th, 17th, 21st, 24th, and 25th; the Committee on Revised Statutes the 13th and 14th; the Committee on Privileges and Elections the 28th and 31st; the Committee on Ways and Means the 30th; the Committee on Education the 29th; the Committee on Internal Improvement the 26th; the Committee on Codes of Practice the 1st and 22d; the Committee on Propositions and Grievances the 15th; Messrs. J. R. Thomas, Turner, and Johns the 2d; Messrs. Webster, G. Clay Smith, and Brann the 8th; Messrs. Matthewson, Taylor, and Silvertooth the 9th; Messrs. Matthewson, Taylor, and May the 10th; Messrs. England, Andrews, and Johns the 11th; Messrs. England, G. M. Thomas, and Ireland the 12th; Messrs. Yeaman, M. Young, and J. R. Thomas the 15th; Messrs. Bacheller, J. W. Anderson, and White the 16th; Messrs. Elliott, Silvertooth, and Gardner the 17th and 18th; Messrs. Silvertooth, Coffee, and A. R. Boon the 19th; Messrs. Ireland, J. R. Cochran, and Tevis the 20th; Messrs. J. W. Anderson, White, and Bacheller the 23d; Messrs. G. M. Thomas, Ireland, and Proctor the 27th; Messrs. Proctor, Ireland, and Geo. M. Thomas the 3d; Messrs. Proctor, Andrews, and Ireland the 4th.

Ordered, That a Committee on Agriculture and Manufactures be appointed: and a committee was appointed, consisting of Messrs. Brutus J. Clay, Henry Griffith, J. W. Campbell, John W. Gaines, Nicholas A. Rapier, Urban E. Kennedy, and Robert A. Spalding, who shall 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, 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 Banks be appointed: and a committee was appointed, consisting of Messrs. John W. Finnell, George W. Ewing, Joshua Tevis, William H. Hays, James Calvert, and Joseph W. Heeter, 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 Circuit Courts be appointed: and a committee was appointed, consisting of Messrs. George S. Shanklin, James M. C. Lisenby, G. Clay Smith, A. R. Boon, and John C. Lindsey, 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, 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 Claims be appointed: and a committee was appointed, consisting of Messrs. William L. Conklin, J. W. Campbell, W. P. D. Bush, James W. Anderson, John C. Beeman, Marion N. Carr, and Daniel Matthewson, 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 Codes of Practice be appointed: and a committee was appointed, consisting of Messrs. John Q. A. King, John W. Finnell, George W. Silvertooth, Thomas Turner, and Joseph Ricketts, who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with the Codes of Practice, 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 Corporate Institutions be appointed: and a committee was appointed, consisting of Messrs. John B. Coch-
ran, Larkin J. Proctor, Jno. R. Thomas, J. C. Gilbert, Jno. C. Beeman, P. L. Maxey, and John M. Henry, who are to meet and adjourn from day to day, and take into consideration all matters relating to or connected with Incorporated Institutions, excepting banks, and such others as may, from time to time, be referred to them; 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 County Courts be appointed: and a committee was appointed, consisting of Messrs. George M. Thomas, Hugh F. Finley, E. F. Burns, Joseph H. Chandler, and Evan M. Garrett; 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, 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. Joshua Tevis, Alexander Lusk, Robert Cochran, John C. Cooper, and Thomas Z. Morrow, 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, 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 Education be appointed: and a committee was appointed, consisting of Messrs. Curtis F. Burnam, A. B. Chambers, G. Clay Smith, Alexander Lusk, George M. Thomas, R. C. Anderson, and Hugh F. Finley, who shall 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 Enrollments be appointed: and a committee was appointed, consisting of Messrs. E. B. Bacheller, John W. Blue, E. F. Burns, George M. Hampton, and William M. Coffee.

Ordered, That a Committee on the Expenditures of the Board of Insti-
ternal Improvement be appointed: and a committee was appointed, consisting of Messrs. Francis L. Cleveland, George Poindexter, William A. Brann, James Calvert, Hiram S. Powell, John Ray, and F. D. Rigney, 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 Federal Relations be appointed: and a committee was appointed, consisting of Messrs. Nathaniel Wolfe, John B. Huston, John H. Harney, Joseph R. Underwood, George W. Silvertooth, Alfred Allen, John W. Finnell, Richard T. Jacob, and John M. Elliott, 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 Internal Improvement be appointed: and a committee was appointed, consisting of Messrs. Geo. H. Yeaman, James P. Sparks, George P. Webster, P. L. Maxey, Albert A. Curtis, Nicholas A. Rapier, and David May, who shall 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 the Judiciary be appointed: and a committee was appointed, consisting of Messrs. Landaff W. Andrews, Wm. S. Rankin, Geo. W. Ewing, John S. Vanwinkle, Jes. Ricketts, John Q. A. King, and John R. Thomas, who are to meet and adjourn from day to day, and take into consideration all matters relating to Courts of Justice, 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 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 the Library be appointed: and a committee was appointed, consisting of Messrs. Van B. Young, Thos. Z. Morrow, William M. Coffee, John W. Blue, and Vincent Ash, 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 Military Affairs be appointed: and a committee was appointed, consisting of Messrs. Joseph R. Underwood, Curtis F. Burnam, W. C. Anderson, Lucius Desha, William P. Boone, William J. Heady, and Felix G. Murphy, who are to meet and adjourn from day to day, and take into consideration the Militia Laws of this State, and all other laws relating to the militia, and such other matters 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 Penitentiary be appointed: and a committee was appointed, consisting of Messrs. Bryan R. Young, Larkin J. Proctor, Otho Miller, Alexander T. White, A. B. Chambers, and Thomas W. Owings, who are to meet and adjourn from day to day, and 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 Printing be appointed: and a committee was appointed, consisting of Messrs. Joseph Ricketts, George P. Webster, Stephen J. England, John C. Cooper, and Daniel W. Johns, 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 Privileges and Elections be appointed: and a committee was appointed, consisting of Messrs. William C. Ireland, John M. Elliott, E. B. Bacheller, A. R. Boon, Cyrus Campbell, Robert A. Spalding, and Otho Miller, 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 Propositions and Grievances be appointed: and a committee was appointed, consisting of Messrs. John S. Barlow, Robert Cochran, Joseph H. Chandler, Thomas Z. Morrow, John M. Henry, Evan M. Garriott, and Joseph Gardner, 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 Public Offices be appointed: and a committee was appointed, consisting of Messrs. W. H. Edmunds, Elijah Gabbert, Marion N. Carr, and Hiram S. Powell, 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 Religion be appointed: and a committee was appointed, consisting of Messrs. George Poindexter, Daniel E. Downing, Vincent Ash, Urban E. Kennedy, and David P. Mears, who are to meet and adjourn from day to day, and take into consideration all matters and things relating to Religion and Morality, and such other 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 the Revised Statutes be appointed: and a committee was appointed, consisting of Messrs. Jno. B. Huston, Wm. J. Head, James P. Sparks, W. P. D. Bush, and Stephen J. England, 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, 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 Sinking Fund be appointed: and a committee was appointed, consisting of Messrs. Alfred Allen, Brutus J. Clay, Van B. Young, M. Smith, Remus Gibson, G. R. Merritt, and John W. Blue, 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 that they report their proceedings, with their opinion thereon, to this House; and that said committee shall have power to send for persons, papers, and records, for their information.

Ordered, That a Committee on Ways and Means be appointed: and a committee was appointed, consisting of Messrs. Harrison Taylor, William Johnson, Thomas Turner, Milton Young, Lucius Desha, Zeb. Ward, and John W. Gaines, who are to meet and adjourn from day to day, and take into consideration the revenue laws, and all other matters relating 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 that they report their proceedings, with their opinion thereon, to this House; and that said committee shall have power to send for persons, papers, and records, for their information.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution which originated in this House, entitled

A resolution making appropriation to Wickliffe, McClarty, and Robb. And had found the same truly enrolled; whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:
By Mr. John R. Thomas—
1. A bill for the benefit of G. W. Goodrum, late sheriff of Marion county, and his securities.

By Mr. Burnam—
2. A bill for the benefit of Lilly H. Snow.

By Mr. Gilbert—
3. A bill to incorporate Birmingham Lodge, No. 290, of Free and Accepted Masons.

By same—
4. A bill to authorize the Marshall county court to change the State road.

By same—
5. A bill to amend the charter of Benton, in Marshall county.

By Mr. M. Young—
6. A bill to incorporate the Henderson Female Institute.

By same—
7. A bill for the benefit of common school district No. 45, in Henderson county.

By Mr. Tevis—
8. A bill for the benefit of Odd Fellows' Hall Company.

By same—
9. A bill to increase the powers of the marshal and police judge of the town of Owingsville, in Bath 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, 6th, 7th, 8th, and 9th, were severally ordered to be engrossed and read a third time; the 1st was referred to the Committee on Ways and Means, with instructions to report thereon at 11 o'clock on Monday next.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 4th, 5th, 6th, 7th, 8th, and 9th bills having been dispensed with, and the same being engrossed,

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

Mr. Yeaman moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be instructed to inquire and report what legislation, if any, is necessary, in regard to the collection and payment into the treasury of the State revenue by the several sheriffs of the State.
Which was adopted, and referred to the Committee on Ways and Means.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms of this House be directed to procure and suspend from the dome of the Capitol a national flag, during the sitting of the Legislature.

And the question being taken thereon, said resolution was adopted. The yeas and nays being required thereon by Messrs. Sparks and Ireland, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Desha moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms of this House be, and he is,
authorized and directed to cause to be erected on the dome of the Capitol the flag of the State of Kentucky.

The rule of the House having been dispensed with in reference to resolutions, said resolution was taken up.

Whereupon, Mr. George M. Thomas moved to amend said resolution, requiring the motto "United we stand, divided we fall," to be inscribed on said flag.

Mr. J. B. Cochran moved a reconsideration of the vote by which said resolution had been taken up.

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

Ordered, That said resolution and amendment be referred to the Committee on Federal Relations.

The House took up the resolution read and laid on the table by Mr. Ewing on yesterday.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Taylor moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be requested to communicate to this House what portion of the public revenue due the State for the year 1860 remains uncollected; the sheriffs or counties that have failed to pay, if there are any such; and what steps have been taken to collect or secure the same.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That to save our people from the horrors of civil war, and to preserve peace in our beloved Commonwealth, it is necessary to maintain the neutrality of Kentucky inviolate; that no encampment or the assembling of the soldiers of either belligerent should be permitted upon Kentucky soil; and that these and all other acts, in violation of the neutrality of Kentucky, come from whatever quarter they may, should be resisted by the power of the State, if necessary to the maintenance of this neutral position.

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

An act for the benefit of Lilly H. Snow.

An act to incorporate Birmingham Lodge, No. 290, of Free and Accepted Masons.

An act for the benefit of common school district No. 45, in Henderson county.

That they had passed a bill, entitled

An act for the benefit of C. T. Dillingham, late constable of Adair county.

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

COMMONWEALTH OF KENTUCKY,

EXECUTIVE DEPARTMENT, Sept. 9, 1861.

Gentlemen of the Senate and House of Representatives:

The following communication has just reached my hands. I deem it important to the interests of peace at once to lay the information before you. So many false and exciting rumors now agitate and alarm the public mind, you will at once concur with me in the importance of clearly ascertaining facts as the only safe basis of action. I can but commend the manifest purpose and laudable spirit exhibited in the communication I herewith submit.

B. MAGOFFIN.

To His Excellency, Gov. MAGOFFIN:

The undersigned, who have been accredited by the Governor of Tennessee to your Excellency, to preserve friendly relations between the States of Kentucky and Tennessee, and to prevent, if in their power, social estrangement and war between the people of the two States, are very desirous to omit nothing that might promote the objects of their mission.

The undersigned, yesterday, received a verbal message, through a messenger, from Gov. Harris. The message was—that he, Gov. H., had, by telegraphic dispatch, requested Gen. Polk to withdraw the Confederate troops from Kentucky, and that Gen. Polk had declined to do so; that Gov. Harris then telegraphed to Secretary Walker, at Richmond, requesting that Gen. Polk be ordered to withdraw his troops from Kentucky, and that such order was issued from the War Department of the Confederacy; that General Polk replied to the War Department that the retention of the post was a military necessity,
and that the retiring from it would be attended by the loss of many lives. This embraces the message received.

The messenger, it is true, in conversation, said that he had heard in Nashville that Secretary Walker had sent a dispatch to Gen. Buckner, giving Gen. Polk a discretion to hold or withdraw from the occupation of the post in Kentucky.

The undersigned understood the messenger to say that he saw no dispatch of the kind just alluded to, and that he heard of it after he last saw Gov. Harris.

They have no further information on this subject. They have no knowledge or information that President Davis has issued any order in relation to the occupation of Kentucky, or any place in it.

This note is written for the purpose of removing any false impressions that may have been made as to the nature or extent of the message received.

The undersigned beg leave to express the hope that something yet may be done to avert the calamities of war which threaten the people of both States, and restore to them not only peace, but a sense of security at their firesides.

Very respectfully,

JNO. MARSHALL,
ANDREW EWING,
WILLIAM K. BOWLING,
EDWARD S. CHEATHAM.

Ordered, That said message be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies for the use of the members of the General Assembly.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined enrolled bills, and a resolution, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the State Agricultural Society.
An act for the benefit of the jailer of Monroe county.
An act for the benefit of the Nicholas county court.
An act for the benefit of Joseph Doniphan, late presiding judge of Bracken county.
A resolution making appropriation to excluded Senators.

Ordered, That Mr. Bacheller inform the Senate thereof.

The House then took up a bill from the Senate, entitled

An act for the benefit of Leroy S. Mitchell, late constable of Union county.

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

1. Mr. Barlow presented the remonstrance of sundry citizens of Barren county, against being added to the county of Allen.
2. Mr. Murphy presented the petition of sundry citizens of Nelson county against the tax imposed by the late Federal Congress upon the citizens of Kentucky.

3. Mr. Elliott presented the petition of sundry citizens of Floyd county, praying the formation of an additional voting district in said county.

4. Also, the petition of sundry citizens of Pike county, praying a reduction of the excess in their county levy.

5. Mr. Brann presented the petition of sundry citizens of Pendleton county, in relation to the armed neutrality of Kentucky.

6. Mr. Turner presented the petition of sundry citizens of the counties of Lawrence, Carter, and Morgan, praying the formation of the county of Menifee.

7. Mr. Underwood presented the petition of John D. Mannan, praying further compensation for distributing public documents.

Which were received, the reading dispensed with, and referred—the 1st and 6th to the Committee on Propositions and Grievances; the 2d and 5th to the Committee on Federal Relations; the 3d to the Committee on Privileges and Elections; the 4th to the Committee on County Courts, and the 7th to the Committee on Claims.

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

By Mr. Burnam—
1. A bill for the benefit of the Kirksville and Kentucky River turnpike road company.

By the Committee on the Judiciary—
2. A bill to amend the laws in relation to the city of Paducah.

By the Committee on Education—
3. A bill to amend an act, entitled “An act to incorporate the Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church, South.”

By Mr. England—
4. A bill to change the county lines between the counties of Carter and Rowan.

By Mr. Matthewson—
5. A bill authorizing the county court of Calloway county to change the road leading from Murray to Tennessee river.

By Mr. A. R. Boon—
6. A bill for the benefit of P. B. Adams, late sheriff of Graves county, and his deputies.
By same—
7. A bill for the benefit of M. W. Galloway, late sheriff of Graves county, and his sureties.
By Mr. J. W. Anderson—
8. A bill for the benefit of Henry Forbs.
By Mr. Coffee—
9. A bill to incorporate Lodge No. 147, I. O. O. F., in the town of Blandville, Ky.
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, and 9th were severally ordered to be engrossed and read a third time, and the 6th 7th, and 8th were referred to the Committee on Ways and Means.
The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 5th, and 9th bills having been dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Leave was granted to bring in the following bills, viz:
On motion of Mr. Gardner—1. A bill for the benefit of Stephen Howard, sheriff of Magoffin county.
On motion of Mr. Coffee—2. A bill for the benefit of the Ballard circuit and county court clerks.
On motion of Mr. Van B. Young—3. A bill for the benefit of Omar Wilson, present sheriff of Bath county.
On motion of Mr. Johns—4. A bill for the benefit of John W. Haws, sheriff of Lawrence county.
On motion of same—5. A bill for the benefit of John H. Easham, of Boyd county.
On motion of Mr. Huston—6. A bill to amend the law in relation to guardians and wards.
On motion of same—7. A bill to amend the penal laws of this Commonwealth.
On motion of Mr. White—8. A bill for the benefit of the sheriff of Owsley county.
On motion of Mr. Yeaman—9. A bill for the benefit of the sheriff and late sheriff of Daviess county.
On motion of Mr. Silvertooth—10. A bill to repeal an act, entitled
"An act to establish an additional voting place in Hays' precinct, in Hickman county," approved January 14, 1856.

On motion of Mr. Powell—11. A bill for the benefit of Alexander Locke, justice of the peace of Harlan county.

On motion of Mr. Finnell—12. A bill to incorporate the Linden Grove Cemetery Company, of the city of Covington.

On motion of Mr. G. Clay Smith—13. A bill to amend the law with regard to billiard tables.


On motion of Mr. J. W. Anderson—15. A bill for the benefit of Francis Catron, sheriff of Knox county.

On motion of Mr. Tevis—16. A bill to authorize the First Colored Baptist Church, of Louisville, to sell certain property.

On motion of Mr. Burnam—17. A bill to amend the law in relation to wills and the effect of jury trials in will cases.

On motion of Mr. Burns—18. A bill to amend an act to incorporate the town of Gratz, in Owen county, approved February 6, 1861.

On motion of Mr. Morrow—19. A bill for the benefit of W. D. Black, late sheriff of Pulaski county.

On motion of Mr. Hays—20. A bill to amend the game laws.

Ordered, That Messrs. Elliott, Hampton, and May prepare and bring in the 1st; Messrs. Coffee, A. R. Boon, and Silvertooth the 2d; the Committee on Ways and Means the 3d, 4th, 5th, 9th, and 19th; the Committee on Revised Statutes the 6th, 17th, and 20th; the Committee on the Judiciary the 7th and 14th; Messrs. White, Burnam, and Curtis the 8th; Messrs. Silvertooth, King, and Matthewson the 10th; the Committee on Public Offices the 11th; the Committee on Corporate Institutions the 13th and 18th; the Committee on Circuit Courts the 13th; Messrs. White, Burnam, and J. W. Anderson the 15th, and the Committee on Court of Appeals the 16th.

Mr. Elliott moved the following resolution, viz:

Resolved, That the future sessions of this House shall commence at 12 o'clock, M.

Mr. George M. Thomas moved to lay said resolution on the table.
And the question being taken thereon, it was decided in the affirmative.

Mr. Andrews moved the following resolution, viz:

Resolved, That the use of this Hall be tendered to the States Rights
party for to-morrow, the 10th, for the purpose of holding therein a State
Convention.
Which was adopted.
Mr. Allen read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That
when the Legislature adjourns on Monday, the 23d of the present
month, it adjourn to meet again on the first Monday in December
next.
The House then took up the resolution offered by Mr. Burns on
yesterday, in reference to the neutrality of Kentucky.
Ordered, That said resolution be referred to the Committee on Fed-
eral Relations.
The House took up a bill from the Senate, entitled
An act for the benefit of C. T. Dillingham, late constable of Adair
county.
Ordered, That said bill be referred to the Committee on County
Courts.
On motion of Mr. Huston, Mr. Curtis F. Burnam was added to the
Committee on Revised Statutes.
On motion of Mr. G. Clay Smith, the House adjourned till Wednes-
day.

WEDNESDAY, SEPTEMBER 11, 1861.

The Speaker laid before the House the report of the Military Board,
which is as follows, viz:

[For Report—See Legislative Document, No. 5.]

Ordered, That the Public Printer forthwith print 150 copies of said
report, for the use of the members of the General Assembly.
A message was received from the Senate announcing that they had
passed bills from this House of the following titles, viz:
An act for the benefit of the Kirksville and Kentucky River turnpike road company.

An act to amend an act, entitled "An act to incorporate the Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church, South."

An act authorizing the county judge of Calloway county to change the road leading from Murray to Tennessee river.

1. Mr. Ewing presented the petition of sundry citizens of Logan county, protesting against paying the war tax imposed by the late Federal Congress.

2. Mr. Henry presented the petition of W. G. Wade, sheriff of Simpson county, praying to be released from damages and interest for failure to collect and pay revenue.

3. Mr. Rigney presented the petition of W. E. Baker, of Adair county, praying compensation for arresting a fugitive from justice.

4. Mr. Burnam presented the petition of Isaac N. Hill, sheriff of Madison county, praying to be released from damages assessed by Franklin circuit court, for.

5. Mr. Edmunds presented the petition of sundry citizens of Caldwell county, against paying the war tax.

6. Mr. Ash presented the petition of sundry citizens of Anderson county against paying the war tax, and for the removal of troops.

7. Mr. Wolfe presented the remonstrance of sundry citizens of Wolfe county, against relocating the county seat of said county.

8. Mr. Elliott presented the petition of David Combs, praying to be made a legitimate heir of Nicholas Combs, deceased.

Which were received, the reading dispensed with, and referred—the 1st, 5th, and 6th to the Committee on Federal Relations; the 2d and 4th to the Committee on Ways and Means; the 3d to the Committee on Claims; the 7th to the Committee on Propositions and Grievances, and the 8th to Messrs. Ewing, Hampton, and Gardner.

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

By the Committee on Propositions and Grievances—

1. A bill for the benefit of R. P. Sanders, late sheriff of Taylor county, and his securities.

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 being 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, as amended, do pass, and that the title thereof be as aforesaid.

By same—

2. A bill for the benefit of R. P. Sanders and his securities.

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 referred to the Committee on Ways and Means.

By the Committee on the Court of Appeals—

3. A bill to authorize the First Colored Baptist Church of Louisville, to sell certain property.

By Mr. Silvertooth—

4. A bill to repeal an act, entitled "An act to establish an additional voting place in Hays' precinct, in Hickman county."

By same—

5. A bill to incorporate Baltimore Lodge, No. 361, of Free and Accepted Masons.

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.

The Committee on Ways and Means, to whom was referred a bill, entitled "An act for the benefit of G. W. Goodrum, late sheriff of Marion county, and his securities," reported the same with an amendment.

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

The Committee on Claims, to whom was referred the petition of Oliver H. Trumbo, &c., securities of John W. McGlasson, sheriff of Rowan county, asked to be discharged from the further consideration thereof.

Which was granted.

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

The Committee on Propositions and Grievances, to whom was referred the petition and notice of A. B. Chambers regarding claim of Jno. J. Landram to his seat in this House, asked to be discharged from the further consideration thereof.

Which was granted.

Ordered, That said notice, &c., be referred to the Committee on Privileges and Elections.

The Committee on the Judiciary, to whom was referred the petition of Peter H. West, praying a division of land;

Also, leave to bring in a bill to amend the law in relation to grand juries;

Resolution of W. C. Ireland offered on the 6th of September, 1861;

The petition of sundry citizens of Calloway county, praying a continuation of the relief law in suspending courts;

Asked to be discharged from the further consideration thereof.

Which was granted.

The Committee on County Courts, to whom was referred a bill from the Senate, entitled "An act for the benefit of C. T. Dillingham, late constable of Adair 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. Harney, from the Committee on Federal Relations, read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency Governor Magoffin, be, and he is hereby, instructed to inform those concerned that Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil, unconditionally.
On motion, the rule of the House requiring joint resolutions to lie on the table one day, was dispensed with.

Said resolution was then taken up.

Mr. W. C. Anderson 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. Ewing and Chambers, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, John W. Finnell, Nicholas A. Rapier,
Alfred Allen, Romus Gibson, John Ray,
R. C. Anderson, Henry Griffith, Joseph Ricketts,
W. C. Anderson, John H. Harney, F. D. Rigney,
Landaff W. Andrews, William H. Hays, George S. Shanklin,
E. B. Bacheiler, William J. Headly, G. Clay Smith,
John C. Beeman, Joseph W. Heeter, M. Smith,
John W. Blue, Richard T. Jacob, James P. Sparks,
William P. Boone, John B. Houston, Harrison Taylor,
William A. Brann, William C. Ireland, Joshua Tevis,
Curtis E. Burnam, Daniel W. Johns, George M. Thomas,
James Calvert, Richard T. Jacob, Thomas Turner,
Cyrus Campbell, Urban E. Kennedy, Joseph R. Underwood,
J. W. Campbell, James M. C. Lisenby, John S. Vanwinkle,
Marion N. Carr, Alexander Lusk, Zeb. Ward,
Joseph H. Chandler, P. L. Maxey, George P. Webster,
Brutus J. Clay, David P. Mears, Alex. T. White,
John B. Cochran, Otho Miller, Nathaniel Wolfe,
Robert Cochran, Thomas Z. Morrow, George H. Yeaman,
William L. Coulkin, Thomas W. Owings, Bryan R. Young,
John C. Cooper, George Poindexter, Milton Young,
Albert A. Curtis, Hiram S. Powell, Van B. Young—71.
Daniel E. Downing, Larkin J. Proctor,
Stephen J. England, William S. Rankin,

Those who voted in the negative, were—

Vincent Ash, John M. Elliott, John Q. A. King,
John S. Barlow, John W. Ellis, John C. Lindsey,
A. R. Boom, George W. Ewing, Daniel Mathewson,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Geo. R. Merritt,
A. B. Chambers, J. C. Gilbert, Felix G. Murphy,
William M. Coffee, George M. Hampton, Geo. W. Silvertooth,
Lucius Desha, John M. Henry, Rob't A. Spalding—26.
W. H. Edmunds, William Johnson,

Mr. King moved to dispense with the rule of the House to enable him to offer the following resolution, viz:

Resolved, That the Governor be requested to demand from those in authority the immediate withdrawal of the Federal troops from the southwestern part of this State, and that said Governor be requested to make a like demand on those in authority to withdraw immediately the forces and troops of the Confederate States from the same place, that the peace and neutrality of the State may be maintained inviolate.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Vincent Ash,  W. H. Edmunds,  John Q. A. King,
John S. Barlow,  John M. Elliott,  John C. Lindsey,
John W. Blue,  George W. Ewing,  Daniel Matthewson,
A. R. Boon,  John W. Gaines,  David May,
William A. Brann,  Joseph Gardiner,  Geo. R. Merritt,
E. F. Burns,  Evan M. Garrigot,  Felix G. Murphy,
W. P. D. Bash,  J. C. Gilbert,  Geo. W. Silvertooth,
A. B. Chambers,  George M. Hampton,  Robt A. Spalding,
Lucius Desha,  William Johnson,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John W. Finnell,  Nicholas A. Rapier,
Alfred Allen,  Remus Gibson,  John Ray,
R. C. Anderson,  Henry Griffith,  Joseph Ricketts,
W. C. Anderson,  John H. Harney,  F. D. Rigney,
Landaff W. Andrews,  William H. Hays,  George S. Shanklin,
E. B. Bacheller,  William J. Heady,  G. Clay Smith,
John C. Beehan,  Joseph W. Heeter,  M. Smith,
William P. Boone,  John B. Huston,  James P. Sparks,
Curtis F. Burnam,  William C. Ireland,  Harrison Taylor,
James Calvert,  Richard T. Jacob,  Joshua Tevis,
Cyrus Campbell,  Daniel W. Johns,  George M. Thomas,
J. W. Campbell,  Urban E. Kennedy,  John R. Thomas,
Marion N. Carr,  James M. C. Lisenby,  Thomas Turner,
Joseph H. Chandler,  Alexander Lusk,  Joseph R. Underwood,
Brutus J. Clay,  P. L. Maxey,  John S. Vanwinkle,
John B. Cochran,  David P. Mears,  Zeb. Ward,
Robert Cochran,  Oto Miller,  George P. Webster,
William L. Conklin,  Thomas Z. Morrow,  Alexander T. White,
John C. Cooper,  Thomas W. Owings,  Nathaniel Wolfe,
Albert A. Curtis,  George Poinsett,  George H. Yeaman,
Daniel E. Downing,  Hiram S. Powell,  Bryan R. Young,
Hugh E. Finley,  William S. Rankin,

Mr. Heady moved the following resolution, viz:

Resolved, That all bills and petitions hereafter introduced for the benefit of sheriffs and their securities, shall be received and referred to the Committee on Ways and Means without debate.

Which was adopted.

Mr. Finnell moved the following resolution, viz:

Resolved, That a committee of five members be appointed to inquire
into and report to this House any and all violations of law in this Commonwealth, which resulted in the death of citizens or expulsion from their homes, or in great injury to their persons or property, and which was produced by the political questions now agitated. The inquiry to extend to cases occurring since the last adjournment of this body. The committee to have power to send for persons and papers, and that they report whether, in their judgment, any further legislation is necessary for the prosecution of such offenses.

Mr. Yeaman moved to amend said resolution by adding:

"To inquire whether, in any county or portion of the State, the due course of law, and the administration of justice, are obstructed by the want of sufficient power of the courts and their officers to execute the laws and protect the citizens."

Mr. Burnam moved to amend the amendment of Mr. Yeaman as follows, viz:

Resolved, That the Committee on Judiciary be instructed to summon before them, or to address in writing, the various circuit judges of this Commonwealth, and to learn what additional legislation, if any, is necessary to protect human life and the security of persons and property in this State, and to extend their inquiries by an examination of attorneys for the Commonwealth, and other persons, in their discretion.

Which amendment was adopted.

Ordered, That said resolution and amendments be referred to the Committee on the Judiciary.

Mr. Bacheiler moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be instructed to inquire into and report what action, if any, is necessary to procure the collection of the State revenue in Rockcastle county for the present year.

Which was adopted.

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

Resolved, That the occupation of Hickman and Chalk Bluffs by the Confederate troops, and Paducah by the Federal troops, without an invitation or the consent of the proper authorities of Kentucky so to do, is an encroachment upon the sovereignty of our State, and a gross violation of her neutrality, and that, in order to preserve the peace of our beloved Commonwealth, and to avert the calamities of a civil war which she had no agency in bringing about, the Governor is hereby requested to open communication, through commissioners or otherwise, with the proper authorities of both belligerent powers, with a view of effecting a speedy removal of the troops of each from the soil of Kentucky; and that he be requested to communicate the result to this House at as early a day as practicable.

Mr. Wolfe moved the following resolution, viz:

Resolved, That the Committee on Federal Relations be, and are
hereby, authorized to employ a clerk, who shall perform such duties as shall be required of him by said committee.

Which was adopted.

Mr. Barnam moved the following resolution, viz:

Resolved, That the Committee on Education be instructed to inquire and report to this House what progress has been made in the publication of the fourth volume of the Geological Survey of the State, and whether the maps, illustrations, and surveys accompanying said volume, have been engraved and published; and what additional legislation, if any, is necessary to secure the completion and their distribution among those entitled by law to receive the same.

Which was adopted.

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

On motion of Mr. W. C. Anderson—1. A bill to amend the law in regard to peddlers.

On motion of Mr. Barlow—2. A bill to authorize J. H. Gatewood to change the old Lexington and Nashville road.

On motion of Mr. Hinson—3. A bill to prohibit rebellion by citizens of Kentucky.

On motion of Mr. Lindsey—4. A bill for the benefit of the sheriff of Carroll county.

On motion of Mr. Miller—5. A bill for the benefit of J. G. Pickens’ securities, sheriff of Clinton county.

On motion of Mr. White—6. A bill for the benefit of James Herd, late sheriff of Clay county.

On motion of Mr. Blue—7. A bill for the benefit of common school district No. 27, in Crittenden county.

On motion of Mr. Curtis—8. A bill for the benefit of Wm. A. L. B. Sharp, late sheriff of Estill county, and his securities.

On motion of Mr. Silvertooth—9. A bill to repeal an act, entitled “An act to amend an act requiring the registration of births, marriages, and deaths,” approved March 3, 1860.

On motion of Mr. Chambers—10. A bill for the benefit of M. C. Hughes, sheriff of Gallatin county.

On motion of Mr. A. R. Boon—11. A bill for the benefit of Wm. McClure, a free man of color.

On motion of Mr. Rankin—12. A bill for the benefit of Nancy Ann Richardson.

On motion of Mr. Milton Young—13. A bill for the benefit of common school district No. 46, in Henderson county.
On motion of Mr. Powell—14. A bill to amend the law in relation to the Wilderness turnpike road, in Knox county.

On motion of same—15. A bill in relation to the appointment of common school commissioners.

On motion of Mr. Wolfe—16. A bill to amend the charter of the Louisville and Taylorsville turnpike road company.

On motion of Mr. Bacheller—17. A bill for the benefit of Ashley Owens, of Rockcastle county.

On motion of Mr. Ricketts—18. A bill for the benefit of H. D. Rothrock, late sheriff of Muhlenburg county, and his securities.

On motion of Mr. Beeman—19. A bill to prevent unlawful enlistments in this State.

On motion of Mr. Tevis—20. A bill for the benefit of the Louisville and Frankfort and Lexington and Frankfort railroad companies.

On motion of same—21. A bill for the benefit of the Louisville Association for the improvement of the breed of horses.

On motion of Mr. Burnam—22. A bill for the benefit of the commissioners of tax in Madison county.

On motion of Mr. J. R. Thomas—23. A bill to amend an act, entitled "An act to permit the Marion county court to subscribe shares of stock in Louisville and Nashville railroad company.


On motion of Mr. Vanwinkle—25. A bill for the benefit of W. M. Worsham, late sheriff of Wayne county, and his securities.

On motion of Mr. Finley—26. A bill to change the place of voting in precinct No. 3, in Whitley county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 11th, 12th, 16th, 20th, and 23d; the Committee on Propositions and Grievances the 2d; the Committee on Revised Statutes the 3d, 9th, and 19th; the Committee on Ways and Means the 4th, 5th, 6th, 8th, 10th, 18th, 22d, 24th, and 25th; the Committee on Education the 7th and 15th; the Committee on Claims the 17th; Messrs. M. Young, Yeaman, and J. R. Thomas the 13th; Messrs. Burnam, White, and Curtis the 14th; Messrs. Finley, J. W. Anderson, and Bacheller the 26th, and the Committee on the Court of Appeals the 21st.

And then the House adjourned.
THURSDAY, SEPTEMBER 12, 1861.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled

An act to authorize the Marshall county court to change the State road.

With an amendment.

Also, a resolution from this House in relation to the withdrawal of Confederate troops from Kentucky soil.

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

An act for the benefit of John W. Hazelrigg, late clerk of the circuit court of Morgan county.

An act to authorize the county court of Cumberland county to increase the county levy of said county.

On motion of Mr. Chambers,

Ordered, That the Public Printer forthwith print 150 copies of his notice and reply to the claim of John J. Landram to his seat in this House for the use of the members of the General Assembly.

Which is as follows, viz:

Mr. J. J. Landram—Sir: On the 22d day of August, 1861, I received, by the hand of C. C. Murdock, a paper over your signature, bearing date August 20, 1861, notifying me of your intention to contest my right to a seat as the Representative for the county of Gallatin in the next General Assembly of Kentucky. I claim that I am and was duly and legally chosen to that office by a majority of the legal voters of the aforesaid county, having cast their votes for me at an election held in said county on the 5th day of August, 1861.

1. As to George Lee, I deny the charge of illegality of his vote. He is a citizen of the county and precinct wherein he voted, (the first election precinct,) and lived in said county for one year, and in said election precinct sixty days next preceding said election, and is a legal voter.

2. I deny that the vote of Thomas Bolling is recorded for me and against you on the poll-book of the 1st election precinct in said county, or at any other precinct in said county, or that any such vote was counted for me.

3. Martin Miller and Pat Miller are both residents of Gallatin county, and were residents of said county one year, and of said 1st election precinct sixty days next before said 5th of August, 1861. I deny their not being residents in said election precinct sixty days next preceding said election.
4. I deny that no such person as John Winn presented himself at said 1st election precinct to vote for me; the poll-book shows the facts as to his vote.

5. You charge that Henry Hisel cast his vote for you at the 1st district, and that, by the importunity of one of my friends, he was induced to change the same and cast it for me. I admit his vote was recorded for you, and when so informed by a friend that he had so voted, he denied it, and stated that he had voted for me and always so intended to vote; and if it was so recorded by the clerk, it was wrong, and he would have it corrected. He immediately went back to the poll and inquired how his vote had been recorded, and upon being told that it was recorded for you, he told the officers of the election that that was not the way he voted, and requested them to change his vote for me, as that was the way he voted; and then the change was made, and all this was done before any other vote was taken or offered. I insist the vote for me is legal, and deny that importunity of my friends or any other person caused the voter Hisel to ask the change; that was made by the officers; it was because the vote was not at first recorded as given and intended to be cast.

6. I deny that the vote of J. S. Bond is recorded for me and against you on the poll-book of the 1st election district, or any other poll-book in said county. No such a vote was counted for me in said election.

7. I deny that J. T. Ford, who voted for me at the 1st district, was not a resident of said district sixty days next preceding said voting. Said Ford has lived in said district since November, 1869, having removed therein from an adjoining county of this State, where he had resided for thirty years past.

8. I deny that A. W. Fuller voted for me under threats of violence, either to his person or property, or that any such cause influenced his vote.

9. R. O. Bolling did vote for me, as he had a right to do. He is a citizen and a legal voter in said district.

10. I deny that Wm. Williams is not a legal voter; deny that he did not reside in said election district sixty days next preceding said election. He is a legal voter.

11. I deny that the votes of James Turner, Jack Winn, and Smith should be counted for you, because they did not vote. I deny the polls were closed at the 1st district at about 5 o'clock, P. M. My information is that said polls were closed between the hours of 6 and 7, P. M., on said day of election, and long after the voting had ceased. I deny that either of said persons would have voted for you if they had been at the polls previous to their having been closed. I deny that either of said persons are legal voters in said district.

12. I deny that Samuel Carroll, Lawrence Riley, and Thomas Johnson, or either of them, are illegal voters, by reason of not being resident of the county and precinct, as charged in your notice, or otherwise; they are each and all legal voters in the district in which their votes are recorded, and should be, as they were, counted for me.

13. I deny that Milton Buchanan, who voted for me in the 2d district, was not 21 years old at the time of said voting.
14. I deny that George Buchanan, who voted at the same place, is void of mind. He has mind enough to know what he is doing, and can attend to ordinary business, and has full capacity and right to vote.

15. I deny that "W." Kirby's vote, as you have it, should not be counted for me; the vote is that of U. (or Uriel) Kirby, and not W. Kirby, and was set down by the clerk of the election; and although the letter may be made to resemble a U or W, as you prefer to have it, that was the vote of Uriel Kirby, and of no other. Said Uriel Kirby having voted in the said 2d district, and his vote is recorded nowhere else on the poll book; and he voted for me.

16. I deny that Michael Ryan, Willis House, Ben. F. Davis, Michael Barlow, and Samuel Bollington, who voted for me at the Napoleon district, or either of them, should not be counted for me, because of non-residence either in the county, State, or district for the period required by law. Each and all of said voters were residents of the State of Kentucky two years, or said county of Gallatin one year, and of said election district sixty days next preceding said 5th day of August, 1861, and were legal voters.

17. I admit there is but one Thomas M. Brown in the Napoleon district, and that he was an officer of the election and voted for you; but the vote you challenge, although written by the clerk of the election tolerably plain T. M. Brown, is, and was, the vote of T. M. Brann, commonly known as "Mitch Brann," who voted for me; and said vote, which you call T. M. Brown, for me is, and was, the vote of said Brann, and no other, as his name is not shown elsewhere on said poll-book; and to all which the clerk of said poll-book (a partisan and personal friend of yours) will testify; the writing of said Brann's name Brown is a mere lapsus penna, doubtless accidental on the part of the clerk.

18. I deny that the poll-book at the Hoggins', or 1st, district should be thrown out, and the votes thereon taken not counted for me at said election, either by reason of the way the votes were taken by the clerk, or for want of said poll being certified by the officers of the election. Said vote was taken by the clerk, and the poll-book certified by the officers of the election according to law.

You will also take notice, that in contesting said election, according to the notice you have given me, I shall, for the reasons hereafter given, move to strike from the votes received by you in said election, held in said county of Gallatin, on the said 5th day of August, 1861, for representative of said county in the General Assembly of Kentucky, and which votes have been counted for you and against me, the following, to-wit:

1. The following votes cast for you at the Hoggins' or 1st district, on said 5th of August, 1861, are illegal, and should not have been counted for you, and against me, as they have been done by the board of examiners, for the following reasons:

James Stevenson voted for you at the Napoleon or 3d district, on said 5th August, 1861. Said Stevenson is non compos mentis; does not know his right hand from his left, nor cannot even tell his own name—entirely void of mind. Such a vote should not be counted; it is illegal.
William G. Furnish's vote is recorded for you against me. Said Furnish was not a resident of the county one year, nor of the election district sixty days next preceding said election; but is, and was at the time of casting his vote for you, a resident of the State of Indiana.

2. Jackson Smith voted for you and against me in said election district. Said Smith, at the time of said election, was not a resident of the county one year, nor of the election district sixty days next before said election; but at the time was, and is, a resident of the State of Indiana.

3. John Litteral, jr., voted for you and against me at said election. Said Litteral had not resided in said district sixty days next before said election. He voted in Ghent, Carroll county, in June, 1861, at the election for Congressmen.

4. I shall insist that the vote of Lewis Bowers, of said district, shall, and ought to be counted for me. Said Bowers was forcibly taken by your friends out of the State of Kentucky the night previous to the election, and there forcibly kept and detained by them until the election was over, to prevent his voting for me; he having declared his purpose before said election so to do.

5. I am also entitled to and shall claim the vote of A. R. Rosel, who would have voted for me at said district, but was defrauded thereof by one John Hixon, who, in consideration that said Rosel would not go to the polls and vote for me, agreed that he would not vote for you; but said Hixon, in fraud of said agreement, late in the evening, and unknown to said Rosel, voted for you, and thereby deprived me of said vote of said Rosel.

6. If any votes are to be allowed by reason of the polls in the first district having been closed in the first district, I shall also claim the votes of William Flack; he, like Turner and Winn, was far on his way to the place of voting when he was informed the poll was closed. He would have voted for me, and would have reached the place of voting before 7 o'clock, if the poll had not have been closed.

Woodford Wells voted for you at the Hoggin, or first district. Said Wells at the time had neither lived in the State two years, nor in the county of Gallatin one year, nor in the said election district sixty days next preceding said election.

The following named persons cast illegal votes for you and against me at the second, or Warsaw district, on said 5th day of August, 1861, to-wit:

7. Powhattan Webber voted for you and against me; said Webber being at the time neither a citizen of the county of Gallatin, nor having lived in said voting district sixty days next preceding said election.

8. Thomas O. Furnish voted for you. Said Furnish had not lived in the county one year nor in the said voting district sixty days next preceding said election.

9. D. E. Pugley voted for you and against me. Said Pugley had not, at the time of said voting, lived in the State two years, nor in the election district sixty days next preceding said election.

10. E. B. Huston voted for you at said election. Said Huston is a
foreigner by birth, having been born in Ireland, and has never been
naturalized.

11. J. C. Bacon voted twice for you, as appears by the poll-book. I
deny that there is more than one J. C. Bacon a voter in said district.
I deny that there are two persons—males over the age of 21 years—
named J. C. Bacon in said voting district.

12. John Sturgil voted for you. Said Sturgil is a minor, under the
age of 21 years old, and not a legal voter.

13. I deny that Wm. Marsh, sen., whose name is on said poll, and
recorded as voting for you, gave a legal vote. Said vote was not
taken at the court-house, the place designated by law for holding the
election; nor was said vote taken in the presence of the judges of
said election; but the same was taken by the acting sheriff in the
absence of the judges, out in the town and remote from the legal
place of voting. It is illegal.

The following named persons cast illegal votes for you and against
me at the Napoleon, or 3d district, in said county, on said 5th day of
August, 1861, to-wit:

Sam'l Remington and Jordan Harris both voted for you and against
me. I deny that either said Remington, or said Harris, were at the
time of such voting 21 years old; they were both minors, under age,
at the time of said voting.

Marshall Griffin voted for you at the Napoleon, or 3d district; at
the time, said Griffin had not been a resident of the State of Kentucky
two years, nor of the county of Gallatin one year, nor of said elec-
tion district sixty days next preceding said election.

The above enumerated votes which were cast for you at said elec-
tion of August 5th, 1861, for representative of the said county of Gal-
latin being all illegal, for the reasons above stated, I shall insist that
they each be stricken from your poll in your proposed contest of my
election; and also, that I am entitled to the votes of Wm. Flack,
Lewis Bowers, and A. F. Rosel to be added to my poll.

Yours,

August 30th, 1861.

A. B. CHAMBERS.

A message was received from the Governor by Hon. Thos. B. Mon-
roe, jr., Secretary of State, transmitting the report of the Superintend-
ent and Board of Managers of the Western Lunatic Asylum, which is
as follows, viz:

[For Report—See Legislative Document, No. 6.]

Ordered, That the Public Printer forthwith print 250 copies of said
report, for the use of the members of the General Assembly.

On motion of Mr. W. C. Anderson,

Ordered, That John W. Pinnell be added to the Committee on Mil-
itary Affairs.

Mr. Bacheller, from the Committee on Enrollments, reported that
the committee had examined enrolled bills and a resolution, which
originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of Lilly H. Snow.
An act to incorporate Birmingham Lodge, No. 290, of Free and Accepted Masons.
A resolution in relation to the withdrawal of Confederate troops from Kentucky soil.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

1. Mr. Desha presented the petition of sundry citizens of Harrison county, protesting against the tax imposed by the late Federal Congress.

2. Mr. J. B. Cochran presented the petition of W. N. Guyton, of McLean county, praying compensation for repairing lock on Green river.

3. Mr. Proctor presented the petition of sundry citizens of Butler and Edmonson counties, remonstrating against the payment of the tax imposed by the Federal Congress.

4. Mr. Clay presented the petition of sundry citizens of Bourbon county, against paying the war tax, and for the removal of independent or Federal camps, &c.

5. Mr. Gabbert presented the petition of sundry citizens of Mercer county, praying for peace and the neutrality of Kentucky, and against encampments of troops by either section.

6. Mr. Carr presented the petition of L. Knight and others, praying to be added to the county of Metcalfe.

7. Mr. Heeter presented the petition of the county judge of Allen county, praying the passage of act directing the Lunatic Asylums to take charge of James Campbell, a lunatic, and now in jail of Allen county.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 4th, and 5th to the Committee on Federal Relations; the 2d to the Committee on Claims; the 6th to the Committee on Propositions and Grievances, and the 7th to the Committee on Incorporated Institutions.

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 fixing compensation of assessors for listing births, marriages, and deaths under the registration laws of this State.
Mr. Huston offered an amendment.

By the Committee on Propositions and Grievances—

2. A bill to authorize J. H. Gatewood to change the Lexington and Nashville road.

By same—

3. A bill to change the time of holding police court of the town of Hartford.

By same—

4. A bill to allow the sheriff of Ohio county to execute process from the police court of the town of Hartford.

By the Committee on Internal Improvement—

5. A bill for the benefit of the Maysville and Blue Run turnpike road company, in Mason county.

By same—

6. A bill for the benefit of C. C. Harris and others, of Madison county.

By the Committee on County Courts—

7. A bill in relation to the county levy of Pike county.

By the Committee on Revised Statutes—

8. A bill to prohibit and prevent rebellion by citizens of Kentucky and others in this State.

By same—

9. A bill to amend the law in relation to jury trials.

By the Committee on Incorporated Institutions—

10. A bill to amend the law incorporating the town of Shelbyville.

By same—

11. A bill to amend the act incorporating the town of Gratz, in Owen county.

By same—


By the Committee on Ways and Means—

13. A bill for the benefit of the sheriff of Simpson county, and his securities.

By Mr. Bacheller—

14. A bill to change the voting place in district No. 3, in Whitley county.

By Mr. Proctor—

15. A bill to incorporate the Kentucky Hotel and Cave Company.
By Mr. M. Young——
16. A bill for the benefit of common school district No 46, in Henderson county.

By Mr. Gilbert——
17. A bill to incorporate the town of Bresciaburg, in Marshall 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 the 1st, 8th, and 9th bills having been dispensed with, the 1st was referred to the Committee on Revised Statutes; the 8th was made the special order of the day for to-morrow, at 11 o'clock; the 2d, 3d, 4th, 5th, 6th, 7th, 10th, 11th, 12th, 13th, 14th, 15th, and 17th were severally ordered to be engrossed and read a third time; the 16th was referred to the Committee on Education.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 4th, 5th, 6th, 7th, 10th, 11th, 12th, 13th, 14th, 15th, and 17th bills having been dispensed with, and same being engrossed,

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

Ordered, That the Public Printer forthwith print 150 copies of the 8th and 9th bills for the use of the members of the General Assembly.

Mr. John B. Cochran, from the Committee on Incorporated Institutions, to whom was referred a bill from this House, entitled "An act to incorporate the LaGrange Masonic Female Seminary," 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. Taylor, from the Committee on Ways and Means, to whom was referred a bill, entitled "An act for the benefit of P. B. Adams, late sheriff of Graves county, and his securities," 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 having been engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

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

On motion of Mr. Van B. Young—1. A bill to prevent the destruction of fish in the waters of Slate creek, in the county of Bath.

On motion of Mr. Johns—2. A bill for the benefit of George W. Kouns, of Boyd county.

On motion of Mr. Lisenby—3. A bill for the benefit of James P. Miller, sheriff of Russell county.

On motion of same—4. A bill for the benefit of Patrick Napier, late sheriff of Casey county.

On motion of same—5. A bill to change the time of holding circuit courts in Russell county.

On motion of Mr. R. C. Anderson—6. A bill to incorporate the Frankfort Commercial College.

On motion of Mr. Elliott—7. A bill for the benefit of N. W. Cecil, sheriff of Floyd county.

On motion of same—8. A bill for the benefit of John Friend, late sheriff of Floyd county.

On motion of same—9. A bill authorizing the sale of the seminary lot in the town of Prestonsburg.

On motion of Mr. Bush—10. A bill giving sheriffs in this State further time to pay one half of the revenue to be collected in the year 1861.

On motion of Mr. Sparks—11. A bill in relation to the Quartermaster's Department.

On motion of Mr. Desha—12. A bill to amend the law in relation to the settlements with executors, administrators, guardians, &c.

On motion of same—13. A bill to amend the law relative to selecting grand jurors.


On motion of Mr. Harney—15. A bill requiring fines collected from delinquents in working roads to be paid into the county treasury.

On motion of same—16. A bill to provide for collection of tax on process from justices of Jefferson county.

On motion of Mr. Bacheller—17. A bill to suspend the holding of circuit courts for the remainder of the present year in the counties of Harlan, Letcher, Perry, Breathitt, Owsley, Estill, Jackson, and Clay, of the 12th judicial district.
On motion of Mr. George M. Thomas—18. A bill authorizing county courts to locate county roads through town lots and orchards in certain cases.

On motion of same—19. A bill for the benefit of Seth Parker, sheriff of Lewis county.

On motion of Mr. W. P. Boone—20. A bill for the benefit of Babetta Dinkelspiel.

On motion of Mr. Wolfe—21. A bill to amend an act, entitled "An act to incorporate the Louisville Courier Printing Company."

On motion of Mr. Tevis—22. A bill for the benefit of Mrs. Gerhart.

On motion of Mr. Owings—23. A bill for the benefit of H. C. Boone, of Meade county.


On motion of Mr. J. W. Campbell—25. A bill to amend the charter of the town of Carlisle.

On motion of Mr. Kennedy—26. A bill to change the State road in Todd county.

On motion of Mr. Chandler—27. A bill for the benefit of Thomas Yarboe, assessor of Taylor county.

On motion of Mr. Heady—28. A bill to amend the law creating the State Guard.

On motion of Mr. Merritt—29. A bill for the benefit of the sheriff of Lyon county.

Ordered, That the Committee on Circuit Courts prepare and bring in the 1st, 5th, and 17th; the Committee on Claims the 2d; the Committee on Ways and Means the 3d, 4th, 7th, 8th, 10th, 16th, 19th, 24th, 27th, and 29th; the Committee on Education the 6th; the Committee on Military Affairs the 11th and 28th; the Committee on the Judiciary the 12th, 13th, 14th, 20th, 21st, and 22d; the Committee on Revised Statutes the 15th; the Committee on County Courts the 18th; the Committee on Internal Improvement the 26th; Messrs. May, Hampton, and Gardner the 9th; Messrs. Owings, Allen, and Turner the 23d; Messrs. James W. Campbell, Turner, and Andrews the 25th.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That every interest of the people, and the honor of all parties, are
indissolubly connected with the maintenance of the neutrality of Kentucky.

2. That we fear a civil war in the State is the necessary and inevitable consequence of the introduction into our limits of a standing army, officered and paid by any party, other than the Commonwealth of Kentucky.

3. That we pledge to each other our sacred honor that we will do all we can to preserve the neutrality of Kentucky; and for this purpose we will unite in the creation of a State force for the lawful protection of all citizens; and insist on the withdrawal of the troops of the United States and the Confederate States, from the soil of the State.

4. That after having secured the neutrality of Kentucky, we will unite our councils for the purpose of producing peace between the two belligerent parties on the best practicable basis, securing the honor and embracing the interest of each.

5. That for this purpose we recommend a truce between the belligerents, and the appointment by both parties, of commissioners to adjust the difficulties.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of the State be, and he is hereby, requested to urge upon the Federal and Confederate authorities the immediate and unconditional withdrawal of all troops placed by said parties on Kentucky soil; and that he enforce the strict neutrality of Kentucky, which she has assumed through her Legislature, and by the popular vote of the people.

Mr. Gilbert moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be directed to make diligent inquiry, and report to this House, whether any person or persons, holding or exercising any office of trust or profit under the laws of this State, is now holding or exercising any office of trust or profit under the United States; and that said committee be empowered to send for persons and papers.

Ordered, That said resolution be referred to the Committee on the Judiciary.

And then the House adjourned.
FRIDAY, SEPTEMBER 13, 1861.

The Speaker appointed Messrs. Turner, Taylor, Barlow, Robert Cockran, and Spalding the Committee on Retrenchment and Reform, in pursuance of the resolution moved by Mr. Turner on the 6th day of this present month.

The Speaker appointed Messrs. W. C. Anderson, Underwood, Tevis, Shanklin, B. R. Young, Rankin, Huston, Elliott, Allen, and Matthewson, in pursuance of the resolution moved by Mr. W. C. Anderson on the 5th day of this month, to lay off and divide the State into eight congressional districts.

1. Mr. Henry presented the petition of sundry citizens of Simpson county, against the war tax.

2. Mr. Underwood presented the petition of J. Pillsbury, praying compensation for services rendered commissioners appointed to run and mark the boundary line between this State and Tennessee.

3. Also the petition of sundry citizens of Warren county, against the war tax, &c.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Federal Relations; and the 2d to the Committee on Claims.

The Committee on Ways and Means, to whom was referred a bill, entitled "An act for the benefit of Henry Forsb," 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 same committee, to whom was referred a bill from the Senate, entitled "An act for the benefit of Leroy S. Mitchell, late constable of Marion county," reported the same with the expression of opinion that it ought not to pass.

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

And so the said bill was rejected.

The Committee on Education, to whom was referred leave to bring
in a bill, entitled "An act to amend the law in relation to schools and seminaries," reported the same.

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.

The same committee, to whom was referred leave to bring in a bill, entitled "An act in relation to the appointment of common school commissioners," reported.

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 recommitted to the Committee on Education.

The House, according to order, took up for consideration a bill, entitled "An act to prohibit and prevent rebellion by citizens of Kentucky and others in this State.

Said bill was read a third time.

Sundry amendments were then proposed.

Ordered, That said bill and amendments be referred to the Committee on the Judiciary, and that they be instructed to report thereon on Monday next, at 11 o'clock; and said committee are authorized to have the bill and amendments printed.

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

An act to authorize the First Colored Baptist Church of Louisville to sell certain property.

An act to repeal an act, entitled "An act to establish an additional voting place in Hays' precinct, in Hickman county."

An act to incorporate Baltimore Lodge, No. 361, of Free and Accepted Masons.

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

An act for the benefit of Frank Garrett, late clerk of the Morgan county court.

An act for the benefit of James Trimble, clerk of the Floyd circuit and county courts.

An act to change the election and magistrates' district No. 1, in Adair county.

A resolution appropriating money to Chinn, Pearce, and Pruett.
A message was received from the Governor by Mr. Thomas B. Monroe, jr., Secretary of State, announcing that he had approved and signed enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act for the benefit of the State Agricultural Society.
An act for the benefit of Joseph Doniphan, late presiding judge of Bracken county.
An act for the benefit of the Nicholas county court.
An act for the benefit of the jailer of Monroe county.
A resolution making appropriation to Wickliffe, McClarty, and Robb.
A resolution making appropriation to excluded Senators.

A message was received from the Governor by M. Thos. B. Monroe, jr., Secretary of State, which is as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT, SEP'T. 13, 1861.

Gentlemen of the House of Representatives:

A joint resolution in relation to the withdrawal of Confederate troops from Kentucky soil," which passed both branches of the General Assembly on the 11th instant, was yesterday submitted to me for my official sanction. In view of all my responsibilities to the people of this Commonwealth, I am compelled to withhold from this resolution my approbation. But desiring to occasion no unnecessary delay to your action, I now promptly return it to the House in which it originated, with my veto and objections.

The people of Kentucky have, through their Representatives in General Assembly, and on three several occasions at the polls, distinctly assumed for the State a position of strict neutrality between the belligerent parties to the pending war. That position I have sincerely and faithfully endeavored to maintain. The manifest advantage of such an attitude, and the fatal results of its abandonment, I endeavored to exhibit in my recent message to you, wherein I earnestly recommended to the General Assembly the prompt passage of resolutions, requiring both belligerents to keep off our soil, and to respect in good faith the neutrality which the people of Kentucky, with unexampled unanimity, in good faith desire to preserve." I regard the almost simultaneous occupation of Paducah by the Federal troops, and of Columbus by the Confederate forces, as equally palpable and open violation of the neutral rights of Kentucky. Unless, therefore, it is the purpose of the General Assembly to abandon entirely all pretense of neutrality, and to commit Kentucky to active co-operation with the United States Government, in the prosecution of the war, by surrendering her soil to the unconditional occupation of the Federal army, I cannot conceive why notice shall be given to one party, and refused to the other. Manifestly a resolution requiring the withdrawal of the army of one belligerent from Kentucky soil, and failing to demand a like withdrawal of the forces of the other,
can be construed not otherwise than as an acquiescence on your part in the occupation of the State by the other. In this acquiescence I cannot concur with you, but now take occasion again earnestly to recommend the passage of resolutions, urging upon each Government the withdrawal of their respective forces, and the future observance of the neutrality of Kentucky. I do not doubt that such action on your part would be respected by both the belligerents, and thereby the peace of our State preserved.

Having determined, conscientiously, to act in accordance with a just view of duty, resulting from the neutrality of the State, between the belligerents; objecting solemnly to the occupation of Kentucky soil by either, and believing that the abandonment of this position of the State, thrice chosen and asserted by the people, will not only result in making Kentucky the theater of large military operations, but will produce and be followed by civil war at home, I respectfully return to you the resolution, with my veto and objections, for your consideration.

B. MAGOFFIN.

The said resolution alluded to in the foregoing message is as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency Governor Magoffin, be, and he is hereby, instructed to inform those concerned that Kentucky expects the Confederate or Tennessee troops to be withdrawn from her soil, unconditionally.

Mr. Burnam 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. Chambers and Elliott, were as follows, viz:

Those who voted in the affirmative, were—

The question was then taken, "Shall the resolution be adopted, the objections of the Governor, to the contrary notwithstanding?" 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, (Buckner,) John W. Finnell, John Q. A. King,
Alfred Allen, Elijah Gabbert, John C. Lindsey,
R. C. Anderson, Remue Gibson, Daniel Matthewson,
W. C. Anderson, Henry Griffith, David May,
Landall W. Andrews, John H. Harney, Geo. R. Merritt,
E. B. Bacheller, William H. Hays, Felix G. Murphy,
John C. Beeman, William J. Heady, Geo. W. Silvertooth,
John W. Blue, Joseph W. Heeter, Robt A. Spalding—26.
William P. Boone, John B. Huston,
Curtis F. Burnam, Richard T. Jacob,
Cyrus Campbell, Daniel W. Johns,
J. W. Campbell, Urban E. Kennedy,
Marion N. Carr, James M. C. Lisenby,
Joseph H. Chandler, Alexander Lusk,
Brutus J. Clay, P. L. Maxey,
John B. Cochran, David P. Mears,
Robert Cochran, Otho Miller,
William L. Conklin, Thomas Z. Morrow,
John C. Cooper, Thomas W. Owings,
Albert A. Curtis, George Poindexter,
Daniel E. Downing, Hiram S. Powell,
Stephen J. England, Larkin J. Proctor,
Hugh F. Finley, William S. Rankin,
William L. Conklin, Nathaniel Wolfe,
John C. Cooper, George H. Yeaman,
Albert A. Curtis, Bryan R. Young,
Daniel E. Downing, Milton Young,
Stephen J. England, Van B. Young—68.
Hugh F. Finley, William S. Rankin,
Thomas Z. Morrow, George H. Yeaman,
Thomas W. Owings, Bryan R. Young,
Hiram S. Powell, Milton Young,
Larkin J. Proctor, Van B. Young—68.
William S. Rankin,
Those who voted in the negative, were—

Vincent Ash, John M. Elliott, John Q. A. King,
John S. Barlow, George W. Ewing, John C. Lindsey,
A. R. Boon, John W. Gaines, Daniel Matthewson,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Geo. R. Merritt,
A. B. Chambers, J. C. Gilbert, Felix G. Murphy,
William M. Coffee, George M. Hampton, Geo. W. Silvertooth,
Lucius Desha, John M. Henry, Rob't A. Spalding—26.
W. H. Edmunds, William Johnson,

Mr. Allen, from the Committee on Federal Relations, asked to be discharged from the further consideration of the resolution offered by Mr. Desha on the 7th of this month, relative to the flag of Kentucky.

Which was granted.

Mr. Wolfe, from the Committee on Federal Relations, to whom was referred the resolution of Mr. Ewing, against the payment of the tax which Congress, at its late session, authorized to be collected for the purpose of carrying on the war, and for the recognition of the Confederate States, &c., made the following report thereon, viz:

The Committee on Federal Relations, to whom was referred the resolution of Mr. Ewing against the payment of the tax which Congress at its late session authorized to be collected for the purpose of carrying on the war, and for the recognition of the independence of the Confederate States, &c., made the following report thereon:

Your committee is of opinion that the law imposing the tax is within the constitutional powers of Congress. The money to be raised by the tax will be used, and was intended by the law imposing the tax to be used, in defending and preserving the government of the United States against powerful efforts now being made to overthrow the general government. The eighth section of article one of the Constitution of the United States authorizes the Congress of the United States to lay and collect taxes to pay the debts and provide for the common defense and general welfare of the United States. The act of Congress just referred to comes within that clause of the Constitution of the United States.

The fact that the people of Kentucky were opposed to the inauguration of the war now carried on is no reason why they should not fulfill their constitutional obligations. The war was begun by South Carolina, one of the Confederate States, and soon after nine States entered with her in the war. The people of those States are now in arms against the government of the United States. They have brought powerful armies into the field, which are now within sight of the national Capitol, and threaten to seize it and overthrow the government of the United States. The people of Kentucky are determined to defend that government against its enemies. It is a powerful, a wise, a beneficent government. It is the work of almost
The recognition of the so-called Confederate States would be giving consent to the existence of two separate governments within the limits of the United States. Your committee cannot advise or approve such consent. Without any elaborate discussion of the subject, such a policy would sacrifice the highest interest of the people of the country. We, then, feel we cannot approve the inauguration of the Southern Confederacy; and we know of no power competent to do it, except a National Convention, if it were desirable.

All which is respectfully submitted.

N. WOLFE, Chairman Committee on Federal Relations.

Mr. Wolfe moved the previous question.
And the question being taken thereon, it was decided in the negative.

On motion of Mr. Huston,
Ordered, That said report be printed and made the special order of the day for 11 o'clock to-morrow.

Mr. Owings, from the select committee to whom was referred leave to bring in a bill, entitled "An act authorizing the county court of Meade county to appoint a guardian for Hiram C. Boone," reported the same.
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 being dispensed with,
Mr. Allen moved to amend said bill.
Ordered, That said bill and proposed amendment 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 the Committee on the Judiciary—
1. A bill to amend the charter authorizing the erection of an additional toll-gate on the Louisville and Taylorsville turnpike company, by the turnpike company.

By same—
2. A bill to amend an act, entitled "An act to incorporate the Louisville Courier Printing Company,"
By the Committee on Ways and Means—
3. A bill for the benefit of M. C. Hughes, sheriff of Gallatin county.
By same—
4. A bill for the benefit of the sheriff of Marion county.
By same—
By same—
6. A bill for the benefit of W. D. Black, late sheriff of Pulaski county, and his securities.
By the Committee on Education—
7. A bill for the benefit of common school district No. 46, in Henderson county.
By same—
8. A bill for the benefit of common school district No. 27, in Crittenden county.
By the Committee on Public Affairs—
9. A bill for the benefit of Alexander Locke, justice of the peace for Harlan county.
By the Committee on the Court of Appeals—
10. A bill to amend an act, entitled “An act to incorporate the Louisville Association for the improvement of the breed of horses.”
By the Committee on County Courts—
By Mr. Burnam—
12. A bill to repeal an act, entitled “An act concerning the Wilderness turnpike road.”
By Mr. Coffee—
By Mr. Andrews—
14. A bill to amend the charter of the town of Carlisle.
By Mr. Webster—
15. A bill for the protection of small birds in Campbell and adjoining counties.
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 same were severally ordered to be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bacheiller, from the Committee on Enrollments, reported that the committee had examined several 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 common school district No. 45, in Henderson county.

An act for the benefit of the Kirksville and Kentucky River turnpike road company.

An act to amend an act, entitled "An act to incorporate the Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church, South."

An act to change the county lines between the counties of Carter and Rowan.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheiller inform the Senate thereof.

Mr. Allen moved the following resolution, viz:

Resolved, by the General Assembly of the Commonwealth of Kentucky, That the commissioners of the sinking fund be requested to inform the Legislature the amount and condition of the fund; whether it has been loaned, and if so, to whom, and whether it is immediately available or not.

Which was adopted.

Mr. Huston moved the following resolution, viz:

Resolved, That the Committee on the Judiciary inquire what legislation is required to procure the return of citizens of this State illegally captured and taken therefrom, and that they promptly report by bill or otherwise.

Mr. Turner moved the following resolution, viz:

Resolved, That the Judiciary Committee be directed to inquire into the propriety of creating a 15th judicial district, and of re-districting the State into fifteen judicial districts; and that they report by bill or otherwise.

Which was adopted.

Ordered, That said resolution be referred to the Committee on Retrenchment and Reform.

Mr. Turner moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts be requested to fur-
nish to this House, as soon as practicable, a list of all the salaried officers of the State, including clerks and subordinate officers, and the amount of compensation now paid to each of them.

Ordered, That said resolution be referred to the Committee on the Judiciary.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That we deeply deplore and condemn the recent proclamation of martial law in Missouri by Gen. John C. Fremont, as being unauthorized by law, subversive of civil institutions, harsh in its provisions, dangerous in its vagueness, and inflicting cruel and unusual punishments.

2. Resolved, That any attempt to emancipate and set free slaves in Kentucky, by the edict of a military commander, will, and ought to be, resisted.

Ordered, That said resolution be referred to the Committee on Federal Relations.

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

Whereas, The people of Kentucky have, through their legislative, executive, and by their own often repeated voices at the polls, determined that, as they have had no hand in the inauguration of the war now raging between the Confederate and Federal Governments; and whereas, soon after the inauguration of Abraham Lincoln as President of the United States he promised the Hon. Garrett Davis, in unmistakable terms, that Kentucky might occupy the position of neutrality during the contest between the seceded and States still remaining in the Union; and whereas, it is evident that the Government of the United States has several thousand troops encamped upon the soil of Kentucky; and whereas, Kentucky's soil has been invaded, and the city of Paducah occupied by United States troops under command of Gen. Grant; and whereas, Kentucky has been invaded by a Confederate army under Gen. Polk, of the State of Tennessee. These invasions and encampments threaten to break up the neutrality which Kentucky, through her legislative and executive authorities, has assumed, and which has been indorsed by the public voice at the several elections; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That His Excellency, Beriah Magoffin, Governor of this Commonwealth, appoint three commissioners to treat with the Government of the United States for the removal of all troops belonging to the United States army who are now, or may hereafter be, found upon Kentucky's soil, no difference whether mustered into the service in Kentucky or other State or States.

2. Resolved, That said commissioners shall, as soon as convenient, proceed to the city of Washington, the seat of the Federal Government, and demand the removal of said United States troops from our
soil, and as commissioners aforesaid, endeavor to obtain a guarantee from said Government that no more troops, mustered into the United States service, shall be marched into or encamped upon the soil of Kentucky, by authority of the Federal Government; and if any such soldiers be found within the limits of said State, without the knowledge or authority of said Government, the same are to be removed when said Government is notified by the Governor of the Commonwealth that such troops are in the State.

3. Be it further resolved, That his Excellency, the Governor of Kentucky, shall appoint three other commissioners, whose duty it shall be to proceed to Richmond, the seat of Government of the Confederate States, and demand the removal from our soil of all troops in the service of the Confederate States, who are, or may hereafter be, found upon the same; and as commissioners aforesaid, it shall be their duty, if possible, to obtain from the Government at Richmond a guarantee that no more Confederate troops shall be encamped upon Kentucky’s soil, or marched or sent into the same by authority of the Confederate States; and if encamped or found upon Kentucky’s soil without the authority of the Confederate States, that they will be removed so soon as the Government at Richmond is notified of their locality. The said commissioners to report to the present General Assembly at the earliest period consistent with the duties imposed upon them.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky has always looked upon the Union of the States, and the preservation of liberty, as one and inseparable, now and forever.

2. Resolved, That we assumed neutrality and mediation not to destroy, but to preserve the unity of the States; not to cast off our allegiance to the Federal Government, but to try and win back peaceably, by proper mediation and compromise, the seceded States to their allegiance.

3. Resolved, That when we assumed neutrality we intended it merely as an obedience of our constitutional duty by the sufferance, not independence, of the General Government, nor for the selfish purpose alone of preserving our peace, but for the nobler and holier purpose of refraining from the combat, so that we could appeal both to the North and South to stay the fratricidal and unnatural combat, and to offer our services as mediator to adjust the difficulties that unhappily had arisen, and restore the work of our fathers.

4. Resolved, therefore, That when the General Government occupies our soil for its defense, in pursuance of a constitutional right, it neither compromises our assumed neutrality, nor gives the right to the Confederate forces to invade our State on the assumption that our neutrality has been violated, especially when they first set foot upon our soil upon the plea of military necessity.

5. Resolved further, That the honor of Kentucky will not permit her to make any concessions or compromises to the Confederate forces as long as one hostile foot presses her soil.
Resolved, That Kentucky's neutrality has not been assumed from fear, but from love to all parts of the Union; and if she is forced into this combat, that with a brave heart, and clear conscience, she will appeal fearlessly to the God of battles; and if that dread hour must come, Kentucky expects every son to do his duty; she appeals to them by all the cherished memories of the past—by the memory of Raisin, of New Orleans, of Buena Vista, by all the rich hopes of the future she demands that they stand by her until the last armed invader is driven from her soil. Who will be so base as to desert her? Who will stand before history as both traitor and coward to the State whose great heart throbs with undying love to the sisterhood of States, knowing no sectional limits, but in her love embracing a boundless continent? If there be such a one, may his name be branded with infamy to the remotest time.

And then the House adjourned.

SATURDAY, SEPTEMBER 14, 1861.

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 G. W. Goodrum, late sheriff of Marion county, and his sureties.

An act for the benefit of Odd Fellows' Hall Company.

An act to increase the powers of the marshal and police judge of the town of Owingsville, in Bath county.

An act to incorporate Lodge No. 147, I. O. O. F., in the town of Blandville, Ky.

An act to authorize J. H. Gatwood to change the Lexington and Nashville road.

An act to change the time of holding the police court of the town of Hartford.

An act to allow the sheriff of Ohio county to execute process from the police court of the town of Hartford.

An act for the benefit of the Maysville and Blue Run turnpike road company, in Mason county.
An act for the benefit of C. C. Harris and others, of Madison county.

An act to amend the act incorporating the town of Shelbyville.

An act for the benefit of the sheriff of Simpson county and his securities.

An act to change the place of voting in district No. 3, in Whitley county.

An act to incorporate the town of Briensburg, in Marshall county.

An act to incorporate the Henderson Female College.

With an amendment to the last named bill.

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

An act for the benefit of school district No. 15, in Adair county.

An act to incorporate the Protestant German Benevolent Association of Covington.

An act for the benefit of the Southern Bank of Kentucky.

A resolution fixing a day for the election of a State Printer and State Librarian.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in this House, and had found the same truly enrolled, viz:

An act to authorize the First Colored Baptist Church of Louisville to sell certain property.

An act to repeal an act, entitled "An act to establish an additional voting place in Hays' precinct, in Hickman county."

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

1. Mr. Olay presented the petition of sundry citizens of Bourbon county, against the war tax and for the removal of camps.

2. Mr. George M. Thomas presented the petition of George W. Kouns, praying compensation for work on the Owingsville and Big Sandy turnpike road.

3. Mr. King presented the petition of W. P. Hays, of Warren county, praying compensation for teaching common schools.

4. Mr. Bush presented the petition of sundry citizens of Hancock county, praying the passage of an act to establish an additional voting place in said county.

5. Mr. Desha presented the petition of J. R. Curry on subject of education.
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 Claims; the 4th to the Committee on Privileges and Elections; and the 5th to the Committee on Education.

Mr. Conklin, from the Committee on Claims, to whom was referred the petition of John D. Mannin, asked to be discharged from the further consideration of the same.

Which was granted.

Mr. Andrews, from the Committee on the Judiciary, to whom was referred leave to bring in a bill to amend an act, entitled "An act to permit the Marion county court to subscribe stock in Louisville and Nashville railroad company," asked to be discharged from the further consideration of the same.

Which was granted.

Mr. Andrews, from the same committee, to whom was referred leave to bring in a bill to amend the law in relation to peddlers, asked to be discharged from the further consideration of the same.

Which was granted.

Mr. Andrews, from the same committee, to whom was referred leave to bring in a bill to amend the law in relation to assignments for the benefit of creditors, reported the same.

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.

The same committee, to whom was referred leave to bring in a bill to amend an act concerning passways, reported.

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 Revised Statutes.

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

By the Committee on Propositions and Grievances—
1. A bill to change the boundary line between Metcalfe and Adair counties.

By the Committee on the Judiciary—
14.

By the Committee on Ways and Means—

3. A bill for the benefit of the securities of John G. Pickens, deceased, late sheriff of Clinton county.

By the Committee on Internal Improvement—

4. A bill to amend the charter of the Elizaville and Fairview turnpike road company.

By same—

5. A bill to amend the law in relation to the Board of Internal Improvement.

By the Committee on County Courts—

6. A bill for the benefit of Jonathan Lewis, late sheriff of Harlan county.

By same—

7. A bill for the benefit of Jonathan Smith, late surveyor of Harlan county.

By same—

8. A bill in relation to the county lines of Lawrence and Floyd counties.

By same—

9. A bill to amend the charter of the Bardstown and Louisville railroad company.

By the Committee on Revised Statutes—

10. A bill to amend the 9th section of chapter 35, Revised Statutes.

By same—

11. A bill in relation to guardians and wards.

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 said bills 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, and the same being engrossed,

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

The Committee on Revised Statutes, to whom was referred a bill from this House, entitled "An act fixing compensation of assessors for listing births and deaths under the registration laws of this State," reported the same with amendments.
And the question being taken on ordering said bill, as amended, to be read a third time, 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.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,          Stephen J. England,          Otho Miller,
R. C. Anderson,       Hugh F. Finley,             Thomas Z. Morrow,
W. C. Anderson,       John W. Finnell,             Felix G. Murphy,
Landaff W. Andrews,   John W. Gaines,             Thomas W. Owings,
Vincent Ash,          Elijah Gabbett,              Hiram S. Powell,
E. B. Bacheller,      Joseph Gaedner,              Larkin J. Proctor,                  
John S. Barlow,       Evan M. Garriott,            William S. Rankin,
John C. Beeman,       Remus Gibson,                Nicholas A. Rapier,
John W. Blue,         J. C. Gilbert,                Joseph Ricketts,
A. R. Boon,           Henry Griffith,              F. D. Rigney,
William P. Boone,     George M. Hampton,           George S. Shanklin,
William A. Brann,     John H. Harney,              George W. Silvertooth,
E. F. Burns,          William H. Hays,              G. Clay Smith,
W. P. D. Bush,        William J. Heady,             M. Smith,
James Calvert,        Joseph W. Heeter,             Rob' t A. Spalding,
Cyrus Campbell,       John M. Henry,                James P. Sparks,
J. W. Campbell,       John B. Huston,              Harrison Taylor,
Marion N. Carr,       Richard T. Jacob,             Joshua Tevis,
A. B. Chambers,       Daniel W. Johns,             George M. Thomas,
Joseph H. Chandler,   William Johnson,             John R. Thomas,
John B. Cochran,      Urban E. Kennedy,            Thomas Turner,
Robert Cochran,       John Q. A. King,              Joseph R. Underwood,
William M. Coffee,    John C. Lindsey,             John S. Vanwinkle,
William L. Conklin,   James M. C. Lisenby,         George P. Webster,
John C. Cooper,       Daniel Matthewson,           Alexander T. White,
Lucius Desha,         P. L. Maxey,                 Nathaniel Wolfe,
Daniel E. Downing,    David May,                  Bryan R. Young,
W. H. Edmunds,        David P. Mears,              Milton Young,
John M. Elliott,      George R. Merritt,           Van B. Young—87.

In the negative—

George H. Yeaman—1.

Mr. Underwood moved that the use of this Hall be given to Hon. Elijah Hise and others to-night, to address the members of the General Assembly and others on the political questions of the day.
The yeas and nays being required thereon by Messrs. Ewing and Bush, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And then the House adjourned.

MONDAY, SEPTEMBER 16, 1861.

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

An act to change the county lines between the counties of Carter and Rowan.
An act to incorporate the Kentucky Hotel and Cave Company.

An act for the benefit of R. T. Varies, sheriff of Carroll county.

An act for the benefit of common school district No. 27, in Crittenden county.

An act to amend the charter of Benton, in Marshall county.

An act to amend the laws in relation to the city of Paducah.

An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his securities, and for the benefit of the sheriff of Madison county.

With amendments to the last three named bills.

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

An act amendatory of an act to amend the charter of the town of Owenton.

An act to amend the charter of the city of Louisville.

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

[For Report—See Legislative Document, No. 7.]

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

1. Mr. Hampton presented the remonstrance of sundry citizens of Morgan and Wolfe counties, against changing their county lines, and also favoring the county of Menifee.

2. Mr. Heeter presented the petition of sundry voters in district No. 6, of Allen county, praying a change in their voting precinct.

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 Privileges and Elections.

The Committee on the Judiciary, to whom was referred a series of resolutions offered in this House, reported the following resolution, viz:

Resolved, That a committee of five members of the House be appointed to inquire into, and report to this House, any and all violations of law in this Commonwealth, growing out of questions now agitated, and which may have resulted in the death of citizens, or their expulsion from their homes, and injury to their persons or property; and also report whether further legislation is necessary for the prevention of such offenses; and they shall inquire whether, in any county or portion of the State, the due course of law has been obstructed by the want of sufficient power of the courts to prevent the same; and that said committee shall have power to send for persons and papers to enable them to make all proper investigations.

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

By Mr. England—
1. A bill for the benefit of Owen McGlone, of Carter county, correcting calls of a patent.

By Mr. B. R. Young—

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.

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

On motion of Mr. Rigney—1. A bill for the benefit of the sheriff of Adair county.

On motion of Mr. Johnson—2. A bill for the benefit of the sheriff of Scott county.

On motion of Mr. W. C. Anderson—3. A bill for the benefit of C. C. Graham.

On motion of Mr. Webster—4. A bill to amend the law exempting certain property from execution.

On motion of Mr. R. C. Anderson—5. A bill to change the precincts in Franklin county.

On motion of Mr. Elliott—6. A bill for the benefit of Mason Williams, late sheriff of Morgan county.

On motion of Mr. Rankin—7. A bill to incorporate Crittenden Lodge, No. 98, I. O. O. F.

On motion of Mr. Rapier—8. A bill for the benefit of common school district No. 33, composed out of parts of Larue and Green counties.

On motion of Mr. George M. Thomas—9. A bill to amend the act incorporating the town of Concord, in Lewis county.

On motion of Mr. Merritt—10. A bill for the benefit of the sheriff of Livingston county.

On motion of same—11. A bill for the benefit of M. M. Lyon, late sheriff of Lyon county, and his securities.
On motion of Mr. Wolfe—12. A bill to incorporate the Bell Insurance Company.


On motion of same—15. A bill to amend the law organizing the Military Board.

On motion of Mr. J. R. Thomas—16. A bill to suspend the circuit and other courts of this State, and for other purposes.

On motion of Mr. Taylor—17. A bill providing means for defraying the expenses of the State Government.

Ordered, That Messrs. Rigney, Chandler, and Taylor prepare and bring in the 1st; Messrs. Desha, Gardner, and Hampton the 6th; Messrs. George M. Thomas, Ireland, and Proctor the 9th; the Committee on Ways and Means the 2d, 10th, 11th, and 17th; the Committee on the Judicary the 3d, 4th, 7th, 13th, and 14th; the Committee on Privileges and Elections the 5th; the Committee on Education the 8th; the Committee on Incorporated Institutions the 13th; the Committee on Military Affairs the 15th; and the Committee on Revised Statutes the 16th.

Mr. Heady moved the following resolution, viz:

Resolved, That a committee of thirteen be appointed by the Speaker of this House to prepare bills of the following character, viz:

1. A bill or bills to meet the exigency of the invasion and "illegal occupation" of the State by troops of the so-called Confederate States, or Tennessee, or both.

2. A bill or bills to relieve the finances of the State.

3. A bill or bills to provide for the calling of a National Convention, or some other mode of arbitrament, to consider the differences, difficulties, and misfortunes of the nation, with the view to their permanent settlement and an enduring peace, based on plain, constitutional provisions, mutually forgiving the errors and wrongs of the past, and assuring security and good fellowship in the future.

4. A bill to solemnly call, in the name of the people of Kentucky and her illustrious dead, on the United States Government and those in authority of the Confederate States, for an armistice of ninety days, to give time to consider these propositions, and to provide for a joint commission, &c.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

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

WHEREAS, Peace is desired by the people of Kentucky whose prosperity is destroyed by war. The present war was not begun by the
United States—the Government to which we belong—nor has it been participated in by us; but in the contest we have observed a strict neutrality, and had hoped to be able to preserve that neutrality to the close of the war; but our soil has been desecrated, our territory invaded, our towns seized, and our neutrality violated by armed troops from the Southern Confederacy, and it would be degrading in us to listen to terms of peace or compromise before those troops are withdrawn, and ample apology made for their invasion; and whereas, the occupation of Paducah by the forces of the United States was in consequence of the invasion by the Confederate troops, and for the purpose of defending the peace, neutrality, and honor of the State, and it would be discourteous to the Government, and ungrateful and impolitic in the State, to request a withdrawal of the United States troops at this time; wherefore it is

Resolved, That the withdrawal of the Confederate forces from the boundaries of Kentucky is the condition precedent to the discussion of any terms of peace.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Van B. Young read and laid on the table the following joint resolutions, viz:

1. Resolved, That upon the withdrawal of the forces of the Confederate or seceded States from Kentucky, which has heretofore passed both branches of the General Assembly, the President of the United States be, and he is hereby, requested to withdraw the troops of the United States from the soil of Kentucky.

2. Resolved, That upon the withdrawal of the troops of the seceded States, and of the United States as aforesaid, the neutrality of Kentucky, as heretofore declared by the resolutions of the last Legislature of Kentucky, can be best preserved, and that this General Assembly will devote itself to the preservation of the lives, liberty, and property of the people against internal violence.

3. Resolved, That the proclamation of Major-General Fremont, emancipating slaves in the State of Missouri, is unconstitutional and in direct violation of the laws of the United States, and should meet with the universal condemnation of all supporters of law and constitutional rights.

4. Resolved, That whenever it becomes manifest that it is the object of the present war to emancipate the slaves of the Southern States, then it is the duty of Kentucky to resist said object.

5. Resolved further, That Kentucky having refused to take part in this unnatural war, and having chosen to act the part of a mediator; and for the purpose of bringing about an honorable settlement of the many difficulties that now divide our people, we recommend to the Government of the United States, and the seceded States, the calling of a National Convention, to meet in the city of Louisville on the day of, 186-.

6. Resolved, That each State shall be entitled to one delegate from each congressional district, and that we recommend a cessation of hos-
utilities for the space of ninety days to carry out the object of the above resolutions.

7. Resolved, That his Excellency, the Governor of Kentucky, be, and he is hereby, requested to communicate copies of the foregoing resolutions, and also that heretofore adopted, to the President of the United States and all others concerned, and to correspond with the parties with a view to the execution of the purposes herein expressed, and that he be requested to report the result to the General Assembly.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

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

1. Resolved, That the destruction of the commerce and credit of the country, by the present civil strife, and the reduction of the circulating medium of bank paper by our banks, to probably less than four and a half millions—it being in the proportion of one dollar circulation to one hundred and sixty-four dollars worth of property—presents to the Legislature an alarming view of public affairs, and that the debtor class of the country are, by the action of the banks, and the revolutionary condition of the country, threatened with irretrievable ruin.

2. Resolved, That such a state of affairs requires legislative interposition, and further aid, either by the extension of the present relief laws, in whole or in part, by extending the time for which the valuation of personal property under execution sales is to remain in force, or by the creation of a circulating medium or currency, entirely under the control of the State government, so that the life-blood of trade, and the means of safety to the citizens, may be under the control of the agents of the people; and that the said resolutions be referred to the Committee on Ways and Means, with instructions to report.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

Mr. Edmunds moved the following resolutions, viz:

WHEREAS, The preservation of republican and constitutional governments depend upon their acting strictly within the limits of the powers conferred upon them in their respective constitutions; and whereas, a government without constitutional restraint or limitation as to its powers, or in which such limitations are disregarded, is a pure despotism; therefore, at all times, and more especially when the liberties of the country are imperiled, it is the duty of the representatives of the people to guard against any and all violations of the Constitution and the reserved rights of the States and the people; and whereas, in our system of complicated governments, imposing double governmental obligations on every citizen, it is necessary for an honest performance of his duty to understand where sovereignty resides, and where his allegiance is due in a conflict between the State and Federal Governments; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, In our political system, each State is a sovereign, independent, politi-
cal community, and the sovereignty resides in the people of each State; and the Constitution adopted by them limits and defines the powers delegated to the State governments, and may be altered or abolished by the people in convention assembled, but may not be altered, suspended, or abolished by State or Federal government, or any department thereof; and such an attempt would be treason against representative government.

2. **Resolved,** The Constitution of the United States is a compact between the States ratifying the same, and not an agreement between the people of all the States, considered as a single political community; the powers in said constitution conferred are delegated and not surrendered, and are sufficient for self-preservation, and for carrying into execution every purpose contemplated by the people of the States in establishing the constitution; and the assumption of powers by any department in the Federal Government, or any agent or officer thereof, which are not delegated, is revolutionary, and subversive of a limited constitutional government.

3. **Resolved,** The embargo upon the commerce of the country, the increase of the army and navy, and the suspension of the writ of *habeas corpus* by the President of the United States, and those acting by his authority, were each without authority of law, and are dangerous infractions of the Constitution; and the act passed by the Congress of the United States, to legalize the illegal and unconstitutional acts of the President, is an assumption of sovereignty by the Congress and the President, which makes them, as the British parliament, the omnipotent power in the United States, who can do no wrong.

4. **Resolved,** The acts passed by the present Congress of the United States, in relation to the oaths taken by the cadets at West Point and the agents of the Government, virtually absolving them from their allegiance to the States, and also to make the resistance of any person or combinations, in any State or territory, to any law of the United States, a high crime and misdemeanor; and also an act in relation to the confiscation of slaves and other property in the seceding States; and also the proclamation of Gen. Fremont, the agent of the President of the United States in Missouri, declaring martial law throughout the State, and emancipating the slaves, are unconstitutional assumptions of power, threatening the annihilation of all State governments, the overthrow of our social system, and the establishment of a great central system.

5. **Resolved,** That an union between the States preserved by force is in violation of the principles of republican government—a pure despotism. That Kentucky is in favor of a faithful adherence to the Constitution and all the compromises and rights secured to the contracting parties therein, by all parties. That the existing war waged between the sections must result either in the separation of the country or the subjugation of one section by the other, and, if continued, the overthrow of republican and free government, and the ruin of the whole country; and therefore Kentucky cannot become a party thereto, and will use every honorable means to accomplish a restoration of peace between the parties.
Ordered, That said resolutions be referred to the Committee on Ways and Means.

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

WHEREAS, The people of Kentucky have, from the beginning, ardently desired and still cherish the hope that they may not be involved in the unnatural prevailing civil strife; that Kentucky is now, as she ever has been, willing and ready to interpose her friendly mediation in adjusting terms of peace and reconciliation alike honorable and just to all; but as her wishes to mediate and restore harmony may not avail at present, and as it is very desirable that the people, in the mean time, should act in harmony, and be at peace among themselves, so that if they shall be involved in war, they will, as far as possible, relieve and palliate its calamities; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That if collisions between hostile armies shall take place within our territory, that it is most earnestly recommended to the people of Kentucky not to engage in civil strife amongst themselves on account of differences of political opinions; that it is the duty of the people to be obedient to the civil authorities, and respect, in times of war as well as peace, all the rights guaranteed to every citizen by the constitution and laws of the land; that all good citizens, however they may differ in political opinions, should unite in protecting each other in their rights of life, liberty, and property, against all and every invasion thereof by unlawful raids, mobs, marauding bands, or other evil disposed persons, and aid the civil authorities in arresting all such persons and bringing them before the courts for trial.

2. Resolved, That we, the representatives of the present General Assembly, hereby pledge ourselves to a strict observance of the foregoing resolutions, and earnestly recommend a like observance by all the people of the State of Kentucky.

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

Mr. George M. Thomas moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be requested to inquire into the propriety of passing a law exempting the property of Kentuckians, now in the United States service, from sale under execution, while in said service; and that said committee report by bill or otherwise.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. George M. Thomas moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be requested to inquire into the propriety of a law to release the damages assessed against the sheriffs of the State for failing to pay in the revenue for the year 1860 and former years; and that said committee report by bill or otherwise.
Resolved, That said resolution be referred to the Committee on Ways and Means.

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

Whereas, The State of Kentucky views with horror the present fratricidal war that seems to threaten the very existence of human and religious liberty, and which has a tendency to fasten the chains of a military despotism upon a once happy and prosperous people; and whereas, she has used every effort to avert civil war within her borders and in the nation, and views civil war as a remedy not calculated to secure the liberties of the States and people, but, upon the other hand, to destroy them; and she being anxious to avert and arrest the unnatural conflict, and to secure once more the much wanted peace of our State and beloved country to its original constitutional status and purity; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That we recommend to all the States, both North and South, and to the Federal and Confederate Governments, the propriety of calling a Convention, to be composed of one delegate from each congressional district in each State, to meet at the city of Louisville, Kentucky, on the___ of __, 186__, for the purpose of taking into consideration the many difficulties and questions that have estranged our people, and for the further purpose of settling and terminating the devastating war that is threatening the final overthrow of our once happy and great country.

Resolved further, To meet the objects of the foregoing resolution, we earnestly recommend and request the Federal and Confederate Governments to cause an armistice of ninety days to take place, for the purpose of giving time to consider of the questions involved in this most unhappy difficulty.

Resolved, That the Governor be, and he is hereby, requested to transmit immediately to the President of the United States, and to the President of the Confederate States, and to the Governors of each of the States, a copy of the foregoing resolutions.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That we condemn the recent proclamation of John C. Fremont, wherein he declares martial law, confiscates the property, and emancipates the slaves of certain citizens of the State of Missouri; and the suppression of political and religious papers, as a high-handed usurpation; a blow leveled at the foundation of all civil, political, and religious liberty; a palpable violation of all the fundamental principles of the Constitution, and, as such, deserves the unqualified condemnation of every lover of constitutional liberty.

2. Resolved, That this General Assembly request the President of
the United States to communicate to this body whether or not said proclamation was issued by his order; if not, whether the same, or any part thereof, meets with his approbation.

3. Resolved, That the Governor be requested to transmit a copy of the foregoing to the President.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

Mr. J. R. Thomas moved the following resolution, viz:

1. Resolved, That the Committee on Banks be instructed to inquire of the principal banks of this Commonwealth, as to whether the Legislature can make any arrangements with the banks aforesaid, to loan to the people of each of the congressional districts in the Commonwealth, the sum of one hundred thousand dollars, in sums not to exceed one thousand dollars to each individual, with the privilege and understanding that said loans are to be renewed from time to time, by the payment of the usual bank interest and ten per cent. upon the original amount borrowed.

2. Resolved, That the Committee on Banks be further instructed to inquire as to the expediency of establishing a bank based upon the real estate of the Commonwealth, to be called the People's Real Estate Bank of Kentucky, with a capital of five millions of dollars, and with one branch located at some central point in each congressional district of the Commonwealth.

Ordered, That said resolution be referred to the Committee on Banks.

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

WHEREAS, The Constitution of this State provides that no session of the General Assembly shall continue beyond sixty days, except by a vote of two thirds of all the members elected to each House; and whereas, in the judgment of this Legislature, the public requires that the present session of the Legislature ought to be extended beyond the constitutional period; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly shall be, and the same is hereby, extended beyond the sixty days, and until such time as it may hereafter fix for its adjournment sine die.

A message was received from the Governor by Mr. Thomas B. Monroe, jr., Secretary of State, being a telegraphic dispatch from General Zollicoffer, and a letter from Lieut. Gov. Reynolds, of Missouri, which are as follows, viz:

From Knoxville, Tenn., Sept. 14.

To His Excellency, B. Magoffin:

Sir: The safety of Tennessee requiring, I occupy the mountain passes at Cumberland, and the three long mountains in Kentucky. For weeks I have known that the Federal commander at Hoskins'
Cross Roads was threatening the invasion of East Tennessee, and ruthlessly urging our own people to destroy their own road bridge. I postponed this precautionary until the despotic government at Washington, refusing to recognize the neutrality of Kentucky, has established formidable camps in the center and other parts of the State, with the view first to subjugate our gallant sister, then ourselves. Tennessee feels, and has ever felt, towards Kentucky as a twin sister; their people are as our people in kindred, sympathy, valor, and patriotism; we have felt and still feel a religious respect for Kentucky's neutrality; we will respect it as long as our safety will permit. If the Federal forces will now withdraw from their menacing position, the forces under my command shall immediately be withdrawn.

Very respectfully,

F. K. ZOLLICOFFER,
Brigadier General commanding.

NEW MADRID, Mo., September 7, 1861.

To His Excellency, B. MAGOFFIN, Governor of Kentucky:

Sir: The Mississippi river below the mouth of the Ohio is the property of Kentucky and Missouri jointly. It has been very recently used by the armed vessels of the United States government, engaged in assisting the operations of its forces in Mississippi county, Missouri, against the State government. I allude particularly to the presence of United States gun-boats in the river at Columbus, Kentucky, to protect the forces engaged in fortifying the Missouri shore immediately opposite.

This appears to me to be a clear violation of the neutrality Kentucky proposes to observe in the present war.

The Governor of Missouri has placed in my charge the interests of the State in its southeastern quarter. I therefore deem it my duty respectfully to inquire of you what course your State will take in reference to the military movements above mentioned.

I have the honor to be,

With great respect,

Your obedient servant,

THOS. C. REYNOLDS,
Lieutenant Governor of Missouri.

Mr. Andrews moved the following resolution, viz:

Resolved, That the Governor's message and the accompanying communications be referred to the Committee on Federal Relations, and that committee be requested to report to this House such answer as the character of communications demands; and to report at its earliest convenient time.

Which was adopted.
Ordered, That the Public Printer forthwith print 150 copies of said message for the use of the members of the General Assembly.

On motion of Mr. Huston,

Leave of absence was granted to Mr. King for the present.

The House then took up the special order, viz:

The report of the Committee on Federal Relations, upon the resolutions offered by Mr. Ewing on the 6th September, 1861, and after some time spent thereon,

On motion of Mr. Merritt, the House adjourned.

TUESDAY, SEPTEMBER 17, 1861.

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

An act to enlarge the powers of the Military Board of this State.

An act to amend the charter of the town of Cadiz, in Trigg county.

The Speaker laid before the House the annual report of the Kentucky Institution for the Education of the Deaf and Dumb.

The Speaker laid before the House the response of the Auditor of Public Accounts to sundry resolutions offered the present session, viz:

AUDITOR'S OFFICE, KENTUCKY,
Frankfort, Sept. 16, 1861.

Hon. R. A. Buckner, Speaker of the House of Representatives:

Sir: In response to a resolution of the House of Representatives, calling for "a list of all the salaried officers of the State, including clerks and subordinate officers, and the amount of compensation now paid to each of them," I have the honor to make the following report.

Respectfully,

GRANT GREEN, Auditor.
Executive Officers.

<table>
<thead>
<tr>
<th>Names of Officers</th>
<th>Office</th>
<th>Salary per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beriah Magoffin</td>
<td>Governor</td>
<td>$2,500 00</td>
</tr>
<tr>
<td>Thomas E. Monroe, Jr.</td>
<td>Secretary of State</td>
<td>$1,000 00</td>
</tr>
<tr>
<td>Andrew J. James</td>
<td>Attorney General</td>
<td>$600 00</td>
</tr>
<tr>
<td>Grant Green</td>
<td>Auditor of Public Accounts</td>
<td>$2,000 00</td>
</tr>
<tr>
<td>Thomas J. Frazier</td>
<td>Register of the Land Office</td>
<td>$1,700 00</td>
</tr>
<tr>
<td>James H. Garrard</td>
<td>Treasurer</td>
<td>$1,700 00</td>
</tr>
<tr>
<td>James P. Bates</td>
<td>President of the Board of Int. Improvement</td>
<td>$1,300 00</td>
</tr>
<tr>
<td>Robert Richardson</td>
<td>Adjutant General</td>
<td>$1,000 00</td>
</tr>
<tr>
<td>Scott Brown</td>
<td>Inspector General</td>
<td>$300 00</td>
</tr>
<tr>
<td>M. D. West</td>
<td>Quarter Master General</td>
<td>$200 00</td>
</tr>
<tr>
<td>James W. Tate</td>
<td>Assistant Secretary</td>
<td>$200 00</td>
</tr>
<tr>
<td>C. Bailey</td>
<td>Assistant Auditor</td>
<td>$200 00</td>
</tr>
<tr>
<td>A. W. Vallandingham</td>
<td>Librarian and Keeper of Public Property</td>
<td>$400 00</td>
</tr>
<tr>
<td>Geo. R. Vallandingham</td>
<td>Clerk in Land Office</td>
<td>$100 00</td>
</tr>
<tr>
<td>Richard Sharp</td>
<td>Clerk in Land Office</td>
<td>$800 00</td>
</tr>
<tr>
<td>Isaac Wingate, Jr.</td>
<td>Clerk in Auditor's Office</td>
<td>$540 00</td>
</tr>
<tr>
<td>Thos. J. Harris</td>
<td>Clerk in Auditor's Office</td>
<td>$260 00</td>
</tr>
<tr>
<td>O. F. Payne</td>
<td>Clerk in Auditor's Office</td>
<td>$240 00</td>
</tr>
<tr>
<td>Joe M. Bowman</td>
<td>Clerk in Auditor's Office</td>
<td>$240 00</td>
</tr>
<tr>
<td>Uberto Keonon</td>
<td>Clerk in Auditor's Office</td>
<td>$200 00</td>
</tr>
<tr>
<td>James M. Withrow</td>
<td>Clerk in Auditor's Office</td>
<td>$200 00</td>
</tr>
<tr>
<td></td>
<td>State Armorer</td>
<td><em>$600 00</em></td>
</tr>
</tbody>
</table>

*The President of the Board of Internal Improvement is allowed $200 for clerk hire. The Adjutant General is allowed $30 for clerk hire. The Inspector General is allowed $100 for clerk hire.*

Judiciary.

Judges of the Court of Appeals.

<table>
<thead>
<tr>
<th>Names of Officers</th>
<th>Office</th>
<th>Salary per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Henry J. Stites</td>
<td>Chief Justice</td>
<td>$2,500 00</td>
</tr>
<tr>
<td>Alvin Duval</td>
<td>Associate Judge</td>
<td>$2,500 00</td>
</tr>
<tr>
<td>B. J. Peters</td>
<td>Associate Judge</td>
<td>$2,500 00</td>
</tr>
<tr>
<td>Joshua F. Bullitt</td>
<td>Associate Judge</td>
<td>$2,500 00</td>
</tr>
</tbody>
</table>

Chancellors.

<table>
<thead>
<tr>
<th>Names of Officers</th>
<th>Office</th>
<th>Salary per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caleb W. Logan</td>
<td>Chancellor of Louisville</td>
<td>$1,800 00</td>
</tr>
<tr>
<td>J. M. Bigger</td>
<td>Chancellor of First Judicial District</td>
<td>$1,800 00</td>
</tr>
<tr>
<td>Charles Green</td>
<td>Chancellor of Fourth Judicial District</td>
<td>$1,800 00</td>
</tr>
</tbody>
</table>
### Circuit Judges

<table>
<thead>
<tr>
<th>Judge</th>
<th>District</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>R. K. Williams</td>
<td>First</td>
<td>$1,800</td>
</tr>
<tr>
<td>Thomas C. Dabney</td>
<td>Second</td>
<td>$1,800</td>
</tr>
<tr>
<td>James Stuart</td>
<td>Third</td>
<td>$1,800</td>
</tr>
<tr>
<td>A. W. Graham</td>
<td>Fourth</td>
<td>$1,800</td>
</tr>
<tr>
<td>George W. Kavanaugh</td>
<td>Fifth</td>
<td>$1,800</td>
</tr>
<tr>
<td>Thomas E. Bramlette</td>
<td>Sixth</td>
<td>$1,800</td>
</tr>
<tr>
<td>P. B. Mair</td>
<td>Seventh</td>
<td>$1,800</td>
</tr>
<tr>
<td>E. F. Nuntall</td>
<td>Eighth</td>
<td>$1,800</td>
</tr>
<tr>
<td>S. M. Moore</td>
<td>Ninth</td>
<td>$1,800</td>
</tr>
<tr>
<td>E. C. Phister</td>
<td>Tenth</td>
<td>$1,800</td>
</tr>
<tr>
<td>Wm. R. Burns</td>
<td>Eleventh</td>
<td>$1,800</td>
</tr>
<tr>
<td>Granville Pearl</td>
<td>Twelfth</td>
<td>$1,800</td>
</tr>
<tr>
<td>W. C. Goodloe</td>
<td>Thirteenth</td>
<td>$1,800</td>
</tr>
<tr>
<td>W. P. Fowler</td>
<td>Fourteenth</td>
<td>$1,800</td>
</tr>
</tbody>
</table>

### City Judges

<table>
<thead>
<tr>
<th>Judge</th>
<th>City</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>George W. Johnston</td>
<td>Louisville</td>
<td>$3,000</td>
</tr>
<tr>
<td>A. H. Robertson</td>
<td>Lexington</td>
<td>$700</td>
</tr>
</tbody>
</table>

By act of the Legislature these salaries are drawn from the treasury, with the requirement that the cities pay the respective amounts into the treasury annually; but the city of Louisville has not paid up since 1858, nor the city of Lexington since 1857.

### Commonwealth’s Attorneys

<table>
<thead>
<tr>
<th>Attorney</th>
<th>District</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas H. Corbett</td>
<td>First</td>
<td>$500</td>
</tr>
<tr>
<td>E. P. Campbell</td>
<td>Second</td>
<td>$500</td>
</tr>
<tr>
<td>Clevero Maxwell</td>
<td>Third</td>
<td>$500</td>
</tr>
<tr>
<td>W. B. Jones</td>
<td>Fourth</td>
<td>$500</td>
</tr>
<tr>
<td>Andy Barnett</td>
<td>Fifth</td>
<td>$500</td>
</tr>
<tr>
<td>E. L. Vanceville</td>
<td>Sixth</td>
<td>$500</td>
</tr>
<tr>
<td>E. S. Craig</td>
<td>Seventh</td>
<td>$500</td>
</tr>
<tr>
<td>P. U. Major</td>
<td>Eighth</td>
<td>$500</td>
</tr>
<tr>
<td>W. E. Arthur</td>
<td>Ninth</td>
<td>$500</td>
</tr>
<tr>
<td>R. H. Shanton</td>
<td>Tenth</td>
<td>$500</td>
</tr>
<tr>
<td>J. M. Nesbitt</td>
<td>Eleventh</td>
<td>$500</td>
</tr>
<tr>
<td>John Dishman</td>
<td>Twelfth</td>
<td>$500</td>
</tr>
<tr>
<td>W. S. Downey</td>
<td>Thirteenth</td>
<td>$500</td>
</tr>
<tr>
<td>L. M. Lowe</td>
<td>Fourteenth</td>
<td>$500</td>
</tr>
</tbody>
</table>
FRANKFORT, Sept. 17, 1861.

HON. R. A. BUCKNER, Speaker of the House of Representatives:

SIR: In response to the following resolution of the House of Representatives of Kentucky, to-wit: "Resolved, That the Auditor inform the House the amount of mileage paid to each member of the last session of the General Assembly that mileage was paid to, and state also the amount that would have been paid to each Senator and Representative if the distance had been ascertained by the nearest mail route from their residence to the seat of government," I have the honor to make the subjoined report.

The mileage was calculated by my predecessor, Thos. S. Page, Esq., before I came into office, from the best information he could obtain, and generally from statements and calculations made by the members themselves. With but a few exceptions, the mail routes from the several counties to the seat of government are indirect and circuitous, and calculations made by them would be entirely unreliable; hence I could not give reliable information as to the distances by the "nearest mail route," from the residences of the different members to the seat of government, with but a few exceptions near the Capitol, which are correctly given in the above report.

Respectfully,

GRANT GREEN, Auditor.

A STATEMENT showing the "amount of Mileage paid to each Member of the last Session of the General Assembly," to-wit:

<table>
<thead>
<tr>
<th>Names</th>
<th>Counties represented</th>
<th>No. of miles</th>
<th>Amount paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANDREW, L. W.</td>
<td>Fleming, Nicholas, and Rowan</td>
<td>290</td>
<td>$30.00</td>
</tr>
<tr>
<td>ALEXANDER, T. T.</td>
<td>Boyle, Casey, and Adair</td>
<td>348</td>
<td>$32.20</td>
</tr>
<tr>
<td>ANTHONY, W. T.</td>
<td>Warren, Allen, and Edmonson</td>
<td>400</td>
<td>$36.00</td>
</tr>
<tr>
<td>BILES, SAMUEL H.</td>
<td>Cumberland, Clinton, Wayne, and Russell</td>
<td>403</td>
<td>$36.60</td>
</tr>
<tr>
<td>BRUNER, JOHN B.</td>
<td>Breckinridge, Grayson, and Hancock</td>
<td>320</td>
<td>$34.60</td>
</tr>
<tr>
<td>BARRICK, JAMES R.</td>
<td>Barren and Monroe</td>
<td>330</td>
<td>$34.60</td>
</tr>
<tr>
<td>CASSIDY, RON. F.</td>
<td>Hopkins, Union and Crittenden</td>
<td>724</td>
<td>$108.60</td>
</tr>
</tbody>
</table>
### SENATORS—Continued.

<table>
<thead>
<tr>
<th>Names</th>
<th>Counties represented</th>
<th>No. of miles</th>
<th>Am't paid.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cosby, A. D.</td>
<td>Henderson, Daviess, and McLean</td>
<td>800</td>
<td>$132.00</td>
</tr>
<tr>
<td>Chambers, Charles</td>
<td>Carroll, Gallatin, and Boone</td>
<td>200</td>
<td>42.00</td>
</tr>
<tr>
<td>DeHaven, Sam'l E.</td>
<td>Henry, Oldham, and Trimble</td>
<td>70</td>
<td>10.00</td>
</tr>
<tr>
<td>Denny, George</td>
<td>Muhlen and Garrard</td>
<td>130</td>
<td>26.00</td>
</tr>
<tr>
<td>Dumasby, Wm. S.</td>
<td>Fayette and Scott</td>
<td>30</td>
<td>4.00</td>
</tr>
<tr>
<td>Davidson, Alex</td>
<td>Floyd, Morgan, Johnson, and Pike</td>
<td>320</td>
<td>56.00</td>
</tr>
<tr>
<td>Ford, John F.</td>
<td>Kenton and Campbell</td>
<td>500</td>
<td>65.00</td>
</tr>
<tr>
<td>Glenn, Robert E.</td>
<td>Christian and Todd</td>
<td>300</td>
<td>30.00</td>
</tr>
<tr>
<td>Grundy, Thos. S.</td>
<td>Washington and Marion</td>
<td>200</td>
<td>30.00</td>
</tr>
<tr>
<td>Gilles, Wm. C.</td>
<td>Whitley, Laurel, Knox, and Rockcastle</td>
<td>250</td>
<td>37.00</td>
</tr>
<tr>
<td>Grover, Asa F.</td>
<td>Owen, Grant, and Pendleton</td>
<td>180</td>
<td>15.00</td>
</tr>
<tr>
<td>Gibson, F. E.</td>
<td>Clay, Harlan, Orville, Letcher, Perry, and Breathitt</td>
<td>240</td>
<td>36.00</td>
</tr>
<tr>
<td>Haycraft, Samuel</td>
<td>Harlan and Meade</td>
<td>214</td>
<td>32.10</td>
</tr>
<tr>
<td>Jenkins, Samuel H.</td>
<td>Hickman, Gallatin, Graves, and Fulton</td>
<td>1,022</td>
<td>163.80</td>
</tr>
<tr>
<td>Johnson, J. M.</td>
<td>McCracken, Livingston, Caldwell and Lyon</td>
<td>884</td>
<td>132.10</td>
</tr>
<tr>
<td>Irvin, John L.</td>
<td>Calloway, Trigg, and Marshall</td>
<td>1,072</td>
<td>165.80</td>
</tr>
<tr>
<td>McBrayer, Wm. H.</td>
<td>Anderson and Mercer</td>
<td>20</td>
<td>3.00</td>
</tr>
<tr>
<td>Marshall, Thorton F.</td>
<td>Harrison and Brecken</td>
<td>244</td>
<td>51.00</td>
</tr>
<tr>
<td>Perier, Thos. F.</td>
<td>Woodford, Jessamine, and Franklin</td>
<td>95</td>
<td>4.50</td>
</tr>
<tr>
<td>Pemberton, C. D.</td>
<td>Jefferson county, and 7th and 8th wards of the city of Louisville</td>
<td>150</td>
<td>19.00</td>
</tr>
<tr>
<td>Prall, John A.</td>
<td>Bourbon and Bar</td>
<td>56</td>
<td>14.40</td>
</tr>
<tr>
<td>Rousseau, L. H.</td>
<td>Six wards of the city of Louisville</td>
<td>120</td>
<td>19.00</td>
</tr>
<tr>
<td>Rust, H. M.</td>
<td>Greenup, Carter, and Lawrence</td>
<td>500</td>
<td>66.00</td>
</tr>
<tr>
<td>Rhea, A. G.</td>
<td>Logan, Simpson, and Butler</td>
<td>450</td>
<td>65.70</td>
</tr>
<tr>
<td>Read, Wm B.</td>
<td>Lamo, Nelson, and Bullitt</td>
<td>250</td>
<td>37.50</td>
</tr>
<tr>
<td>Spence, James</td>
<td>Montgomery, Clarke, Estil, and Powell</td>
<td>1,022</td>
<td>132.00</td>
</tr>
<tr>
<td>Taylor, Harrison</td>
<td>Mason and Lewis</td>
<td>320</td>
<td>37.30</td>
</tr>
<tr>
<td>Walton, C. J.</td>
<td>Bert, Green, and Taylor</td>
<td>310</td>
<td>40.50</td>
</tr>
<tr>
<td>Walker, E. B.</td>
<td>Ohio and Muhlenburg</td>
<td>1,058</td>
<td>132.00</td>
</tr>
<tr>
<td>Whittaker, Walter C.</td>
<td>Shelby and Spencer</td>
<td>40</td>
<td>6.30</td>
</tr>
<tr>
<td>Walt, Cyrusius</td>
<td>Pulaski and Lincoln</td>
<td>214</td>
<td>32.10</td>
</tr>
</tbody>
</table>

*Total mileage paid Senators: 13,892 $1,923.30*

### REPRESENTATIVES.

<table>
<thead>
<tr>
<th>Names</th>
<th>Counties represented</th>
<th>No. of miles</th>
<th>Am't paid.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armstrong, V. P.</td>
<td>Hardin</td>
<td>175</td>
<td>$265.70</td>
</tr>
<tr>
<td>Abell, C. S.</td>
<td>Mec marry</td>
<td>66</td>
<td>9.90</td>
</tr>
<tr>
<td>Alexander, R. M.</td>
<td>Cumberland and Clinton</td>
<td>420</td>
<td>61.35</td>
</tr>
<tr>
<td>Bennett, Osceo H.</td>
<td>Bourbon</td>
<td>106</td>
<td>15.05</td>
</tr>
<tr>
<td>Brown, Wm.</td>
<td>Christian</td>
<td>978</td>
<td>146.70</td>
</tr>
<tr>
<td>Buckner, R. A.</td>
<td>Fayette</td>
<td>56</td>
<td>8.40</td>
</tr>
<tr>
<td>Burns, H. G.</td>
<td>Kenton and Rowan</td>
<td>496</td>
<td>69.00</td>
</tr>
<tr>
<td>Burdett, Josiah</td>
<td>Garrard</td>
<td>138</td>
<td>10.29</td>
</tr>
<tr>
<td>Burnam, G. F.</td>
<td>Madison</td>
<td>68</td>
<td>9.95</td>
</tr>
<tr>
<td>Burton, Robt., Jr.</td>
<td>Marion</td>
<td>269</td>
<td>39.00</td>
</tr>
<tr>
<td>Bohannon, Henry</td>
<td>Shelby</td>
<td>72</td>
<td>9.90</td>
</tr>
<tr>
<td>Cleveland, P. J.</td>
<td>Calloway</td>
<td>244</td>
<td>36.50</td>
</tr>
<tr>
<td>Coleman, Virgil</td>
<td>Fayette</td>
<td>960</td>
<td>147.00</td>
</tr>
<tr>
<td>Clay, Thomas R.</td>
<td>Fayette</td>
<td>60</td>
<td>9.00</td>
</tr>
<tr>
<td>Cook, J. W.</td>
<td>Graves</td>
<td>1,485</td>
<td>132.70</td>
</tr>
<tr>
<td>Chambers, A. B.</td>
<td>Gallatin</td>
<td>264</td>
<td>45.30</td>
</tr>
<tr>
<td>Cleary, W. W.</td>
<td>Harrison</td>
<td>136</td>
<td>20.40</td>
</tr>
<tr>
<td>Carlisle, J. G.</td>
<td>Kenton</td>
<td>255</td>
<td>37.90</td>
</tr>
<tr>
<td>Cook, M. J.</td>
<td>Laurel and Rockcastle</td>
<td>106</td>
<td>14.90</td>
</tr>
<tr>
<td>Names</td>
<td>Counties represented</td>
<td>No. of miles</td>
<td>Am't paid.</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------------------------------------------------</td>
<td>--------------</td>
<td>------------</td>
</tr>
<tr>
<td>Croxton, Joseph</td>
<td>1st district city of Louisville</td>
<td>132</td>
<td>$19.80</td>
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<td>Dogins, H. B.</td>
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<td>Dunsap, Alexander</td>
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<td>155</td>
<td>22.40</td>
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<td>Donan, John</td>
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<td>230</td>
<td>35.60</td>
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<td>Day, William</td>
<td>Morgan and Breedy</td>
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<td>English, Robert</td>
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<td>Ewing, McDowell</td>
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<td>Woodford</td>
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<td>Husband, L. D.</td>
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<td>Johnson, Wm.</td>
<td>Scott</td>
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<td>Meade, John M.</td>
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<td>Boone</td>
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<td>Renner</td>
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<td>89.50</td>
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<td>Shaver, B. J.</td>
<td>Muldensburg</td>
<td>566</td>
<td>83.40</td>
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AUDITOR'S OFFICE, KENTUCKY, 
Frankfort, September 16, 1861.

Hon. R. A. Buckner, Speaker of the House of Representatives:

Sir: In response to a resolution of the House of Representatives, directing me to report "what portion of the public revenue due the State for the year 1860 remains uncollected; the sheriffs or counties that have failed to pay, if there are any such, and what steps have been taken to collect or secure the same," I have the honor to make the subjoined report.

Respectfully,

GRANT GREEN, Auditor.

A STATEMENT showing "what portion of the public revenue due the State for the year 1860 remains uncollected; the sheriffs or counties that have failed to pay, and what steps have been taken to collect or secure the same," viz:

<table>
<thead>
<tr>
<th>Sheriffs' names</th>
<th>Counties</th>
<th>Balance due</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew W. Foster</td>
<td>Allen</td>
<td>$565.00</td>
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<td>Joseph M. Hanks</td>
<td>Anderson</td>
<td>4,877.50</td>
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<td>L. S. Lee</td>
<td>Ballard</td>
<td>225.29</td>
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<td>A. C. Bowman</td>
<td>Bracken</td>
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<td>W. Williams</td>
<td>Boyd</td>
<td>290.41</td>
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<td>Jesse Slavens</td>
<td>Calloway</td>
<td>1,547.27</td>
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<tr>
<td>P. W. Napier</td>
<td>Casey</td>
<td>2,293.27</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>Sheriffs' names</td>
<td>Counties</td>
<td>Balance Due</td>
<td>Remarks</td>
</tr>
<tr>
<td>--------------------------</td>
<td>----------------</td>
<td>-------------</td>
<td>----------------------------------------------</td>
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<tr>
<td>Wm. J. Fields</td>
<td>Carter</td>
<td>1,497 75</td>
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<td>John G. Pickens</td>
<td>Clinton</td>
<td>2,431 83</td>
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<tr>
<td>James Herd</td>
<td>Clay</td>
<td>1,539 60</td>
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<td>J. A. Yandell</td>
<td>Crittenden</td>
<td>922 74</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>John Locke</td>
<td>Daviess</td>
<td>5,919 45</td>
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<td>Wm. A. L. B. Sharpes</td>
<td>Bath</td>
<td>3,103 81</td>
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<tr>
<td>Thomas E. Breck</td>
<td>Pulaski</td>
<td>7,549 44</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>H. I. Todd</td>
<td>Franklin</td>
<td>4,531 61</td>
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<tr>
<td>M. C. Hughes</td>
<td>Gallatin</td>
<td>50 33</td>
<td>No judgment, but promise to pay soon.</td>
</tr>
<tr>
<td>G. E. Heskell</td>
<td>Garrard</td>
<td>819 02</td>
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<td>M. W. Galloway</td>
<td>Graves</td>
<td>5,463 60</td>
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<tr>
<td>B. P. Bonart</td>
<td>Grayson</td>
<td>2,657 14</td>
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<tr>
<td>Thomas C. Edwards</td>
<td>Green</td>
<td>2,416 40</td>
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<tr>
<td>John McGeorge</td>
<td>Hardin</td>
<td>503 71</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>John Shawhan</td>
<td>Harroson</td>
<td>3,720 29</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>Chas M. Homan</td>
<td>Henry</td>
<td>1,095 71</td>
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<tr>
<td>J. M. Robinson</td>
<td>Hickman</td>
<td>4,103 76</td>
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<tr>
<td>Wm. Crotwell</td>
<td>Hopkins</td>
<td>9,155 43</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>John H. Carville</td>
<td>Hopkins</td>
<td>9,155 43</td>
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<tr>
<td>John Stevens</td>
<td>Jackson</td>
<td>195 49</td>
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<td>W. S. D. Magowan</td>
<td>Jefferson</td>
<td>21,698 51</td>
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<td>L. H. Christianson</td>
<td>Jessamine</td>
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<td>W. B. Ashbrook</td>
<td>Kent</td>
<td>3,390 96</td>
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<td>A. B. Burton</td>
<td>Knox</td>
<td>250 66</td>
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<tr>
<td>W. W. Webb</td>
<td>Letcher</td>
<td>216 33</td>
<td>Judgment and execution issued.</td>
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<tr>
<td>Beth Parker</td>
<td>Lewis</td>
<td>713 63</td>
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<tr>
<td>Samuel Donathan</td>
<td>Linman</td>
<td>561 02</td>
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<tr>
<td>Isaac N. Hill</td>
<td>Madison</td>
<td>1,374 35</td>
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<tr>
<td>Reuben R. Jones</td>
<td>Meade</td>
<td>9,072 84</td>
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<tr>
<td>Geo. W. Goodrum</td>
<td>Marion</td>
<td>6,715 38</td>
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<tr>
<td>W. W. Cox</td>
<td>Morgan</td>
<td>91 46</td>
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<td>H. D. Rothrock</td>
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<tr>
<td>Stephen Howard</td>
<td>Magoffin</td>
<td>192 72</td>
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<td>Joseph R. Witty</td>
<td>Matcalio</td>
<td>252 98</td>
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<tr>
<td>James Wood</td>
<td>Nelson</td>
<td>757 37</td>
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<tr>
<td>Q. C. Shanks</td>
<td>Ohio</td>
<td>7,568 43</td>
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<td>John M. Gurrin</td>
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<td>H. Combs</td>
<td>Perry</td>
<td>762 73</td>
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<td>R. M. Foyell</td>
<td>Pike</td>
<td>73 80</td>
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<td>John H. Blandshaw</td>
<td>Powell</td>
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<td>James D. Ray</td>
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<td>W. G. Wade</td>
<td>Simpson</td>
<td>3,596 41</td>
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<tr>
<td>John D. Howard</td>
<td>Spencer</td>
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<td>John S. Dyer</td>
<td>Trigg</td>
<td>194 19</td>
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<td>R. S. Spalding</td>
<td>Union</td>
<td>3,755 36</td>
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<tr>
<td>Fleming Bates</td>
<td>Wayne</td>
<td>2,517 68</td>
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<tr>
<td>Total</td>
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<td>146,865 93</td>
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Ordered, That the Public Printer forthwith print 150 copies of each response for the use of the members of the General Assembly.

1. Mr. Desha presented the petition of sundry citizens of Harrison county in favor of strict neutrality, and against the war tax.

2. Also the petition of H. C. Ireland, praying compensation for conveying a lunatic to the asylum.

3. Mr. Hampton presented a remonstrance against changing the county lines between the counties of Morgan and Wolfe.

4. Mr. Milton Young presented the petition of sundry citizens of Union and Webster counties, praying a change in their county lines.

5. Mr. Ewing presented the petition of sundry citizens of Logan county, against the war tax.

6. Mr. Gaines presented the petition of sundry citizens of Trigg county, praying the passage of an act regarding the Curling Educational Fund at Cadiz, in Trigg county.

7. Mr. Merritt presented the petition of sundry citizens of Lyon county, against the war tax, embargo on commerce, &c.

Which were received, the reading dispensed with, and referred—the 1st, 5th, and 7th to the Committee on Federal Relations; the 2d to the Committee on Claims; the 3rd and 4th to the Committee on Propositions and Grievances; the 6th to the Committee on the Judiciary.

On motion of Mr. Bush, leave of absence was granted to Mr. Coffee.

The House resumed the consideration of the report of the Committee on Federal Relations, on Mr. Ewing's resolution, viz:

The Committee on Federal Relations, to whom was referred the resolution of Mr. Ewing against the payment of the tax which Congress at its late session authorized to be collected for the purpose of carrying on the war; and the said resolution also provides for the recognition of the independence of the Confederate States, beg leave to report thereon:

Your committee is of opinion that the law imposing the tax is within the constitutional powers of Congress. The money to be raised by the tax will be used, and was intended by the law imposing the tax to be used, in defending and preserving the government of the United States against powerful efforts now being made to overthrow the general government. The eighth section of article one of the Constitution of the United States authorizes the Congress of the United States to lay and collect taxes to pay the debts and provide for the common defense and general welfare of the United States. The act of Congress just referred to comes within that clause of the Constitution of the United States.

The fact that the people of Kentucky were opposed to the inauguration of the war now carried on is no reason why they should not fulfill their constitutional obligations. The war was begun by South
Carolina, one of the Confederate States, and soon after nine States entered with her in the war. The people of those States are now in arms against the government of the United States. They have brought powerful armies into the field, which are now within sight of the national Capitol, and threaten to seize it and overthrow the government of the United States. The people of Kentucky are determined to defend that government against its enemies. It is a powerful, a wise, a beneficent government. It is the work of almost divine wisdom. No oppression ever flowed from it to the people. It protected its citizens both at home and abroad, and gave them a name which was respected by all the civilized nations of the earth. The effort now being made to overthrow the government is unspeakably wicked. Kentucky abhors that effort. She will not weigh money in the scales against a government which has been her boast and her pride, and which she regards as the very palladium of the liberties of the people.

The recognition of the so-called Confederate States would be giving consent to the existence of two separate governments within the limits of the United States. Your committee cannot advise or approve such consent. Without any elaborate discussion of the subject, such a policy would sacrifice the highest interest of the people of the country. We, then, feel we cannot approve the inauguration of the Southern Confederacy; and we know of no power competent to do it, except a National Convention, if it were desirable.

All which is respectfully submitted.

N. WOLFE, Chairman Committee on Federal Relations.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


John M. Elliott.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, viz:

An act to incorporate Lodge No. 147, I. O. O. F., in the town of Blandville, Ky.
An act for the benefit of the Maysville and Blue Run turnpike road company, in Mason county.
An act to change the place of voting in district No. 3, in Whitley county.
An act to authorize J. H. Gatewood to change the Lexington and Nashville road.
An act to change the time of holding the police court of the town of Hartford.
An act to allow the sheriff of Ohio county to execute process from the police court of the town of Hartford.
An act to change the county lines between the counties of Carter and Rowan.
An act to amend the act incorporating the town of Shelbyville.
An act for the benefit of R. T. Vorics, sheriff of Carroll county.
An act for the benefit of C. C. Harris and others, of Madison county.
An act for the benefit of the sheriff of Simpson county and his securities.
An act to incorporate Baltimore Lodge, No. 361, of Free and Accepted Masons.
An act to incorporate the Kentucky Hotel and Cave Company.

An act to incorporate the town of Bliensburg, in Marshall county.

An act to increase the powers of the marshal and police judge of the town of Owingsville, in Bath county.

An act for the benefit of Odd Fellows' Hall Company.

An act for the benefit of common school district No. 27, in Crittenden county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The following bills were reported by the Committee on Ways and Means, viz:

A bill providing means to defray the expenses of the government.

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

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

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

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in order to defray the current expenditures of the government, the commissioners of the sinking fund are authorized, and it is hereby made their duty, to loan to the State of Kentucky the sum of one hundred thousand dollars, out of the surplus money in the treasury to the credit of the sinking fund; and for the amount thus loaned, the Governor of this Commonwealth is authorized and required to issue a bond for and on behalf of the Commonwealth, payable to the commissioners of the sinking fund two years after the date thereof, bearing interest at the rate of six per centum per annum; the interest payable semi-annually.

§ 2. That the Governor, Auditor, and Treasurer of this Commonwealth, be, and they are hereby, authorized and empowered, to borrow for, and on the credit of the State, from the several banks in this Commonwealth, from copartnerships, from corporations created by the laws of this State, or from individuals, a sum not exceeding two hundred thousand dollars, to meet the current expenses of the government, to be obtained at such times and in such sums as the wants of the treasury may require; and for the sums thus borrowed, the Governor of this Commonwealth is hereby authorized and required to execute and deliver to the banks making said loans, respectively, bonds for and on behalf of the Commonwealth, payable at such times, on such terms, and at such rate of interest, as may be agreed upon.

§ 3. That the money obtained under the provisions of this act, shall be placed in the public treasury to the credit of the revenue proper, and subject to the warrants drawn by the Auditor of Public Accounts.
for the ordinary expenditures of the government; including appropriations made by the Legislature.

§ 4. That out of the money obtained under the provisions of this act, the sum of sixty thousand dollars heretofore loaned to the State by the Bank of Kentucky shall be paid; and the Auditor is hereby required to draw his warrant upon the treasury in favor of said bank therefor.

§ 5. This act shall take effect from and after its passage.

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—

John W. Finnell, James P. Sparks, Van B. Young—4.

G. Clay Smith,

A bill for the benefit of certain sheriffs of this Commonwealth, and their securities.

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

Mr. Andrews, from the Judiciary Committee, to whom was referred a bill from this House, entitled "A bill to prohibit and prevent rebellion by citizens of Kentucky, and others in this State," and amendments proposed thereto, reported the same with a substitute therefor.

Ordered, That 150 copies of said bill and substitute be printed for the use of the members of the General Assembly.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund be requested to inform the Legislature the amount and condition of the fund; whether it has been loaned, and if so, to whom, and whether it is immediately available or not.

FRANKFORT, Sept. 17, 1861.

Gentlemen of the House of Representatives:

I herewith transmit to you the information asked of the "Commissioners of the Sinking Fund" as furnished by the Auditor, who is ex-officio secretary of the Board.

B. MAGOFFIN, Chairman of the Board.

Receipts and expenses of the Treasury on account of the Sinking Fund from 10th October, 1860, to 17th September, 1861.

| RECEIPTS. |
|-----------------|---------|
| Balance in treasury 10th October, 1860 | $35,427 72 |
| From Lexington and Frankfort railroad | $5,246 00 |
| From Louisville and Frankfort railroad | 5,043 91 |
| From interest on Sinking Fund loan | 10,983 30 |
| From Auditor | 260,704 51 |
| From turnpike roads | 30,810 65 |
| From Sinking Fund loan | 62,047 30 |
| From taxes on banks | 54,084 50 |
| From railroads | 168,999 00 |
| From prison lease | 12,000 00 |
| **Total receipts** | **$631,912 95** |

| EXPENSES of the same time |
|-------------------|---------|
| For profit in purchase State debt | $120 00 |
| For interest on school bonds | $126,397 65 |
| For redemption State debt | $213,647 25 |
| For contingent expenses | $323 40 |
| For expense department, for loan | 200,000 00 |
| For Sinking Fund loan | 27,110 00 |
| For Kentucky penitentiary | 3,000 49 |
| For interest on State debt | 189,682 73 |
| **Total expenses** | **$749,219 43** |

| Balance in treasury 17th September, 1861 | **$156,020 54** |
Sinking Fund loan outstanding and now due

<table>
<thead>
<tr>
<th>No.</th>
<th>Names</th>
<th>Amount</th>
<th>When due</th>
<th>Securities</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>M. H. Winston</td>
<td>$4,757.90</td>
<td>Now due</td>
<td>100 shares Farmers' Bank stock.</td>
</tr>
<tr>
<td>14</td>
<td>Isaac W. Scott</td>
<td>$3,600.00</td>
<td>Now due</td>
<td>For securities see Nos. 24 and 33.</td>
</tr>
<tr>
<td>18</td>
<td>Isaac Brown</td>
<td>$1,120.00</td>
<td>Now due</td>
<td>State bond.</td>
</tr>
<tr>
<td>22</td>
<td>A. A. Gordon</td>
<td>$1,200.00</td>
<td>Now due</td>
<td>10 shares Bank of Ky. and 10 shares Southern Bank of Ky.</td>
</tr>
<tr>
<td>23</td>
<td>L. M. Flounery</td>
<td>$3,400.00</td>
<td>Now due</td>
<td>60 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>24</td>
<td>O. Brown</td>
<td>$180.00</td>
<td>Now due</td>
<td>9 shares Bank of Ky.</td>
</tr>
<tr>
<td>25</td>
<td>Thomas Hutchinson</td>
<td>$337.37</td>
<td>Now due</td>
<td>60 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>26</td>
<td>D. P. Hitter</td>
<td>$1,951.00</td>
<td>Now due</td>
<td>For securities see Nos. 43, 44, 45, 46.</td>
</tr>
<tr>
<td>28</td>
<td>J. D. Helm</td>
<td>$50.00</td>
<td>Now due</td>
<td>10 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>32</td>
<td>T. M. Cox, admr Mrs. E. S. Merwin</td>
<td>$5,200.00</td>
<td>Now due</td>
<td>70 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>34</td>
<td>Isaac W. Scott</td>
<td>$3,300.00</td>
<td>Now due</td>
<td>30 shares Bank of Louisville.</td>
</tr>
<tr>
<td>37</td>
<td>Wm. Brand</td>
<td>$3,998.66</td>
<td>Now due</td>
<td>65 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>43</td>
<td>D. P. Hitter</td>
<td>$1,440.00</td>
<td>Now due</td>
<td>20 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>45</td>
<td>A. D. H.</td>
<td>$695.00</td>
<td>Now due</td>
<td>30 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>47</td>
<td>M. M. Berrington</td>
<td>$900.00</td>
<td>Now due</td>
<td>10 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>53</td>
<td>J. C. Callow, L. M.</td>
<td>$4,250.00</td>
<td>Now due</td>
<td>60 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>56</td>
<td>V. McKnight</td>
<td>$3,150.00</td>
<td>Now due</td>
<td>30 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>57</td>
<td>M. C. Johnson</td>
<td>$2,450.56</td>
<td>Now due</td>
<td>20 shares Northern Bank of Ky. and 10 shares Bank of Ky.</td>
</tr>
<tr>
<td>58</td>
<td>Catherine Fiskett, Issac W. Scott to pay</td>
<td>$3,196.08</td>
<td>Now due</td>
<td>50 shares Northern Bank of Ky.</td>
</tr>
<tr>
<td>60</td>
<td>Thomas Hutchison</td>
<td>$3,100.00</td>
<td>Now due</td>
<td>For securities see No. 35.</td>
</tr>
<tr>
<td>66</td>
<td>Wm. Davis</td>
<td>$2,400.00</td>
<td>Now due</td>
<td>55 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>67</td>
<td>L. M. Flounery</td>
<td>$1,000.00</td>
<td>Now due</td>
<td>For security see Nos. 32 and 33.</td>
</tr>
<tr>
<td>68</td>
<td>A. L. Stillwell</td>
<td>$2,630.00</td>
<td>Now due</td>
<td>20 shares Bank of Ky.</td>
</tr>
<tr>
<td>79</td>
<td>J. F. Harris</td>
<td>$1,950.00</td>
<td>Now due</td>
<td>30 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>87</td>
<td>Garrett Davis</td>
<td>$1,704.40</td>
<td>Now due</td>
<td>35 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>88</td>
<td>C. W. Rainbird, D. P.</td>
<td>$3,420.00</td>
<td>Now due</td>
<td>50 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>89</td>
<td>W. H. Kline</td>
<td>$1,416.10</td>
<td>Now due</td>
<td>40 shares Southern Bank of Ky.</td>
</tr>
<tr>
<td>90</td>
<td>M. Brown</td>
<td>$1,000.00</td>
<td>Now due</td>
<td>State bond.</td>
</tr>
<tr>
<td>92</td>
<td>D. D. Burns</td>
<td>$1,050.02</td>
<td>Now due</td>
<td>10 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>93</td>
<td>D. A. Saxon</td>
<td>$3,744.60</td>
<td>Now due</td>
<td>50 shares Bank of Kentucky.</td>
</tr>
<tr>
<td>97</td>
<td>H. S. Sullivan</td>
<td>$3,944.00</td>
<td>Now due</td>
<td>20 shares Commercial Bk. of Ky.</td>
</tr>
<tr>
<td>98</td>
<td>J. M. Lanier</td>
<td>$3,400.00</td>
<td>Now due</td>
<td>For securities see Nos. 43, 44.</td>
</tr>
<tr>
<td>99</td>
<td>H. T. Dunham</td>
<td>$3,120.00</td>
<td>Now due</td>
<td>10 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>99</td>
<td>H. T. Dunham</td>
<td>$3,120.00</td>
<td>Now due</td>
<td>20 shares Northern Bank of Ky.</td>
</tr>
<tr>
<td>100</td>
<td>Wm. Johnson</td>
<td>$720.00</td>
<td>Now due</td>
<td>10 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>106</td>
<td>F. Hart</td>
<td>$1,000.00</td>
<td>Now due</td>
<td>10 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>107</td>
<td>A. C. Burnley</td>
<td>$1,950.32</td>
<td>Now due</td>
<td>50 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>112</td>
<td>W. Cotton</td>
<td>$1,664.60</td>
<td>Now due</td>
<td>12 shares Farmers' Bank of Ky.</td>
</tr>
<tr>
<td>117</td>
<td>P. H. Thompson</td>
<td>$2,572.48</td>
<td>Now due</td>
<td>20 shares Northern Bank of Ky.</td>
</tr>
<tr>
<td>120</td>
<td>Thomas Hutchison</td>
<td>$1,000.00</td>
<td>Now due</td>
<td>For securities see No. 35.</td>
</tr>
<tr>
<td>121</td>
<td>E. E. Johnson</td>
<td>$6,570.00</td>
<td>Now due</td>
<td>75 shares Farmers' Bank of Ky.</td>
</tr>
</tbody>
</table>

JOURNAL OF THE TREASURY

Balance in treasury 17th September, 1861

Add amount of loan to State of Kentucky for revenue proper by Sinking Fund

Amount of Sinking Fund Loan outstanding 17th September, 1861.
The resources of the Sinking Fund are as follows:

1st. Tax on the surplus fund of Commercial Bank of Kentucky.
2d. Tax on the capital stock of the Bank of Kentucky.
3d. Tax on the capital stock of the Northern Bank of Kentucky.
5th. Tax on the capital stock of the Depository Bank.
6th. Dividends on 4,000 shares stock in Bank of Kentucky.
7th. Dividends on 2,500 shares stock in Northern Bank.
8th. Dividends on 6,000 shares stock in Southern Bank.
9th. Dividends on 500 shares stock in turnpike roads and profits on works of internal improvements.
10th. Proceeds of sales, water leases, &c., on slack-water improvements.
11th. Proceeds of sales of internal improvements.
11th. Redemption of forfeited lands and escheats.
12th. Interest on $74,519 50 bonds in railroad, Louisville to Frankfort.
13th. Dividend on 2,178 shares of stock in Frankfort and Lexington railroad company.
14th. Excess in the treasury over $10,000.
15th. Tax on playing cards.
16th. Tax on stock in Louisville and Frankfort railroad.
17th. Interest on sinking fund loans.

Amount of stock owned by the State in the following improvements:

<table>
<thead>
<tr>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentucky river navigation</td>
<td>$301,932.70</td>
</tr>
<tr>
<td>Green and Barren river navigation</td>
<td>$259,126.73</td>
</tr>
<tr>
<td>Licking river navigation</td>
<td>$312,130.70</td>
</tr>
<tr>
<td>Maysville, Washington, Paris, and Lexington</td>
<td>$213,290.00</td>
</tr>
<tr>
<td>Franklin county, from Frankfort to Shelby county</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Turnpike road, Shelby county</td>
<td>$45,000.00</td>
</tr>
<tr>
<td>Maldrogh’s Hill and Bridge</td>
<td>$55,145.46</td>
</tr>
<tr>
<td>Franklin county, from Hardinsville to Crab Orchard</td>
<td>$17,034.00</td>
</tr>
<tr>
<td>Anderson county, from Hardinsville to Crab Orchard</td>
<td>$17,034.00</td>
</tr>
<tr>
<td>Mercer county, from Hardinsville to Crab Orchard</td>
<td>$74,900.00</td>
</tr>
<tr>
<td>Lincoln county, from Hardinsville to Crab Orchard</td>
<td>$51,293.00</td>
</tr>
<tr>
<td>Frankfort, Lexington, and Versailles</td>
<td>$73,132.00</td>
</tr>
<tr>
<td>Danville, Lancaster, Nicholasville, and Lexington</td>
<td>$151,302.00</td>
</tr>
<tr>
<td>Frankfort to Georgetown, (Franklin portion)</td>
<td>$15,400.00</td>
</tr>
<tr>
<td>Frankfort to Georgetown, (Scott portion)</td>
<td>$41,395.00</td>
</tr>
<tr>
<td>Winchester and Lexington</td>
<td>$45,100.00</td>
</tr>
<tr>
<td>Covington, Williamstown, and Georgetown</td>
<td>$16,912.56</td>
</tr>
<tr>
<td>Williamstown and Georgetown</td>
<td>$88,327.11</td>
</tr>
<tr>
<td>Lexington and Georgetown</td>
<td>$36,270.00</td>
</tr>
<tr>
<td>Richmond and Lexington</td>
<td>$75,393.00</td>
</tr>
<tr>
<td>Louisville to mouth of Salt river</td>
<td>$63,340.99</td>
</tr>
<tr>
<td>Mouth of Salt river to Elizabethtown</td>
<td>$84,560.16</td>
</tr>
<tr>
<td>Elizabethtown to Bell’s tavern</td>
<td>$10,718.24</td>
</tr>
<tr>
<td>Bell’s tavern to Bowling Green</td>
<td>$65,177.97</td>
</tr>
<tr>
<td>Bowling-Green to Tennessee line</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Springfield and Bardstown</td>
<td>$65,190.60</td>
</tr>
<tr>
<td>Lexington, Harrodsburg, and PERRYVILLE</td>
<td>$109,466.00</td>
</tr>
<tr>
<td>Louisville and Bardstown</td>
<td>$100,000.00</td>
</tr>
<tr>
<td>Bardstown and Glasgow</td>
<td>$208,425.19</td>
</tr>
<tr>
<td>Glasgow to Tennessee line</td>
<td>$143,385.28</td>
</tr>
<tr>
<td>Maysville and Mt. Sterling</td>
<td>$45,072.53</td>
</tr>
<tr>
<td>Anderson county and Versailles</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>Logan, Todd, and Christian</td>
<td>$143,425.91</td>
</tr>
<tr>
<td>Mayville and Bracken</td>
<td>$28,946.00</td>
</tr>
<tr>
<td>New Market, Lebanon, and Washington</td>
<td>$1,258.99</td>
</tr>
<tr>
<td>Owingsville and Big Sandy, (dirt road)</td>
<td>$16,783.83</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,651,691.16</strong></td>
</tr>
</tbody>
</table>
A Statement showing the amount of the State debt 1st August, 1861, viz.:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount due and outstanding of the 6 per cent.</td>
<td>$609,500, of 6 year bonds, and Internal Improvement Railroad Scrip.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonds issued May 26th, 1835, to Bank of Kentucky, under act of February 28, 1836, payable 30 years after date, bearing 5 per cent. interest at the Bank of Kentucky.</td>
<td>$100,000 00</td>
<td>$77,000 00</td>
<td>$23,000 00</td>
</tr>
<tr>
<td>Bonds issued August 1st, 1835, to Prine, Ward &amp; King, under an act of February 28th, 1835, payable 30 years after date, bearing 5 per cent. interest at New York.</td>
<td>100,000 00</td>
<td>7,000 00</td>
<td>93,000 00</td>
</tr>
<tr>
<td>Bonds issued April 25, 1836, to Northern Bank of Kentucky, under an act of February 29, 1836, payable 30 years after date, bearing 5 per cent. interest at Northern Bank of Kentucky</td>
<td>100,000 00</td>
<td>8,000 00</td>
<td>92,000 00</td>
</tr>
<tr>
<td>Bonds issued June 1st, 1836, to Bank of Kentucky, under an act of February 29, 1836, payable 30 years after date, bearing 5 per cent. interest at the Northern Bank of Kentucky.</td>
<td>50,000 00</td>
<td>46,000 00</td>
<td>4,000 00</td>
</tr>
<tr>
<td>Bonds issued April 1st, 1837, to War Department, under an act of February 23, 1837, payable 30 years after date, bearing 5 per cent. interest at New York.</td>
<td>165,000 00</td>
<td>165,000 00</td>
<td></td>
</tr>
<tr>
<td>Bonds issued September 5th, 1843, to John Tilford, agent to sell, under an act of March 8, 1843, payable 30 years after date, bearing 5 per cent. interest at New York.</td>
<td>100,000 00</td>
<td>21,000 00</td>
<td>79,000 00</td>
</tr>
<tr>
<td>Bonds issued July 1st, 1838, to the American Life Insurance and Trust Company, under an act of February 16, 1838, payable 30 years after date, and bearing 6 per cent. interest at New York.</td>
<td>1,250,000 00</td>
<td>303,000 00</td>
<td>1,047,000 00</td>
</tr>
<tr>
<td>Bonds issued from 22d April, 1840, to contractors on public works, under act of February 22d, 1839, payable 30 years after date, bearing 6 per cent. interest at New York.</td>
<td>33,000 00</td>
<td>6,000 00</td>
<td>27,000 00</td>
</tr>
<tr>
<td>Bonds issued November 4, 1840, to Northern Bank of Kentucky, under an act of February 21, 1840, payable 30 years after date, bearing 6 per cent. interest at New York.</td>
<td>435,000 00</td>
<td>47,000 00</td>
<td>388,000 00</td>
</tr>
<tr>
<td>Bonds issued November 4, 1840, to Bank of Kentucky, under an act of February 21, 1840, payable 30 years after date, bearing 6 per cent. interest at New York.</td>
<td>160,000 00</td>
<td>21,000 00</td>
<td>151,000 00</td>
</tr>
<tr>
<td>Bonds issued from April 3, 1841, to April 1, 1842, to contractors, and in exchange for 6 year bonds, under act of February 21, 1840, February 1841, and March 3d, 1842, March 11, 1843, and March 2, 1844, payable 30 years after date, and bearing 6 per cent. interest at New York.</td>
<td>1,741,000 00</td>
<td>315,000 00</td>
<td>1,426,000 00</td>
</tr>
<tr>
<td>Bonds issued January 1, 1843, to holders of Lexington and Ohio Railroad bonds, under act of March 1, 1844, payable 15 or 30 years after date, at the pleasure of the State, bearing 6 per cent. interest at New York.</td>
<td>150,000 00</td>
<td>147,000 00</td>
<td>3,000 00</td>
</tr>
<tr>
<td>Bonds issued from 7th October, 1846, to 15th June, 1849, to holders of 6 year bonds and others, under act of February 23, 1846, and March 4, 1847, payable 15 or 30 years after date, at the pleasure of the State, bearing 6 per cent. interest at New York.</td>
<td>70,000 00</td>
<td>20,000 00</td>
<td>49,000 00</td>
</tr>
</tbody>
</table>
### Description of bond.

<table>
<thead>
<tr>
<th>Description of bond.</th>
<th>Original issue</th>
<th>Amount redeemed</th>
<th>Amount unredeemed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bonds issued to Southern Bank of Kentucky, under the several acts chartering said</td>
<td>$600,000 00</td>
<td>$600,000 00</td>
<td>00</td>
</tr>
<tr>
<td>Bank, bearing 6 per cent. interest.</td>
<td>1,426,770 01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bond for unexpended county distribution, issued 23rd August, 1855, and held by the</td>
<td>$42,894 72</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Education.</td>
<td>12,167 30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bond for unexpended county distribution, issued 21st February, 1857, and held by</td>
<td></td>
<td></td>
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<tr>
<td>the Board of Education.</td>
<td></td>
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<tr>
<td>Total</td>
<td>$6,355,822 93</td>
<td>$1,225,000 00</td>
<td>11,525,000 00</td>
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</tbody>
</table>

* Due in 1861.

Amount of 6 per cent. debt due and outstanding........................................ $4,731,234 03

Amount of 5 per cent. bonds unredeemed.................................................. 2,690,000 00

No. 1. At thirty years date, bearing 6 per cent. interest, and dated August 23, 1847.

No. 20. At thirty years date, bearing 6 per cent. interest, dated January 16, 1847.

No. 21. At thirty years date, bearing 6 per cent. interest, dated January 1, 1840.

No. 22. At thirty years date, bearing 6 per cent. interest, dated January 1, 1840.

No. 23. At thirty years date, bearing 6 per cent. interest, dated January 29, 1840.

No. 24. At thirty years date, bearing 6 per cent. interest, dated December 29, 1840.

No. — Baring 5 per cent. interest, from January 1, 1845, and made payable at the pleasure of the Legislature, and dated December 29, 1840.

No. — Amount of bond issued for balance due for interest on State bonds, and same dated July 5, 1856, and made payable at the pleasure of the Legislature, and to bear interest at the rate of 6 per cent. per annum, from January 1, 1850.

Bond issued by the Governor, for surplus due the several counties, dated 23rd August, 1855, and held by Board of Education.

Bond issued by the Governor, for surplus due the several counties, dated 21st February, 1857, and held by Board of Education.

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

The House then took up the resolution from the Senate fixing a day for the election of a State Printer and Librarian.

On motion of Mr. Tevis,

Ordered, That said resolution be laid on the table.

The House took up the resolution from the Senate making appropriation to Chinn, Pearce, and Pruett.
And the question being taken on concurring in said resolution, it was decided in the affirmative.

The amendments of the Senate to bills from this House of the following titles, were taken up, twice read, and concurred in, viz:

An act to authorize the Marshall county court to change the State road.

An act to incorporate the Henderson Female College.

An act to amend the charter of Benton, in Marshall county.

An act to amend the laws in relation to the city of Paducah.

An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his securities, and for the benefit of the sheriff of Madison county.

The House then took up the various resolutions offered by Messrs. Merritt, Desha, Ewing, Jacob, and Conklin, which were severally read and referred to the Committee on Federal Relations.

The House took up the resolutions offered by Mr. Elliott on the 13th, inst., viz:

Whereas, The people of Kentucky have, through their legislative, executive, and by their own often repeated voices at the polls, determined that, as they have had no hand in the inauguration of the war now raging between the Confederate and Federal Governments; and whereas, soon after the inauguration of Abraham Lincoln as President of the United States he promised the Hon. Garrett Davis, in unmistakable terms, that Kentucky might occupy the position of neutrality during the contest between the seceded and States still remaining in the Union; and whereas, it is evident that the Government of the United States has several thousand troops encamped upon the soil of Kentucky; and whereas, Kentucky's soil has been invaded, and the city of Paducah occupied by United States troops under command of Gen. Grant; and whereas, Kentucky has been invaded by a Confederate army under Gen. Polk, of the State of Tennessee: these invasions and encampments threaten to break up the neutrality which Kentucky, through her legislative and executive authorities, has assumed, and which has been indorsed by the public voice at the several elections; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That his Excellency, Beriah Magoffin, Governor of this Commonwealth, appoint three commissioners to treat with the Government of the United States for the removal of all troops belonging to the United States army who are now, or may hereafter be, found upon Kentucky’s soil, no difference whether mustered into the service in Kentucky or other State or States.

2. Resolved, That said commissioners shall, as soon as convenient, proceed to the city of Washington, the seat of the Federal Government, and demand the removal of said United States troops from our soil, and as commissioners aforesaid, endeavor to obtain a guarantee from said Government that no more troops, mustered into the United

19
States service, shall be marched into or encamped upon the soil of Kentucky, by authority of the Federal Government; and if any such soldiers be found within the limits of said State, without the knowledge or authority of said Government, the same are to be removed when said Government is notified by the Governor of the Commonwealth that such troops are in the State.

3. Be it further resolved, That his Excellency, the Governor of Kentucky, shall appoint three other commissioners, whose duty it shall be to proceed to Richmond, the seat of Government of the Confederate States, and demand the removal from our soil of all troops in the service of the Confederate States, who are, or may hereafter be, found upon the same; and as commissioners aforesaid, it shall be their duty, if possible, to obtain from the Government at Richmond a guarantee that no more Confederate troops shall be encamped upon Kentucky's soil, or marched or sent into the same by authority of the Confederate States; and if encamped or found upon Kentucky's soil without the authority of the Confederate States, that they will be removed so soon as the Government at Richmond is notified of their locality. The said commissioners to report to the present General Assembly at the earliest period consistent with the duties imposed upon them.

Mr. Elliott moved to dispense with the rule of the House to take said resolution up for action.

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

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

Those who voted in the affirmative, were—

Vincent Ash, George W. Ewing, John C. Lindsey,
John S. Barlow, John W. Gaines, Daniel Matthewson,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Geo. R. Merritt,
A. B. Chambers, George M. Hampton, Felix G. Murphy,
Lucius Desha, John M. Henry, G. W. Silvertooth,
W. H. Edmunds, William Johnson, Rob't A. Spalding—22.

John M. Elliott,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Stephen J. England, William S. Rankin,
Alfred Allen, Hugh F. Finley, Nicholas A. Rapier,
Jas. W. Anderson, John W. Finnell, John Ray,
W. C. Anderson, Elijah Gabbert, Joseph Ricketts,
Landaff W. Andrews, Remus Gibson, F. D. Rigney,
E. B. Bacheller, Henry Griffith, George S. Shanklin,
John C. Beeman, John H. Harney, G. Clay Smith,
John W. Blue, William H. Hays, M. Smith,
William P. Boone, William J. Heady, James P. Sparks,
William A. Brann, Joseph W. Heeter, Harrison Taylor,
Curtis F. Burnam, John B. Huston, Joshua Tevis,
The House took up the resolution offered by Mr. Taylor on the 16th inst., viz:

WHEREAS, The Constitution of this State provides that no session of the General Assembly shall continue beyond sixty days, except by a vote of two thirds of all the members elected to each House; and whereas, in the judgment of this Legislature, the public requires that the present session of the Legislature ought to be extended beyond the constitutional period; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the present session of the General Assembly shall be, and the same is hereby, extended beyond the sixty days, and until such time as it may hereafter fix for its adjournment sine die.

And the question being taken thereon, said resolution was adopted.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were——

Mr Speaker, (Buckner,) John M. Elliott, Larkin J. Proctor,
Alfred Allen, Stephen J. England, William S. Rankin,
Jas. W. Anderson, Hugh F. Finley, Nicholas A. Raper,
R. C. Anderson, John W. Finnell, Joseph Ricketts,
W. C. Anderson, Elijah Gabbert, F. B. Rigney,
Landaff W. Andrews, Reames Gibson, George S. Shanklin,
Vincent Ash, Henry Griffith, George W. Silvertooth,
E. B. Bacheller, John H. Harney, G. Clay Smith,
John C. Beeman, William H. Hays, M. Smith,
John W. Blue, William J. Heady, James P. Sparks,
William P. Boone, Joseph W. Heeter, Harrison Taylor,
William A. Braum, John M. Henry, Joshua Tevis,
Curtis F. Burnam, John B. Huston, George M. Thomas,
James Calvert, Richard T. Jacob, Thomas Turner,
Cyrus Campbell, Daniel W. Johns, Joseph R. Underwood,
J. W. Campbell, Urban E. Kennedy, John S. Vaawinkle,
Marion N. Carr, James M. C. Lisenby, Zeb. Ward,
Joseph H. Chandler, Alexander Lusk, George P. Webster,
Brutus J. Clay, P. L. Maxey, Alexander T. White,
John B. Cochran, David P. Mears, Nathaniel Wolfe,
Robert Cochran, Otho Miller, George H. Yeaman,
William L. Conklin, Thomas Z. Morrow, Bryan R. Young,
John C. Cooper, Thomas W. Owings, Milton Young,
Albert A. Curtis, George Poindexter, Van B. Young—74.
Daniel E. Downing, Hiram S. Powell,

Those who voted in the negative, were—

John S. Barlow, John W. Gaines, Daniel Matthewson,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, George R. Merritt,
A. B. Chambers, George M. Hampton, Felix C. Murphy,
Lucius Desha, William Johnson, John Ray,
W. H. Edmunds, John C. Lindsey, Rob't A. Spalding—19.
George W. Ewing,

Bills from the Senate of the following titles, viz:
1. An act for the benefit of John W. Hazelrigg, late clerk of the circuit court of Morgan county.
2. An act to authorize the county court of Cumberland county to increase the county levy of said county.
3. An act for the benefit of Frank Garrett, late clerk of the Morgan county court.
4. An act for the benefit of James Trimble, clerk of the Floyd circuit and county courts.
5. An act to change the election and magistrates' district No. 1, in Adair county.
6. An act for the benefit of school district No. 15, in Adair county.
7. An act to incorporate the Protestant German Benevolent Association of Covington.
8. An act for the benefit of the Southern Bank of Kentucky.
9. An act to enlarge the powers of the Military Board of this State.
10. An act amendatory of an act to amend the charter of the town of Owenton.
11. An act to amend the charter of the city of Louisville.
12. An act to amend the charter of the town of Cadiz, in Trigg 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 was referred to the Committee on Ways and Means; the 2d, 3d, 5th, and 8th to the Committee on County Courts; the 7th, 10th, and 12th to the Committee on Incorporated Institutions; the 8th to the Committee on Banks; the 4th
and 11th were severally ordered to be read a third time; the 9th, on motion of Mr. Huston, was ordered to have its second reading on to-morrow, at 10½ o'clock.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Military Board, created at the last session of the Legislature, are hereby authorized to order into the custody of said Board any State arms which may have been given out under the act creating said Board, or other law of the State, whenever said Board shall deem it expedient to do so; said Board shall have like power over the accoutrements, camp equipage, equipments, and ammunition of the State.

§ 2. If any person shall willfully fail or refuse to return any of said property for forty-eight hours after the receipt of the order of the Board to that effect, he shall be guilty of a high misdemeanor, and be fined in a sum not less than one hundred dollars, nor more than five thousand dollars, and be imprisoned until the fine is paid, and the arms, or other property, is returned; and said Board is authorized to retake such property, and, for that purpose, to sue in the name of the Commonwealth.

§ 3. If any person shall remove, conceal, or dispose of any of the property mentioned in the first section of this act, so as knowingly to prevent or hinder the return thereof, or to hinder or prevent the State from retaking such property, he shall be guilty of a felony, and, on conviction thereof, confined in the penitentiary not less than one nor more than two years.

§ 4. Said Board is authorized to provide for the protection and security of all the property of the State mentioned in this act, and the railroads and locks and dams in this State, and to that end may employ a police force, at the cost of the State, that may, in the discretion of the Board, be sufficient for the purpose.

§ 5. That the sheriffs, constables, jailers, marshals of towns, and police officers of the State, are commanded to obey the lawful orders of said Military Board in regard to the property mentioned herein; and if any shall fail so to do, he shall be fined in a sum not less than fifty nor more than two hundred and fifty dollars.

§ 6. This act to take effect from its passage.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Larkin J. Proctor,
Alfred Allen, Hugh F. Finley, William S. Rankin,
James W. Anderson, John W. Finnell, Nicholas A. Rapier,
R. C. Anderson, Elijah Gabbert, John Ray,
W. C. Anderson, Remus Gibson, Joseph Ricketts,
Landaff W. Andrews, Henry Griffith, F. D. Rigney,

Those who voted in the negative, were—


The rule of the House, constitutional provision, and third reading of the 4th and 11th having been dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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

On motion of Mr. Owings—1. A bill for the benefit of Reuben R. Jones, late sheriff of Meade county, and his securities.

On motion of same—2. A bill to change the line of voting in district No. 1, in Spencer county.

On motion of same—3. A bill to amend the charter of the Frankfort, Bardstown, and Crab Orchard turnpike road company.

On motion of Mr. Downing—4. A bill for the benefit of the trustees of school district No. 82, in Adair county.

On motion of Mr. Carr—5. A bill for the benefit of James Polston, of Metcalfe county.

On motion of Mr. Hampton—6. A bill more effectually to protect slave property in this Commonwealth.
On motion of Mr. J. W. Campbell—7. A bill to authorize the town of Carlisle to elect a police judge and town marshal.

On motion of Mr. Morrow—8. A bill for the benefit of Joel W. Sallee, late sheriff of Pulaski county.

On motion of same—9. A bill for the benefit of common school district No. 48, in Pulaski county.

On motion of Mr. J. B. Cochran—10. A bill for the benefit of E. G. Dear, of Shelby county.

On motion of same—11. A bill to amend the charter of Pitt’s Point, in Bullitt county.

On motion of same—12. A bill to amend the law in regard to retailing ardent spirits.

On motion of Mr. Kennedy—13. A bill for the relief of Captain John Davidson and his securities, of Todd county.

On motion of Mr. Gaines—14. A bill for the benefit of common school district No. 15, in Trigg county.

On motion of Mr. Ward—15. A bill for the benefit of the Versailles and Anderson county turnpike company.


Ordered, That the Committee on Ways and Means prepare and bring in the 1st, 8th, and 16th; the Committee on Propositions and Grievances the 2d, 9th, and 10th; the Committee on Internal Improvement the 3d and 15th; the Committee on Education the 4th; the Committee on Claims the 5th; Messrs. Hampton, Barlow, and Elliott the 6th; Messrs. J. W. Campbell, Andrews, and Taylor the 7th; Messrs. Gaines, Edmunds, and Gilbert the 14th; the Committee on Incorporated Institutions the 11th; the Committee on Revised Statutes the 12th; and the Committee on Military Affairs the 13th.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, "That absolute arbitrary power over the lives, liberty, and property of freemen, exists nowhere in a republic, not even in the largest majority."

2. Resolved, "That the right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same, and is inviolable as the right of the owner of any property whatever."

3. Resolved, That any attempt by the Federal Government, or any subordinate of the same, by proclamation or otherwise, whether acting in a civil or military capacity, to subvert and destroy these inherent and inalienable rights of our people, recognized and adopted in the
Constitution of Kentucky, will be resisted by the united action of the freemen of our State; and to the maintenance of these great fundamental principles in our State government against every aggression, we pledge to each other 'our lives, our fortunes, and our sacred honors.'

And then the House adjourned.

WEDNESDAY, SEPTEMBER 18, 1861.

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

An act to amend the charter authorizing the erection of an additional toll-gate on the Louisville and Taylorsville turnpike by the turnpike company.

An act for the protection of small birds in Campbell and adjoining counties.

An act for the benefit of the securities of John G. Pickens, deceased, late sheriff of Clinton county.

An act for the benefit of Jonathan Lewis, late sheriff of Harlan county.

An act for the benefit of Jonathan Smith, late surveyor of Harlan county.

An act in relation to the county lines of Lawrence and Floyd counties.

An act for the benefit of Robert English, late sheriff of Hardin county.

An act for the benefit of Jacob Corbett, clerk of the Ballard circuit and county courts.

With an amendment to the last named bill.

A resolution prolonging the session of the present General Assembly.
That they had passed bills of the following titles, viz:

An act for the benefit of R. S. Spalding, late sheriff of Union county.

An act for the benefit of the sheriffs of Shelby and Henry counties.

The Committee on Federal Relations, to whom was referred the communications of the Governor of this Commonwealth, together with those of Generals Polk and Zollicoffer, made a report, which is as follows, viz:

The Committee on Federal Relations, to whom was referred the communications of the Governor of the Commonwealth, together with those of Gens. Polk and Zollicoffer, of the Confederate army, informing the Governor that they had seized and were occupying, with large military forces, portions of the soil of Kentucky, have had the same under consideration, and ask leave to make the following report:

Whereas, Kentucky has been invaded by the forces of the so-called Confederate States, and the commanders of the forces so invading the State have insolently prescribed the conditions upon which they will withdraw, thus insulting the dignity of the State by demanding terms to which Kentucky cannot listen without dishonor; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the invaders must be expelled; inasmuch as there are now in Kentucky Federal troops assembled for the purpose of preserving the tranquility of the State, and of defending and protecting the people of Kentucky in the peaceful enjoyment of their lives and property.

It is—

2. Further resolved, That General Robert Anderson, a native Kentuckian, who has been appointed to command of the department of Cumberland, be requested to take instant command, with authority and power from this Commonwealth to call out a volunteer force in Kentucky for the purpose of repelling the invaders from our soil.

3. Resolved, That in using the means which duty and honor require shall be used to expel the invaders from the soil of Kentucky, no citizen shall be molested on account of his political opinions; that no citizen's property shall be taken or confiscated because of such opinions, nor shall any slave be set free by any military commander, and that all peaceable citizens and their families are entitled to, and shall receive, the fullest protection of the government in the enjoyment of their lives, their liberties, and their property.

4. Resolved, That his Excellency, the Governor of the Commonwealth of Kentucky, be requested to give all the aid in his power to accomplish the end desired by these resolutions, and that he call out so much of the military force of the State under his command as may be necessary therefor, and that he place the same under the command of Gen. Thomas L. Crittenden.

5. Resolved, That the patriotism of every Kentuckian is invoked, and is confidently relied upon to give active aid in the defense of the Commonwealth.
The question was then taken on the adoption of the 1st resolution in said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Andrews and Ewing, 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 2d resolution in said report, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Alfred Allen, Jas. W. Anderson, William S. Rankin, Nicholas A. Rapier,
The question was then taken on the adoption of the 3d resolution in said report, and it was decided in the affirmative.

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

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<th>Those who voted in the affirmative, were</th>
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<tr>
<td>Mr. Speaker, (Buckner)</td>
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<td>Stephen J. England</td>
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<td>George W. Ewing</td>
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<td>John W. Finnett</td>
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<td>John W. Gaines</td>
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<td>Hiram S. Powell</td>
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<td>Larkin J. Proctor</td>
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<td>William S. Rankin</td>
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<td>Joseph Ricketts</td>
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<td>F. D. Rigney</td>
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<td>George S. Shanklin</td>
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<td>M. Smith</td>
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<td>James P. Sparks</td>
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<td>Harrison Taylor</td>
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<td>Daniel Matthewson</td>
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<td>P. L. Maxey</td>
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<td>Felix G. Murphy</td>
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<td>Geo. W. Silvertooth</td>
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<td>Robert A. Spalding</td>
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<td>Milton Young</td>
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<td>Van B. Young</td>
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Those who voted in the negative, were—

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<th>Those who voted in the negative, were</th>
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<td>Vincent Ash</td>
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<td>John S. Barlow</td>
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<td>John W. Blue</td>
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<td>A. R. Boon</td>
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<td>A. B. Chambers</td>
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<td>Lucius Desha</td>
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<td>W. H. Edmunds</td>
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<td>John Ray</td>
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<td>Joseph Ricketts</td>
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<tr>
<td>F. D. Rigney</td>
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Those who voted in the negative, were—


The question was then taken on the adoption of the 4th resolution in said report, and it was decided in the affirmative.

The yeas and nay's being required thereon by Messrs. Andrews and Ewing, were as follows, viz:

Those who voted in the affirmative, were—

Albert A. Curtis,  George Poindexter,  Bryan R. Young, 
Daniel E. Downing, Hiram S. Powell, Milton Young, 

Those who voted in the negative, were—

Vincent Ash, W. H. Edmunds, William Johnson,  
John S. Barlow, John M. Elliott, John C. Lindsey, 
John C. Beeman, George W. Ewing, Daniel Matthewson, 
A. R. Boon, John W. Gaines, David May,  
E. F. Burns, Joseph Gardner, George R. Merritt, 
W. P. D. Bush, Evan M. Garriott, Felix G. Murphy, 
A. B. Chambers, J. C. Gilbert, Geo. W. Silvertooth, 
Lucins Desha, George H. Hampton, Rob't A. Spalding—24.

The question was then taken on the adoption of the 5th resolution 
in said report, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, William S. Rankin,  
Alfred Allen, John W. Finchell, Nicholas A. Rapier, 
James W. Anderson, Elijah Gabbert, John Ray,  
R. C. Anderson, Henry Griffith, Joseph Ricketts,  
W. C. Anderson, John H. Harney, F. D. Rigney,  
Landaff W. Andrews, George E. Hays, George S. Shanklin,  
E. B. Bacheiller, William J. Heady, G. Clay Smith,  
John C. Beeman, Joseph W. Heeter, M. Smith,  
John W. Blue, John B. Huston, James P. Sparks,  
William P. Boone, William C. Ireland, Harrison Taylor,  
William A. Brann, Richard T. Jacob, Joshua Tevis,  
Curtis F. Burnam, Daniel W. Johns, George M. Thomas,  
James Calvert, William C. Ireland, John R. Thomas,  
Cyrus Campbell, Richard T. Jacob, Thomas Turner,  
J. W. Campbell, Joseph R. Underwood, James M. C. Lisenby,  
Marion N. Carr, Alexander Lusk, John S. Vanwinkle,  
Joseph H. Chandler, P. L. Maxey, Zeb. Ward,  
Brutus J. Clay, David P. Mears, George P. Webster,  
John B. Cochran, Otho Miller, Alexander T. White,  
Robert Cochran, Thomas E. Kennedy, Nathaniel Wolfe,  
William L. Conklin, James M. C. Lisenby, George H. Yeaman,  
John C. Cooper, Alexander T. White, Bryan R. Young,  
Albert A. Curtis, George Poindexter, Milton Young, 
Daniel E. Downing, Hiram S. Powell, Van B. Young—73.

Those who voted in the negative, were—

Vincent Ash, John M. Elliott, John C. Lindsey,  
John S. Barlow, George W. Ewing, Daniel Matthewson, 
A. R. Boon, John W. Gaines, David May,  
E. F. Burns, Joseph Gardner, Geo. R. Merritt,
W. P. D. Bush,  Evan M. Garriott,  Felix G. Murphy,
A. P. Chambers,  J. C. Giebert,  Geo. W. Silvertooth,
Lucius Desha,  George M. Hampton,  Rob't A. Spalding--23.
W. H. Edmonds,  William Johnson,

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley,  William S. Rankin,
Alfred Allen,  John W. Fennell,  Nicholas A. Rapier,
Jas. W. Anderson,  Elijah Gabbett,  John Ray,
R. C. Anderson,  Remus Gibson,  Joseph Ricketts,
W. C. Anderson,  Henry Griffith,  F. D. Rigney,
Landaff W. Andrews,  John H. Harney,  George S. Shanklin,
E. B. Bacheller,  William H. Hays,  G. Clay Smith,
John C. Beeman,  William J. Heady,  M. Smith,
John W. Blue,  Joseph W. Heeter,  James P. Sparks,
William P. Boone,  John B. Huston,  Harrison Taylor,
William A. Brann,  William C. Ireland,  Joshua Tevis,
Curtis F. Burnam,  Richard T. Jacob,  George M. Thomas,
James Calvert,  Daniel W. Johns,  John R. Thomas,
Cyrus Campbell,  Urban E. Kennedy,  Thomas Turner,
J. W. Campbell,  James M. C. Lisenby,  Joseph R. Underwood,
Marion N. Carr,  Alexander Lusk,  John S. Vaawinkle,
Joseph H. Chandler,  P. L. Marsey,  Zeb Ward,
Brutus J. Clay,  David P. Mears,  George P. Webster,
John B. Cochran,  Otho Miller,  Alexander T. White,
Robert Cochran,  Thomas Z. Morrow,  Nathaniel Wolfe,
William L. Conklin,  Thomas W. Owings,  George H. Yeaman,
John C. Cooper,  George Poindexter,  Bryan R. Young,
Albert A. Curtis,  Hiram S. Powell,  Milton Young,
Daniel E. Downing,  Larku J. Proctor,  Van B. Young--73.

Those who voted in the negative, were—

Vincent Ash,  John M. Elliott,  John C. Lindsey,
John S. Barlow,  George W. Ewing,  Daniel Matthewson,
A. R. Boon,  John W. Gaines,  David May,
E. F. Burns,  Joseph Gardner,  Geo. R. Merritt,
W. P. D. Bush,  Evan M. Garratt,  Felix G. Murphy,
A. B. Chambers,  J. C. Gilbert,  G. W. Silvertooth,
Lucius Desha,  George M. Hampton,  Rob't A. Spalding--23.
W. H. Edmonds,  William Johnson,

The same committee, to whom was referred the resolutions of Mr. Conklin, presented on the 16th instant, providing for peace and quiet among the citizens of this Commonwealth, reported the same without amendment, viz:
WHEREAS, The people of Kentucky have, from the beginning, ardently desired and still cherish the hope that they may not be involved in the unnatural prevailing civil strife; that Kentucky is now, as she ever has been, willing and ready to interpose her friendly mediation in adjusting terms of peace and reconciliation alike honorable and just to all; but as her wishes to mediate and restore harmony may not avail at present, and it is very desirable that the people in the mean time, should act in harmony and be at peace among themselves, so that if they shall be involved in war, they will, as far as possible, relieve and palliate its calamities; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That if collisions between hostile armies shall take place within our territory, that it is most earnestly recommended to the people of Kentucky not to engage in civil strife amongst themselves on account of differences of political opinions; that it is the duty of the people to be obedient to the civil authorities, and respect, in times of war as well as peace, all the rights guaranteed to every citizen by the constitution and laws of the land; that all good citizens, however they may differ in political opinions, should unite in protecting each other in their rights of life, liberty, and property, against all and every invasion thereof by unlawful raids, mobs, marauding bands, or other evil-disposed persons, and aid the civil authorities in arresting all such persons and bringing them before the courts for trial.

2. Resolved, That we, the Representatives of the present General Assembly, hereby pledge ourselves to a strict observance of the foregoing resolutions, and earnestly recommend a like observance by all the people of the State of Kentucky.

And the question being taken on concurring with said committee, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—

George W. Ewing, Mr. Speaker, (Buckner,) Hugh F. Finley, Hiram S. Powell,
On motion of Mr. Elliott, Alfred Allen, John W. Finnell, Larkin J. Proctor,
The Committee on Privileges and Elections, to whom was referred the claim of John J. Landram to the seat of A. B. Chambers, and said Chambers' response thereto, were discharged from the further consideration thereof.

At a quarter to 3 o'clock, P. M., Mr. Silvertooth moved that the House adjourn.

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

The yea and nay voting being required thereon by Messrs. Silvertooth and Merritt, were as follows, viz:

Those who voted in the affirmative, were—

Vincent Ash, W. H. Edmunds, John C. Lindsey, John C. Beeman,
John S. Barlow, John M. Elliott, David May, W. H. Edmunds,
E. F. Burns, John W. Gaines, Felix G. Murphy, John C. Beeman,
W. P. D. Bush, Joseph Gardner, Geo. W. Silvertooth, Robert A. Spalding,
Robert Cochran, George M. Hampton, Geo. H. Yeaman—20.
Lucius Desha, William Johnson, William Johnson,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, Hiram S. Powell,
Alfred Allen, John W. Finnell, Larkin J. Proctor,
Jas. W. Anderson, Elijah Gabbett, William S. Rankin,
R. C. Anderson, Remus Gibson, Nicholas A. Rapier,
W. C. Anderson, Henry Griffith, John Ray,
Landaff W. Andrews, John H. Harney, Joseph Ricketts,
E. B. Bacheller, William H. Hayes, F. D. Rigney,
John C. Beeman, William J. Heady, George S. Shanklin,
The House, according to order, took up for consideration a bill from the Senate, entitled "An act to enlarge the powers of the Military Board of this State."

Which was read the second time.

Mr. Bush 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. Bush and Desha, were as follows, viz:

Those who voted in the affirmative, were—

Vincent Ash, W. H. Edmunds, David May,
John S. Barlow, John M. Elliott, George R. Merritt,
E. F. Burns, George M. Hampton, Felix G. Murphy,
W. P. D. Bush, William Johnson, Geo. W. Silvertooth,
A. B. Chambers, John C. Lindsey, Rob't A. Spalding—17.
Lucius Desha, Daniel Matthewson

Those who voted in the negative, were—

Mr. Speaker, (Buckner,)Daniel E. Downing, William S. Rankin,
Alfred Allen, Nicholas A. Rapier,
Jas. W. Anderson, John Ray,
R. C. Anderson, Joseph Ricketts,
W. C. Anderson, F. D. Rigney,
Landaff W. Andrews, George S. Shanklin,
E. B. Bacheller, G. Clay Smith,
John C. Beaman, M. Smith,
John W. Beul, James P. Sparks,
William P. Boone, Harrison Taylor,
William A. Brann, George M. Thomas,
Curtis F. Burnam, John R. Thomas,
James Calvert, Thomas Turner,
Cyrus Campbell, John S. Vanwinkle,
Daniel E. Downing, Van B. Young—69.

181
On motion of Mr. Huston,  

Ordered, That said bill have its third reading to-morrow, at 11 o'clock.  

And then the House adjourned.

THURSDAY, SEPTEMBER 19, 1861.

A message was received from the Senate, announcing their disagreement to a bill from this House, entitled "An act incorporating the Southern Planters' Machine Company.

That they had passed bills and concurred in resolutions from this House of the following titles, viz:

An act for the benefit of common school district No. 46, in Henderson county.

An act to amend an act, entitled "An act to incorporate the Louisville Courier Printing Company."

An act to legalize the judgments rendered by Alexander Locke, a justice of the peace for Harlan county, at the June term, 1861, of his court.

An act for the benefit of the personal representatives of John McDyer, deceased.

An act to repeal an act, entitled "An act concerning the Wilderness road."

An act to amend the charter of the town of Carlisle.

An act in relation to the poor orphan education fund of Harrison county.
An act providing funds to defray the expenses of the Government.
A resolution in relation to the expulsion of Confederate troops, &c.
A resolution providing for the peace and quiet of citizens in this Commonwealth.

That they had passed bills of the following titles, viz:
An act to charter the Home Insurance Company of Louisville.
An act to amend the charter of the Masonic Temple Company.
An act concerning the city court of Louisville.
And a resolution relating to the arms of the State.

1. Mr. Spalding presented the remonstrance of sundry citizens of Union county, against a change of the line between Union and Webster counties.

2. Mr. Hampton presented the remonstrance of sundry citizens of Morgan county, against a change of the line between Morgan and Wolfe counties.

3. Mr. Ray presented the petition of James Edmiston, praying compensation for keeping a lunatic.

4. Mr. G. Clay Smith presented the petition of sundry citizens of Kenton county, in relation to decreetal sales of property.

5. Mr. Ireland presented the petition of sundry citizens of Greenup county, praying the Legislature to assume the payment of the Federal tax of the late Congress.

6. Mr. Edmunds presented the proceedings of a mass meeting of the citizens of Caldwell and Hopkins counties, against the war tax, for peace, &c.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Claims; the 4th to the Committee on Circuit Courts; and the 5th and 6th to the Committee on Federal Relations.

Leave was granted to bring in the following bills, viz:
On motion of Mr. W. C. Anderson—1. A bill for the benefit of Harrison Ford, sheriff of Pike county.
On motion of Mr. A. R. Boon—2. A bill to repeal that portion of section 35 of an act, entitled “An act to incorporate the Bank of Ashland,” which prohibits said bank from buying or dealing in bills known as kites, approved 15th February, 1856.
On motion of Mr. Murphy—3. A bill to prevent servile insurrection, and to punish those who instigate the same.
On motion of same-5. A bill for the benefit of R. T. Benton, late sheriff of Estill county.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st and 5th; the Committee on Banks the 2d; the Committee on the Judiciary the 3d; and Messrs. Curtis, Burnam, and Bacheller the 4th.

The Committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Carter, Lawrence, and Morgan counties, praying the formation of a new county out of parts of said counties, reported a bill to establish the county of Menifee.

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

Mr. Heady moved to amend the bill by changing the name of the county seat from "Buena Vista" to Merrifield.

Mr. Ireland moved that the bill and amendment be referred to the Judiciary Committee.

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

The question was then taken on striking out "Buena Vista," and decided in the affirmative.

The blank was then filled with "Merrifield."

Mr. J. B. Cochran moved to lay the bill on the table.

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

Mr. Turner moved to amend the bill as follows, viz:

That so far as the payment of the debt and interest thereon, heretofore incurred by Carter county, as a subscription by the Lexington and Big Sandy railroad, that part of this county taken from Carter county shall be treated as a part of Carter, and shall be subject to the county court and executive officers of Carter county, so far as concerns the levying and collecting of taxes to pay said subscription and the interest thereon.

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

On motion of Mr. Ward,

Ordered, That said bill have its third reading on Monday next, at 11 o'clock, A. M.

The House, according to order, took up for consideration a bill from the Senate, entitled

An act to enlarge the powers of the Military Board of the State,
Which was read the third time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Military Board, created at the last session of the Legislature, are hereby authorized to order into the custody of said Board any State arms which may have been given out under the act creating said Board, or other law of the State, whenever said Board shall deem it expedient to do so; said Board shall have like power over the accoutrements, camp equipage, equipments, and ammunition of the State.

§ 2. If any person shall willfully fail or refuse to return any of said property for forty-eight hours after the receipt of the order of the Board to that effect, he shall be guilty of a high misdemeanor, and be fined in a sum not less than one hundred dollars, nor more than five thousand dollars, and be imprisoned until the fine is paid, and the arms, or other property, is returned; and said Board is authorized to retake such property, and, for that purpose, to sue in the name of the Commonwealth.

§ 3. If any person shall remove, conceal, or dispose of any of the property mentioned in the first section of this act, so as knowingly to prevent or hinder the return thereof, or to hinder or prevent the State from retaking such property, he shall be guilty of a felony, and, on conviction thereof, confined in the penitentiary not less than one nor more than two years.

§ 4. Said Board is authorized to provide for the protection and security of all the property of the State mentioned in this act, and the railroads and locks and dams in this State, and to that end may employ a police force, at the cost of the State, that may, in the discretion of the Board, be sufficient for the purpose.

§ 5. That the sheriffs, constables, jailers, marshals of towns, and police officers of the State, are commanded to obey the lawful orders of said Military Board in regard to the property mentioned herein; and if any shall fail so to do, he shall be fined in a sum not less than fifty nor more than two hundred and fifty dollars.

§ 6. This act to take effect from its passage.

Mr. Burns moved to amend said bill by adding the following engrossed clause by way of rider, viz:

That the provisions of this bill, as to the return of the State arms now in the hands of the military companies of the State, shall not apply to the State Guard or Home Guard, except to such companies as have been disbanded.

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

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

Those who voted in the affirmative, were—

Vincent Ash, W. H. Edmunds, William Johnson,
John S. Barlow, John M. Elliott, John C. Lindsey,
A. R. Boon, George W. Ewing, Daniel Matthewson,
Those who voted in the negative, were—

Alfred Allen, Hugh F. Finley, William S. Rankin,
Jas. W. Anderson, John W. Finnell, Nicholas A. Rapier,
R. C. Anderson, Elijah Gabbert, John Ray,
W. C. Anderson, Remus Gibson, Joseph Ricketts,
Landaff W. Andrews, Henry Griffith, F. D. Rigney,
E. B. Bacheller, John H. Harney, George S. Shanklin,
John C. Beeman, William H. Hays, G. Clay Smith,
John W. Blue, William J. Heady, M. Smith,
William A. Brann, Joseph W. Hector, James P. Sparks,
Curtis F. Burnam, John B. Huston, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis,
Cyrus Campbell, Daniel W. Johns, George M. Thomas,
J. W. Campbell, Urban E. Kennedy, John R. Thomas,
Marion N. Carr, James M. C. Lisenby, Thomas Turner,
Joseph H. Chandler, Alexander Lusk, Joseph R. Underwood,
Bratus J. Clay, P. L. Maxey, John S. Vanninkle,
Francis L. Cleveland, David P. Mears, Zeb. Ward,
Robert Cochran, Otho Miller, George P. Webster,
William L. Conklin, Thomas Z. Morrow, Alexander T. White,
John C. Cooper, Thomas W. Owings, George H. Yeaman,
Albert A. Curtis, George Pointdexter, Bryan R. Young,
Daniel E. Downing, Hiram S. Powell, Milton Young,

Mr. W. C. 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 bill pass?” and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen, Hugh F. Finley, William S. Rankin,
Jas. W. Anderson, John W. Finnell, Nicholas A. Rapier,
R. C. Anderson, Elijah Gabbert, John Ray,
W. C. Anderson, Remus Gibson, Joseph Ricketts,
Landaff W. Andrews, Henry Griffith, F. D. Rigney,
E. B. Bacheller, John H. Harney, George S. Shanklin,
John C. Beeman, William H. Hays, G. Clay Smith,
John W. Blue, William J. Heady, M. Smith,
William A. Brann, Joseph W. Hector, James P. Sparks,
Curtis F. Burnam, John B. Huston, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis, James M. C. Lisenby, John R. Thomas.
Cyrus Campbell, Daniel W. Johns, George M. Thomas.
Marion N. Carr, James M. C. Lisenby, Joseph R. Underwood.
Francis L. Cleveland, David P. Mears, George P. Webster.
John B. Cochran, Otho Miller, Alexander T. White.
Robert Cochran, Thomas Z. Morrow, George H. Yeaman.
John C. Cooper, George Poindexter, Milton Young.
Albert A. Curtis, Hiram S. Powell, Van B. Young—70.
Daniel E. Downing, Larkin J. Proctor, 
Stephen J. England,

Those who voted in the negative, were—

Vincent Ash, John M. Elliott, William Johnson,
John S. Barlow, George W. Ewing, John C. Lindsey,
A. R. Boon, John W. Gaines, Daniel Mathews,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Geo. R. Merritt,
A. B. Chambers, J. C. Gilbert, Felix G. Murphy,
Lucius Desha, George M. Hampton, Rob't A. Spalding—23.
W. H. Edmunds, John M. Henry,

The House then took up for consideration a resolution from the
Senate, in relation to the arms belonging to the State.

Resolved by the General Assembly of the Commonwealth of Kentucky,
That the arms of the State, together with the accoutrements, equip­
ments, camp equipage, baggage trains, ammunition, and military
stores, in the custody or under the control of the Military Board, be
held subject to the order of Brigadier-General Anderson, of the
United States Army. Such portions of said property, delivered to or
upon the order of General Anderson, as are not lost, destroyed, and
consumed in the use, to be returned by the United States at the end of
the war.

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

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

Those who voted in the affirmative, were—

Alfred Allen, Stephen J. England, William S. Rankin,
Jas. W. Anderson, Hugh F. Finley, Nicholas A. Rapier,
R. C. Anderson, John W. Funnell, John Ray,
W. C. Anderson, Elijah Gabbert, Joseph Ricketts,
Laundaff W. Andrews, Remus Gibson, P. D. Rigney,
E. B. Bacheller, Henry Griffith, George S. Shanklin,
John C. Beemer, John H. Harney, G. Clay Smith,

Those who voted in the negative, were—


Mr. Allen moved a reconsideration of the vote, by which a bill from this House this day returned from the Senate, was passed, entitled

An act providing funds to defray the expenses of the government.

And then the House adjourned.

FRIDAY, SEPTEMBER 20, 1861.

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 charter of the Elizaville and Fair Run turnpike road company.

An act to amend the law in relation to the Board of Internal Improvement.
An act to amend the act incorporating the town of Gratz, in Owen county.

An act for the benefit of Owen McGlone, of Carter county, correcting calls of a patent.

With amendments to the last two named bills.

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

An act for the benefit of Thomas Conway, late sheriff of Union county.

An act to amend the charter of the town of Mount Sterling.

1. Mr. Harney presented the petition of Rob't H. Miller, president of the Louisville and Salt River turnpike road company, in reference to the State stock in said company.

2. Mr. M. Young presented the petition of sundry citizens of Henderson and Webster counties, praying a change in their county lines.

3. Also the remonstrance of sundry citizens of Henderson county, against the change of the county lines between Henderson and Webster counties.

4. Mr. Bush presented the petition of W. S. Gibbs, of Hancock county, in relation to the Lewisport Pond Draining Company.

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

The Committee on Claims, to whom was referred the petition of George W. Kouns; also, the petition of J. Pilsbury, reported, with an expression of opinion that the claims ought not to be allowed.

Ordered, That the committee be discharged from the further consideration thereof.

On motion of Mr. Underwood, leave was granted him to withdraw the petition and papers of said J. Pilsbury.

The Committee on Claims, to whom was referred the petition of W. P. Hays, of Warren county, asked to be discharged from the further consideration thereof.

Which was granted.

Ordered, That said petition be referred to the Committee on Education.

The Committee on the Judiciary, to whom was referred the petition of C. C. Graham; also, the petition of the trustees and citizens of
Trigg county, in relation to the Curling School Fund, asked to be discharged from the further consideration thereof.

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 Propositions and Grievances—
1. A bill to alter the line of precinct No. 1, in Spencer county.

By the Committee on Privileges and Elections—

By same—
3. A bill establishing justice's district and voting district No. 5, in Hancock county.

By the Committee on Claims—

By same—
5. A bill for the benefit of H. C. Ireland.

By same—
6. A bill appropriating ten dollars to J. P. Polston.

By the Committee on the Judiciary—
7. A bill for the benefit of the Louisville and Frankfort and Lexington and Frankfort railroad companies.

By same—
8. A bill to incorporate Crittenden Lodge, No. 98, I. O. O. F.

By same—

By same—
10. A bill for the benefit of Babetta Dinkenspiel.

By same—
11. A bill for the benefit of Rosanna A. Jessel.

By the Committee on Propositions and Grievances—
12. A bill for the benefit of E. G. Dear.

By the Committee on Ways and Means—

By the Committee on Internal Improvement—
14. A bill to authorize the county court of Todd county to change the State road from Hopkinsville to Morganfield.

By same—
15. A bill to amend the charter of the Hardinsville and Crab Orchard turnpike road company.
By same—
16. A bill for the benefit of the Versailles and Anderson turnpike road company.

By the Committee on Incorporated Institutions—
17. A bill to amend the act incorporating the town of Pitt's Point, in Bullitt county.

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

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

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

By the Committee on Ways and Means—
A bill authorizing the Military Board of Commissioners to provide sustenance for troops.

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

§1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for the Board of Commissioners created by the act, entitled "An act for the regulation of the militia, and to provide for the arming of the State," approved May 24th, 1861, out of any money in their hands unexpended, to provide for the sustenance of the troops now in the field engaged in defending the State from invasion.

§2. This act shall take effect from and after its passage.

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

Those who voted in the affirmative, were—

Mr. Speaker; (Buckner,) Stephen J. England, Larkin J. Proctor, Alfred Allen, Hugh F. Finley, William S. Rankin,
Jas. W. Anderson, Elijah Gabbert, Nicholas A. Rapier,
R. C. Anderson, Remus Gibson, John Ray,
W. C. Anderson, Henry Griffith, Joseph Ricketts,
Landaff W. Andrews, John H. Harney, F. D. Rigney,
John C. Beeman, William H. Hays, George S. Shanklin,
John W. Blue, William J. Heady, G. Clay Smith,
William P. Boone, Joseph W. Heeter, M. Smith,
William A. Brann, John B. Huston, James P. Sparks,
Curtis F. Burnam, William C. Ireland, Harrison Taylor,
JOURNAL OF THE

[Sept. 20.

James Calvert, Richard T. Jacob, Joshua Tevis,
Cyrus Campbell, Daniel W. Johns, George M. Thomas,
J. W. Campbell, Urban E. Kennedy, John R. Thomas,
Marion N. Carr, John C. Lindsey, Joseph R. Underwood,
Joseph H. Chandler, James M. C. Lisenby, John S. Vanwinkle,
Brutus J. Clay, Alexander Lusk, Zeb. Ward,
Francis L. Cleveland, P. L. Maxey, George P. Webster,
John B. Cochran, David P. Mears, Alexander T. White,
Robert Cochran, Otho Miller, Nathaniel Wolfe,
William L. Conklin, Thomas Z. Morrow, George H. Yeaman,
John C. Cooper, Thomas W. Owings, Bryan R. Young,
Albert A. Curtis, George Poindexter, Milton Young,
Daniel E. Downing, Hiram S. Powell, Van B. Young—72.

Those who voted in the negative, were—

Vincent Ash, John M. Elliott, Daniel Matthewson,
John S. Barlow, George W. Ewing, David May,
A. R. Boon, John W. Gaines, George R. Merritt,
W. P. D. Bush, Joseph Gardner, Felix G. Murphy,
A. B. Chambers, Evan M. Garriott, Geo. W. Silvertooth,
Lucius Desha, George M. Hampton, Rob't A. Spalding—20.
W. H. Edmunds, William Johnson,

The Committee on Banks, to whom was referred a bill from the
Senate, entitled "An act for the benefit of the Southern Bank of Ken­
tucky," reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

The House then took up a bill, entitled "An act for the benefit of
certain sheriffs of this Commonwealth, and their securities."

Mr. Taylor moved to amend said bill.

And the question being taken on adopting the amendment, 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,

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

A message was received from the Senate by Mr. Hawkins, Assistant
Clerk, asking leave to withdraw the announcement of their disagree­
ment to a bill from this House, entitled "An act incorporating the
Southern Planter's Machine Company," which was granted, and the
bill was withdrawn.
That they had passed a bill from this House, entitled
An act authorizing the Military Board of Commissioners to provide
sustenance for troops.

The House then took up the bill, entitled "An act to prohibit and
prevent rebellion by citizens of Kentucky, and others in this State."
Several amendments were offered by Messrs. Huston, Allen, Rankin,
and Yeaman.

Mr. Ewing moved to lay the bill, substitute, and amendments on the

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—
Vincent Ash, John W. Gaines, Daniel Matthewson,
John S. Barlow, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Geo. R. Merritt,
A. B. Chambers, Henry Griffith, Felix G. Murphy,
W. H. Edmonds, George M. Hampton, John Ray,
John M. Elliott, William Johnson, Geo. W. Silvertooth,
George W. Ewing, John C. Lindsey, Rob't A. Spalding—21.

Those who voted in the negative, were—
Mr. Speaker, (Buckner,)Daniel E. Downing, William S. Rankin,
Alfred Allen, Stephen J. England, Nicholas A. Rapier,
James W. Anderson, Hugh F. Finley, Joseph Ricketts,
W. C. Anderson, Remus Gibson, F. D. Rigney,
Landaff W. Andrews, John H. Harney, George S. Shanklin,
John C. Becman, William H. Hays, G. Clay Smith,
John W. Blue, William J. Heady, M. Smith,
William P. Boone, Joseph W. Heeter, James P. Sparks,
William A. Brann, John B. Huston, Harrison Taylor,
Curtis F. Burnam, William C. Ireland, Joshua Tevis,
James Calvert, Richard T. Jacob, George M. Thomas,
Cyrus Campbell, Daniel W. Johns, John R. Thomas,
J. W. Campbell, Urban E. Kennedy, Thomas Turner,
Marion N. Carr, James M. C. Lisenby, Joseph R. Underwood,
Joseph H. Chandler, P. L. Maxey, John S. Vanwinkle,
Brutus J. Clay, David P. Mears, George P. Webster,
Francis L. Cleveland, Thomas Z. Morrow, Alexander T. White,
John B. Cochran, Thomas W. Owings, Nathaniel Wolfe,
Robert Cochran, George Poindexter, George H. Yeaman,
William L. Conklin, Hiram S. Powell, Milton Young,
John C. Cooper, Larkin J. Proctor, Van B. Young—56.
On motion of Mr. Andrews,

Ordered. That said bill and amendments be referred to a select committee, composed of Messrs. Underwood, Huston, Harney, Elliott, and Silvertooth, and that the Public Printer forthwith print 150 copies of said bill and amendments for the use of the members of the General Assembly.

On motion of Mr. W. C. Anderson,

Ordered. That the Public Printer forthwith print 500 additional copies of the report of the Deaf and Dumb Asylum at Danville, one half for the use of the Institution.

On motion of Mr. Bush, Messrs. Henry, Brann, and Rankin obtained leave of absence.

The House, according to the statute in such cases made and provided, proceeded to select a committee to hear, determine, and report to this House the questions involved in the contested election case of John J. Landram to the seat of A. B. Chambers, a member of this House.

Thereupon, Messrs. Van B. Young, John S. Barlow, E. B. Bachel- ler, James M. C. Lisenby, W. H. Hays, George P. Webster, and Joshua Tevis, were selected to hear and report upon said case, to whom the notice and other papers heretofore presented are referred.

A message was received from the Governor by Mr. Tate, 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 the Kirksville and Kentucky River turnpike road company.

An act authorizing the county judge of Calloway county to change the road leading from Murray to Tennessee river.

An act for the benefit of common school district No. 45, in Henderson county.

An act to amend an act, entitled “An act to incorporate the Board of Education of the Kentucky Annual Conference of the Methodist Episcopal Church, South.”

An act to incorporate Birmingham Lodge, No. 290, of Free and Accepted Masons.

An act for the benefit of Lilly H. Snow.

An act to repeal an act, entitled “An act to establish an additional voting place in Hays’ precinct, in Hickman county.”
An act to authorize the First Colored Baptist Church of Louisville to sell certain property, approved September 17, 1861.

An act to change the voting place in district No. 3, in Whitley county.

An act to incorporate Lodge No. 147, I. O. O. F., in the town of Blandville, Ky.

An act for the benefit of Odd Fellows’ Hall Company, Lexington.

An act for the benefit of common school district No. 27, in Crittenden county.

An act to increase the powers of the marshal and police judge of the town of Owingsville, in Bath county.

An act to incorporate the town of Briensburg, in Marshall county.

An act to incorporate Baltimore Lodge, No. 361, of Free and Accepted Masons.

An act for the benefit of C. C. Harris and others, of Madison county.

An act for the benefit of the sheriff of Simpson county and his sureties.

An act for the benefit of R. T. Vories, sheriff of Carroll county.

An act to amend the act incorporating the town of Shelbyville.

An act to change the county lines between the counties of Carter and Rowan.

An act to change the time of holding the police court of the town of Hartford.

An act to authorize J. H. Gatewood to change the Lexington and Nashville road.

An act for the benefit of the Maysville and Blue Run turnpike road company, in Mason county.

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

Gentlemen of the House of Representatives:

I lose no time in returning to you the accompanying joint resolu­tions, which were passed by both branches of the Legislature, and which have just been received, with my objections to them becoming a law of the State. It is not consistent with my ideas of the functions of an Executive officer, or the duties of a citizen of the Commonwealth, to throw any factious obstacles in the way of the legislative department. I recognize its constitutional powers, and in exercising my own under a conscientious sense of duty, will do nothing, by action or non-action, to repress the policy of the law-making department of the State government. But my conscience, under my oath of office,
requires me to withhold my sanction from the resolutions submitted for my approval.

I object to them because they propose to expel only one of the belligerent powers which have invaded the soil of Kentucky, and both of which have violated the declared neutrality of the State. Each jealous and distrustful of the other, justifies its action upon what the other did or intended to do. Each, I think, manifest a willingness to withdraw from our soil if the other will. Is there anything inconsistent, then, with our dignity and honor, in view of the frightful consequences of plunging into this war, and the relations Kentucky, as a member of the Union, bears to the Federal government, in the Legislature requesting that government to withdraw its troops simultaneously with the withdrawal of the Confederate troops, with guarantees that neither party will occupy them hereafter? By doing this, even yet, in my humble judgment, the peace and neutrality of the State can be preserved.

I object to these resolutions, secondly, because they needlessly invite a military officer in the Federal service to take command of the department of Cumberland, embracing Kentucky, who will not be bound by the expressions of your resolutions, but will be required to obey the orders of the Federal government, whether they be consistent with your resolutions or not, and whose powers will not be limited by any act of the Legislature. There is no man in the Federal service in whose personal or professional honor I have more confidence than the distinguished native Kentuckian whom your resolutions invite here. From a long personal acquaintance with him, I do not doubt that he would perform his delicate and painful duties as a gentleman, soldier, and Christian should do; but he is a subordinate, bound to obey the commands of superiors, who have even themselves acknowledged that they have violated the constitution and laws in prosecuting this deplorable fratricidal war, and asked Congress to indemnify them for the violation.

I object to them, thirdly, because they interpose a Federal officer between me and the officer of the State Guard designated to carry out their policy. These are State troops, proposed to be raised for State purposes, and I cannot concede the right of the Legislature to take from me my command, or to interpose a Federal officer between me, as the Commander-in-Chief under the constitution of my State, and my executive agent, in conformity to the laws of the State. Those troops of the State to resist the invasion of the State, and for its protection, surely ought, in my judgment, to be raised under the constitution and laws of Kentucky, and be officered according to them. If mustered into the service of the United States, then, and not until then, would they, or ought they, to be under a Federal commander. Which of these officers will outrank the other?

I cannot concede my constitutional right as the Commander-in-Chief of the State to designate the particular officer or officers to be employed in executing the will of the Legislature. Gen. T. L. Crittenden, the officer designated by the resolution, has had many proofs of my confidence. He has my confidence now, and in this service I
would not hesitate to employ him, but at the same time I reserve the point that it is not within the province of the Legislature to limit the constitutional right of the Governor and Commander-in-Chief to choose such of his subordinate officers as he may deem best fitted to enforce the execution of the laws of the State.

I very heartily approve the resolution which declares that "no citizen shall be molested on account of his political opinions, and that no citizen's property shall be taken or confiscated because of such opinions, nor shall any slave be set free by any military commander; and that all peaceable citizens and their families are entitled to, and shall receive, the fullest protection of the Government in the enjoyment of their lives, their liberties, and their property." This is a just and noble resolve of the Legislature; but in the same series of resolutions in which it is found, an invitation is given to the Federal authorities to assume command in this State; and while I do not doubt that Gen. Anderson, acting upon his own judgment and according to his own conscience, would strictly carry out this resolution in good faith, he is subject to the orders of his superiors, and it cannot be denied that in other States the rights which your resolution intended to secure have not been respected. These objections seem to me sufficient to justify my withholding my approval to the resolutions. And I will only add, that I adhere to the views of my general message at the opening of your session, and of my subsequent message vetoing an act of the two Houses, which, notwithstanding my objections, I have faithfully executed, as I shall faithfully execute every other act which may be constitutionally enacted by the Legislature.

B. MAGOFFIN.

The resolutions alluded to in the foregoing message, are as follows, viz:

The Committee on Federal Relations, to whom was referred the communications of the Governor of the Commonwealth, together with those of Gen. Polk and Zollicoffer, of the Confederate army, informing the Governor that they had seized and were occupying, with large military forces, portions of the soil of Kentucky, have had the same under consideration, and ask leave to make the following report:

WHEREAS, Kentucky has been invaded by the forces of the so-called Confederate States, and the commanders of the forces so invading the State have insolently prescribed the conditions upon which they will withdraw, thus insulting the dignity of the State by demanding terms to which Kentucky cannot listen without dishonor; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the invaders must be expelled; inasmuch as there are now in Kentucky Federal troops assembled for the purpose of preserving the tranquility of the State, and of defending and protecting the people of Kentucky in the peaceful enjoyment of their lives and property. It is—

2. Further resolved, That General Robert Anderson, a native Kentuckian, who has been appointed to command of the department of Cumberland, be requested to take instant command, with authority
and power from this Commonwealth to call out a volunteer force in Kentucky for the purpose of repelling the invaders from our soil.

3. Resolved, That in using the means which duty and honor require shall be used to expel the invaders from the soil of Kentucky, no citizen shall be molested on account of his political opinions; that no citizen's property shall be taken or confiscated because of such opinions, nor shall any slave be set free by any military commander, and that all peaceable citizens and their families are entitled to, and shall receive, the fullest protection of the government in the enjoyment of their lives, their liberties, and their property.

4. Resolved, That his Excellency, the Governor of the Commonwealth of Kentucky, be requested to give all the aid in his power to accomplish the end desired by these resolutions, and that he call out so much of the military force of the State under his command as may be necessary therefor, and that he place the same under the command of Gen. Thomas L. Crittenden.

5. Resolved, That the patriotism of every Kentuckian is invoked, and is confidently relied upon to give active aid in the defense of the Commonwealth.

After some discussion had thereon,
Mr. Ewing 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, “Shall the resolutions pass, the Governor's objections to the contrary notwithstanding?” 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, (Buckner,) Stephen J. England, Larkin J. Proctor,
Alfred Allen, Hugh F. Finley, William S. Rankin,
Jas. W. Anderson, Elijah Gabbert, Nicholas A. Rapier,
W. C. Anderson, Remus Gibson, John Ray,
Landaff W. Andrews, Henry Griffith, Joseph Ricketts,
John C. Beeman, John H. Harney, F. D. Rigney,
John W. Blue, William H. Hays, George S. Shanklin,
William P. Boone, William J. Heady, G. Clay Smith,
William A. Brann, Joseph W. Heeter, M. Smith,
Curtis F. Barnam, John B. Huston, James P. Sparks,
James Calvert, William C. Ireland, Harrison Taylor,
Cyrus Campbell, Richard T. Jacob, Joshua Tevis,
J. W. Campbell, Daniel W. Johns, George M. Thomas,
Marion N. Carr, Urban E. Kennedy, John R. Thomas,
Joseph H. Chandler, James M. C. Lisenby, Joseph R. Underwood,
Brutus J. Clay, Alexander Lusk, John S. Vanwinkle,
Francis L. Cleveland, P. L. Maxey, Zeb. Ward,
John B. Cochran, David P. Mears, George P. Webster,
Robert Cochran, Otho Miller, Alexander T. White,
William L. Conklin, Thomas Z. Morrow, Nathaniel Wolfe,
John C. Cooper, Thomas W. Owings, George H. Yeaman,
Albert A. Curtis, George Poindexter, Bryan R. Young,
Daniel E. Downing, Hiram S. Powell, Van B. Young—69.

Those who voted in the negative, were—
Vincent Ash, John M. Elliott, John C. Lindsey,
John S. Barlow, George W. Ewing, Daniel Matthewson,
A. R. Boon, John W. Gaines, David May,
W. P. D. Bush, Joseph Gardner, George R. Merritt,
A. B. Chambers, Evan M. Garriott, Felix G. Murphy,
Lucius Desha, George M. Hampton, Rob't A. Spalding,

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

Resolved by the General Assembly of the Commonwealth of Kentucky,
That a committee of two on the part of the Senate, and a like number on the part of this House, be appointed to convey to Gen. Robert Anderson a copy of the resolutions passed by the Legislature respecting the expulsion from Kentucky of the invading forces of the Confederate States.

The rule requiring joint resolutions to lie one day on the table having been dispensed with,

It was twice read and concurred in.

The Speaker appointed Messrs. Wolfe and W. C. Anderson a committee on the part of this House to carry into effect the above resolution.

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

A bill to repeal all laws requiring circuit courts to be held in the counties of Pulaski, Wayne, Cumberland, Adair, Clinton, and Russell, to affect only the fall term, 1861.

Ordered, That the Committee on Circuit Courts prepare and bring in the same.

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

An act for the benefit of G. W. Goodrum, late sheriff of Marion county, and his sureties.
An act to authorize the Marshall county court to change the State road.
An act to amend the charter of Benton, in Marshall county.
An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his securities, and for the benefit of the sheriff of Madison county.

An act for the benefit of common school district No. 46, in Henderson county.

An act to legalize the judgments rendered by Alexander Locke, a justice of the peace for Harlan county, at the June term, 1861, of his court.

An act for the benefit of the personal representative of John McDyer, deceased.

An act to repeal an act, entitled "An act concerning the Wilderness road."

An act to amend the charter of the town of Carlisle.

An act for the protection of small birds in Campbell and adjoining counties.

An act for the benefit of the sureties of John G. Pickens, deceased, late sheriff of Clinton county.

An act for the benefit of Jonathan Lewis, late sheriff of Harlan county.

An act for the benefit of Jonathan Smith, late surveyor of Harlan county.

An act in relation to the county lines of Lawrence and Floyd counties.

An act for the benefit of Robt. English, late sheriff of Hardin county.

An act providing funds to defray the expenses of the Government.

An act authorizing the Military Board of Commissioners to provide sustenance for troops.

A resolution extending the present session of the General Assembly.

A resolution in relation to the expulsion of the Confederate troops.

A message was received from the Senate, announcing that they had re-adopted the resolution originating in this House, reported by Mr. Finnell from the Committee on Federal Relations, requesting Gen' Anderson and Gen. Thomas L. Crittenden to take command of Kentucky forces to expel the invaders from Kentucky soil, the objections of the Governor to the contrary notwithstanding.

Ordered, That the Clerk of the House of Representatives forthwith advise the Governor of the action of the General Assembly.

And then the House adjourned.
SATURDAY, SEPTEMBER 21, 1861.

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 P. B. Adams, late sheriff of Graves county, and his deputies.

An act for the benefit of Henry Forbs.

An act for the benefit of M. C. Hughes, sheriff of Gallatin county.

An act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties.

An act to amend the 9th section of chapter 35, Revised Statutes.

An act to alter the boundary line of precinct No. 1, in Spencer county.

An act for the benefit of W. E. Baker, of Adair county.

An act for the benefit of H. C. Ireland.

An act appropriating ten dollars to J. B. Polston.

An act for the benefit of the Louisville and Frankfort and Lexington and Frankfort railroad companies.

An act to incorporate Crittenden Lodge, No. 98, I. O. O. F.

An act for the benefit of E. G. Dear.

An act to amend the charter of the Hardinsville and Crab Orchard turnpike road company.

An act for the benefit of the Versailles and Anderson turnpike road company.

An act to amend the acts incorporating the town of Pitt's Point, in Bullitt county.

An act for the benefit of certain sheriffs of this Commonwealth, and their sureties.

An act to amend the charter of the Bardstown and Louisville railroad company.

With an amendment to the last named bill.

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

An act to incorporate the Combs Academy, in Breathitt county.

An act for the benefit of Louisa Jackson, of Simpson county.

An act for the benefit of Sarah Hoffman, wife of H. C. W. Hoffman.

An act to amend article 3d of chapter 86, Revised Statutes.
An act to amend the charter of the city of Louisville.
An act legalizing certain proceedings of the Logan county court.
An act for the benefit of H. L. Tye and others, late sheriffs, and William C. Gillis, late surveyor of Whitley county.
An act to change the voting place in Eagle Creek precinct, in Scott county.
An act to create an additional magistrate's and constable's district in the city of Louisville.
A resolution of adjournment of the General Assembly.
That they had disagreed to a bill from this House, entitled "An act in relation to the county levy of Pike county."
Mr. Clay presented the petition of sundry citizens of Bourbon county, against the war tax.
Which was received, the reading dispensed with, and referred to the Committee on Federal Relations.
Leave was given to bring in the following bills, viz:
On motion of Mr. W. C. Anderson—1. A bill to incorporate the Perryville Collegiate School.
On motion of Mr. Allen—2. A bill for the protection of law-abiding citizens by repealing the law now in force against carrying concealed weapons.
On motion of Mr. A. R. Boon—3. A bill for the benefit of Robert West, of Graves county.
On motion of Mr. G. Clay Smith—5. A bill to incorporate Noah's Ark Encampment, No. 1, of the United Order of Ancient Fellows.
On motion of same—6. A bill to incorporate Washington Lodge, No. 1, of the United Order of Ancient Fellows.
On motion of same—7. A bill to repeal in part an act, entitled "An act declaring it unlawful for the presiding judge and clerk of a county court to be appointed executor, administrator, or guardian in the county in which he holds office," approved February 17, 1858.
On motion of same—8. A bill to amend the laws with regard to common carriers.
On motion of same—9. A bill to amend the charter of the Stanford and Hustonville turnpike road company.
On motion of same—It. A bill to repeal the law creating the office
of county treasurer of Boone county.

Ordered, That Messrs. Anderson, Gabbert, and Lusk prepare and
bring in the 1st; the Committee on the Judiciary the 2d, 4th, and 10th;
the Committee on Claims the 3d; the Committee on Incorporated
Institutions the 5th and 6th; Messrs. Bacheller, J. W. Anderson, and
Finley the 7th; the Committee on Circuit Courts the 8th; the Com­
mittee on Internal Improvement the 9th; and Messrs. Finnell, Huston,
and Vanwinkle the 11th.

Mr. Andrews moved a reconsideration of the vote granting leave
to Mr. G. Clay Smith to introduce leaves out of the regular order of
business.

The question was then taken on reconsidering the vote granting the
leave to Mr. G. Clay Smith, and it was decided in the affirmative.

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

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<th>Those who voted in the affirmative, were—</th>
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<td>Jas. W. Anderson,</td>
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<td>R. C. Anderson,</td>
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<td>W. C. Anderson,</td>
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<td>Joseph R. Underwood,</td>
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<td>George P. Webster,</td>
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<td>Nathaniel Wolfe,</td>
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<th>Those who voted in the negative, were—</th>
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<td>Alfred Allen,</td>
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<td>Landaff W. Andrews,</td>
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<td>John B. Cochran,</td>
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<td>William L. Conklin,</td>
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<td>Evan M. Garriott,</td>
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<td>Remus Gibson,</td>
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<td>Henry Griffith,</td>
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<td>Nicholas A. Rapier,</td>
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<td>F. D. Rigney,</td>
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<td>James P. Sparks,</td>
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The Committee on Federal Relations, to whom was referred the resolutions of Mr. Jacob, presented on the 13th inst., in reference to neutrality, &c., reported the same without amendment.

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

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

By Mr. Cleveland—
1. A bill for the benefit of the Brooksville and Claysville turnpike road company.

By Mr. Wolfe—
2. A bill for the benefit of Brent Hopkins, late clerk of the Oldham circuit and county courts.

By the Committee on Education—
3. A bill for the benefit of school district No. 62, in Adair county.

By same—
4. A bill for the benefit of school district No. 33, in Larue county.

By the Committee on Military Affairs—
5. A bill for the benefit of John L. Davidson and his securities.

By the Committee on Circuit Courts—
6. A bill to prevent the destruction of fish in the waters of Slate creek, within the boundary of Bath county.

By same—
7. A bill to change the times of holding the circuit courts in Cumberland and Russell counties.

By the Committee on Propositions and Grievances—
8. A bill for the benefit of common school district No. 48, in Pulaski county.

By the Committee on County Courts—
9. A bill to amend the road laws in Greenup county.

By the Committee on Education—
10. A bill to charter the Frankfort Commercial College.

By the Committee on Revised Statutes—
11. A bill in regard to settlements of decedents' estates heretofore made.
By same—
By Mr. Burnam—

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 said bills 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, and the same being engrossed,

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

Mr. Burnam, from the Committee on Education, to whom was referred a resolution from this House, instructing them to inquire and report what progress has been made in the publication of the 4th volume of the Geological Survey, &c., reported thereon, with a resolution, as follows, viz:

The Committee on Education, to whom has been referred a resolution which passed the House of Representatives on the —— day of this month, have had the same under consideration, and submit this report thereon.

The resolution is this, viz:

Resolved, That the Committee on Education be instructed to inquire and report to this House what progress has been made in the publication of the fourth volume of the Geological Survey of the State, and whether the maps, illustrations, and surveys accompanying said volume have been engraved and published; and what additional legislation, if any, is necessary to secure the completion and their distribution among those entitled by law to receive the same.

The order for the publication of the fourth volume of the Geological Report of the State of Kentucky was made by the Senate of Kentucky, on the 2d March, 1860, and required the Public Printer to print five thousand copies of the report of the State Geologist and his assistants, for the years 1858 and 1859.

Under this order, the volume was printed in the spring of 1861, and a large number of copies are already bound, and the remainder will be completed in a few days, and be ready for distribution with other public documents this fall.

The Public Printer having ascertained that the engraving or lithographing of the plates to accompany the volume would cost the State from two thousand to three thousand dollars, would not assume the
responsibility of ordering it to be done, and the originals of the plates are now in his hands.

These illustrations, maps, and plates, the committee are informed, are absolutely necessary to the report, and contain much of the valuable information obtained by the survey, and should of course be published, if it was the design of the Legislature in their order to print, to preserve the results of the late appropriations for the Geological Survey.

The maps and drawing are as follows:

1st. A large colored comparative diagram of the American and English coal fields, prepared with great care by the late Dr. D. D. Owen.
2d. A large sectional, geological map of the base line survey, by S. S. Lyon, embodying the results of his extensive labors on that line.
3d. A small map of Bell's coal mine by S. S. Lyon.
4th. Several valuable octavo plates of Kentucky coal fossils by Prof. Leo. Lesquereux.
5th and 6th. Two maps by Mr. Jos. Lesley of the coal fields of eastern Kentucky.

These two latter maps are in the hands of Mr. Lesley, of Philadelphia, Pa., who claims that the State owes him a balance of about $100, and who has also in his possession his unpublished field notes of his later year's work on our survey, which should be secured to the State for future use, as embodying the results of all the works of his corps for the past two years of the survey.

These facts have been obtained from Dr. Peter, of Lexington, Ky., who, since the death of Dr. Owen, has superintended the publication of the volume of the report of which they are a part, and whom no one is more fitted to superintend the publication of these maps and drawings, and whom the committee recommend to the House as a commissioner to procure the same to be done on the best terms for the State he can obtain.

If, however, owing to the depleted condition of the treasury, the Legislature should decline their publication, then the original plates should be placed in the State Library, or in the department of Geological specimens. The committee believe they ought, however, to be published now, to go out with the volume shortly ready to be distributed, not only among our own people, but those various State and national institutions with which we have been accustomed to exchange; and they recommend the adoption of this resolution:

Resolved, That Dr. Robert Peter be, and he is hereby, appointed a commissioner on the part of this State to procure and publish the maps and illustrations accompanying the fourth volume of the report of Geological Survey of Kentucky, and is required to do so on the best terms he can obtain; and to accomplish that object the Auditor is authorized to draw his warrant on the treasury for such sums as may be necessary, not exceeding in the aggregate three thousand dollars.

C. F. BURNAM,
Chairman Education Committee.
The question was taken on the adoption of the resolution from said committee aforesaid, 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, (Buckner,) Daniel E. Downing, Thomas W. Owings,
Alfred Allen, W. H. Edmunds, George Poindexter,
Jas. W. Anderson, John M. Elliott, Hiram S. Powell,
R. C. Anderson, Stephen J. England, Larkin J. Proctor,
W. C. Anderson, Elijah Gabbert, Nicholas A. Rapier,
Landaff W. Andrews, Joseph Gardner, John Ray,
John S. Barlow, Evan M. Garriott, Joseph Ricketts,
John C. Beeman, Remus Gibson, F. D. Rigney,
John W. Blue, Henry Griffith, George S. Shanklin,
A. R. Boon, John H. Harney, G. Clay Smith,
William P. Boone, William H. Hays, M. Smith,
Curtis F. Burnam, William J. Head, Rob't A. Spalding,
W. P. D. Bush, Joseph W. Heeter, Harrison Taylor,
James Calvert, John B. Huston, Joshua Tevis,
Cyrus Campbell, William C. Ireland, George M. Thomas,
J. W. Campbell, Richard T. Jacob, John R. Thomas,
Marion N. Carr, Daniel W. Johns, Joseph R. Underwood,
A. B. Chambers, William Johnson, John S. Vanwinkle,
Joseph H. Chandler, Urban E. Kennedy, Zeb. Ward,
Bratus J. Clay, John C. Lindsey, George P. Webster,
Francis L. Cleveland, James M. C. Lisenby, Alexander T. White,
Robert Cochran, P. L. Maxey, Nathaniel Wolfe,
William L. Conklin, David P. Mears, George H. Yeaman,
John C. Cooper, Otho Miller, Milton Young,
Albert A. Curtis, Felix G. Murphy, Van B. Young—75.

Those who voted in the negative, were—

John B. Cochran, Daniel Matthewson, James P. Sparks,
Hugh F. Finley, David May, Thomas Turner—7.
Alexander Lusk,

The Committee on Circuit Courts, to whom was referred leave to bring in a bill to suspend the holding of circuit courts in Harlan, Letcher, Perry, Breathitt, Owsley, Estill, Jackson, and Clay, reported.

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

Mr. J. R. Thomas moved to amend said bill by adding that the provisions of the bill shall include the county of Marion.

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

On motion of Mr. Andrews,

Ordered, That said bill be referred back to the Committee on Circuit Courts.
The same committee, to whom was referred leave to bring in a bill to amend the law in relation to billiard tables, reported.
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.
The Committee on County Courts, to whom was referred bills from the Senate, of the following titles, viz:
An act to authorize the county court of Cumberland county to increase the county levy of said county.
An act for the benefit of Frank Garrett, late clerk of the Morgan county court.
An act to change the election and magistrates' district No. 1, in Adair county.
An act for the benefit of school district No. 15, in Adair county.
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,
Resolved, That the same do pass, and that the titles thereof be as aforesaid.
The same committee, to whom was referred leave to bring in a bill authorizing the location of roads to run through town lots and orchards, in certain cases, reported the same.
Which was read the first time.
And the question being taken on ordering the bill to be read a second time, it was decided in the negative.
And so said bill was rejected.
The Committee on Revised Statutes, to whom was referred leave to bring in a bill in regard to retailing spirituous liquors, reported the same.
Which was read the first time, and ordered to be read a second time.
Mr. Heady moved to amend the bill.
And the question being taken on adopting the amendment, it was decided in the affirmative.
Ordered, That said bill, as amended, be referred to the Committee on Military Affairs.
The same committee, to whom was referred a bill from this House,
entitled "An act to amend the act concerning passways," reported the
same, with the expression of opinion that it ought not to pass.

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.

The same committee, to whom was referred leave to bring in a bill
to prevent persons connected with military camps interfering with
slaves, reported the same.

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

On motion of Mr. Andrews,

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

Mr. Blue, from the Committee on Enrollments, reported that the
committee had examined an enrolled resolution which originated in
this House, appointing a committee to wait on Gen. Anderson, and
advise him of the resolutions passed for the expulsion of the Confederate
troops from Kentucky, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Blue inform the Senate thereof.

Mr. Burnam moved to take up the resolution from the Senate, in
relation to the adjournment of the present General Assembly.

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—

Alfred Allen, Daniel E. Downing, Thomas W. Owings,
Jas. W. Anderson, W. H. Edmonds, George Poindexter,
R. C. Anderson, John M. Elliott, Hiram S. Powell,
W. C. Anderson, Stephen J. England, G. Clay Smith,
John W. Blue, Elijah Gabbert, M. Smith,
William P. Boone, Joseph Gardner, Rob't A. Spalding,
Curtis F. Burnam, Evan M. Garrett, Harrison Taylor,
W. P. D. Bush, Remus Gibson, Joshua Tovis,
Cyrus Campbell, Henry Griffith, George M. Thomas,
Marion N. Carr, George M. Hampton, Thomas Turner,
A. B. Chambers, William Johnson, George P. Webster,
Joseph H. Chandler, John C. Lindsey, Alexander T. White,
John B. Cochran, David May, Milton Young—41.
Albert A. Curtis, David P. Mears,  

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Joseph W. Heeter,
Landaff W. Andrews, John B. Huston, Joseph Ricketts,
F. D. Rigney,
Mr. Ricketts moved the following resolution, viz:

Resolved, That the Military Board report to this House whether Dr. Peyton, one of the members of said Board, has forwarded, in pursuance of the order of said Board, the forty kegs of powder retained by him; if not returned, that they report the cost of said powder to the State, for what purpose it was retained by said Peyton, and where it is now deposited; and that he is hereby directed to deposit it immediately in the arsenal at Frankfort, of which the Board will inform said Peyton.

Which was adopted.

Mr. Heady moved the following resolution, viz:

Resolved, That the Clerk of this House be, and he is hereby, instructed to report to this House the number of leaves of absence granted to the members of this House, and their names.

Which was adopted.

And then the House adjourned.

MONDAY, SEPTEMBER 23, 1861.

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 William Mynheir, clerk of the Morgan circuit court.

An act to incorporate Mt. Moriah Lodge, No. 206, of Free and Accepted Masons.

An act to incorporate the Perryville Collegiate School.
Also, a resolution, entitled "A resolution appointing a committee to investigate the cause of arrest at Harrodsburg of members of the General Assembly."

Mr. Taylor, from the Committee on Ways and Means, reported a bill, entitled

A bill to amend an act, entitled "An act for the regulation of the militia, and to provide for the arming of the State," approved May 24, 1861, and also to provide further for the public defense.

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

WHEREAS, The hostilities which threatened the peace of the State at the time the act to which this is an amendment was passed, has been followed up by the wanton and unjustifiable invasion of Kentucky by the armed forces of the so-called Confederate States; and war has thus been forced upon the good people of the State; wherefore it becomes the solemn duty of this Legislature, without delay, to provide means for the public defense; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for the Board of Commissioners created by the act to which this is an amendment, to apply the funds, or any part thereof, which the said Board was authorized to borrow, under the provisions of said act, to the defense of the State, in such manner as they, in their discretion, may deem most advisable.

§ 2. That the said Board of Commissioners shall be, and they are hereby, authorized and empowered to borrow for and on the credit of the State the additional sum of one million dollars, to be by them applied to the object set out in the first section of this act.

§ 3. That the said Board shall have power and authority to procure the loans provided for in the act to which this is an amendment, and that authorized by the preceding section, from any incorporated or private bank, or from any other moneyed institution, or from individuals, either in or out of this State; and for which certificates shall be issued by the Board, and upon the presentation of which the bonds of the State shall be executed by the Governor, and delivered to the lender, payable at such time and place as may be agreed upon, not less, however, than ten years from date; bearing interest at the rate of six per centum per annum, the interest to fall due semi-annually.

§ 4. That for the purpose of providing means for the payment of the debts created by the State under the provisions of this and the act to which this is an amendment, and the accruing interest thereon, an additional tax, in aid of the sinking fund, commencing with the year 1862, of— cents upon each one hundred dollars of value of the real and personal estate directed by law to be assessed for taxation, shall annually be paid by the persons assessed; and which shall be collected and paid into the public treasury in the same manner the other revenue of the State is by law required to be collected and paid.

§ 5. That the Board of Commissioners created by the act to which this is an amendment, be, and the same is hereby, reorganized; and said Board shall hereafter be composed of the following persons, to wit:
Peter Dudley, Samuel Gill, George T. Wood, Edmund H. Taylor, and John B. Temple, a majority of whom shall constitute a board for the transaction of business.

§ 6. This act shall take effect from and after its passage.

Mr. Taylor moved to fill the blank in the 4th section with "five."

Mr. Ricketts moved to fill the blank with "four," and

Mr. Huston moved to fill the blank with "three."

And the question being taken on the filling of the blank with "five," it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, G. Clay Smith,
Alfred Allen, Elijah Gabbert, M. Smith,
James W. Anderson, Remus Gibson, James P. Sparks,
R. C. Anderson, Henry Griffith, Harrison Taylor,
W. C. Anderson, William H. Hays, Joshua Tevis,
Landaff W. Andrews, William J. Heady, George M. Thomas,
John C. Beeman, Joseph W. Heeter, Thomas Turner,
William P. Boone, William C. Ireland, Joseph R. Underwood,
Curtis F. Burnam, Daniel W. Johns, George P. Webster,
James Calvert, Urban E. Kennedy, Alexander T. White,
Cyrus Campbell, Otho Miller, Nathaniel Wolfe,
J. W. Campbell, Thomas W. Owings, George H. Yeaman,
Francis L. Cleveland, George Poindexter, Milton Young—41.
Hugh F. Finley, Hiram S. Powell,

Those who voted in the negative, were—

John W. Blue, John M. Elliott, David P. Mears,
E. F. Burns, Stephen J. England, Felix G. Murphy,
W. P. D. Bush, Joseph Gardner, Nicholas A. Rapier,
Marion N. Carr, Evan M. Garrott, John Ray,
A. B. Chambers, George M. Hampton, Joseph Ricketts,
Joseph H. Chandler, John B. Huston, F. D. Rigney,
Robert Cochran, William Johnson, Rob't A. Spalding,
William L. Conklin, John C. Lindsey, John R. Thomas,
John C. Cooper, James M. C. Lisenby, John S. Vanwinkle,
Daniel E. Downing, P. L. Maxey, Van B. Young—32.
W. H. Edmunds, David May,

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

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 on the passage of said bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, John Ray,
Alfred Allen, Stephen J. England, Joseph Ricketts,
Jas. W. Anderson, Hugh F. Finley, F. D. Rigma,
R. C. Anderson, John W. Finnely, George S. Shanklin,
W. C. Anderson, Elijah Gabbert, G. Clay Smith,
Landaff W. Andrews, Remus Gibson, M. Smith,
E. B. Bacheller, Henry Griffith, James P. Sparks,
John C. Beeman, William H. Hays, Harrison Taylor,
John W. Blue, William J. Heady, Joshua Tevis,
William P. Boone, Joseph W. Hector, George M. Thomas,
Curtis F. Burnam, John B. Huston, John R. Thomas,
James Calvert, William C. Ireland, Thomas Turner,
Cyrus Campbell, Daniel W. Johns, Joseph R. Underwood,
J. W. Campbell, Urban E. Kennedy, John S. Vanwinkle,
Marion N. Carr, James M. C. Lisenby, George P. Webster,
Joseph H. Chandler, David P. Mears, Alex. T. White,
Brutus J. Clay, Otho Miller, Nathaniel Wolfe,
Francis L. Cleveland, Thomas W. Owings, George H. Yeaman,
Robert Cochran, George Poindexter, Milton Young,
John C. Cooper, Nicholas A. Rapier,

Those who voted in the negative, were—

E. F. Burns, Joseph Gardner, P. L. Maxey,
W. P. D. Bush, Evan M. Garriott, David May,
A. B. Chambers, George M. Hampton, Felix G. Murphy,
John M. Elliott, John C. Lindsey,

The Speaker laid before the House the response of W. T. Samuels, Clerk of this House, to the resolution offered by Mr. Heady, which is as follows, viz:

House of Representatives,
23d September, 1861.

Hon. Richard A. Buckner,

Speaker of the House of Representatives:

Sir: In compliance with the resolution offered by Mr. Heady and adopted by this House on Saturday last, I give the names of members of this House who have obtained leave of absence, viz:

John Q. A. King, Wm. M. Coffee, John M. Henry, Wm. A. Brann,
Wm. S. Rankin, A. R. Boon, John S. Barlow, Daniel Mathewson,
John W. Gaines, George R. Merritt, George W. Ewing, George W.
Silvertooth, Vincent Ash.

I am, respectfully,

W. T. SAMUELS,
Clerk of House of Representatives.
The House, according to order, took up a bill establishing the county of Menifee.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


John C. Cooper, Hiram S. Powell,

And so said bill was rejected.

The House then took up the resolution from the Senate, in relation to appointing a committee to visit Harrodsburg, and ascertain the facts connected with the arrest of members of this General Assembly.

Which being twice read, was concurred in.

Mr. Conklin, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled "A bill for the benefit of Ashley Owens, of Rockcastle county," reported the same.

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 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 having been engrossed,

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

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


The House then took up a bill from the Senate, entitled "An act to amend article 3d of chapter 86, Revised Statutes."

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

Mr. Ireland moved an amendment.

And the question being taken on adopting said amendment, it was decided in the negative.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

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. Ireland moved a reconsideration of the vote adopting the resolution from the Senate, appointing a committee to go to Harrodsburg, to investigate the causes of the arrest of members of this General Assembly.

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

Mr. Bush offered a substitute for said resolution, viz:

WHEREAS, This General Assembly has received information that Jno. L. Irvan, George W. Ewing, and George W. Silvertooth, members of this General Assembly, who having leave of absence, and being on the way to their respective homes, have been arrested, and are now in custody in the town of Harrodsburg, in the county of Mercer, or in that vicinity,

Resolved, That a committee of two from this House and one from the Senate be appointed, whose duty it shall be to proceed to the town of Harrodsburg, or other place, where these persons are confined, and ascertain and report to this General Assembly by what authority, and under what process, and for what cause or causes, the said John L. Irvan, George W. Ewing, and George W. Silvertooth have been arrested and held in custody.

And the question being taken on the adoption of said substitute, it was decided in the affirmative.

The Speaker appointed Messrs. Huston and Elliott a committee on the part of this House, in pursuance of said resolution, to go to Harrodsburg to investigate the cause of the arrest of the members of this General Assembly.

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 abolishing two voting places in election precinct No. 6, in Allen county, and establishing one voting place.

By Mr. Rigney—


By Mr. W. C. Anderson—

3. A bill to establish an additional voting place in Boyle county.
By Mr. Gardner—

4. A bill for the benefit of Mason Williams, late sheriff of Morgan county.

By same—

5. A bill for the benefit of John Friend, late sheriff of Floyd county.

By same—

6. A bill for the benefit of Edwin Trimble, late clerk of the county and circuit courts of the county of Floyd.

By same—

7. A bill for the benefit of A. W. Cecil, sheriff of Floyd county.

By Mr. Yeaman—

8. A bill to amend the charter of the deposit bank of Owensboro.

By same—

9. A bill to amend the charter of the Stanford and Hustonville turnpike road company.

By Mr. Andrews—

10. A bill for the benefit of James M. Crawford.

By Mr. Powell—

11. A bill to amend the charter of the city of Newport.

By Mr. J. W. Anderson—

12. A bill for the benefit of the Whitley 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 the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 12th having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 12th were severally ordered to be engrossed and read a third time; the 7th was referred to the Committee on Ways and Means, and the 8th to the Committee on Banks.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, and 12th bills having been dispensed with, and the same being engrossed,

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

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

On motion of Mr. Chandler—1. A bill to amend an act, entitled "An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his securities."

On motion of Mr. Webster—2. A bill to amend the charter of the city of Newport.
On motion of Mr. Lisenby—3. A bill to authorize and empower the county court of Russell county to appoint a guardian for Marietta Stevens.

On motion of Mr. Yeaman—4. A bill for the benefit of common school district No. 46, in Henderson county.

On motion of Mr. R. C. Anderson—5. A bill in relation to the Auditor's office.

On motion of Mr. Blue—6. A bill for the benefit of common school district No. 15, in Crittenden county.

On motion of same—7. A bill for the benefit of Frank W. Clark, of Crittenden county.

On motion of same—8. A bill for the benefit of common school district No. 34, in Crittenden county.


On motion of Mr. Conklin—10. A bill for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his securities.

On motion of Mr. Ray—11. A bill for the benefit of James Edmiston, of Hopkins county.

On motion of same—12. A bill for the benefit of Thomas J. Jackson, of Webster county.

On motion of Mr. Bush—13. A bill to amend section 1, article 1, chapter 83, Revised Statutes, and to repeal an act, entitled "An act imposing an additional tax of three cents, for the purpose of increasing the common school fund."

On motion of Mr. Sparks—14. A bill for the benefit of David Fitzgerald, late jailer of Henry county.

On motion of Mr. Shanklin—15. A bill to exempt persons and their hands from working on public roads, where such persons have subscribed and paid in stock to aid in building turnpike roads in the county in which such persons reside.


On motion of Mr. Rapier—17. A bill for the benefit of common school district No. 21, in Larue county.

Ordered, That Messrs. W. C. Anderson, W. P. Boone, and J. R. Thomas prepare and bring in the 1st; Messrs. Webster, Cyrus Campbell, and Powell the 2d; the Committee on Circuit Courts the 3d; Messrs. Yeaman, M. Young, and Ray the 4th; the Committee on Ways and Means the 5th and 10th; the Committee on Education the
6th, 8th, and 17th; Messrs. Elliott, Gardner, and Hampton the 9th; the Committee on Claims the 11th and 16th; Messrs. Ray, Yeaman, and Edmunds the 12th; Messrs. Bush, Yeaman, and Taylor the 13th; Messrs. Poindexter, Burns, Huston, and Spalding the 14th, and the Committee on Internal Improvement the 15th.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the people of Kentucky have ever been, and are still, ardently attached to the Union of the States; that they deplored and condemned the secession of certain States from the Union, and the war they have inaugurated and waged against the Government of the United States; and yet condemning some of the acts and measures adopted by the Congress and executive and military officers of the United States, in resisting the rebellion now in progress, and earnestly desiring the early and honorable restoration of the government and the Union in their full integrity, on safe principles and a permanent basis; now, with the view of accomplishing these great and beneficent ends, and that the people of all sections may clearly understand the principles upon which we desire to be and remain associated with them under a common government, we do now submit to the American people the following propositions, as a deliberate expression of our understanding of the Constitution of the United States, and of our views upon the present unhappy controversy between the Government and some of the States, viz:

Resolved, That the Constitution of the United States was made and adopted by the authority of the people of the United States, and not by States acting in their individual and sovereign capacity.

Resolved, That the Constitution of the United States is a fundamental law, constituting a government that acts, within its proper sphere, directly upon the person and property of the citizens; that the same is true of the Constitutions of the several States, and there is no conflict between them; that in regard to the powers vested in the Government of the United States, and the matters committed to its charge, the Constitution and laws of the Union are the supreme law of the land, and in cases of dispute the judicial tribunals erected under that Constitution are the proper arbiters.

Resolved, That the direct action of the Government upon men and things, instead of through or upon States, is the best guarantee for the freedom and the preservation of the State Governments, in their forms, in the matters committed to their charge by the people, and the powers reserved to them or to the people.

Resolved, That the right of a State to withdraw or secede from the Union, or to nullify, by State action, any law of Congress, is in direct conflict with the theory and form, both of the Federal and State Governments, and destructive of both.

Resolved, That we cannot approve any form of government, or association of States, that recognizes the right of any member to withdraw at pleasure.
Resolved, That the interests of Kentucky will not admit the imposition of an export duty on her produce.

Resolved, That we can never consent to the re-opening of the African slave trade; nor suffer any obstruction or hindrance to the navigation of the Mississippi river against those manifestly entitled by nature to the benefits thereof.

Resolved, That there are but two ways to amend or change governments—one by the mode of amendment pointed out by the constitution thereof; the other by revolution; that the right of revolution is inalienable, but should not be exercised until the forms of constitutional and legal amendment and redress have been appealed to and failed to secure the protection of the citizen. We protest that this has not been done in the progress of the present discontents.

Resolved, That it is the right and duty of every government, and more especially of those based on the consent of the governed, to defend and protect itself against all attempts to change or abolish the government by force, in utter disregard of the mode provided in the original compact of government.

Resolved, That the legitimate object of government is the protection of the citizen in his property, his life, liberty, and the pursuit of happiness.

Resolved, That the administrators of government are as much bound by its rules and limitations as the citizen; and when the powers of government prove inadequate to its purposes, it is in the discretion of the citizen, and not the administrator of government, to enlarge those powers.

Resolved, That the principle that any department of government may derive power from any source other than the law, once admitted, knows no limits, either in theory or practice, and would speedily result in the monopoly of all power—a despotism.

Resolved, That the suspension of the writ of habeas corpus, and the declaration or establishment of martial law, and any attempt to emancipate or set free any person held to labor or service, in any of the States under the laws thereof, when done by the President, or any subordinate executive or military officer of the United States, are unauthorized by law, and are dangerous assumptions of power.

Resolved, That Congress has no power to interfere with the institution of slavery in the States, nor declare forfeiture, in punishment for treason, for a longer term than the life of the offender.

Resolved, That the common territory of the Union should be held free to access and settlement by the citizens of all the States equally, while in a territorial condition, leaving to the citizens thereof the right to determine the form and character of their institutions in establishing a State constitution, subject to the constitutional restriction that Congress must guarantee to every State a republican form of government.

Resolved, That the requirements of the Constitution in regard to the rendition of fugitives from labor must be faithfully executed.

Resolved, That Kentucky will, to the utmost, defend herself against hostile invasion from any quarter; and yet holds herself in readiness, at any moment, when it can be done without a sacrifice of her honor,
to unite with all or any part of the people of America to stay the present unhappy war, and restore the peace, harmony, and greatness of our common country, upon terms satisfactory to just men, and safe to all.

Resolved, That in this view, Kentucky now renews, with increased interest, her demand upon the Congress of the United States for a National Convention, to be called under the forms of the Constitution, to consider amendments thereto; and again recommends to the Legislatures and Governors of the several States the favorable consideration of this subject, and the propriety of taking such steps as that the demand from the required number of States may be made upon Congress at its meeting in December next.

Resolved, That his Excellency, Governor Magoffin, be requested to transmit copies of these resolutions to the President of the United States, and to the Governors of all the States.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

Mr. Milton Young read and laid on the table the following joint resolutions, viz:

Whereas, Our hitherto peaceful country is now involved in civil war—the most dire calamity that can befall a nation—eminently imperiling our government of freedom, and threatening to substitute anarchy and confusion for law and order; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That application be, and is hereby, made to Congress to call a National Convention, in pursuance of the provisions of the 5th article of the Constitution of the United States; and we, in our legislative capacity, earnestly invite our sister States to co-operate with us in like application to Congress.

2. Resolved, That the Governor of this State, without delay, communicate the foregoing resolution to the President of the United States, and to the Governors of each of the thirty-four States of the United States, with the request that they lay them before their Legislatures; and in States where their Legislatures do not meet before the 1st day of December next, that the Governors of such States be requested to convene their Legislatures to enable them to consider the propriety of calling a National Convention.

3. Resolved, That if application be made to Congress by the constitutional number of the States, for the call of a National Convention, that an armistice of ninety days be offered to the States in rebellion for returning delegates to a National Convention.

Ordered, That said resolutions be referred to the Committee on Federal Relations.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be directed to make diligent inquiry, and report to this House, whether any person or persons holding or exercising any office, Federal or State, is or are now
holding any office in the so-called Confederate States; and may send 
for persons and papers.

Ordered, That said resolution be referred to the Committee on the 
Judiciary.

Mr. J. W. Anderson read and laid on the table the following reso-
lution, viz:

WHEREAS, S. B. Buckner, who signs himself Brigadier General in 
the so-called Confederate States of America, in a proclamation to the 
people of Kentucky, dated 18th September, 1861, says that he returns
"at the head of a force, the advance of which is composed entirely of
Kentuckians," to be used to aid the Government of Kentucky in carrying
out the strict neutrality of Kentucky; now therefore,

Resolved by the House of Representatives, That His Excellency, Beriah
Magoffin, Governor of this Commonwealth, be requested to communi-
cate to this House whether such invasion of this State, by S. B. Buck-
nner, aforesaid, has been made upon any consultation, advice, or
recommendation of any persons connected with the Executive Depart-
ment of the State Government.

Ordered, That said resolution be referred to the Committee on Fed-
eral Relations.

Mr. J. W. Anderson moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That
the thanks of this House, and of every true patriot of Kentucky, are
due to the "Home Guard" of Knox county, for their prowess and
gallant conduct on the 18th and 19th of this inst., in their efforts to
repel the invading foe from Kentucky.

Which was adopted.

And then the House adjourned.

TUESDAY, SEPTEMBER 24, 1861.

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 Ann E. Gerhart.
An act for the benefit of Babetta Dinkelspiel.
An act for the benefit of Rosanna A. Jessel.
That they had passed bills from this House of the following titles, viz:

An act for the benefit of Brent Hopkins, late clerk of the Oldham circuit and county courts.

An act for the benefit of school district No. 33, in Larue county.

An act to prevent the destruction of fish in the waters of Slate creek, within the boundary of Bath county.

An act for the benefit of common school district No. 48, in Pulaski county.

An act to amend the road laws in Greenup county.

An act to charter the Frankfort Commercial College.

An act to amend an act, entitled "An act for the regulation of the militia and to provide for the arming of the State," approved May 24, 1861, and also to provide further for the public defense.

An act for the benefit of Ashley Owens, of Rockcastle county.

An act for the benefit of James H. Reynolds, of Adair county.

An act for the benefit of Mason Williams, late sheriff of Morgan county.

An act for the benefit of John Friend, late sheriff of Floyd county.

An act for the benefit of Edwin Trimble, late clerk of the county and circuit courts of the county of Floyd.

An act for the benefit of James M. Crawford.

An act to amend the charter of the city of Newport.

An act for the benefit of the clerk of the Whitley county court.

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

An act for the benefit of Stephen J. England, late sheriff of Carter county.

An act authorizing the Auditor to have the revenue of Rockcastle county collected.

An act to amend the charter of the People's Bank of Kentucky.

That they had concurred in the amendment of this House to a resolution from the Senate, appointing a committee to visit Harrodsburg, and learn the causes of the arrest of members of the General Assembly.

The Speaker laid before the House the response of the Military Board to the resolution of this House, in reference to the powder in charge of Dr. J. B. Peyton, one of said board, which is as follows, viz
Frankfort, Sept. 23d, 1861.

Hon. R. A. Buckner, Speaker House of Representatives:

Sir: In compliance with a resolution of the House of Representatives, directing "the Military Board to report to the House whether Dr. Peyton, one of the members of said Board, has forwarded, in pursuance of the order of said Board, the forty kegs of powder retained by him; if not returned, that they report the cost of said powder to the State; for what purpose it was retained by said Peyton; where it is now deposited, and that he is hereby directed to deposit it in the State arsenal at Frankfort, of which the Board will inform Dr. Peyton," we have the honor to state, that "the forty kegs of powder retained by Dr. Peyton have not been restored to the State arsenal, as required by the Commissioners in their order of the 14th June and 31st of July; that the powder cost the State eight dollars and fifty cents per keg, exclusive of freight and charges; and that they do not know for what purpose it was retained by Dr. Peyton," nor where it is now deposited, except from the letters of Dr. Peyton, copies of which are herewith transmitted, except the one in reply to the order of the 14th of June, which is mislaid.

All of which is most respectfully submitted, with perfect respect.

B. Macoffin, President.

P. Dudley.

Russellville, August 5, 1861.

P. Swigert, Esq., Secretary:

My Dear Sir: Your favor of the 1st instant I received a day or two since. I do not think that it would be safe to attempt a shipment of the powder in the present highly excited state of public feeling in this region. I have taken the advice of several of our best citizens, and they concur with me in this opinion. The powder is safely stored in the dungeon of the jail, and the key I have in my possession. It will be kept securely, and used for no unworthy purposes. You can scarcely form an idea of the extreme nervousness of the public mind, and constant apprehension of insurrections and raids. For these reasons I have thought it best not to attempt a shipment at present; and I think the Board, when they are apprised of the circumstances, will approve of the course I have taken. If my health and strength permit, I will endeavor to attend the meeting on the 29th, and I think I can satisfy them that I have acted for the best interests of the State in this matter. The powder is all secure, and shall be kept so.

My health has improved. My thumb is getting well. I have kept it in a sling ever since I left Frankfort until a day or two back, and is yet quite sore and tender. This is the first attempt to write I have made since I saw you, and I fear you will scarcely be able to make it out. I am, my dear sir, your friend,

J. B. Peyton.
Russellville, Aug. 27, 1861.

P. Swigert, Esq., Secretary, &c.:

Dear Sir: I have very much to regret that the state of my health for the past two months has been such as to have prevented my attendance on the previous meetings of the Board. Our chief clerk, Mr. Payne, is now confined in bed, which, as you will see, will make it impossible for me to attend the meeting on the 29th inst.

In answer to yours of the 1st August, communicating an order of the Board requesting me to forward to the State arsenal the powder stored here, I wrote you I did not think it safe to ship it. I still think so. The highly excited state of public excitement in this and adjoining counties, renders it exceedingly hazardous to attempt a shipment of it at this time. I have, therefore, thought it best to delay the shipment of it for the present. I will avail myself of the first favorable opportunity to do so. It is all safe.

Please lay this before the Board, and assure them of my high regard.

I am, my dear sir,
Very truly, yours,

J. B. PEYTON.

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

Mr. Wolfe, from the committee appointed to wait upon Gen. Anderson, and request him to take command of the forces, and drive the Confederate troops from the soil of Kentucky, made a verbal report to the effect that the committee had performed that duty, and that Gen. Anderson said that he accepted the trust reposed in him, and would, to the best of his ability, carry out the wishes of the Legislature.

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

By Mr. Geo. M. Thomas—
1. A bill amending the act incorporating the town of Concord, in Lewis county.

By Mr. W. P. Boone—
2. A bill requiring information to be given to officers of the army.

By Mr. Burnam—
3. A bill to exempt certain hands in Madison county from work on dirt roads.

By the Committee on Military Affairs—
4. A bill to raise volunteer forces, and for other purposes.

By Mr. Taylor—
5. A bill to suspend the collection of taxes for the support of common schools for the years 1862 and 1863.
By Mr. Hampton—
6. A bill more effectually to protect slave property.

By Mr. J. W. Campbell—
7. A bill authorizing the election of police judge and marshal of
the town of Carlisle, Nicholas county.

By the Committee on Ways and Means—
8. A bill extending the time for returning the delinquent lists in the
collection of the public revenue for the year 1861.

By same—
9. A bill for the benefit of H. P. Bozarth, late sheriff of Grayson
county.

By same—
10. A bill appropriating money for the Western Lunatic Asylum.

By same—
11. A bill for the benefit of Ben. L. McAtee and James Wood, late
sheriffs of Nelson county.

By same—
12. A bill supplemental to the act, entitled "An act for the benefit
of R. P. Sanders, late sheriff of Taylor county, and his sureties, and
for the benefit of the sheriff of Madison county."

By the Committee on Education—

By same—
14. A bill for the benefit of common school district No. 15, in Crit-
tenden county.

By same—
15. A bill for the benefit of common school district No. 34, in Crit-
tenden 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 the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th,
14th, and 15th having been dispensed with, the 1st, 2d, 3d, 7th, 8th,
9th, 11th, 12th, 13th, 14th, and 15th were severally ordered to be
engrossed and read a third time; the 4th was ordered to be printed
and made the special order for 11 o'clock to-morrow; the 5th was
referred to the Committee on Education; the 6th was referred to
the Committee on the Judiciary; the 10th was ordered to be read a
third time to-morrow at 11 o'clock.
The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 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.

Ordered, That the Public Printer forthwith print 150 copies of the 4th and 5th bills for the use of the members of this General Assembly.

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

On motion of Mr. George M. Thomas—1. A bill for the benefit of James R. Garland, late sheriff of Lewis county.

On motion of same—2. A bill for the benefit of Michael Moore, of Lewis county.

On motion of Mr. Cooper—3. A bill to amend an act, entitled "An act to amend the charter of the Knob Lick turnpike road company."

On motion of Mr. Tevis—4. A bill concerning the Louisville University Cadets.

On motion of Mr. Burnam—5. A bill concerning revenue and taxation.

On motion of Mr. John R. Thomas—6. A bill to amend section 11th, article 13, chapter 36, of Revised Statutes, in relation to sales of real estate under execution.

On motion of same—7. A bill for the benefit of G. W. Goodrum, late sheriff of Marion county.

On motion of same—8. A bill to amend the law in relation to notaries public.

On motion of same—9. A bill to amend the law in relation to jury commissioners.

On motion of Mr. M. Smith—10. A bill to amend section 6th of chapter 75, of Revised Statutes.

On motion of Mr. Carr—11. A bill to repeal so much of an act, entitled "An act to change the boundary line between the counties of Hart, Barren, and Metcalfe," approved May 24, 1861, as relates to the line between Barren and Metcalfe.


On motion of Mr. Burns—13. A bill to take a vote of the people of Kentucky as to the payment of the tax imposed by the Federal Government, to aid in the prosecution of the war against the Southern Confederacy.
On motion of Mr. Underwood—14. A bill to provide for the valuation of property sold under executions and decrees, and to amend the laws now in force on that subject.

On motion of Mr. Murphy—15. A bill for the benefit of Benjamin L. McAtee and James Wood, late sheriffs of Nelson county.

On motion of Mr. J. B. Cochran—16. A bill for the benefit of the Shelbyville and Taylorsville turnpike road company.

On motion of same—17. A bill concerning the People's Bank of Kentucky.

On motion of Mr. B. R. Young—18. A bill for the benefit of Isaac Radley, sheriff of Hardin county.

Ordered, That Messrs. George M. Thomas, Ireland, and Proctor prepare and bring in the 1st and 2d; the Committee on Internal Improvement the 3d; the Committee on Military Affairs the 4th; the Committee on Ways and Means the 5th, 7th, 12th, 15th, and 18th; the Committee on Revised Statutes the 6th, 8th, 9th, and 10th; Messrs. Mears, Chandler, and J. R. Thomas the 11th; the Committee on the Judiciary the 13th and 14th; the Committee on Incorporated Institutions the 16th; and the Committee on Banks the 17th.

The Committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Morgan and Wolfe, praying a change in their county lines, and also the remonstrances against the same, asked to be discharged from the further consideration thereof. Which was granted.

Mr. Hampton, from a select committee, to whom was referred leave to bring in a bill, entitled

An act to regulate compensation for taking up loose timber in Licking river,

Reported the same.

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 being dispensed with,

Mr. Webster moved an amendment.

Ordered, That said bill and amendment be referred to the Committee on Internal Improvement.

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

WHEREAS, Information has been received that ex-Governor C. S. Morehead, M. W. Barr, and R. T. Durrett, citizens of Kentucky, have
been arrested and taken beyond the jurisdiction of this Commonwealth; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three members of the House and two of the Senate be appointed, who shall act as a joint committee, with power to send for persons and papers, and inquire into the causes which have led to the arrest of the citizens aforesaid of this Commonwealth, by what authority, and for what purpose; and fully inquire into and report to this body all the facts connected with said arrests, and whether any further legislation is necessary to protect the lives and personal liberty of citizens of the State of Kentucky.

Mr. Burns moved to dispense with the rule requiring joint resolutions to lie on the table one day, in order to take said resolution up.

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

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

Those who voted in the affirmative, were—

Vincent Ash,  Stephen J. England,  David May,
E. F. Burns,  Joseph Gardner,  Felix G. Murphy,
W. P. D. Bush,  Evan M. Garriott,  Robert A. Spalding,
A. B. Chambers,  George M. Hampton,  Joseph R. Underwood,
W. H. Edmunds,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,)Elijah Gabbert,  William S. Rankin,
Alfred Allen,  Remus Gibson,  Nicholas A. Rapier,
Jas. W. Anderson,  Henry Griffith,  John Ray,
R. C. Anderson,  John H. Harney,  F. D. Rigney,
Landaff W. Andrews,  William H. Hays,  George S. Shanklin,
E. B. Bacheller,  William J. Heady,  G. Clay Smith,
John C. Beeman,  Joseph W. Hectar,  M. Smith,
John W. Blue,  William C. Ireland,  James P. Sparks,
William P. Boone,  Richard T. Jacob,  Harrison Taylor,
James Calvert,  Daniel W. Johns,  Joshua Tevis,
Cyrus Campbell,  Urban E. Kennedy,  George M. Thomas,
J. W. Campbell,  James M. C. Lisenby,  John R. Thomas,
Marion N. Carr,  P. L. Maxey,  Thomas Turner,
Joseph H. Chandler,  David P. Mears,  John S. Vanwinkle,
Brutus J. Clay,  Otho Miller,  Zeb. Ward,
Francis L. Cleveland,  Thomas Z. Morrow,  George P. Webster,
Robert Cochran,  Thomas W. Owings,  Alexander T. White,
John B. Cochran,  George Poindexter,  Nathaniel Wolfe,
John C. Cooper,  Hiram S. Powell,  Bryan R. Young,
Daniel E. Downing,  Larkin J. Proctor,  Van B. Young—52.
Hugh F. Finley,
The Committee on Ways and Means, to whom was referred a bill from the Senate, entitled
An act for the benefit of John W. Hazlerigg, late clerk of the circuit court of Floyd county,
Reported the same without amendment.
Mr. Turner moved an amendment to said bill.
And the question being taken on adopting the amendment, 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, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Committee on Ways and Means, to whom was referred a bill from this House, entitled
An act for the benefit of A. W. Cissell, sheriff of Floyd county,
Reported the same, with an expression of opinion that the same ought not to pass.
And the question being taken on concurring in the report of said committee, it was decided in the affirmative.
And so said bill was rejected.

The Committee on Education, to whom was referred a bill in relation to the appointment of common school commissioners, &c., reported the same without amendment.
Mr. Burnam moved an amendment.
Mr. Webster moved an amendment.
And the question being taken on the adoption of said amendments, 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, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the resolutions offered by Mr. Burns on the 17th inst.
Ordered, That said resolutions be referred to the Committee on Federal Relations.
The House then took up bills from the Senate, of the following titles, viz:
1. An act for the benefit of R. S. Spalding, late sheriff of Union county.
2. An act for the benefit of the sheriffs of Shelby and Henry counties.
3. An act to charter the Home Insurance Company of Louisville.
4. An act to amend the charter of the Masonic Temple Company.
5. An act concerning the city court of Louisville.
6. An act for the benefit of Thomas Conway, late sheriff of Union county.
7. An act to amend the charter of the town of Mount Sterling.
8. An act to incorporate the Combs Academy, in Breathitt county.
9. An act for the benefit of Louisa Jackson, of Simpson county.
10. An act for the benefit of Sarah Hoffman, wife of H. C. W. Hoffman.
11. An act to amend the charter of the city of Louisville.
14. An act to change the voting place in Eagle Creek precinct, in Scott county.
15. An act to create an additional magistrate's and constable's district in the city of Louisville.
17. An act to incorporate Mt. Moriah Lodge, No. 206, of Free and Accepted Masons.
18. An act to incorporate the Perryville Collegiate School.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, and 6th were referred to the Committee on Ways and Means; the 3d, 4th, and 7th were referred to the committee on Incorporated Institutions; the 8th and 18th were referred to the Committee on Education; the 9th was referred to the Committee on Claims; the 10th and 11th were referred to the Committee on the Judiciary; the 14th was referred to the Committee on Privileges and Elections.
The rule of the House, constitutional provision, and third reading of the 5th, 12th, 13th, 15th, 16th, 17th, and 19th having been dispensed with,

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

The amendments proposed by the Senate to bills from this House of the following titles, viz:
An act to amend the act incorporating the town of Gratz, in Owen county.
An act for the benefit of Jacob Corbett, clerk of the Ballard circuit and county courts.
An act to amend the charter of the Bardstown and Louisville railroad company.
An act for the benefit of Owen McGlone, of Carter county, correcting calls of a patent.

Were taken up, twice read, and concurred in.

Mr. Blue, 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 P. B. Adams, late sheriff of Graves county, and his deputies.
An act for the benefit of Henry Forbs.
An act for the benefit of M. C. Hughs, sheriff of Gallatin county.
An act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties.
An act to amend the law in relation to the Board of Internal Improvement.
An act to amend the 9th section of chapter 35, Revised Statutes.
An act to alter the boundary line of precinct No. 1, in Spencer county.
An act to amend the charter of the Hardinsville and Crab Orchard turnpike road company.
An act for the benefit of the Versailles and Anderson turnpike road company.
And bills which originated in the Senate, of the following titles, viz:
An act to authorize the county court of Cumberland county to increase the county levy of said county.
An act for the benefit of Frank Garrett, late clerk of the Morgan county court.
An act for the benefit of the Southern Bank of Kentucky.

On motion, leave of absence was granted to Messrs. Underwood, Allen, and Conklin.

Mr. Heady moved a reconsideration of the vote by which a bill, entitled "An act to raise volunteer forces, and for other purposes," was ordered to be made the special order for to-morrow, at 11 o'clock.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Mr. Underwood moved to amend said bill.

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

*Ordered, That said bill, as amended, be referred to the Committee on Military Affairs, with instructions to report the same at 10 o'clock.*

Mr. Andrews moved for a call of the House.

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

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

Those who voted in the affirmative, were—

James W. Anderson, William L. Conklin, David P. Mears,
Landaff W. Andrews, John C. Cooper, Thomas Z. Morrow,
E. B. Bacheller, Hugh F. Finley, Felix G. Murphy,
William P. Boone, Evan M. Garriott, Thomas W. Owings,
E. F. Burns, George M. Hampton, Hiram S. Powell,
W. P. D. Bush, William J. Heady, F. D. Rigney,
Cyrus Campbell, Joseph W. Heeter, James P. Sparks,
J. W. Campbell, William C. Ireland, Thomas Turner,
Marion N. Carr, Daniel W. Johns, George P. Webster,
A. B. Chambers, James M. C. Lisenby, Nathaniel Wolfe,
Joseph H. Chandler, P. L. Maxey, Milton Young—34.

John B. Cochran,

Those who voted in the negative, were—

R. C. Anderson, Daniel E. Downing, George S. Shanklin,
Vincent Ash, William H. Hays, George M. Thomas,
Brutus J. Clay, William S. Rankin, John S. Vanwinkle,
Francis L. Cleveland, Nicholas A. Rapier, Alex. T. White—13.

Robert Cochran,

And then the House adjourned.
WEDNESDAY, SEPTEMBER 25, 1861.

The Speaker of this House being absent,
Mr. Tevis moved that Mr. Wolfe take the chair.
And the question being taken thereon, it was decided in the affirmative.

Mr. Tevis presented the petition of sundry citizens of Louisville, praying the passage of an act giving the appointment of tobacco inspectors in said city to the City Council instead of the Governor.
Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

The Committee on Military Affairs, to whom was referred a bill from this House, entitled "An act to raise volunteer forces, and for other purposes," with an amendment, reported the same, according to order, with several amendments.
And the question being taken on adopting the amendments, 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,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That as the soil of the State of Kentucky has been invaded by armed forces, acting under the authority of the so-called Confederate States, therefore, for the purpose of repelling said invasion, the Governor of the State of Kentucky is hereby directed to issue his proclamation forthwith, calling out not less than forty thousand soldiers, residents and citizens of Kentucky, between the ages of eighteen and forty-five years, to be mustered into the service of this Commonwealth for any term of service not less than twelve months nor more than three years, from the time they were mustered into service, unless sooner discharged.

§ 2. That the Governor be, and he is hereby, authorized, in order to raise said force, to accept of the services of any volunteer companies who shall, within three months from the date of his proclamation, tender their services; and he shall commission for that purpose all officers duly elected by the companies aforesaid, necessary and proper for the command of such volunteers.

§ 3. That all volunteer officers, non-commissioned officers, musicians, and privates, whose service may be tendered and accepted under the provisions of this act, shall be mustered into service at such
place of rendezvous in the congressional district in which they volunteer, as the General in the field shall appoint by his orders; and when so mustered into service, shall be then and there entitled to receive in advance one month's pay, to be taken and considered as part of their pay.

§ 4. That the forces to be raised and organized, as provided for by this act, shall, when mustered into service, be under the command of the General commanding the State forces in the field.

§ 5. That the Governor be also authorized to accept the services of fifteen hundred men, in addition to the forty thousand men provided for by this act, one thousand to be used as sharp-shooters and scouts, and five hundred to be used as horsemen and scouts, they furnishing their own horses: Provided, That no person shall be accepted in this arm of the service unless his skill and capacity have been tested by the General in command, or such officer as he may detail for that purpose: And provided also, That such persons shall receive five dollars per month of extra pay.

§ 6. That each horseman for the services of his horse shall receive five dollars per month; and in case his horse is killed by the enemy, he shall be paid the value of the horse, not exceeding one hundred and fifty dollars.

§ 7. That the commander in the field may organize individuals who tender themselves into companies, and such companies as may tender themselves into squadrons, battalions, and regiments, and permit them to elect their officers, who shall, when so elected, be commissioned by the Governor on the certificate of the General commanding.

§ 8. That the Governor is authorized to accept the services of squadrons, battalions, and regiments, when tendered as such, and commission the officers elected by the squadrons, battalions, and regiments so organized. The election of officers by any company, battalion, squadron, or regiment, shall be superintended and conducted by any justice of the peace or judge of the county court who may be called on for that purpose; and such justice or judge shall certify to the Military Board the names of the officers elected, and for what office each is elected; and thereupon said board, if they approve the proceedings, shall certify to the Governor the names of the officers elected, and what office they have been respectively elected to fill, who shall issue commissions in conformity to such certificate.

§ 9. That the commanding General shall be entitled to appoint and employ such staff officers, and with such rank, as the Inspector General is empowered to appoint by the 14th section of the 3d article of the act, entitled "An act for the better organization of the Kentucky militia," approved March 5, 1860; and he shall have the authority conferred on said Inspector General by the 10th, 11th, and 12th sections of said article of said act.

§ 10. The troops raised under this act shall be organized into squadrons, battalions, regiments, brigades, and divisions, and have the same number of officers for each squadron, battalion, regiment, brigade, and division as are allowed in the army of the United States, and shall receive the same pay and rations as are allowed the troops of the
United States of the same rank and grade. When brigades and divisions are formed, out of the troops so raised, they shall be so officered according to existing laws.

§ 11. This act to be of force from its passage.

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

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

Those who voted in the affirmative, were—

Alfred Allen, John W. Finnell, Nicholas A. Rapier, John Ray,
Jas. W. Anderson, Elijah Gabbert, Joseph Ricketts, F. D. Rigney,
R. C. Anderson, Remus Gibson, George S. Shanklin, G. Clay Smith,
W. C. Anderson, Henry Griffith, M. Smith,
Landaff W. Andrews, John H. Harney, James P. Sparks,
E. B. Bacheiler, William H. Hays, Harrison Taylor,
John W. Blue, William J. Heady, Joshua Tevis,
William P. Boone, Joseph W. Heeter, George M. Thomas,
Curtis F. Burnham, John B. Huston, Thomas Turner,
James Calvert, William C. Ireland, Joseph R. Underwood,
Cyrus Campbell, Richard T. Jacob, John R. Thomas,
J. W. Campbell, Daniel W. Johns, Thomas Turner,
Marion N. Carr, Urban E. Kennedy, Joseph H. Underwood,
Joseph H. Chandler, James M. C. Lisenby, John S. Vanwinkle,
Brutas J. Clay, Alexander Lusk, Zeb Ward,
Francis L. Cleveland, P. L. Maxey, George P. Webster,
John B. Cochran, David P. Mears, Alexander T. White,
Robert Cochran, Otho Miller, Nathaniel Wolfe,
William L. Coulkin, Thomas Z. Morrow, George H. Yeaman,
John C. Cooper, Thomas W. Owings, Bryan R. Young,
Albert A. Curtis, George Poindexter, Milton Young,
Daniel E. Downing, Hiram S. Powell, Van B. Young—70.
Stephen J. England, Larkin J. Proctor,
Hugh F. Finley, William S. Rankin,

Those who voted in the negative, were—

Vincent Ash, John M. Elliott, William Johnson,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Felix G. Murphy,
A. B. Chambers, George M. Hampton, Rob't A. Spalding—13.
W. H. Edmunds,

A message was received from the Governor by Mr. Tate, 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 the sureties of John G. Pickens, deceased, late sheriff of Clinton county.

An act to amend the charter of the town of Carlisle.
An act for the benefit of Robt. English, late sheriff of Hardin county.
An act for the benefit of G. W. Goodrum, late sheriff of Marion county, and his securities.
An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his sureties, and for the benefit of Isaac W. Hill, sheriff of Madison county.
An act for the benefit of Jonathan Lewis, late sheriff of Harlan county.
An act for the protection of small birds in Campbell and adjoining counties.
An act to incorporate the Kentucky Hotel and Cave Company.
An act to repeal an act, entitled "An act concerning the Wilderness road."
An act to legalize the judgments rendered by Alexander Locke, a justice of the peace for Harlan county, at the June term, 1861, of his court.
An act for the benefit of the personal representative of John McDyer, deceased.
An act in relation to the county lines of Lawrence and Floyd counties.
An act for the benefit of Jonathan Smith, late surveyor of Harlan county.
An act to amend the charter of Benton, in Marshall county.
An act to authorize the Marshall county court to change the State road.
An act to allow the sheriff of Ohio county to execute process from the police court of the town of Hartford.
An act authorizing the Military Board of Commissioners to provide sustenance for troops.
An act for the benefit of common school district No. 46, in Henderson county.
An act providing funds to defray the expenses of the Government.
Also the following resolutions, viz:
A resolution providing for the peace and quiet of the citizens of this Commonwealth.
A resolution appointing a committee to wait on Gen. Anderson.
A resolution regarding extension of this General Assembly.
Mr. Bacheller, from the Committee on Enrollments, reported that
the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of W. E. Baker, of Adair county.
An act appropriating ten dollars to J. B. Polston.
An act for the benefit of the Louisville and Frankfort and Lexington railroad companies.
An act to incorporate Crittenden Lodge, No. 98, I. O. O. F.
An act for the benefit of E. G. Dear.
An act to amend the acts incorporating the town of Pitt's Point, in Bullitt county.

An act to amend an act, entitled “An act for the regulation of the militia, and to provide for the arming of the State,” approved May 24, 1861, and also to provide further for the public defense.

An act for the benefit of Ashley Owens, of Rockcastle county.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Burnam, from the Committee on Education, to whom was referred bills from the Senate of the following titles, viz:

An act to incorporate the Combs Academy, in Breathitt county.
An act to incorporate the Perryville Collegiate School.

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.

Bills from the Senate of the following titles, viz:

1. An act authorizing the Auditor to have the revenue of Rockcastle county collected.
2. An act to amend the charter of the People’s Bank of Kentucky.
3. An act for the benefit of Jas. H. Parker, late clerk of the Campbell county court.
4. An act to appropriate money for the purpose of inclosing and protecting the building for the Education and Training of Feebleminded Children.

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

The rule of the House, constitutional provision, and second reading
Serr. 35.] HOUSE OF REPRESENTATIVES.

of said bills having been dispensed with, the 2d and 4th bills were referred to the Committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 1st and 3d bills having been dispensed with, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lisenby moved a reconsideration of the vote by which a bill from this House, entitled "An act establishing the county of Menifee," was rejected on Monday last.

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

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

Those who voted in the affirmative, were—

R. C. Anderson, Elijah Gabbert, Thomas Z. Morrow,
W. C. Anderson, Joseph Gardner, Felix G. Murphy,
Landaff W. Andrews, Evan M. Garriott, Thomas W. Owings,
Vincent Ash, George M. Hampton, George Poinlsetter,
John W. Blue, John H. Hamey, Hiram S. Powell,
E. F. Burns, William H. Hays, John Ray,
W. P. D. Bush, William J. Heady, F. D. Rigney,
Cyrus Campbell, Joseph W. Heeter, Rob't A. Spalding,
J. W. Campbell, John B. Huston, John R. Thomas,
Marion N. Carr, William C. Ireland, Thomas Turner,
A. B. Chambers, Richard T. Jacob, Joseph R. Underwood,
William L. Conklin, Daniel W. Johns, John S. Vanwinkle,
John C. Cooper, William Johnson, George P. Webster,
Albert A. Curtis, Urban E. Kennedy, Nathaniel Wolfe,
Daniel E. Downing, James M. C. Lisenby, Bryan R. Young,
W. H. Edmunds, Alexander Lusk, Milton Young,
John M. Elliott, David May, Van B. Young—53.

Those who voted in the negative, were—

Alfred Allen, John B. Cochran, Nicholas A. Rapier,
Jas. W. Anderson, Robert Cochran, George S. Shanklin,
E. B. Bacheller, Hugh F. Finley, G. Clay Smith,
John C. Beeeman, Renus Gibson, M. Smith,
William P. Boone, Henry Griffith, James P. Sparks,
Curtis F. Burnam, P. L. Maxey, Harrison Taylor,
James Calvert, Otho Miller, Joshua Tevis,
Joseph H. Chandler, Larkin J. Proctor, George M. Thomas,

The Committee on Circuit Courts, to whom was referred a bill, entitle...
An act to suspend the holding of circuit courts in the counties of Harlan, Letcher, Perry, Breathitt, Owsley, Estill, Jackson, and Clay.

Reported the same with an amendment.

Which was concurred in.

The question was then taken, "Shall the bill, as amended, be read a third time?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen, John C. Cochran, Alexander Lusk,
Jas. W. Anderson, John C. Cooper, Thomas Z. Morrow,
R. C. Anderson, Albert A. Curtis, George Poindexter,
W. C. Anderson, Stephen J. Englund, Hiram S. Powell,
E. B. Bacheller, Hugh F. Finley, William S. Rankin,
John W. Blue, Elijah Gabbert, John Ray,
William P. Boone, John H. Harney, F. D. Rigney,
James Calvert, Joseph W. Heeter, George S. Shanklin,
Cyrus Campbell, William C. Ireland, G. Clay Smith,
J. W. Campbell, Richard T. Jacob, George M. Thomas,
Marion N. Carr, Urban E. Kennedy, John S. Vanwinkle,
Brutus J. Clay, James M. C. Lisenby, Alex. T. White—37.
F. L. Cleveland,

Those who voted in the negative, were—

Landaff W. Andrews, Remus Gibson, Nicholas A. Rapier,
Vincent Ash, Henry Griffith, M. Smith,
John C. Beeman, George M. Hampton, Rob't A. Spalding,
Curtis F. Burnam, William H. Hays, James P. Sparks,
E. F. Burns, William J. Head, Harrison Taylor,
W. P. D. Bush, John B. Huston, Joshua Tevis,
A. B. Chambers, Daniel W. Johns, John R. Thomas,
Joseph H. Chandler, William Johnson, Thomas Turner,
John B. Cochran, P. L. Maxey, Joseph R. Underwood,
William L. Cooklin, David May, George P. Webster,
Daniel E. Downing, David P. Mears, Nathaniel Wolfe,
W. H. Edmunds, Otho Miller, Bryan R. Young,
John M. Elliott, Felix G. Murphy, Milton Young,
Joseph Gardner, Thomas W. Owings, Van B. Young—44.
Evans M. Garriott, Larkin J. Proctor,

And so said bill was rejected.

The Committee on Circuit Courts, to whom was referred leave to bring in a bill to amend the law in relation to circuit and special judges, reported the same.

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 printed and made the special order for 4 o'clock to-morrow.

Mr. Chandler moved a reconsideration of the vote rejecting the bill this day, entitled

An act to suspend the holding of circuit courts in the counties of Harlan, Letcher, Perry, Breathitt, Owsley, Estill, and Clay.

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

Mr. Chandler moved a reconsideration of the vote by which said bill was ordered to a third reading.

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

Mr. Thomas moved to amend the bill by striking out "Marion."

And the question being taken on striking out, 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 having been engrossed,

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

Mr. Huston, from the committee appointed to visit Harrodsburg and learn and report the causes of the arrest of Messrs. Irvin, of the Senate, Silvertooth and Ewing, of the House, made a report, which is as follows, viz:

In pursuance of a resolution of the General Assembly, hereto attached, appointing the undersigned a joint committee to investigate the causes of the arrest of the members of its body, named in said resolution, did, on Tuesday, September 24, 1861, proceed to the town of Harrodsburg, Ky., and found, on our arrival, that Geo. W. Ewing and Geo. W. Silvertooth, members of the House, and John L. Irvin, member of the Senate, had been arrested while on their way homeward, on leave of absence, and were then in the possession of a military force at that place, composed of Home Guards, or what were called Home Guards, and had been so for two days.

Your committee at once set about an investigation, and took the statements of the officers apparently in command. The arrest and detention were not made upon any legal process, but seemed to have grown out of suspicion alone, engendered by the excitement of the unhappy condition of our State and country.

The military force making the arrest appeared to be somewhat irregular in their organization, and wanting in a general controlling power.
Your committee cannot approve of such infringements upon the constitutional privileges of the members of the General Assembly, or of the personal rights of our citizens. Every facility for the purpose of the committee was courteously afforded by the gentlemen in command. Our members so arrested received kind attention and treatment. The proof taken by us is attached hereto.

In the opinion of your committee, the arrests were unwarranted. They take pleasure in saying that they procured the prompt release of said members, and they started on their way homeward. And they recommend the adoption by the General Assembly of the following resolution.

All of which is respectfully submitted.

W. B. READ,

JOHN B. HUSTON,

J. M. ELLIOTT.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the arrest of George W. Ewing, George W. Silvertooth, and John L. Irvan, members of this General Assembly, was illegal, unwarranted, and is disapproved; and that the arrest of any citizen of this State, except for sufficient cause and in accordance with law, meets our condemnation, and is in conflict with a series of resolutions passed by the present General Assembly.

The following questions are propounded by the joint committee of the Legislature of Kentucky to Lt. Col. Samuel P. Barbee and others, in reference to the arrest of the Hons. Geo. W. Ewing, Geo. W. Silvertooth, and John L. Irvan.

1st. State by whom they were arrested, when, and where?

2d. State for what offense they were arrested, and by what authority they were detained?

3d. State all you know about the whole matter?

We, as parties, answer as follows:

Answer to interrogatory 1st: By S. P. Barbee, of Boyle county, and James F. McKee, of Mercer county, on Sunday evening, September 22, 1861, at Harrodsburg.

Answer to interrogatory 2d: By military authority, and from the greatly excited condition of the country, and from self-preservation.

Answer to interrogatory 3d: For acting in person and co-operating with the rebel party of Kentucky; and also, we understood from good authority, they had left Frankfort without leave of absence, and that a warrant of arrest had been issued for them. Believing it to be the duty of the Home Guards to make such arrests, Lt. Col. Barbee, in conformity with my duty as Lt. Colonel commanding the Home Guards of Mercer and Boyle counties, did make such arrests, believing that, in conjunction with other parties, we were fully justified in making such arrests; the unusual anxiety and excited purpose these gentlemen made to hurry away, and the fact that they offered unusually
large sums of money for a wagon to convey them, by an unusual route in the direction of the rebel army, then in an adjoining county, they were not acting as members of our Legislature should do under the circumstances in our opinion; and upon that suspicion we acted, intending to do no wrong or commit any trespass upon the rights of any one. Upon learning the facts of their leaving Frankfort, and that no warrant was out against them, and their expressing their entire satisfaction with our actions, we cheerfully discharged said gentlemen, and have aided them on their road to their homes.

SAM. P. BARBEE, Lt. Col. commanding.
S. W. CLYDE, Major.
JAMES F. McKEE, Quarter-Master.

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

An act for the benefit of school district No. 62, in Adair county.
An act for the benefit of E. B. Treadway.
An act abolishing two voting places in election precinct No. 6, in Allen county, and establishing one voting place.
An act to incorporate the LaGrange Masonic Female Seminary.
An act for the benefit of the sheriff of Marion county.

With amendments to the two last named bills.

Which amendments of the Senate the House concurred in.

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

An act for the benefit of James H. Parker, late clerk of the Campbell county court.
An act to appropriate money for the purpose of inclosing and protecting the building for the Education and Training of Feeble-minded Children.

The House, according to order, took up the bill, entitled

An act appropriating money for the Western Lunatic Asylum.

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

The rule of the House, constitutional provision, and third reading of said bill being dispensed with, and the same being engrossed,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of twenty-five thousand dollars be, and the same is hereby, ordered to be paid to the commissioners of the Western Lunatic Asylum, out of any money in the treasury not otherwise appropriated, to enable said commissioners to pay the debts of said institution, and to prosecute the work on their buildings; and for which sum the Auditor is ordered to draw his warrant upon the treasury: Provided, however, That said sum shall be drawn from the treasury in the following manner; five thousand dollars on the first day of January next, and the remainder in equal monthly installments commencing on the first day of April next.
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, John C. Cooper, David May,
Jas. W. Anderson, Albert A. Curtis, David P. Mears,
R. C. Anderson, Daniel E. Downing, Otho Miller,
W. C. Anderson, W. H. Edmunds, Thomas Z. Morrow,
Landaff W. Andrews, Stephen J. England, Felix G. Murphy,
Vincent Ash, Hugh F. Pinley, Thomas W. Owings,
E. B. Bacheller, Elijah Gabbett, George Poindexter,
John W. Blue, Joseph Gardner, Hiram S. Powell,
William P. Boone, Evan M. Garrriott, William S. Rankin,
Curtis P. Burnam, Remus Gibson, John Ray,
E. F. Burns, Henry Griffith, F. D. Rigney,
W. P. D. Bush, George M. Hampton, George S. Shanklin,
James Calvert, John H. Harney, G. Clay Smith,
Cyrus Campbell, William H. Hayes, James P. Sparks,
J. W. Campbell, William J. Heady, Harrison Taylor,
Marion N. Carr, Joseph W. Heeter, Joshua Tevis,
A. B. Chambers, William C. Ireland, George M. Thomas,
Joseph H. Chandler, Daniel W. Johns, Joseph R. Underwood,
Brutus J. Clay, William Johnson, Nathaniel Wolfe,
Francis L. Cleveland, Urbau E. Kennedy, George H. Yeaman,
John B. Cochran, James M. C. Lisenby, Bryan R. Young,
Robert Cochran, P. L. Maxey, Milton Young—66.

Those who voted in the negative, were—

William L. Conklin, Nicholas A. Rapier, Van B. Young—3.

The Committee on Incorporated Institutions, to whom was referred bills from the Senate of the following titles, reported the same without amendment, viz:

An act to incorporate the Protestant German Benevolent Association of Covington.

An act amendatory of an act to amend the charter of the town of Owenton.

An act to amend the charter of the town of Cadiz, in Trigg 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 by the several committees appointed to prepare and bring in the same, viz:
By the Committee on County Courts—
1. A bill for the benefit of John C. Burks, guardian for the heirs of Joseph Ewing, deceased.

By the same—
2. A bill for the benefit of William Hampton, guardian for the heirs of A. W. Ferguson, deceased.

By the Committee on Incorporated Institutions—
3. A bill to incorporate the Bell Insurance Company of Louisville.

By the same—
4. A bill to incorporate Washington Lodge, No. 1, Ancient Fellows.

By the same—
5. A bill to incorporate Noah's Dove Encampment, No. 1, of the United Order of Ancient Fellows.

By the Committee on the Judiciary—
6. A bill to amend the act regulating the inspection and selling of tobacco in 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 the 1st, 2d, 3d, 4th, 5th, and 6th bills having been dispensed with, the 2d was referred back to the Committee on County Courts; the 6th was ordered to be read a third time at 11 o'clock to-morrow; the 1st, 3d, 4th, and 5th were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of 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 Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

A bill to amend the law in relation to settlement with executors, &c., reported the same, with the expression of opinion that the bill ought not to pass.

And the question being taken on concurring in the report of the committee, it was decided in the affirmative.

And so said bill was rejected.

The same committee, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the city of Louisville,
Reported the same without amendment.
The same committee, to whom was referred a bill from the Senate, entitled "An act for the benefit of Sarah W. Hoffman, wife of H. C. W. Hoffman," reported the same without amendment.

Which was read the third time.

Ordered, That said bill be referred back to the Committee on the Judiciary, with special instructions to report a general bill in reference thereto.

The House took up the resolution offered by Mr. Burns, on yesterday, in reference to the arrest of Gov. Morehead, &c.

Ordered, That said resolution be referred to the Committee on Federal Relations.

The resolution from the Senate, and also the resolution of Mr. Allen, in reference to the adjournment of the General Assembly, were taken up, and, on motion of Mr. Andrews, the consideration thereof was postponed.

And then the House adjourned.

THURSDAY, SEPTEMBER 26, 1861.

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 raise volunteer forces, and for other purposes.

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

An act to amend the law of devises, bequests, descent, and distribution.

An act to amend the charter of the Woodford Female College.

An act for the benefit of Henry Trunnell, late sheriff of Bullitt 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 C. T. Dillingham, late constable of Adair county.
An act for the benefit of James Trimble, clerk of the Floyd circuit and county courts.

An act to amend the charter of the city of Louisville.

An act to enlarge the powers of the Military Board of this State.

Also, the following resolutions, viz:

Resolution appropriating money to Chinn, Pearce, and Pruett.

Resolution relating to the arms of the State.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, and had found the same truly enrolled, viz:

An act for the benefit of common school district No. 48, in Pulaski county.

An act to amend the road laws in Greenup county.

An act for the benefit of the sheriff of Marion county.

An act abolishing two voting places in election precinct No. 6, in Allen county, and establishing one voting place.

An act for the benefit of James H. Reynolds, of Adair county.

An act for the benefit of H. C. Ireland.

An act for the benefit of John Friend, late sheriff of Floyd county.

An act for the benefit of Edwin Trimble, late clerk of the county and circuit courts of the county of Floyd.

An act for the benefit of certain sheriffs of this Commonwealth, and their sureties.

An act in relation to the poor orphan education fund of Harrison county.

An act to incorporate the Henderson Female College.

An act to amend an act, entitled "An act to incorporate the Louisville Courier Printing Company."

An act for the benefit of school district No. 62, in Adair county.

An act for the benefit of the clerk of the Whitley county court.

An act for the benefit of Brent Hopkins, late clerk of the Oldham circuit and county courts.

An act for the benefit of James M. Crawford.

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

WHEREAS, The President of the United States having, at the request of Congress, appointed this a day of fasting, humiliation, and prayer, and the soil of Kentucky being invaded by a ruthless enemy and the homes of a part of our citizens desolated, and we being in imminent danger of civil war between our own people, it ill becomes the representatives of the people to be engaged in work; therefore

Resolved, That we adjourn until to-morrow, at 10 o'clock.
Resolved, That we believe implicitly in the power of the God of nations and of battles to stay this work of civil discord and fratricidal combat, and we therefore earnestly implore Him to once more make us a people of one sentiment and one nation; to turn away from our borders hostile armies and civil war, and give us once more the blessings of peace.

Mr. G. Clay Smith moved to dispense with the regular order of business, in order to put said resolutions upon their adoption.

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

The yeas and nays being required thereon by Messrs. Jacob and George M. Thomas, were as follows, viz:

Those who voted in the affirmative, were—


Mr. John B. Cochran, at half-past 10 o'clock, A. M., 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. Curtis and George M. Thomas, were as follows, viz:

Those who voted in the negative, were—

W. C. Anderson, John W. Blue, Joseph Gardner, Otho Miller, Evan M. Garriott, Felix G. Murphy, Remus Gibson, Nicholas A. Rapier, George M. Hampton, Joseph Ricketts, William J. Heady, M. Smith, Joseph W. Hecter, Rob't A. Spalding, James M. C. Lisenby, James P. Sparks, Alexander Lusk, Alex. T. White, David May, Milton Young—28.
Sept. 26.] HOUSE OF REPRESENTATIVES.

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John C. Cooper, Thomas W. Owings,  
R. C. Aorderson, W. H. Edmunds, George Poindexter,  
Landaff W. Andrews, Joseph Gardner, William S. Rankin,  
Vincent Ash, Henry Griffith, F. D. Rigney,  
E. B. Bacheller, William H. Hays, G. Clay Smith,  
John C. Beeman, William C. Ireland, Joshua Tevis,  
Cyrus Campbell, Richard T. Jacob, George M. Thomas,  
J. W. Campbell, Daniel W. Johns, John R. Thomas,  
Francis L. Cleveland, P. L. Maxey, Thomas Turner,  
John B. Cochran, David May, George P. Webster,  
Robert Cochran, Felix G. Murphy, Nathaniel Wolfe—33.

Those who voted in the negative, were—

Alfred Allen, Stephen J. England, Thomas Z. Morrow,  
Jas. W. Anderson, Hugh F. Finley, Hiram S. Powell,  
W. C. Anderson, Elijah Cabbett, Larkin J. Proctor,  
John W. Blue, Evan M. Garriott, Nicholas A. Rapier,  
Curtis F. Barnam, Remus Gibson, John Ray,  
E. F. Burns, George M. Hampton, George S. Shanklin,  
W. P. D. Bush, William J. Heady, M. Smith,  
Marion N. Carr, Joseph W. Heeter, Rob't A. Spalding,  
A. B. Chambers, Urban E. Kennedy, James P. Sparks,  
Joseph H. Chandler, James M. C. Lisenby, Harrison Taylor,  
Brutus J. Clay, Alexander Lusk, John S. Vanwinkle,  
Albert A. Curtis, David P. Mears, Alexander T. White,  
Daniel E. Downing, Otho Miller, Milton Young—39.

1. Mr. Shanklin presented the petition of sundry citizens of Jessamine county, against the war tax, &c.
2. Mr. Wolfe presented the petition of members of the General Council of Louisville, praying the Legislature to repeal the act placing the appointment of tobacco inspectors in the Governor of Kentucky.
3. Mr. Bush presented the petition of sundry citizens of Breckinridge county, in favor of peace and neutrality.
4. Mr. Rankin presented the petition of B. N. Carter, of Grant county, proposing amendments to the school law.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Federal Relations, the 2d to the Committee on the Judiciary, and the 4th to the Committee on Education.

On motion of Mr. Burnam—
Ordered, That Lucius Desha have leave of absence till Monday next.

On motion of Mr. Miller—
Ordered, That James M. C. Lisenby have leave of absence till Monday next.
The House then took up the special order, entitled
An act to amend the law in relation to circuit and special judges.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,
Ordered, That said bill be engrossed and read a third time.
Mr. Rankin then moved a reconsideration of the vote ordering said bill to be read a third time.
And the question being taken thereon, it was decided in the affirmative.
Mr. Rankin moved to amend said bill.
And the question being taken on adopting said amendment, it was decided in the affirmative.
Mr. Burnham moved to strike out the 3d section of the bill.
And the question being taken thereon, the House refused to strike out said 3d section.
The question was then taken, “Shall the bill, as amended, be read a third time?”
And the question being taken thereon, it was decided in the negative.
And so said bill was rejected.
Mr. Sparks offered the following resolution, viz:
Resolved, That a committee be appointed to inquire into the official conduct of Elijah Nuttall, one of the circuit judges of this Commonwealth, and report whether, in their opinion, said Elijah Nuttall hath so acted in his official capacity as to require the interposition of the constitutional power of the House of Representatives.
Which was adopted.
On motion,
Ordered, That the Public Printer forthwith print 5,000 copies of the bill, entitled “An act to raise volunteer forces, and for other purposes,” for the use of the members of this General Assembly.
The House took up the bill, entitled
An act to amend the act regulating the inspection and selling of tobacco in the city of Louisville.
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 foresaid.
The yeas and nays being required thereon by Messrs. Burns and Garriott, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley,  
Jas. W. Anderson,  
R. C. Anderson,  
W. C. Anderson,  
Landaff W. Andrews,  
E. B. Bacheller,  
John C. Beeman,  
John W. Blue,  
Curtis F. Barnam,  
James Calvert,  
Cyrus Campbell,  
Marion N. Carr,  
Brutus J. Clay,  
Francis L. Cleveland,  
John B. Cochran,  
Robert Cochran,  
John C. Cooper,  
Albert A. Curtis,  
Daniel E. Downing,  
John M. Elliott,  
Stephen J. England,  
Nicholas A. Rapier,  
John Ray,  
Joseph Ricketts,  
F. D. Rigney,  
George S. Shanklin,  
G. Clay Smith,  
M. Smith,  
James P. Sparks,  
Harrison Taylor,  
Joshua Tavis,  
George M. Thomas,  
John R. Thomas,  
Joseph R. Underwood,  
John S. Vanwinkle,  
Zeb. Ward,  
George P. Webster,  
Nathaniel Wolfe,  
George H. Yeaman,  
Milton Young,  
Van B. Young—61.

Those who voted in the negative, were—

Vincent Ash,  
E. F. Burns,  
W. P. D. Bush,  
A. B. Chambers,  
W. H. Edmunds,  
Joseph Gardner,  
Evan M. Garriott,  
George M. Hampton,  
David May,  
Felix G. Murphy,  
Robt. A. Spalding—11.

Bills from the Senate of the following titles, viz:

1. An act to amend the law in relation to devises, bequests, descent, and distribution.
2. An act to amend the charter of the Woodford Female College.
3. An act for the benefit of Henry Trunnell, late sheriff of Bullitt 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 the 1st, 2d, and 3d bills having been dispensed with, the 1st was referred to the Committee on the Judiciary; the 2d was referred to the Committee on Education.

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

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

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 W. B. Estes, of Knox county.

By same—
2. A bill to amend an act, entitled "An act for the benefit of James Edmiston, of Hopkins county.

By the Committee on Propositions and Grievances—
3. A bill to change the boundary line between the counties of Henderson and Webster.

By the Committee on the Judiciary—
4. A bill in regard to imbeciles, their persons and estates.

By the Committee on Ways and Means—
5. A bill for the benefit of G. W. Goodrum, late sheriff of Marion county.

By same—

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,

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 Committee on the Judiciary, to whom was referred a bill from this House, entitled "An act more effectually to protect slave property," reported the same, with the expression of opinion that said bill ought not to pass.

Mr. Huston moved to amend said bill.

Ordered, That said bill and amendment be printed, and made the special order for 11 o'clock to-morrow.

The Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act authorizing the Auditor to have the revenue of Rockcastle county collected,

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.

The same committee, to whom was referred a bill from the Senate, entitled

An act for the benefit of R. S. Spalding, late sheriff of Union county,

Reported the same with an amendment, which was concurred in.

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

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

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

The same committee, to whom was referred a bill from the Senate, entitled

An act for the benefit of Thomas Conway, late sheriff of Union 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.

The same committee, to whom was referred a bill from the Senate, entitled

An act to appropriate money for the purpose of inclosing and protecting the building for the Education and Training of Feeble-minded Children,

Reported the same without amendment, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there be, and is hereby, appropriated, the sum of twenty-five hundred dollars, out of any money in the treasury not otherwise appropriated, for the purpose of inclosing and protecting the building for the Education and Training of Feeble-minded Children.

§ 2. That the said sum of twenty-five hundred dollars shall be drawn upon the order of the Board of Commissioners of the Institution for the Education and Training of Feeble-minded Children, in sums not more than eight hundred dollars each month.

§ 3. This act to take effect from and after 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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Hugh F. Finley, George Poindexter,
Jas. W. Anderson, John W. Finneil, Hiram S. Powell,
R. C. Anderson, Elijah Gabbert, Larkin J. Proctor,
W. C. Anderson, Joseph Gardner, William S. Rankin,
Landaff W. Andrews, Evan M. Garriott, Nicholas A. Rapier,
Vincent Ash, Remus Gibson, John Ray,
E. B. Bacheiller, Henry Griffith, Joseph Ricketts,
John C. Beeman, George M. Hampton, F. D. Rigney,
John W. Blue, William H. Hays, George S. Shanklin,
Curtis F. Burnam, William J. Heady, G. Clay Smith,
E. F. Burns, Joseph W. Hester, M. Smith,
W. P. D. Bush, John B. Huston, Robert A. Spalding,
James Calvert, William C. Ireland, James P. Sparks,
Cyrus Campbell, Richard T. Jacob, Harrison Taylor,
Marion N. Carr, Daniel W. Johns, Joshua Tavis,
A. B. Chambers, Urban E. Kennedy, George M. Thomas,
Brutus J. Clay, Alexander Lusk, John R. Thomas,
Francis L. Cleveland, P. L. Maxey, Joseph R. Underwood,
John B. Cochran, David May, John S. Vanwinkle,
Robert Cochran, David P. Mears, George P. Webster,
John C. Cooper, Otho Miller, Nathaniel Wolfe,
Albert A. Curtis, Thomas Z. Morrow, George H. Yeaman,
Daniel E. Downing, Felix G. Murphy, Milton Young,
W. H. Edmunds, Thomas Z. Morrow, Van B. Young—73,
John M. Elliott, Thomas W. Owings,

Those who voted in the negative, were—


The same committee, to whom was referred a bill, entitled
An act for the benefit of M. W. Galloway, late sheriff of Graves county, and his sureties,
Reported the same, with an expression of opinion that the said bill ought not to pass.

Ordered, That said bill be rejected.

The Committee on Internal Improvement, to whom was referred leave to bring in a bill, entitled
An act to exempt persons and their hands from working on public roads, where such persons have subscribed and paid in stock to aid in construction of turnpike roads,
Reported thereon.

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

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

On motion of Mr. J. R. Thomas—1. A bill for the benefit of Sam'l T. Ray and others, holders of bank stock.

On motion of Mr. Morrow—2. A bill to amend the law in relation to impeachment and removal of officers.

On motion of Mr. Yeaman—3. A bill for the benefit of Wm. A. L. B. Sharp, late sheriff of Estill county.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st; the Committee on Revised Statutes the 2d, and Messrs. Burnum, Yeaman, and Curtis the 3d.

And then the House adjourned.

FRIDAY, SEPTEMBER 27, 1861.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in the Senate of the following titles, and had found the same truly enrolled, viz:

An act to change the election and magistrates' district No. 1, in Adair county.

An act concerning the city court of Louisville.

An act to amend article 3d of chapter 86, Revised Statutes.

An act legalizing certain proceedings of the Logan county court.

An act for the benefit of H. L. Tye and others, late sheriffs, and William C. Gillis, late surveyor of Whitley county.

An act to create an additional magistrates' and constables' district in the city of Louisville.

An act for the benefit of William Mynheir, clerk of the Morgan circuit court.
An act to incorporate Mt. Moriah Lodge, No. 206, of Free and Accepted Masons.

An act for the benefit of Stephen J. England, late sheriff of Carter county.

Also, a resolution appointing a committee to visit Harrodsburg and learn the causes of the arrest of members of this General Assembly.

Also, a bill which originated in this House, entitled

An act to raise volunteer forces and for other purposes.

1. Mr. Underwood presented the petition of sundry citizens, praying for peace and a national convention.

2. Mr. Yeaman presented the petition of sundry citizens of Daviess county, praying a continuance of the stay law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Federal Relations, and the 2d to the Committee on the Judiciary.

On motion of Mr. Tevis, leave of absence was granted to Mr. A. B. Chambers.

On motion of Mr. Jacob, leave of absence was granted to Mr. Garrott till Tuesday next.

Mr. Andrews, from the Committee on the Judiciary, to whom was referred leave to bring in a bill to take the sense of the people of Kentucky, at a special election to be held on the first Monday in December next, as to whether the State should pay the war tax, &c., made a report, which is as follows, viz:

The Judiciary Committee, to whom was referred "leave to bring in a bill to take the sense of the people of Kentucky at a special election, to be held on the 1st Monday in December next, as to whether the State should pay her proportion ($713,695) of the direct tax, assessed by the Congress of the United States," have had the same under consideration, and ask to be discharged from the further consideration of the leave, because the proposition involved in the "leave to bring in the bill," proposes to submit to the people of Kentucky whether they shall or shall not pay their proportion of a tax levied by the Congress of the United States, and levied in the exercise of an unquestionable constitutional power; and whatever difference of opinion may exist in the minds of equally honest men as to the policy and the propriety of Congress resorting to the exercise of the power, the legal and constitutional question remains the same. In the opinion of this committee, it is not in the power of the Legislature either to abrogate, enlarge, or limit any direct grants of power found in the National Constitution; nor can they, by any constitutional act, authorize the people of Kentucky to do so, as long as Kentucky remains a constituent part of the United States Government. Such can only be done by the modes prescribed by the Consti-
tution of the United States, and the mode proposed by the "leave" is not one of those.

And the committee have been unable to come to the conclusion that Congress has transcended any of its powers in the imposition of the tax referred to; but be this as it may, that question is one to be settled alone by the courts, and not by the Legislature.

And the question may well be asked, has not the conduct of those who complain of this tax, and that of those with whom they propose to co-operate, rendered the legislation imposing this tax necessary to protect the Union from the assault made upon it by the seceded States, whose army is at this moment in sight of, and beleaguering the national capital, and threatening the existence and security of the national archives. And again, because Kentucky herself, notwithstanding all her persistent efforts to keep out of this unnatural war, is at this moment invaded by at least three separate columns of Confederate troops, a portion of her territory seized, and unjustifiably held by them; her public works destroyed; her towns sacked and burned, and her people harassed, driven from their homes, and others slaughtered. For these deeds there is no justification or palliation; and inasmuch as this State is assaulted with a view to its conquest, she has a right to the protection of the National Government, and all the loyal States and people, and will cheerfully meet her share of the costs necessary to defend her soil and the liberty of the citizen. This has been made necessary by no act of the majority of the people of Kentucky, but has become so by the unlawful and unjustifiable invasion of her soil by the armies of the seceded States, whose people we have never injured or in any manner designed to molest, and with whom she desired to live on terms of fraternity and peace, and would yet desire to so live, if permitted to do so on honorable conditions.

And lastly, it cannot be that Kentuckians will allow sordid considerations to intervene when their loyalty to a government from which they have received so many blessings is in danger. But were they to be unmindful of their duty to honor and the memory of past blessings, and allow such considerations to control their action, there would be no need of speculation upon this subject. The United States and the Confederate States have both levied taxes for the support of the existing war; and the contrast between the taxes levied by each is great and striking. At the very lowest calculation, a citizen of the Confederate States must pay a war tax more than ten times as great as the citizen of the United States. A change, therefore, of allegiance and political relations would, of necessity, bring upon the people of Kentucky a far greater weight of debt and taxation than the assumption by the State of this tax, or its payment by the people; and the committee congratulate the country that in this instance it will be true that loyalty and economy are harmonious.

And asked to be discharged from the further consideration of the same.

Which was granted.
The yeas and nays being required thereon by Messrs. Burns and Garriott, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The Committee on Federal Relations, to whom was referred sundry petitions against the war tax, the embargo of commerce, for peace and neutrality, &c., &c., asked to be discharged from the further consideration of the same.

Which was granted.

The Committee on Education, to whom was referred the petition of B. N. Carter, praying amendments to the school law, asked to be discharged from the further consideration of the same.

Which was granted.

The same committee, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Woodford Female College, Reported the same without amendment.

Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

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

The same committee, to whom was referred a bill, entitled

An act to suspend the collection of taxes for the support of common schools for the years 1862 and 1863,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken, "Shall the bill pass?" it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, Otho Miller,
Landaff W. Andrews, Robert Cochran, John Ray,
W. P. D. Bush, W. H. Edmunds, George S. Shanklin,
James Calvert, Evan M. Garriott, Harrison Taylor,
Marion N. Carr, William J. Headly, John R. Thomas—17.
Brutus J. Clay, John B. Huston,

Those who voted in the negative, were—

Alfred Allen, Elijah Gabbert, Hiram S. Powell,
Jas. W. Anderson, Joseph Gardner, Larkin J. Proctor,
R. C. Anderson, Remus Gibson, William S. Rankin,
W. C. Anderson, Henry Griffith, Nicholas A. Rapier,
Vincent Ash, George M. Hampton, Joseph Ricketts,
E. B. Bacheller, John H. Harney, F. D. Rigney,
John C. Beeman, William H. Hays, G. Clay Smith,
John W. Blue, William C. Ireland, M. Smith,
Curtis F. Burnam, Richard T. Jacob, Rob't A. Spalding,
E. F. Burns, Daniel W. Johns, James P. Sparks,
Cyrus Campbell, William Johnson, George M. Thomas,
J. W. Campbell, Urban E. Kennedy, Thomas Turner,
A. B. Chambers, Alexander Lusk, Joseph R. Underwood,
Joseph H. Chandler, P. L. Maxey, John S. Vanwinkle,
F. L. Cleveland, David May, George P. Webster,
John C. Cooper, David P. Mears, Alex. T. White,
Albert A. Curtis, Thomas Z. Morrow, Nathaniel Wolfe,
Stephen J. England, Felix G. Murphy, Geo. H. Yeaman,
Hugh F. Finley, Thomas W. Owings, Milton Young,
John W. Finnell, George Poindexter, Van B. Young—60.

And so said bill was rejected.

Mr. Underwood, from the Committee on Military Affairs, reported

A bill supplemental to an act, entitled "An act to raise volunteer forces to repel the invasion of the State, and for other purposes."
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. Shanklin moved an amendment.
Ordered, That said bill and amendment be referred back to the Committee on Military Affairs.
Mr. Elliott, by unanimous consent, reported a bill, entitled
An act for the benefit of John B. Huston, Wm. B. Read, and John M. Elliott.
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.
Mr. Huston, from a select committee, to whom was referred a bill, entitled
An act to prohibit and prevent rebellion by citizens of Kentucky and others in this State,
Reported the same, with a substitute for the original bill and substitute, which is as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any citizen of this State who, as a soldier or officer of the army of the so-called Confederate States, and as part of an armed force, shall invade this State to make war upon it, shall be deemed guilty of felony, and upon conviction in any court having jurisdiction thereof, shall be confined in the penitentiary for any period of not less than one nor more than ten years, at the discretion of the jury.
§ 2. Any person who shall, within the limits of this State, persuade or induce any person to enlist, or take service in the army of the so-called Confederate States, and the person so persuaded or induced does enlist or take service in the same, shall be guilty of a high misdemeanor, and upon conviction, shall be fined in a sum not exceeding one thousand dollars, and imprisonment not exceeding six months.
§ 3. This act shall take effect in twenty days.
Mr. Huston offered the following as amendments, viz:
§ 3. Any person in this State who now holds, or may hereafter hold, any office of trust or profit, and who is required by the Constitution of this State or any law thereof to take an oath to support the Constitution of the United States, and does take such oath, and who shall engage in any effort to overthrow or resist the lawful authority of the Government of the United States by act, or shall knowingly aid, assist, advise, or counsel others to do so, shall be deemed guilty of false swearing, and upon conviction, shall suffer all the pains and penalties now prescribed by law for such offenses.
§ 4. Any resident citizen of this State, who shall in this State enlist,
or take service in any military capacity in the army of the so-called Confederate States, or who shall become a member of any military company, or parade in the same with the intent to aid said so-called Confederate States, or any other military organization whose object is the subversion of the government of this State, or of the government of the United States, shall be deemed guilty of felony, and upon conviction, shall be confined in the penitentiary for any period not less than one year nor more than five years.

§ 5. Each circuit and criminal court in this State shall have jurisdiction to try and punish the crime of treason against this Commonwealth, when committed in any part of this State.

And after some discussion thereon, Mr. Andrews 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 adopting the first amendment, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen, Hugh F. Finley, Thomas Z. Morrow,
Jas. W. Anderson, John W. Finnell, Thomas W. Owings,
W. C. Anderson, Elijah Gabbert, William S. Rankin,
E. B. Bacheiller, Remus Gibson, Joseph Ricketts,
John C. Beeman, John B. Huston, F. D. Rigney,
Curtis F. Burnam, William C. Ireland, M. Smith,
James Culvert, Richard T. Jacob, James P. Sparks,
Brutus J. Clay, Daniel W. Johns, John R. Thomas,
John B. Cochran, Urban E. Kennedy, Nathaniel Wolfe,
John C. Coopcr, Alexander Lusk, Geo. H. Yeaman—32.
Albert A. Curtis, Otho Miller.

These who voted in the negative, were—

Mr. Speaker, (Backner,) John M. Elliott, Larkin J. Proctor,
R. C. Anderson, Stephen J. England, Nicholas A. Rapier,
Landaff W. Andrews, Joseph Gardner, John Ray,
Vincent Ash, Evan M. Garriott, George S. Shanklin,
John W. Blue, Henry Griffith, G. Clay Smith,
E. F. Burns, George M. Hampton, Rob't A. Spalding,
W. P. D. Bush, John H. Harney, Harrison Taylor,
Cyrus Campbell, William H. Hays, Joshua Tevis,
J. W. Campbell, William J. Heady, George M. Thomas,
Marion N. Carr, William Johnson, Thomas Turner,
A. B. Chambers, P. L. Maxey, Joseph R. Underwood,
Joseph H. Chandler, David May, John S. Vanwinkle,
Francis L. Cleveland, David P. Mears, George P. Webster.
The question was then taken on adopting the second amendment, and it was decided in the negative.

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

Those who voted in the affirmative, were—

John C. Beeman, Alexander Lusk, James P. Sparks,
John W. Finnell, Thomas Z. Morrow, Joshua Tevis,
John B. Huston, Thomas W. Owings, John R. Thomas,
William C. Ireland, Hiram S. Powell, George P. Webster,
Richard T. Jacob, William S. Rankin, Nathaniel Wolfe,
Daniel W. Johns, F. D. Rigney, Milton Young—19.
Urban E. Kennedy, M. Smith,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Robert Cochran, David P. Mears,
Alfred Allen, John C. Cooper, Otho Miller,
Jas. W. Anderson, Albert A. Curtis, Felix G. Murphy,
R. C. Anderson, Daniel E. Downing, George Poindexter,
W. C. Anderson, W. H. Edmunds, Larkin J. Proctor,
Landaff W. Andrews, John M. Elliott, Nicholas A. Rapier,
Vinceet Ash, Stephen J. England, John Ray,
E. B. Bacheller, Hugh F. Finley, Joseph Ricketts,
John W. Blue, Elijah Gabbit, George S. Shanklin,
Curtis F. Burnam, Joseph Gardner, G. Clay Smith,
E. F. Burns, Evan M. Garriott, Rob't A. Spalding,
W. P. D. Bush, Henry Griffith, Harrison Taylor,
James Calvert, Remus Gibson, George M. Thomas,
Cyrrs Campbell, George M. Hampton, Thomas Turner,
J. W. Campbell, John H. Harney, Joseph R. Underwood,
Marion N. Carr, William H. Hays, John S. Vanwinkle,
A. B. Chambers, William J. Heady, Alexander T. White,
Brutus J. Clay, William Johnson, George H. Yeaman,
Francis L. Cleveland, P. L. Maxey, Van B. Young—59.
John B. Cochran, John B. Huston, David May,

Mr. Huston, by consent, withdrew his third 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, and the same being engrossed,

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

The yeas and nays being required on the passage of said bill by Messrs. Elliott and Bush,

Mr. Milton Young asked for a division of the question.
The yeas and nays on the passage of the first section were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, William S. Rankin,
Alfred Allen, John W. Finnell, Nicholas A. Rapier,
Jas. W. Anderson, Elijah Gabbert, John Ray,
R. C. Anderson, Remus Gibson, Joseph Kicketts,
W. C. Anderson, Henry Griffith, F. D. Rigney,
Landaff W. Andrews, John H. Harney, George S. Shanklin,
E. B. Bacheller, William H. Hays, G. Clay Smith,
John C. Beeman, William J. Heady, M. Smith,
John W. Blue, John B. Huston, James P. Sparks,
Curtis F. Burnam, William C. Ireland, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis,
Cyrus Campbell, Daniel W. Johns, George M. Thomas,
J. W. Campbell, Urban E. Kennedy, John R. Thomas,
Marion N. Carr, Alexander Lusk, Thomas Turner,
Joseph H. Chandler, P. L. Maxey, Joseph R. Underwood,
Bratus J. Clay, David P. Mears, John S. Vanwinkle,
Francis L. Cleveland, Otto Miller, George P. Webster,
John B. Cochran, Thomas Z. Morrow, Alex. T. White,
Robert Cochran, Thomas W. Owings, Nathaniel Wolfe,
John C. Cooper, George Polindexter, George H. Yeaman,
Albert A. Curtis, Hiram S. Powell, Milton Young,

Those who voted in the negative, were—

Vincent Ash, William Johnson,
E. F. Barns, John M. Elliott, David May,
W. P. D. Bush, Joseph Gardner, Felix G. Murphy,
A. B. Chambers, Evan M. Garriott, Rob't A. Spalding—13.
W. H. Edmonds,

The yeas and nays on the passage of the second section were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Larkin J. Proctor,
Alfred Allen, Hugh F. Finley, William S. Rankin,
Jas. W. Anderson, John W. Finnell, Nicholas A. Rapier,
R. C. Anderson, Elijah Gabbert, John Ray,
W. C. Anderson, Remus Gibson, Joseph Kicketts,
Landaff W. Andrews, Henry Griffith, F. D. Rigney,
E. B. Bacheller, John H. Harney, George S. Shanklin,
John C. Beeman, William H. Hays, G. Clay Smith,
John W. Blue, William J. Heady, M. Smith,
Curtis F. Burnam, John B. Huston, James P. Sparks,
James Calvert, William C. Ireland, Harrison Taylor,
Those who voted in the negative, were—

Vincent Ash, John M. Elliott, David May,
E. F. Burns, Joseph Gardner, Felix G. Murphy,
W. P. D. Bush, Evan M. Garriott, Rob't A. Spalding,
A. B. Chambers, George M. Hampton, Milton Young—74.
W. H. Edmunds, William Johnson,

The question was then taken on the passage of the third section, and it was decided in the affirmative.

A message was received from the Senate, announcing their disagreement to the amendment adopted by this House to a bill from the Senate, entitled

An act for the benefit of John W. Hazlerigg, late clerk of the circuit court of Morgan county.

That they had concurred in amendments from this House to bills from the Senate, of the following titles, viz:

An act for the benefit of R. S. Spalding, late sheriff of Union county.
An act authorizing the Auditor to have the revenue of Rockcastle county collected.

That they had passed bills originating in this House of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville Association for the Improvement of the Breed of Horses."
An act to suspend the holding of circuit courts in the counties of Harlan, Letcher, Perry, Breathitt, Owsley, Jackson, and Clay.
An act to amend the charter of the Stanford and Hustonville turnpike road company.
An act to exempt certain hands in Madison county from work on dirt roads.
An act to change the boundary line between the counties of Henderson and Webster.
An act for the benefit of G. W. Goodrum, late sheriff of Marion county.
That they had passed a bill, entitled
An act in relation to circuit and county court clerks.
Mr. Rankin, at half-past one o'clock, P. M., 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. Andrews and
W. C. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, W. H. Edmunds, W. C. Murphy,
R. C. Anderson, John W. Funnell, Thomas W. Owings,
Vincent Ash, Elijah Gabbert, Larkin J. Proctor,
E. B. Bacheiler, Joseph Gardner, William S. Rankin,
John C. Beeman, Evan M. Garrott, Joseph Ricketts,
John W. Blue, Remus Gibson, F. D. Rigney,
E. F. Burns, Henry Griffith, George S. Shanks,
W. P. D. Bush, John H. Harney, G. Clay Smith,
James Calvert, William H. Hays, James P. Sparks,
J. W. Campbell, John B. Huston, Harrison Taylor,
Francis L. Cleveland, Richard T. Jacob, Joshua Tevis,
John B. Cochran, William Johnson, George M. Thomas,
Robert Cochran, P. L. Maxey, John R. Thomas,
John C. Cooper, David May, Thomas Turner,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Nicholas A. Rapier,
Jas. W. Anderson, Hugh F. Finley, John Ray,
W. C. Anderson, George M. Hampton, M. Smith,
Landaff W. Andrews, William J. Headly, Rob't A. Spalding,
Curtis F. Burnam, William C. Ireland, Joseph R. Underwood,
Cyrus Campbell, Daniel W. Johns, John S. Yanwinkle,
Marion N. Carr, Urban E. Kennedy, George P. Webster,
A. B. Chambers, Alexander Lusk, Alex. T. White,
Joseph H. Chandler, David P. Mears, Nathaniel Wolfe,
Brutus J. Clay, Otho Miller, George H. Yeaman,
Albert A. Curtis, Hiram S. Powell, Milton Young—34.

And then the House adjourned.
SATURDAY, SEPTEMBER 28, 1861.

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

- An act to prohibit and prevent rebellion by citizens of Kentucky, and others in this State.
- An act in regard to settlements of decedents' estates herebefore made.
- An act repealing in part an act, entitled "An act repealing an act incorporating the Lewisport Pond Draining Company."
- An act requiring information to be given to officers of the army.
- An act to incorporate Washington Lodge, No. 1, Ancient Fellows.
- An act to incorporate Noah's Dove Encampment, No. 1, of the United Order of Ancient Fellows.
- An act to amend the act regulating the inspection and selling of tobacco in the city of Louisville.
- An act in regard to imbeciles, their persons and estates.
- An act to establish an additional voting place in Boyle county.
- With an amendment to the last named bill.

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

- An act concerning the banks of this Commonwealth.
- An act to amend sections 221 and 224, Civil Code of Practice.
- Resolution concerning senatorial election for 1863.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

- An act for the benefit of Geo. W. Goodrum, late sheriff of Marion county.
- An act to change the boundary line between the counties of Henderson and Webster.
- An act to amend the charter authorizing the erection of an additional toll-gate on the Louisville and Taylorsville turnpike by the company.
- An act to amend the charter of the Elizaville and Fairview turnpike road company.
Mr. Yeaman presented the petition of sundry citizens of Owensboro, praying an amendment to the act appointing the town marshal to collect the tax of said town.

2. Mr. Underwood presented the petition of sundry citizens of Warren county against the war tax, &c.

Which were received, the reading dispensed with, and referred—the
1st to the Committee on Incorporated Institutions, and the 2d to the Committee on Federal Relations.

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

On motion of Mr. Allen—1. A bill authorizing the State Librarian to purchase certain maps and histories of Kentucky for the use of the State.

On motion of Mr. Curtis—2. A bill for the benefit of Thomas Bowman, of Estill county.

On motion of Mr. W. P. Boone—3. A bill further defining the duties of coroners.

On motion of Mr. Rigney—4. A bill for the benefit of Samuel H. Marrell, of Adair county.

On motion of Mr. Finnell—5. A bill forfeiting the offices of those now in service of the so-called Confederate States, as well as of those who shall hereafter enter such service, with a proviso in favor of those who shall leave such service within sixty days from the passage of the act.

Ordered, That the Committee on the Library prepare and bring in the 1st; the Committee on Internal Improvement the 2d; the Committee on Revised Statutes the 3d; the Committee on County Courts the 4th, and the Committee on the Judiciary the 5th.

Mr. W. C. Anderson moved the following resolution, viz:

Resolved, That the Committee on Internal Improvement be instructed to inquire and report to this House the propriety of abolishing the office of President of the Board of Internal Improvement.

Mr. Anderson moved to dispense with the rule of the House, in order to take up for adoption said resolution.

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

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

Those who voted in the affirmative, were—

Those who voted in the affirmative, were—

| Curtis F. Burnam | James M. C. Lisenby | John R. Thomas |
| James Calvert | Alexander Lusk | Thomas Turner |
| Cyrus Campbell | P. L. Maxey | Joseph R. Underwood |
| Marion N. Carr | David P. Mears | John S. Vanwinkle |
| Joseph H. Chandler | Otho Miller | Zeb. Ward |
| Brutus J. Clay | Thomas Z. Morrow | George P. Webster |
| John B. Cochran | Thomas W. Owings | Alex. T. White |
| John C. Cooper | George PoinDEXTER | Nathaniel Wolfe |
| Albert A. Curtis | Hiram S. Powell | Geo. H. Yeaman |
| Stephen J. England | Larkin J. Proctor | Bryan R. Young |
| Hugh F. Finley | William S. Rankin | Milton Young |
| John W. Finnell | Nicholas A. Rapier | Van B. Young—67. |
| Eljah Gabbert | | |

Those who voted in the negative, were—

| E. F. Burns | John M. Elliott | David May |
| W. P. D. Bush | Joseph Gardner | Felix G. Murphy |

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. Elliott and May, were as follows, viz:

Those who voted in the affirmative, were—

| Mr. Speaker (Buckner) | Elijah Gabbert | John Ray |
| Alfred Allen | Remus Gibson | Joseph Ricketts |
| James W. Anderson | Henry Griffith | F. D. Rigney |
| R. C. Anderson | John H. Harney | George S. Shanklin |
| W. C. Anderson | William H. Haye | G. Clay Smith |
| Landaft W. Andrews | William J. Head | M. Smith |
| E. B. Bacheller | John B. Huston | James P. Sparks |
| John C. Beeman | William C. Ireland | Harrison Taylor |
| John W. Blue | Richard T. Jacob | Joshua Tervis |
| William P. Boone | Daniel W. Jobs | George M. Thomas |
| Curtis F. Burnam | Urban E. Kennedy | John R. Thomas |
| James Calvert | James M. C. Lisenby | Thomas Turner |
| Cyrus Campbell | Alexander Lusk | Joseph R. Underwood |
| Marion N. Carr | P. L. Maxey | John S. Vanwinkle |
| Brutus J. Clay | Otho Miller | George P. Webster |
| Francis L. Cleveland | Thomas Z. Morrow | Alex. T. White |
| John B. Cochran | Thomas W. Owings | Nathaniel Wolfe |
| John C. Cooper | George PoinDEXTER | George H. Yeaman |
| Albert A. Curtis | Hiram S. Powell | Bryan R. Young |
| Stephen J. England | Larkin J. Proctor | Milton Young |
| Hugh F. Finley | William S. Rankin | Van B. Young—68. |
| John W. Finnell | Nicholas A. Rapier | |
| Eljah Gabbert | | |

Those who voted in the negative, were—

| E. F. Burns | John M. Elliott | David May |
| W. P. D. Bush | Joseph Gardner | Felix G. Murphy |
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 for the benefit of William Hampton, guardian of the heirs of A. W. Ferguson, deceased.
2. A bill for the benefit of Caroline Ferguson, executrix of A. W. Ferguson, deceased.

By the Committee on Incorporated Institutions—
3. A bill for the benefit of the Shelbyville and Taylorsville turnpike road company.

By Mr. George M. Thomas—
4. A bill for the benefit of James R. Garland and his deputies, late sheriffs, of Lewis county.

By Mr. Vanwinkle—
5. A bill for the benefit of the county of Boone.

By Mr. Huston—
6. A bill for the benefit of David Fitzgerald, late jailer of Henry county.

By Mr. Mears—
7. A bill to repeal so much of an act, approved May 24, 1861, as relates to the boundary line between Barren and Metcalfe counties.

By Mr. Yeaman—
8. A bill for the benefit of Thomas J. Jackson, executor of Beckley Jackson, deceased.

By Mr. Bacheller—
9. A bill to amend an act to regulate the toll and management of the Crab Orchard fork of the Wilderness turnpike road.

By the Committee on Privileges and Elections—
10. A bill to define magistrates' districts and regulate election precincts in Franklin county.

By Mr. Wolfe—
11. A bill in relation to treasury claims.

By Mr. G. Clay Smith—
12. A bill to amend the law with regard to commissioners' sales.

By Mr. Morrow—
13. A bill appointing commissioners to mark and establish the lines between the counties of Henderson and Webster, and Webster and Union.
By Mr. Yeaman—
14. A bill for the benefit of common school district No. 46, in Henderson county.

By the Committee on Ways and Means—
15. A bill to repeal an act for the benefit of the sheriffs of Barren and Metcalfe counties.

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, 7th, 8th, 9th, 10th, 13th, 14th, and 15th bills were severally ordered to be engrossed and read a third time; the 4th was referred to the Committee on Ways and Means; the 6th to the Committee on Claims; the 11th and 12th to the Committee on the Judiciary.

The Committee on Revised Statutes, to whom was referred leave to bring in a bill, entitled
An act to increase the powers of notaries public,
Reported the same, with the expression of opinion that the same ought not to pass.
Which was read the first time, and ordered to be read a second time.
And the question being taken, "Shall the bill be read a third time?" it was decided in the negative.
And so said bill was rejected.
The same committee, to whom was referred leave to bring in a bill, entitled
An act to amend the law in relation to the office of trustee of jury fund,
Reported the same, with the expression of opinion that the same ought not to pass.
Which was read the first time, and ordered to be read a second time.
Mr. Van B. Young moved an amendment to said bill as a substitute.
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, as amended, do pass, and that the title thereof be as aforesaid.
The yeas and nays being required thereon by Messrs. Elliott and Yeaman, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Alfred Allen,
Jas. W. Anderson, Elijah Gabbett,
R. C. Anderson, Remus Gibson,
W. C. Anderson, Henry Griffith,
E. B. Bacheller, George M. Hampton,
John C. Beeman, John H. Harney,
John W. Blue, William H. Hays,
William P. Boone, William J. Heady,
Curtis F. Barnam, John B. Huston,
E. F. Burns, William C. Ireland,
W. P. D. Bush, Richard T. Jacob,
James Calvert, Daniel W. Johns,
Cyrus Campbell, Urban E. Kennedy,
Marion N. Carr, James M. C. Lisenby,
Joseph H. Chandler, Alexander Lusk,
Brutus J. Clay, David P. Mears,
Francis L. Cleveland, Otho Miller,
John B. Cochran, Thomas Z. Morrow,
John C. Cooper, Thomas W. Owings,
Albert A. Curtis, George Poinexter,
Stephen J. England, Hiram S. Powell,
Joseph A. Rapier, Larkin J. Proctor.

Those who voted in the negative, were—

Landaff W. Andrews, Joseph Gardner, William S. Rankin,
J. W. Campbell, P. L. Maxey, M. Smith,
W. H. Edmunds, David May, Harrison Taylor,
John M. Elliott, Felix G. Murphy, J. R. Underwood—18.
Hugh F. Finley,

Mr. Curtis, from the select committee, to whom was referred leave to bring in a bill for the benefit of Wm. A. L. B. Sharp, late sheriff of Estill county, and his sureties,

Reported the same.

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. Taylor moved an amendment thereto.

And the question being taken thereon, said amendment 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,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House then took up a bill, entitled
An act more effectually to protect slave property.

With the substitute offered by Mr. Huston for said bill, which is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, Any person who—being a military commander or officer, or under officer, or private soldier, or other person in company with, or in anywise connected with, or attached to any military camp, station, armory, fort, arsenal, fortification, troop, or army, or vessel or boat of any kind or description whatever, used or connected with military operations—shall, without the consent of the owner thereof, or other person entitled to the service thereof, take, hold, or receive into his service, possession, or control, with the felonious intent to deprive the owner of his property, a slave, or who shall advise, induce, aid, or assist a slave to escape from the owner, or other person entitled to the service of such slave, or who shall aid, assist, encourage, or attempt to authorize a slave to escape, or assert or claim his freedom, or take up arms, or engage in an insurrection within this State against citizens thereof, such person or persons so offending, and all others who shall aid, advise, or assist in the commission of either of the offenses aforesaid, shall be guilty of a felony, and, upon conviction thereof, punished by confinement in the penitentiary not less than one nor more than five years.

§ 2. This act shall not operate against persons who may in good faith arrest a runaway or fugitive slave with the intention of returning such slave to the owner thereof.

§ 3. This act shall take effect ten days after its passage.

The question was then taken, "Shall the substitute be read a third time?"

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

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

Those who voted in the affirmative, were—

Mr Speaker, (Buckner,) John W. Finnell, William S. Rankin,
Alfred Allen, Elijah Gabbett, Nicholas A. Rapier,
Jas. W. Anderson, Remus Gibson, John Ray,
R. C. Anderson, Henry Griffith, Joseph Ricketts,
W. c. Anderson, John H. Harney, F. H. Rigney,
Landaff W. Andrews, William H. Hays, George S. Shanklin,
E. B. Bachelet, William J. Heady, G. Clay Smith,
John C. Baeman, John B. Hutton, M. Smith,
John W. Blue, William C. Ireland, Rob't A. Spalding,
William P. Boone, Richard T. Jacob, James P. Sparks,
Curtis F. Barnum, Daniel W. Johns, Harrison Taylor,
W. P. D. Bush, Urban E. Kennedy, Joshua Tevis,
James Calvert, James M. C. Lisenby, George M. Thomas,
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, 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. Huston and Hampton, were as follows, viz.:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Joseph Gardner, Remus Gibson, Henry Griffith,
Jas. W. Anderson, John H. Harney, George M. Hampton,
W. C. Anderson, William H. Hays, William J. Headly,
Landaff W. Andrews, John B. Huston, William C. Ireland,
E. B. Bacheller, Richard T. Jacob, Daniel W. Johns,
John C. Beeman, Urban E. Kennedy, James M. C. Lisenby,
John W. Blus, Alexander Lusk, Larkin J. Proctor,
William P. Boone, Joe. Gardner, George Poindexter,
Curtis F. Burnam, George Poindexter, Larkin J. Proctor,
E. F. Burns, Remus Gibson, William S. Raakam,
W. P. D. Bush, Henry Griffith, Nicholas A. Rapier,
J. W. Campbell, John H. Ray, John Ray,
Marion N. Carr, Joseph R. Ricketts, Joseph R. Ricketts,
Joseph H. Chandler, F. D. Rigney, F. D. Rigney,
Brutus J. Clay, George S. Shanklin, George S. Shanklin,
Francis L. Cleveland, G. Clay Smith, M. Smith,
John C. Cooper, Rob't A. Spalding, Rob't A. Spalding,
W. H. Edmunds, James P. Sparks, James P. Sparks,
John M. Elliott, Joshua Tevis, Joshua Tevis,
Stephen J. England, George M. Thomas, George M. Thomas,
John W. Finnell, John R. Thomas, John R. Thomas,
Elijah Gabbert, Thomas Turner, Thomas Turner,
John R. Thomas, Joseph R. Underwood, Joseph R. Underwood,
Joseph R. Underwood, Alex. T. White, Alex. T. White,
J. W. Vanwinkle, George H. Yeaman, George H. Yeaman,
John S. Vanwinkle, Van B. Young—64, Van B. Young—64,
Those who voted in the negative, were—

Alfred Allen, Hugh F. Finley, George P. Webster,
R. C. Anderson, Hiram S. Powell, Nathaniel Wolfe,
Albert A. Curtis, John S. Vanwinkle,

Mr. Burnam moved a reconsideration of the vote ordering the above bill to be read a third time.

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

Mr. Burnam moved an amendment to the bill.

Mr. Ireland moved to recommit the bill and amendment 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. Burns and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Hugh F. Finley, G. Clay Smith, M. Smith,
Jas. W. Anderson, Remus Gibson, Joshua Tevis,
W. C. Anderson, George M. Hampton, George M. Thomas,
E. B. Bacheller, William J. Heady, John S. Vanwinkle,
John C. Beeman, William C. Ireland, Zeb. Ward,
Curtis F. Burnam, Richard T. Jacob, George P. Webster,
Cyrus Campbell, Alexander Lusk, Nathaniel Wolfe,
John B. Cochran, Nicholas A. Rapier,
John C. Cooper, John Ray,
Albert A. Curtis,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Joseph Gardner, Hiram S. Powell,
R. C. Anderson, J. C. Gilbert, Larkin J. Proctor,
Landaff W. Andrews, Henry Griffith, William S. Rankin,
John W. Blue, John H. Harney, Joseph Ricketts,
William P. Boone, John B. Huston, F. D. Rigney,
E. F. Burns, Daniel W. Johns, George S. Shanklin,
W. P. D. Bush, Urban E. Kennedy, Rob't A. Spalding,
James Calvert, James M. C. Lisenby, James P. Sparks,
J. W. Campbell, P. L. Maxey, Harrison Taylor,
Marion N. Carr, David May, John R. Thomas,
Francis L. Cleveland, David P. Mears, Thomas Turner,
W. H. Edmunds, Otho Miller, Alex. T. White,
John M. Elliott, Felix G. Murphy, George H. Yeaman,
Stephen J. England, Thomas W. Owings, Milton Young,
John W. Finnell, George Poindexter, Van B. Young—46.
Elijah Gabbert,
The question was then taken on adopting the amendment proposed by Mr. Burnam, and 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, and the same being engrossed,

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

Mr. Underwood then moved a reconsideration of the vote by which the bill was passed, with a view of recommittal.

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

Mr. Underwood moved that the bill, as amended, be referred to the Committee on the Judiciary.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


George M. Hampton, Larkin J. Proctor,
Ordered, That said bill be referred to the Committee on the Judiciary.

The House then took up a bill returned from the Senate, entitled An act to establish an additional voting place in Boyle county. With an amendment adopted by the Senate, which amendment the House concurred in.

The House took up a bill from the Senate, entitled An act for the benefit of John W. Hazlerigg, late clerk of the circuit court of Morgan county.

On motion of Mr. Andrews, Ordered, That the House recede from the amendment proposed and adopted to said bill.

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

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.

A resolution from the Senate, concerning the senatorial elections for 1863, was taken up, read, and referred to the Committee on Privileges and Elections.

Bills from the Senate of the following titles, viz:
1. An act to amend the charter of the city of Louisville.
3. An act concerning the banks of this Commonwealth.
4. An act to amend sections 221 and 224, Civil Code of Practice.
5. An act to amend the law in relation to devises, bequests, descent, and distribution.

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 was referred to the Committee on Revised Statutes; the 4th to the Committee on the Codes of Practice; the 5th was made the special order for 11 o'clock on Monday.

The rule of the House, constitutional provision, and third reading of the 1st and 3d bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Cleveland, leave of absence, indefinitely, was granted Mr. Downing.

And then the House adjourned.

MONDAY, SEPTEMBER 30, 1861.

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

An act in relation to guardians and wards.

An act for the benefit of the Brooksville and Claysville turnpike road company.

An act amending the act incorporating the town of Concord, in Lewis county.

An act authorizing the election of a police judge and marshal for the town of Carlisle, Nicholas county.

An act for the benefit of the Shelbyville and Taylorsville turnpike road company.

An act for the benefit of W. A. L. B. Sharp, late sheriff of Estill county, and his securities.

An act for the benefit of the county of Boone.

An act to repeal so much of an act, approved May 24, 1861, as relates to the boundary line between Barren and Metcalfe counties.

An act to define magistrates' districts and regulate election precincts in Franklin county.

An act appointing commissioners to mark and establish the lines between the counties of Henderson and Webster, and Webster and Union.

An act for the benefit of common school district No. 46, in Henderson county.

An act to repeal an act for the benefit of the sheriffs of Barren and Metcalfe counties.
Sept. 30.] HOUSE OF REPRESENTATIVES.

An act to change the county line between Metcalfe and Adair counties.

An act to authorize the county court of Todd county to change the State road from Hopkinsville to Morganfield.

An act to change the time of holding the circuit courts in Cumberland and Russell counties.

An act for the benefit of common school district No. 15, in Crittenden county.

An act for the benefit of common school district No. 34, in Crittenden county.

An act to incorporate the Bell Insurance Company, of Louisville.

With an amendment to the last named bill.

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

An act to amend article 3, chapter 48, of the Revised Statutes.

An act for the benefit of W. S. D. Megowan, late sheriff of Jefferson county.

An act to repeal an act for the benefit of James D. Ballard, and revive an act for his benefit.

A resolution of thanks to Ohio, Indiana, and Illinois.

A resolution requesting Senators John C. Breckinridge and Lazarus W. Powell to resign.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled “An act to incorporate the Louisville Association for the improvement in the Breed of Horses.”

An act to suspend the holding of circuit courts in the counties of Harlan, Letcher, Perry, Breathitt, Owsley, Jackson, and Clay.

An act in regard to settlements of decedents' estates heretofore made.

An act repealing in part an act, entitled “An act to repeal an act incorporating the Lewisport Pond Draining Company.”

An act to establish an additional voting place in Boyle county.

An act to amend the charter of the Stanford and Hustonville turnpike road company.

An act to incorporate the LaGrange Masonic Female Seminary.

An act for the benefit of Jacob Corbett, clerk of the Ballard circuit and county courts.
An act to change the boundary line between Metcalfe and Adair counties.

An act in relation to guardians and wards.

An act to authorize the county court of Todd county to change the State road from Hopkinsville to Morganfield.

An act for the benefit of the Brooksville and Claysville turnpike road company.

An act to amend the charter of the city of Newport.

An act authorizing the election of police judge and marshal of the town of Carlisle, Nicholas county.

An act amending the act incorporating the town of Concord, in Lewis county.

An act to incorporate Washington Lodge, No. 1, of United Order of Ancient Fellows.

An act to incorporate Noah's Dove Encampment, No. 1, of the United Order of Ancient Fellows.

An act to exempt certain heads in Madison county from work on dirt roads.

An act requiring information to be given to officers of the army.

An act to amend the act regulating the inspection and selling of tobacco in the city of Louisville.

An act in regard to imbeciles, their persons and estates.

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

An act for the benefit of John W. Hazlrigg, late clerk of the circuit court of Morgan county.

An act to amend the charter of the city of Louisville.

An act to amend the charter of the Woodford Female College.

An act concerning the banks of this Commonwealth.

An act to change the voting place in Eagle precinct, Scott county.

Also a resolution of thanks to Ohio, Indiana, and Illinois.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheiller inform the Senate thereof.

Mr. Kennedy presented the petition of sundry citizens of Trigg county, in reference to the Curling School Fund.

Which was received, the reading dispensed with, and referred to the Committee on Education.

A message was received from the Governor by Mr. Tate, Assistant Secretary of State, announcing that he had approved and signed sundry enrolled bills which originated in this House, of the following titles, viz:
An act to amend an act, entitled "An act for the regulation of the militia and to provide for the arming of the State," approved May 24, 1861.

An act for the benefit of Ashley Owens, of Rockcastle county.

An act to amend 9th section of chapter 35, of Revised Statutes.

An act to alter the boundary line of precinct No. 1, in Spencer county.

An act for the benefit of P. B. Adams, late sheriff of Graves county, and his deputies.

An act for the benefit of Henry Forbs.

An act for the benefit of M. C. Hughes, sheriff of Gallatin county.

An act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties.

An act to amend the charter of the Hardinsville and Crab Orchard turnpike road company.

An act for the benefit of the Versailles and Anderson turnpike road company.

An act to amend the law in relation to the Board of Internal Improvement.

An act for the benefit of W. E. Hughes, of Adair county.

An act to incorporate the Henderson Female College.

An act for the benefit of certain sheriffs of this Commonwealth, and their sureties.

An act to amend the act incorporating the town of Pitt's Point, in Bullitt county.

An act for the benefit of E. G. Dear.

An act for the benefit of the Louisville and Frankfort and Lexington and Frankfort railroad companies.

An act for the benefit of James M. Crawford.

An act for the benefit of the sheriff of Marion county.

An act for the benefit of H. C. Ireland.

An act to amend an act, entitled "An act to incorporate the Louisville Courier Printing Company."

An act for the benefit of Brent Hopkins, late clerk of the Oldham circuit and county courts.

An act for the benefit of common school district No. 48, in Pulaski county.

An act for the benefit of James H. Reynolds, of Adair county.

An act for the benefit of John Friend, late sheriff of Floyd county.
An act appropriating ten dollars to J. B. Polston.
An act for the benefit of the clerk of the Whitley county court.
An act for the benefit of Edwin Trimble, late clerk of the county and circuit courts of the county of Floyd.
An act abolishing two voting places in election precinct No. 6, in Allen county, and establishing one voting place.
An act to amend the road laws in Greenup county.
An act for the benefit of school district No. 82, in Adair county.
An act to incorporate Crittenden Lodge, No. 98, I. O. O. F.
An act to change the boundary line between the counties of Henderson and Webster.
An act for the benefit of G. W. Goodrum, late sheriff of Marion county.
An act for the benefit of Mason Williams, late sheriff of Morgan county.
An act for the benefit of E. B. Treadway.
An act to charter the Frankfort Commercial College.
An act to prevent the destruction of fish in the waters of Slate creek, within the boundary of Bath county.
An act for the benefit of school district No. 33, in Larue county.
An act for the benefit of Owen McGlone, of Carter county.
An act to amend the charter of the Elizaville and Fairview turnpike road company.
An act to amend the charter authorizing the erection of an additional toll-gate on the Louisville and Taylorsville turnpike by the turnpike company.
An act to amend the act incorporating the town of Gratz, in Owen county.
An act to amend the laws in relation to the city of Paducah.
A message was received from the Governor by Mr. Tate, Assistant Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,
Frankfort, Sept. 30, 1861.

Gentlemen of the House of Representatives:
"An act to raise volunteer forces to repel the invasion of the State, and for other purposes," which originated in your House, has been presented to me for my signature, and I herewith return it to you, with as little delay as possible, with the reasons why I cannot sign it.

The 4th section of this bill provides, "that the forces to be raised and organized, as provided for by this act, shall, when mustered into service, be under the command of the General commanding the State
forces in the field." By joint resolution of the Legislature, passed a few days ago over my veto message, Gen. T. L. Crittenden is designated as commander of the State forces. The Constitution of Kentucky, (sec. 8, art. 3,) defining the powers of the Governor, provides that "he shall be Commander-in-Chief of the army and navy of this Commonwealth, and of the militia thereof, except when they shall be called into the service of the United States; but he shall not command personally in the field unless invited to do so by a resolution of the General Assembly." The supreme executive power of the Commonwealth is vested in the Governor. He is Commander-in-Chief of the army and navy and the militia of the State until they are called into the service of the United States; and although "he shall not command personally in the field, unless advised so to do by a resolution of the General Assembly," he is, nevertheless, Commander-in-Chief by the Constitution, and the commanding General in the field, and all others, it seems to me, would be subject to his orders in conducting the military operations of the army of the Commonwealth.

The 4th section of the bill is clear and distinct in giving the command of the forces, to be raised under its provisions, to the General commanding in the field; and so far as it purports to take from the Governor of the Commonwealth the chief command of the army and militia of the State, while they are not in the service of the United States, it is, in my opinion, in conflict with the Constitution of Kentucky. I cannot, therefore, conscientiously sign the bill, but respectfully return it to you for reconsideration.

B. MAGOFFIN.

The said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That as the soil of the State of Kentucky has been invaded by armed forces, acting under the authority of the so-called Confederate States; therefore, for the purpose of repelling said invasion, the Governor of the State of Kentucky is hereby directed to issue his proclamation forthwith, calling out not less than forty thousand soldiers, residents and citizens of Kentucky, between the ages of eighteen and forty-five years, to be mustered into the service of this Commonwealth for any term of service not less than twelve months nor more than three years from the time they were mustered into service, unless sooner discharged.

§ 2. That the Governor be, and he is hereby, authorized, in order to raise said force, to accept of the services of any volunteer companies who shall, within three months from the date of his proclamation, tender their services; and he shall commission for that purpose all officers duly elected by the companies aforesaid, necessary and proper for the command of such volunteers.

§ 3. That all volunteer officers, non-commissioned officers, musicians, and privates, whose service may be tendered and accepted under the provisions of this act, shall be mustered into service at such places of rendezvous in the congressional district in which they volunteer as the General in the field shall appoint by his orders; and when so mustер-
ed into service, shall be then and there entitled to receive in advance one month's pay, to be taken and considered as part of their pay.

§ 4. That the forces to be raised and organized, as provided for by this act, shall, when mustered into service, be under the command of the General commanding the State forces in the field.

§ 5. That the Governor be also authorized to accept the services of fifteen hundred men, in addition to the forty thousand men provided for by this act, one thousand to be used as sharp-shooters and scouts, and five hundred to be used as horsemen and scouts, they furnishing their own horses: Provided, That no person shall be accepted in this arm of the service unless his skill and capacity have been tested by the General in command, or such officer as he may detail for that purpose: And provided also, That such persons shall receive five dollars per month of extra pay.

§ 6. That each horseman, for the services of his horse, shall receive five dollars per month, and in case his horse is killed by the enemy, he shall be paid the value of the horse, not exceeding one hundred and fifty dollars.

§ 7. That the commander in the field may organize individuals who tender themselves into companies, and such companies as may tender themselves into squadrons, battalions, and regiments, and permit them to elect their officers, who shall, when so elected, be commissioned by the Governor on the certificate of the General commanding.

§ 8. That the Governor is authorized to accept the services of squadrons, battalions, and regiments, when tendered as such, and commission the officers elected by the squadrons, battalions, and regiments so organized; the election of officers by any company, battalion, squadron, or regiment shall be superintended and conducted by any justice of the peace, or judge of the county court, who may be called on for that purpose; and such justice or judge shall certify to the Military Board the names of the officers elected, and for what office each is elected, and thereupon said Board, if they approve the proceedings, shall certify to the Governor the names of the officers elected, and what office they have been respectively elected to fill, who shall issue commissions in conformity to such certificate.

§ 9. That the commanding General shall be entitled to appoint and employ such staff officers, and with such rank, as the Inspector General is empowered to appoint by the 14th section of the 3d article of the act, entitled "An act for the better organization of the Kentucky militia," approved March 5, 1860; and he shall have the authority conferred on said Inspector General by the 10th, 11th, and 12th sections of said article of said act.

§ 10. The troops raised under this act shall be organized into squadrons, battalions, regiments, brigades, and divisions, and have the same number of officers for each squadron, battalion, regiment, brigade, and division, as are allowed in the army of the United States, and shall receive the same pay and rations as are allowed the troops of the United States of the same rank and grade. When brigades and divisions are formed out of the troops so raised, they shall be officered according to existing laws.

§ 11. This act to be of force from its passage.
SEPT. 30.]  HOUSE OF REPRESENTATIVES.  265

The question was then taken, "Shall the bill pass, the Governor's objections to the contrary notwithstanding?" 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, (Buckner,) John W. Finnell, John Ray,
Alfred Allen, Elijah Gabbert, Joseph Ricketts,
Jas. W. Anderson, Remus Gibson, F. D. Rigney,
R. C. Anderson, Henry Griffith, George S. Shanklin,
W. C. Anderson, William H. Hays, G. Clay Smith,
Landaff W. Andrews, William J. Head, M. Smith,
E. B. Bacheller, John B. Huston, James P. Sparks,
John C. Beeman, William C. Ireland, Harrison Taylor,
John W. Blue, Richard T. Jacob, Joshua Tevis,
William P. Boone, Daniel W. Johns, George M. Thomas,
Curtis F. Burnam, Urban E. Kennedy, John R. Thomas,
James Calvert, James M. C. Lisenby, Thomas Turner,
Cyrus Campbell, Alexander Lusk, Joseph R. Underwood,
J. W. Campbell, P. L. Maxey, John S. Vanwinkle,
Marion N. Carr, David P. Mears, Zeb. Ward,
Brutus J. Clay, Otho Miller, George P. Webster,
F. L. Cleveland, Thomas Z. Morrow, Alex. T. White,
John B. Cochran, Thomas W. Owings, Nathaniel Wolfe,
Robert Cochran, George Poinder, Geo. H. Yeaman,
John C. Cooper, Hiram S. Powell, Bryan R. Young,
Albert A. Curtis, Larkin J. Proctor, Milton Young,
Hugh F. Finley, Nicholas A. Rapier,

Those who voted in the negative, were—

Vincent Ash, John M. Elliott, David May,
E. F. Burns, Joseph Gardner, Felix G. Murphy,
W. P. D. Bush, George M. Hampton, Rob't A. Spalding—11.
W. H. Edmunds, William Johnson,

The Committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled

An act to change the voting place in Eagle precinct, in Scott county.

Reported the same, with the expression of opinion that said bill ought not to pass.

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.

34
The Committee on Military Affairs, to whom was referred a bill, entitled

An act supplemental to an act, entitled "An act to raise volunteer forces to repel the invasion of the State, and for other purposes,"

Reported a bill, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the forces raised under the act to which this is a supplement, shall be organized into companies and regiments, as follows: Each regiment of infantry shall consist of ten companies, and each company shall be composed of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, and not less than sixty-four, nor more than eighty-two privates.

§ 2. The field officers' staff and non-commissioned staff of each regiment shall be constituted as follows: one colonel, one lieutenant-colonel, one major, one lieutenant to act as adjutant, one lieutenant to act as regimental quartermaster, one surgeon, one assistant surgeon, one chaplain, one sergeant major, one regimental quartermaster sergeant, one regimental commissary sergeant, and one hospital steward.

§ 3. Bands of music will be allowed to regiments, but they are not absolutely required, and may consist of two principal musicians and twenty-four privates. The colonels of regiments shall appoint the entire commissioned and non-commissioned staff of their regiment; and captains shall appoint the non-commissioned officers of their companies.

§ 4. The Military Board shall provide the regiments of infantry and cavalry, and companies of artillery, organized and accepted into the service of the State under this and the act to which this is a supplement, with suitable rations and subsistence, with necessary transportation, and with suitable clothing, to supply uniform dress for the non-commissioned officers and privates. And the better to enable the Military Board to perform these services, said Board shall have the power to direct the regiments where to rendezvous, and to appoint one or more agents to assist them in performing the duties herein required of said Board, and to aid and assist them in the performance of all other duties imposed on them by law—such agents to be allowed and paid such compensation for their services as the Board may deem just and reasonable.

§ 5. The Military Board shall have power to organize, for the service of the State, four regiments of cavalry, to constitute part of the forty thousand troops authorized to be raised by the act to which this is a supplement. Each regiment of cavalry shall consist of ten companies; each company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one company quartermaster sergeant, four sergeants, eight corporals, two buglers, two farriers and blacksmith, one saddler, one wagoner, and not less than fifty-six, and not more than seventy-two privates. The field officers, staff and non-commissioned staff of each cavalry regiment, shall be composed as follows: one colonel, one lieutenant colonel, one major,
one lieutenant or adjutant, one lieutenant or regimental quartermaster, one surgeon, one assistant surgeon, one chaplain, one sergeant-major, one regimental quartermaster sergeant, one regimental commissary sergeant, one hospital steward. Bands of music may be allowed cavalry regiments, but are not absolutely required; and when allowed, shall consist of two principal musicians and sixteen privates.

§ 6. The Military Board shall have power to organize six companies or batteries of artillery; each battery shall consist of six field pieces or cannon; and for each battery there shall be one captain, two first lieutenants, two second lieutenants, one first sergeant, one company quartermaster sergeant, six sergeants, twelve corporals, six artificers, two buglers, one wagoner, and one hundred and twenty-two privates. Said Board shall have power to consolidate such companies, or parts of companies, which tender their services, as may not have the minimum number of privates, so as to secure to each company at least the minimum.

§ 7. The regiments and companies herein, and by the act to which this is a supplement, provided for, when raised and accepted, shall cooperate with the forces and army of the United States; and for the purpose of obtaining arms, subsistence, and pay from the Federal Government, shall be mustered into the service of the United States, as soon as permitted after their organization and acceptance.

§ 8. All acts and laws, inconsistent with this act, are, so far as they are inconsistent, but no further, hereby repealed.

§ 9. This act shall be in force from and after its passage.

Which was read the first time, and ordered to be read a second time. The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Nicholas A. Rapier,
Alfred Allen, Elijah Gabbert, John Ray,
James W. Anderson, Remus Gibson, Joseph Ricketts,
R. C. Anderson, Henry Griffith, F. D. Rigney,
W. C. Anderson, William H. Hays, George S. Shanklin,
Landaff W. Andrews, William J. Heady, G. Clay Smith,
E. B. Buckeller, John B. Huston, M. Smith,
John C. Beeman, William C. Ireland, James P. Sparks,
John W. Blue, Richard T. Jacob, Harrison Taylor,
William P. Boone, Daniel W. Johns, Joshua Tevis,
Curtis F. Burnam, Urban E. Kennedy, George M. Thomas,

Home of Representatives.
Those who voted in the negative, were—

Vincent Ash, Joseph Gardner, Thomas W. Owings,
E. F. Burns, George M. Hampton, Rob't A. Spalding,
W. P. D. Bush, William Johnson, Milton Young,
John M. Elliott, Felix G. Murphy,
Mr. Underwood reported a bill, entitled

An act to provide for the valuation of property sold under executions and decrees, and to amend the laws now in force on that subject.

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

Ordered, That said bill be printed, and referred to the Committee on the Judiciary.

Mr. Allen moved the following resolution, viz:

Resolved by the House of Representatives, That a committee of five members of this House be appointed, to prepare for publication all acts and resolutions passed by the General Assembly at its present session, in relation to the occupation of Kentucky soil by the Confederate forces; and those in relation to the existing war, including money and military bills, &c., &c.; and that the Public Printer be directed to print, in pamphlet form, when furnished by said committee, 10,000 copies thereof, for the use of the members of this House.

Which was adopted.

Mr. Rankin moved the following resolution, viz:

Resolved by the House of Representatives, That His Excellency, the Governor, be requested to inform this House, at the earliest convenient day, whether or not his Secretary of State, Hon. Thos. B. Monroe, jr., is discharging the duties of his office; and if not, when he ceased to do so; and whether or not he has resigned said office, and when; whether or not said Secretary is absent from the State or capital; and if so, whether he is so absent upon official business; and that he furnish this House with any information he has as to where said Secretary is, if he has absented himself without resigning his said office, and is not absent on official business; and whether or not he has information to the effect that said Secretary has joined any army or
military force at war with the United States or this State, or invading
this State, or has left this State or the capital for that purpose.
Which was adopted.

Mr. Taylor moved the following resolution, viz:

Resolved, That the Committee on Military Affairs be requested to
inquire into the expediency of organizing a part of the military force,
to be raised in this State, into one or more regiments of mounted rifle-
men; and that they report by bill or otherwise.
Which was adopted.

Ordered, That said resolution be referred to the Committee on Mili-
tary Affairs.

Mr. Burns moved to dispense with the rule of the House in order to
enable him to offer a resolution, which is as follows, viz:

WHEREAS, The Constitution of Kentucky, article 8, section 18, pro-
vides that "no member of Congress, nor person holding or exercising
any office of trust or profit under the United States, or either of them,
or under any foreign power, shall be eligible as a member of the
General Assembly, or hold or exercise any office of trust or profit
under the same;" therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That
a committee of three of the House, and two of the Senate, be appoint-
ed to act as a joint committee to ascertain and report to this body
whether any of its members are holding or exercising any office of
trust or profit under the United States, in the capacity of military
officers, contractors, or otherwise, contrary to the provisions of the
Constitution of the State of Kentucky, referred to in the preamble to
this resolution, and whether any further legislation is necessary in the
premises.

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Huston, G. Clay Smith,
R. C. Anderson, William C. Ireland, M. Smith,
Vincent Ash, William Johnson, Robert A. Spalding,
Curtis F. Burnam, P. L. Maxey, Joshua Tevis,
E. F. Burns, David May, George M. Thomas,
W. P. D. Bush, Otho Miller, John R. Thomas,
Cyrus Campbell, Felix G. Murphy, Thomas Turner,
Francis L. Cleveland, Thomas W. Owings, J. R. Underwood,
John B. Cochran, George Poindexter, Zeb. Ward,
W. H. Edmunds, Hiram S. Powell, George P. Webster,
John M. Elliott, Larkin J. Proctor, Alex. T. White,
John W. Finnell, William S. Rankin, Bryan R. Young,
Joseph Gardner, Joseph Ricketts, Milton Young, Henry Griffith, George S. Shanklin, Van B. Young—43.

Those who voted in the negative, were—


Mr. Sparks moved the following resolution, viz:

Resolved, That all of that part of the Governor's message that relates to the direct taxes, be referred to a special committee.

Ordered, That said resolution be referred to the Committee on Federal Relations.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when any member of the General Assembly shall ask leave of absence from the House or Senate, and such leave is granted, and the member so absenting himself for three days, shall not be entitled to draw his per diem while absent.

Mr. Burns moved the following resolution, viz:

Resolved, That the committee appointed by resolution of this House, of this day, to prepare for publication all acts and resolutions relating to the war, &c., be directed to have printed therewith, at the end of each resolution or bill, the yeas and nays, as given upon their passage.

Ordered, That said resolution be referred to the Committee on Printing.

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

Whereas, The Constitution of Kentucky, article 8, section 18, provides that "no member of Congress, nor person holding or exercising any office of trust or profit under the United States, or either of them, or under any foreign power, shall be eligible as a member of the General Assembly, or hold or exercise any office of trust or profit under the same;" therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three of the House, and two of the Senate, be
appointed to act as a joint committee, to ascertain and report to this body whether any of its members are holding or exercising any office of trust or profit under the United States, in the capacity of military officers, contractors, or otherwise, contrary to the provisions of the Constitution of the State of Kentucky, referred to in the preamble to this resolution, and whether any further legislation is necessary in the premises.

Mr. Burns moved to suspend the rules in order to put said resolution on its passage.

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

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

Those who voted in the affirmative, were—

Vincent Ash, Joseph Gardner, Larkin J. Proctor,
Curtis F. Burnam, George M. Hampton, William S. Rankin,
E. F. Burns, William J. Head, George S. Shanklin,
W. P. D. Bush, John B. Huston, M. Smith,
J. W. Campbell, P. L. Maxey, Rob't A. Spalding,
Francis L. Cleveland, David May, Joseph R. Underwood,
Robert Cochran, Otho Miller, John S. Vanvinkle,
W. H. Edmonds, Felix G. Murphy, Geo. H. Yeaman,
John M. Elliott, Thomas W. Owings, Milton Young,
John W. Finnell, George Poindexter, Van B. Young—30.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John B. Cochran, David P. Mears,
Mr. Allen, Alfred A. Curtis, Thomas Z. Morrow,
Jas. W. Anderson, Stephen J. England, Hiram S. Powell,
R. C. Anderson, Hugh F. Finley, John Ray,
W. C. Anderson, Elijah Gabbert, Joseph Ricketts,
Landaff W. Andrews, Remus Gibson, F. D. Rigney,
E. B. Bacheler, Henry Griffith, James P. Sparks,
John C. Beeman, William H. Hays, Harrison Taylor,
John W. Blue, Daniel W. Johns, Joshua Tevis,
Cyrus Campbell, Uriah E. Kennedy, George M. Thomas,
Marion N. Carr, James M. C. Lisenby, Zeb. Ward,

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

On motion of Mr. Proctor—1. A bill to repeal the law establishing an equity and criminal court in the 4th judicial district, approved February 9th, 1858.

On motion of Mr. Yeaman—2. A bill to amend the charter of the town of Owensboro.

On motion of Mr. Sparks—3. A bill for the benefit of Samuel Province, late constable of Henry county.
On motion of Mr. Powell—4. A bill for the benefit of the stockholders of the Louisville and Covington railroad company.

On motion of Mr. Bacheller—5. A bill for the benefit of Alfred Smith, of Rockcastle county.

On motion of same—6. A bill to enable circuit judges to hold courts in counties which have no sheriffs.

On motion of same—7. A bill for the benefit of James W. Moore, of Laurel county.

On motion of same—8. A bill for the benefit of Wm. P. Evans, of Laurel county.


Ordered, That the Committee on Circuit Courts prepare and bring in the 1st and 6th; the Committee on Incorporated Institutions the 2d; the Committee on County Courts the 3d; Messrs. Wolfe, Tevis, and G. Clay Smith the 4th; the Committee on Claims the 5th; Messrs. Bacheller, J. W. Anderson, and White the 7th and 9th; the Committee on Ways and Means the 8th.

The Speaker announced the following as the committee in pursuance of the resolution of Mr. Allen, this day adopted, viz:


Mr. James W. Anderson, from the Committee on Claims, reported a bill, entitled

An act for the appropriation of money,
Which was read the first time, and ordered to be read a second time.

Ordered, That said bill be printed, and made the special order for 11 o'clock to-morrow.

The House then took up the special order at 11 o'clock, a bill from the Senate, entitled

An act to amend the law in relation to devises, bequests, descent, and distribution.

Ordered, That said bill be read a third time.

Mr. Underwood moved a reconsideration of the bill ordering the same to be read a third time.

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

Ordered, That said bill be recommitted to the Committee on the Judiciary.
Bills from the Senate of the following titles, viz:
1. An act to amend article 3, chapter 48, of the Revised Statutes.

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 Revised Statutes; and the 2d was referred to the Committee on Ways and Means.

The House took up the amendment of the Senate to a bill from this House, entitled

An act to incorporate the Bell Insurance Company, of Louisville.

And the question being taken on concurring in said amendment, it was decided in the negative.

The House then took up the resolutions from the Senate, entitled

Resolutions returning thanks to Ohio, Indiana, and Illinois.

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the people of the State of Kentucky tender to the States of Ohio, Indiana, and Illinois, their thanks for the prompt, fraternal, and effective assistance rendered in arresting the invasion of our State by the Confederate forces. Such friendly aid cannot fail to strengthen the bonds of harmony which have ever united Kentucky with her northern neighbors.

2. Resolved, That the Governor be requested to transmit copies of this resolution to the Governors of Ohio, Indiana and Illinois respectively.

Which were concurred in.

The yeas and nays being required thereon by Messrs. Allen and G. Clay Smith, were as follows, viz:

Those who voted in the affirmative, were—

Brutus J. Clay, Otho Miller, Zeb. Ward, 
Francis L. Cleveland, Thomas Z. Morrow, George P. Webster, 
John B. Cochran, Thomas W. Owings, Alexander T. White, 
Robert Cochran, George Poindexter, Nathaniel Wolfe, 
John C. Cooper, Hiram S. Powell, George H. Yeaman, 
Albert A. Curtis, Larkin J. Proctor, Bryan R. Young, 
Stephen J. England, William S. Rankin, Milton Young, 
Hugh F. Finley, Nicholas A. Rapier, Van B. Young—67.

Those who voted in the negative, were—
Vincent Ash, John M. Elliott, David May, 
E. F. Burns, Joseph Gardner, Felix G. Murphy, 
W. P. D. Bush, G. M. Hampton, Rob't A. Spalding—11. 
W. H. Edmunds, William Johnson,

The House took up the resolution from the Senate, entitled
A resolution of adjournment of this General Assembly.

Mr. Taylor moved to strike out 30th September, and insert 1st October.

Mr. Allen offered an amendment.

Mr. Yeaman moved to strike out first Wednesday in November, and insert first Monday in December.

Mr. Bush proposed second Monday in January.

The further consideration of said resolution was postponed till 10½ o'clock to-morrow.

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

By Mr. Ricketts—
1. A bill to amend the school law defining the number of days in a school month.
By the Committee on the Judiciary—
2. A bill to amend the laws in relation to runaway slaves.
By the Committee on Ways and Means—
3. A bill for the benefit of the sheriff of Livingston county.
By the Committee on the Library—
By the Committee on Circuit Courts—
5. A bill to suspend the fall and winter terms of the circuit courts for the counties of Wayne, Clinton, Cumberland, Adair, Casey, and Russell.
By the Committee on County Courts—
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 same 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, and the same being engrossed,

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

The Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled
An act to amend the law regulating the taking of depositions out of this State,
Reported the same.
Which was read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,
Mr. Bush moved an amendment.
And the question being taken on the adoption of the same, 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.

The Committee on Ways and Means, to whom was referred a bill, entitled
An act for the benefit of John R. Garland and his deputies, late sheriffs of Lewis county,
Reported the same with an amendment.
And the question being taken on adopting the same, 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,
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 Committee on the Judiciary, to whom was referred the petitions of members of the General Council of Louisville, praying the passage of a law repealing the act giving the Governor the right to appoint tobacco inspectors in Louisville, asked to be discharged from the further consideration of the same.

Which was granted.

The Committee on Internal Improvement, to whom was referred leave to bring in a bill for the benefit of Thomas Bowman, of Estill county, asked to be discharged from the further consideration of the same.

Which was granted.

The Committee on Circuit Courts, to whom was referred leave to authorize and empower the county court of Russell county to appoint a guardian for Marietta Stephens; also, leave to amend the laws with regard to common carriers, asked to be discharged from the further consideration of the same.

Which was granted.

The Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of the sheriffs of Shelby and Henry counties,

Reported the same.

And the question being taken, “Shall the bill be read a third time?” it was decided in the negative.

And so said bill was rejected.

The same committee, to whom was referred a bill, entitled

An act for the benefit of A. W. Cissell, sheriff of Floyd county,

Reported the same, with an expression of opinion that the bill ought not to pass.

And the question being taken, “Shall the bill be read a third time?” it was decided in the negative.

And so said bill was rejected.

The Committee on Internal Improvement, to whom was referred a bill, entitled

An act to regulate compensation for taking up loose timber in Licking river,

Reported the same with a substitute therefor.
Sept. 30.]  HOUSE OF REPRESENTATIVES.  277

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 and substitute be referred to the Committee on Revised Statutes.

The Committee on Banks, to whom was referred a bill, entitled

An act to amend the charter of the deposit bank of Owensboro,

Reported the same, with the expression of opinion that the same ought not to pass.

The question was then taken, “Shall the bill be read a third time?” and it was decided in the negative.

And so said bill was rejected.

The Committee on Circuit Courts, to whom was referred leave to bring in a bill repealing an act establishing an equity and criminal court in the 4th judicial district, reported the same.

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

The Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act in relation to circuit and county court clerks,

Reported the same, with the expression of opinion that the bill ought not to pass.

And the question being taken, “Shall the bill be read a third time?” it was decided in the negative.

And so said bill was rejected.

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

An act supplemental to an act, entitled “An act to raise volunteer forces to repel the invasion of the State, and for other purposes.”

That they had passed a bill which originated in this House, entitled

An act to raise volunteer forces, and for other purposes,

The objections of the Governor to the contrary notwithstanding.

Also, a resolution requesting John Cabell Breckinridge and Lazarus W. Powell, Senators in Congress, to resign.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined an enrolled bill which originated in this House, entitled
An act supplemental to an act, entitled "An act to raise volunteer forces to repel the invasion of the State, and for other purposes;"

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

At half-past 5 o'clock, Mr. Huston 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. Wolfe and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Robert Cochran,
Alfred Allen,
R. C. Anderson,
Landaff W. Andrews,
Vincent Ash,
E. B. Bacheller,
John W. Blue,
William P. Boone,
E. F. Burns,
W. P. D. Bush,
James Calvert,
Cyrus Campbell,
J. W. Campbell,
Joseph H. Chandler,
Bratus J. Clay,
John B. Cochran,

Mr. Speaker, (Buckner,) Robert Cochran,
Alfred Allen,
R. C. Anderson,
Landaff W. Andrews,
Vincent Ash,
E. B. Bacheller,
John W. Blue,
William P. Boone,
E. F. Burns,
W. P. D. Bush,
James Calvert,
Cyrus Campbell,
J. W. Campbell,
Joseph H. Chandler,
Bratus J. Clay,
John B. Cochran, 

Otho Miller,
Felix G. Murphy,
William S. Rankin,
John Ray,
Joseph Ricketts,
George S. Shanklin,
G. Clay Smith,
Rob't A. Spalding,
James P. Sparks,
Joseph R. Underwood,
John S. Vanwinkle,
Zeb. Ward,
George H. Yeaman,
Milton Young,
Van B. Young—47.

Those who voted in the negative, were—

Jas. W. Anderson,
W. C. Anderson,
John C. Beeman,
Curtis F. Burnam,
Marion N. Carr,
Hugh F. Finley,
John W. Finnell,

Jas. W. Anderson,
W. C. Anderson,
John C. Beeman,
Curtis F. Burnam,
Marion N. Carr,
Hugh F. Finley,
John W. Finnell,

Elijah Gabbert,
Remus Gibson,
Richard T. Jacob,
James M. C. Lisenby,
George Pindexter,
Hiram S. Powell,
F. D. Rigney,

Elijah Gabbert,
Remus Gibson,
Richard T. Jacob,
James M. C. Lisenby,
George Pindexter,
Hiram S. Powell,
F. D. Rigney,

M. Smith,
Harrison Taylor,
Joshua Tevis,
George M. Thomas,
John R. Thomas,
Nathaniel Wolfe—20.

And then the House adjourned.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend the charter of the Bardstown and Louisville railroad company.

An act to change the time of holding the circuit courts in Cumberland and Russell counties.

An act for the benefit of Ben. L. McAtee and James Wood, late sheriffs of Nelson county.

An act supplemental to the act, entitled "An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his sureties, and for the benefit of the sheriff of Madison county."

An act for the benefit of common school district No. 15, in Crittenden county.

An act for the benefit of common school district No. 34, in Crittenden county.

An act for the benefit of John C. Burks, guardian for the heirs of Joseph Ewing, deceased.

An act to incorporate the Bell Insurance Company, of Louisville.

An act to amend the jury law in relation to the trustee of the jury fund of the counties of Bath and Daviess.

An act for the benefit of the Shelbyville and Taylorsville turnpike road company.

An act for the benefit of W. A. L. B. Sharp, late sheriff of Estill county, and his securities.

An act for the benefit of James R. Garland and his deputies, late sheriff of Lewis county.

An act for the benefit of the county of Boone.

An act to repeal so much of an act, approved May 24, 1861, as relates to the boundary line between Barren and Metcalfe counties.

An act to define magistrates' districts and regulate election precincts in Franklin county.

An act appointing commissioners to mark and establish the lines...
between the counties of Henderson and Webster, and Webster and Union.

An act for the benefit of common school district No. 46, in Henderson county.

An act to repeal an act for the benefit of the sheriffs of Barren and Metcalfe counties.

An act for the benefit of the sheriff of Livingston county.

An act for the benefit of Samuel H. Murrell, of Adair county.

Also a bill which originated in the Senate, entitled

An act to amend article 3d of chapter 48, of the Revised Statutes.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheiner inform the Senate thereof.

Mr. Underwood presented sundry petitions in favor of peace and calling a National Convention, &c.

Which were received, the reading dispensed with, and referred to the Committee on Federal Relations.

The House took up the resolution from the Senate, requesting John C. Breckinridge and Lazarus W. Powell to resign their seats as United States Senators.

Mr. W. C. Anderson moved to suspend the rule of the House to take said resolution up for action.

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

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

Those who voted in the affirmative, were—

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<th>Name</th>
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<tr>
<td>Jas. W. Anderson</td>
<td>William H. Hays</td>
<td>John Ray</td>
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<td>W. C. Anderson</td>
<td>William C. Ireland</td>
<td>Joseph Ricketts</td>
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<td>John C. Beeman</td>
<td>James M. C. Lisenby</td>
<td>G. Clay Smith</td>
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<td>Brutus J. Clay</td>
<td>Alexander Lusk</td>
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<td>John B. Cochran</td>
<td>Otho Miller</td>
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<td>John C. Cooper</td>
<td>Thomas Z. Morrow</td>
<td>George M. Thomas</td>
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<td>Hugh F. Finley</td>
<td>Thomas W. Owings</td>
<td>John K. Thomas</td>
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<td>John W. Finnell</td>
<td>George Poincexter</td>
<td>Nathaniel Wolfe</td>
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<td>Elijah Gabbert</td>
<td>Hiram S. Powell</td>
<td>Geo. H. Yeaman</td>
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<td>John H. Harney</td>
<td>Larkin J. Proctor</td>
<td>Bryan R. Young—30</td>
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Those who voted in the negative, were—

<table>
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<th>Name</th>
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<tbody>
<tr>
<td>Mr. Speaker, (Buckner,) W. H. Edmonds</td>
<td>Felix G. Murphy</td>
<td>William J. England</td>
</tr>
<tr>
<td>Alfred Allen</td>
<td>Stephen J. England</td>
<td>Nicholas A. Rapier</td>
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<tr>
<td>R. C. Anderson</td>
<td>Joseph Gardner</td>
<td>F. D. Rigney</td>
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<tr>
<td>Landaff W. Andrews</td>
<td>Remus Gibson</td>
<td>George S. Shanklin</td>
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<td>Vincent Ash</td>
<td>Henry Griffith</td>
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The Judiciary Committee, to whom was referred a bill from the Senate, entitled
An act to amend article 3d of chapter 48, 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 being dispensed with, and the same being engrossed, Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The same committee, to whom was referred a bill, entitled
An act in relation to treasury claims, Reported the same, with the expression of opinion that said bill ought not to pass.
And the question being taken, "Shall the bill be read a third time?" it was decided in the negative.
And so said bill was rejected.
The same committee, to whom was referred a bill, entitled
An act to amend the law with regard to commissioners' sales, Reported the same, with the expression of opinion that the same ought not to pass.
Mr. Underwood moved a bill, entitled
An act to provide for the valuation of property sold under executions and decrees, and to amend the law now in force on that subject, No. 183, offered by him on yesterday as a substitute to the bill.
The House then took up the special order, entitled
An act for the appropriation of money.
Ordered, That said bill be recommitted to the Committee on Claims.
Mr. Andrews read and laid on the table the following joint resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That if the Government of the United States of America shall re-imburse the Commonwealth of Kentucky for any expense incurred in prosecuting the war now being waged against her, the funds so
received from the Government of the United States shall be, and are hereby, set apart to pay any money borrowed by said Commonwealth for the purpose aforesaid; and the same shall be appropriated to such payments whenever received, whether the bonds issued as evidences of such debts by the State be due or not.

Mr. Andrews moved to suspend the rules of the House to take said resolution up for adoption.

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

Said resolution was then taken up, twice read, and adopted.

The yeas and nays being required on the adoption of the resolution by Messrs. Elliott and May, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The Committee on Internal Improvement, to whom was referred leave to bring in a bill, entitled

An act to abolish the office of President of the Board of Internal Improvement,

Reported thereon
I. 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 the Judiciary.

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

1. A bill authorizing the raising a force of 2,000 men, in addition to those already provided for to be raised in and for the protection of certain counties on the border of the State, now invaded and threatened to be invaded, to be mustered into the service of the State as sharpshooters, cavalry, or scouts.

2. A bill authorizing troops to be drafted into the service of the State in certain counties, so as each county will furnish its proportionate share of the troops authorized to be raised.

Ordered, That the Committee on Military Affairs prepare and bring in the said bills.

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

An act extending the time for returning the delinquent lists in the collection of the public revenue for 1861.

An act for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.

An act for the benefit of Ben. L. McAtee and James Wood, late sheriffs of Nelson county.

An act for the benefit of John C. Burks, guardian for the heirs of Joseph Ewing, deceased.

An act to amend the law in relation to the trustee of the jury fund for the counties of Bath and Daviess.

An act for the benefit of the sheriff of Livingston county.

That they had concurred in a resolution from this House in relation to the surety of money borrowed.

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

An act to compel the attendance of absent members of the General Assembly.

An act to appoint commissioners to re-district Carter county into magistrates' and constables' districts.

And had received official information from the Governor of his
approval of sundry bills, which originated in the Senate, of the following titles, viz:

An act authorizing the county court of Cumberland county to increase the county levy of said county.

An act for the benefit of school district No. 15, in Adair county.

An act for the benefit of the Southern Bank of Kentucky.

An act for the benefit of Frank Garrett, late clerk of the Morgan county court.

An act to appropriate money for the purpose of inclosing and protecting the building for the Education and Training of Feebleminded Children.

An act for the benefit of William Mynheir, clerk of the Morgan circuit court.

An act legalizing certain proceedings of the Logan county court.

An act concerning the city court of Louisville.

An act to change the election and magistrates’ district No. 1, in Adair county.

An act to amend article 3d of chapter 86, of Revised Statutes.

Also, a resolution appointing a committee to visit Harrodsburg, for the purpose of inquiring into the arrest of certain members of the General Assembly.

An act to create an additional magistrate’s and constable’s district in the city of Louisville.

An act to incorporate Mt. Moriah Lodge, No. 206, of Free and Accepted Masons.

An act for the benefit of H. L. Tye and others, late sheriffs, and W. C. Gillis, late surveyor of Whitley county.

An act for the benefit of Stephen J. England, late sheriff of Carter county.

An act to incorporate the Combs Academy, in Breathitt county.

An act to amend the charter of the People’s Bank of Kentucky.

An act to incorporate the Protestant German Benevolent Association of Covington.

An act amendatory of an act to amend the charter of the town of Owenton.

An act to amend the charter of the town of Cadiz, in Trigg county.

An act for the benefit of R. S. Spalding, late sheriff of Union county.

An act for the benefit of Thomas Conway, late sheriff of Union county.
An act to incorporate the Perryville Collegiate School.

An act authorizing the Auditor to have the revenue of Rockcastle county collected.

An act for the benefit of Jas. H. Parker, late clerk of the Campbell county court.

An act for the benefit of Henry Trunnell, late sheriff of Bullitt county.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution in relation to the security of money borrowed, which originated in this House, and had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The House then took up a bill from the Senate, entitled An act to repeal an act for the benefit of James D. Ballard, and revive an act for his benefit.

Ordered, That said bill be referred to the Committee on Education.

Ordered, That the resolution, amendment, and substitute, be referred to the Committee on Federal Relations.

The Speaker appointed Messrs. Sparks, Rankin, Burns, Calvert, Jacob, and G. Clay Smith a committee under the resolution offered by Mr. Sparks in relation to the Hon. E. F. Nuttall.

The Committee on Military Affairs reported a bill, entitled

An act to provide for a clerk in the Treasurer's office.

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

On motion of Mr. Underwood, leave was given him to withdraw from the Governor a bill passed, entitled

An act requiring information to be given to officers of the army.

The Committee on Federal Relations, to whom was referred a resolution from the Senate requesting John Cabell Breckinridge and L. W. Powell, Senators, to resign, and amendments offered in this House, reported thereon the following resolution, viz:

WHEREAS, John C. Breckinridge and L. W. Powell do not represent the will of the people of the State of Kentucky; therefore,
Be it resolved by the General Assembly of the Commonwealth of Kentucky,
That they be instructed to resign their seats in the Senate of the
United States.

Mr. Milton Young moved to strike out of said resolution the name
of L. W. Powell.

Mr. W. C. Anderson moved the previous question.

The question was then taken, “Shall the main question be now put?”
and it was decided in the negative.

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

Those who voted in the affirmative, were—

Jas. W. Anderson,          Elijah Gabbert,          Nicholas A. Rapier,
W. C. Anderson,             John H. Harny,           Joseph Ricketts,
E. B. Bacheller,            William H. Hays,          G. Clay Smith,
John C. Beeman,             Richard T. Jacob,         James P. Sparks,
Marion N. Carr,             Alexander Lusk,           Joshua Tevis,
John B. Cochran,            Thomas Z. Morrow,         John R. Thomas,
Hugh F. Finley,             Hiram S. Powell,          Nathaniel Wolfe—22.
John W. Finnell,             

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Felix C. Murphy,
Alfred Allen,                Remus Gibson,           George P. Olden,  
R. C. Anderson,              Henry Griffith,          William S. Rankin,  
Landaff W. Andrews,          George M. Hampton,       John Ray,    
Vincent Ash,                 William J. Heady,        F. D. Rigney,  
John W. Blue,                John B. Hirst,           George S. Shanklin,  
Curtis F. Burnam,            William C. Ireland,       Rob't A. Spalding,  
E. F. Burns,                 Daniel W. Johns,         Joseph R. Underwood,  
W. P. D. Bush,               Urban E. Kennedy,         Zeb. Ward,  
James Calvert,               James M. C. Lisenby,       Geo. H. Yeaman,  
J. W. Campbell,              P. L. Maxey,            Bryan R. Young,  
Joseph H. Chandler,          David May,              Milton Young,  
Robert Cochran,              David P. Mears,         Van B. Young—41.
John M. Elliott,             Otho Miller,         

Mr. Ireland offered a substitute for the resolution, and after some
discussion had thereon,

Mr. Heady moved that the House adjourn.

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

And then the House adjourned.
WEDNESDAY, OCTOBER 2, 1861.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House of the following titles, and had found the same truly enrolled, viz:

An act extending the time for returning the delinquent lists in the collection of the public revenue for the year 1861.

An act for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.

An act supplemental to the act, entitled “An act for the benefit of R. P. Sanders, late sheriff of Taylor county, and his sureties, and for the benefit of the sheriff of Madison county.”

An act for the benefit of James R. Garland and his deputies, late sheriffs of Lewis county.

An act to suspend the fall and winter terms of the circuit courts for the counties of Wayne, Clinton, Cumberland, Adair, Casey, and Russell.

An act for the benefit of Samuel H. Murrell, of Adair county.

The Committee on Incorporated Institutions, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of the town of Mt. Sterling.

An act to amend the charter of the Masonic Temple 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.

The same committee, to whom was referred a bill from the Senate, entitled

An act to charter the Home Insurance Company.

Reported the same without amendment.

Mr. Beeman moved to strike out the 12th section of the bill.

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

Ordered, That said bill be rejected.
Mr. Ward moved a reconsideration of the vote by which the bill was rejected.

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

Mr. Beeman moved to lay the bill on the table.

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,

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

The yeas and nays being required on the passage of said bill by Messrs. Ward and Ash, 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. Hawkins, Assistant Secretary, announcing that they had passed bills from this House, of the following titles, viz:

An act to amend an act, entitled "An act for the benefit of James Edmiston, of Hopkins county."
An act for the benefit of James C. Edwards, late sheriff of Green county.

An act for the benefit of William Hampton, guardian of the heirs of A. W. Ferguson, deceased.

An act for the benefit of Caroline Ferguson, executrix of A. W. Ferguson, deceased.

An act in relation to purchasing certain histories and maps for the State Library.

An act to amend the common school law defining the number of days in a school month.

With an amendment to the last named bill.

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

An act empowering the jailer of Franklin county to appoint a deputy jailer.


An act to prohibit the sale or gift of intoxicating liquors to soldiers or officers.

An act to repeal the 8th section of an act, entitled "An act concerning the penitentiary."

An act supplemental to an act to raise volunteer forces to repel the invasion of the State, and for other purposes.

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

An act to suspend the holding of circuit courts in the counties of Harlan, Letcher, Perry, Breathitt, Owsley, Jackson, and Clay.

An act in regard to settlements of decedents' estates heretofore made.

An act in regard to imbeciles, their persons and estates.

An act to exempt certain hands in Madison county from work on dirt roads.

An act to amend the charter of the Stanford and Hustonville turnpike road company.

An act to establish an additional voting place in Boyle county.

An act repealing in part the act, entitled "An act to repeal an act incorporating the Lewisport Pond Draining Company, and reviving in part an act to incorporate the Lewisport Pond Draining Company."
An act for the benefit of Jacob Corbett, clerk of the Ballard circuit and county courts.
An act in relation to guardians and wards.
An act to authorize the county court of Todd county to change the State road from Hopkinsville to Morganfield.
An act for the benefit of the Brooksville and Claysville turnpike road company.
An act to amend the charter of the city of Newport.
An act amending the act incorporating the town of Concord, in Lewis county.
An act authorizing the election of a police judge and marshal for the town of Carlisle, Nicholas county.
An act to incorporate Noah's Dove Encampment, No. 1, of the United Order of Ancient Fellows.
An act to incorporate Washington Lodge, No. 1, of the United Order of Ancient Fellows.
An act incorporating the LaGrange Masonic Female Seminary.
An act to amend the act regulating the inspection and selling of tobacco in the city of Louisville.
An act to prohibit and prevent rebellion by citizens of Kentucky, and others of this State.
An act supplemental to an act, entitled "An act to raise volunteer forces to repel the invasion of the State, and for other purposes."

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

EXECUTIVE DEPARTMENT, Frankfort, Oct. 1, 1861.

Gentlemen of the House of Representatives:
I herewith return to you the accompanying bill, entitled "An act requiring information to be given to officers of the army," which originated in your House, with my objections to its becoming a law. The act is in the following language, viz:

"§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all officers, employees, agents, and residents of this Commonwealth, having information, verbal, or written, surveys, maps, or drawings, important to aid the military operations in defense of the State, are hereby required and directed to furnish the same to any officer of the State or Federal army, upon application therefor, without delay; and any person offending against the provisions of this act shall be deemed guilty of high misdemeanor, and shall, upon conviction thereof, be fined not less than five nor more than five thousand dollars, and shall be disqualified from holding any office in this Commonwealth.

"§ 2. This act to take effect from and after its passage."
It seems to me to be a clear violation of the 14th section of article 13 of the Constitution of Kentucky, which reads, in part, as follows: "Nor shall any man's property be taken or applied to public use without the consent of his representatives, and without just compensation being previously made to him;" and of article 5th, of amendments to the Constitution of the United States, the latter part of which reads as follows: "Nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation."

I cannot, therefore, sign it, but respectfully return it to you for reconsideration.

B. MAGOFFIN.

The question was then taken, "Shall the bill pass, the Governor's objections to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon by the constitution, were as follows, viz:

In the affirmative—
William P. Boone—1.

Those who voted in the negative, were—
Mr. Speaker, (Buckner,) Elijah Gabbert, Hiram S. Powell,
Alfred Allen, Joseph Gardner, Lackin J. Proctor,
James W. Anderson, Evan M. Garriott, William S. Rankin,
R. C. Anderson, Remus Gibson, Nicholas A. Rapier,
W. C. Anderson, Henry Griffith, John Ray,
Landaff W. Andrews, George M. Hampton, Joseph Ricketts,
Vincent Ash, John H. Harney, F. D. Rigney,
E. B. Bacheeker, William H. Hays, George S. Shanklin,
John W. Blue, William J. Heady, G. Clay Smith,
Curtis E. Burnam, John B. Huson, Rob't A. Spalding,
E. E. Burns, William C. Ireland, James P. Sparks,
W. P. D. Bush, Daniel W. Johns, Harrison Taylor,
James Calvert, William Johnson, Joshua Tevis,
J. W. Campbell, Urban E. Kennedy, George M. Thomas,
Marion N. Carr, James M. C. Lisenby, John K. Thomas,
Joseph H. Chandler, Alexander Lusk, Thomas Turner,
John B. Cochran, P. L. Maxey, Joseph E. Underwood,
Robert Cochran, David May, John S. Vanwinkle,
John C. Cooper, David P. Mears, Zeb. Ward,
Albert A. Curtis, Otho Miller, Nathaniel Wolfe,
W. H. Edmonds, Thomas Z. Morrow, George H. Young,
Stephen J. England, Felix G. Murphy, Bryan R. Young,
Hugh F. Finley, Thomas W. Owings, Milton Young,
John W. Finnell, George Poindexter, Van B. Young—72.

Mr. Allen, from the special committee appointed to have printed certain acts and resolutions passed this session, made a report,

Which was adopted.
The House again resumed the consideration of the resolution from the Senate requesting John C. Breckinridge and Lazarus W. Powell to resign their seats in the Senate.

Mr. Heady moved that the further consideration of the subject be postponed till the meeting of this Assembly again.

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

The yeas and nays being required thereon by Messrs. Taylor and W. C. Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Ireland moved the following as a substitute, withdrawing his substitute offered on yesterday, viz:

WHEREAS, John C. Breckinridge, a Senator in Congress from Kentucky, has, since the beginning of the present difficulties, misrepresented the wishes and political opinions of the people of Kentucky, and has uniformly voted so as to give aid and comfort to the enemies of his Government, and is even now in the midst of those enemies, aiding and encouraging them in their wicked war against the Government, and in their invasion of his native soil; and whereas, Lazarus W. Powell, another Senator from Kentucky, has failed to repre-
sent the opinions of the people of the State, in his votes in Congress; wherefore,

It is resolved by the General Assembly of the Commonwealth of Kentucky, That John C. Breckinridge be, and he is hereby, instructed to resign his office of United States Senator, and that Lazarus W. Powell he instructed to so vote, in the future, as will best secure and perpetuate the Union of the States, and the power and glory of the Federal Government.

Mr. Ireland moved the previous question.
The question being taken, “Shall the main question be now put?” it was decided in the negative.

The yeas and nays being required thereon by Messrs. Rankin and May, 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 offered by Mr. Ireland, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burns and May, were as follows, viz:
Those who voted in the affirmative, were—

Alfred Allen, Remus Gibson, Larkin J. Proctor,
Landaff W. Andrews, Henry Griffith, John Ray,
Curtis F. Burnam, William H. Huys, F. D. Rigney,
J. W. Campbell, William C. Ireland, George S. Shanklin,
Marion N. Carr, Alexander Lusk, G. Clay Smith,
Joseph H. Chandler, P. L. Maxey, Harrison Taylor,
John B. Cochran, David P. Mears, Thomas Turner,
Robert Cochran, Otho Miller, Joseph R. Underwood,
John C. Cooper, Thomas W. Owings, George H. Yeaman,
Stephen J. England, George Poindexter, Bryan R. Young,
Elijah Gabbert, Hiram S. Powell, Milton Young—38.

Those who voted in the negative, were—

Jas. W. Anderson, Hugh F. Finley, Thomas Z. Morrow,
R. C. Anderson, Joseph Gardner, Felix G. Murphy,
W. C. Anderson, Evan M. Garriott, William S. Rankin,
Vincent Ash, G. M. Hampton, Joseph Ricketts,
E. B. Bacheller, John H. Harney, Rob't A. Spalding,
John C. Beeman, William J. Heady, James P. Sparks,
John W. Blue, John B. Huston, Joshua Tevis,
William P. Boone, Richard T. Jacob, George M. Thomas,
E. F. Burns, Daniel W. Johns, John R. Thomas,
W. P. Davis, William Johnson, Zeb. Ward,
James Calvert, Urban E. Kennedy, Nathaniel Wolfe,
Albert A. Curtis, James M. C. Lisenby, Van B. Young—38.

Mr. Bush then offered the following substitute, viz:

WHEREAS, In our system of Republican Government all political power and sovereignty are inherent in the people, and the representatives of the people are their agents, and ought, in good faith, to honestly express and carry out their will; and whereas, it is believed by a number of the members of this General Assembly, and the people whom they represent, that the Hon. J. C. Breckinridge and the Hon. L. W. Powell, do not now faithfully, honestly, and correctly represent the people of this State in the Senate of the United States, whilst other members, and the people whom they represent, believe they are faithfully, honestly, and correctly represented by the said Breckinridge and Powell in the Senate of the United States,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an election shall be held, and the sense of the legal voters of this State, taken, on the third Monday in November, 1861, upon the following propositions, to-wit: The clerks of their respective voting places shall prepare a poll-book with four columns, with the following headings, viz: 1. In favor of the resignation of John C. Breckinridge. 2. In favor of the resignation of Lazarus W. Powell. 3. Opposed to the resignation of John C. Breckinridge. 4. Opposed to the resignation of Lazarus W. Powell. And when the votes are cast, to set down the same correctly, and the same shall be cast for or against the propositions aforesaid.
The question was then taken on adopting the substitute of Mr. Bush, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Underwood then offered the following substitute, viz:

The General Assembly believing that John C. Breckinridge, a Senator in Congress from this State, is in favor of disuniting the States, by acknowledging the independence and separate nationality of the Confederate States, and will act with a view to accomplish that object; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the said Breckinridge is hereby instructed to resign his seat in the Senate of the United States.

The question was then taken on adopting the substitute of Mr. Underwood, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Edmonds and Johnson, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on striking out the name of Mr. Powell, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bush and M. Young, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


2.

The question was then taken on adopting the report of the Committee on Federal Relations, which is as follows, viz:

WHEREAS, John C. Breckinridge and L. W. Powell do not represent the will of the people of the State of Kentucky; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That they be instructed to resign their seats in the Senate of the United States.

And it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and Bush, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Taylor, from the Committee on Ways and Means, reported a bill, entitled
An act supplemental to an act, entitled "An act to amend an act, entitled an act for the regulation of the militia and to provide for the arming of the State," approved May 24, 1861; and also further to provide for the public defense.

Said bill reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Board of Commissioners created by the acts mentioned in the title to this act, and to which this is a supplement, shall have power and authority to procure, by loan, two additional millions of dollars, in the same manner, upon the same terms, and to be devoted to the same purposes indicated by the act passed at the present session of the General Assembly, and to which this is a supplement.

§ 2. This act shall take effect from and after its passage.

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 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 having been engrossed,

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

The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

An act to enlarge the powers of the Military Board and to increase the pay of its members.

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

Mr. Finley moved an amendment.

Which was adopted.

The Committee on Military Affairs reported a bill, entitled An act to enlarge the powers of the Military Board and to increase the pay of its members.

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

Mr. Finley moved an amendment.

Which was adopted.

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

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

Which bill is as follows, viz.:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the members of the Military Board shall hereafter each receive and be allowed a salary of one thousand dollars per annum, to be paid them respectively as other salaries are now paid, in lieu of the salaries now allowed them by law. Each member of said board shall be paid for their services during the residue of the present year, at the rate of one thousand dollars per annum.

§ 2. Said Military Board is authorized to enlist and receive into the service of the State, not more than two thousand mounted men, and to organize them into companies, battalions, and regiments, as a regiment of infantry is now directed to be organized and officered by law. The mounted men so received, or any part of them, may be employed in the service of the State for any length of time, at the discretion of the Board, and shall receive for their services the same pay, rations, and clothing as are allowed officers and soldiers of mounted riflemen or cavalry in the army of the United States.

§ 3. The non-commissioned officers and men enlisted under the second section of this act, shall furnish their own horses, and each non-commissioned officer and private shall, for the services of his horse, be allowed and paid at the rate of five dollars per month for the services of his horse, and shall also be paid the value of his horse, if killed in battle, not exceeding one hundred and fifty dollars: Provided, however, That no horse shall be admitted into the service unless capable of performing efficient and valuable service.
§ 4. The forces enlisted under this act shall be employed as mounted riflemen, sharpshooters, or scouts, as they may be deemed most useful.

§ 5. This act shall take effect from and after its passage.

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

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,)Stephen J. England, George Poindexter,
Alfred Allen, Hugh F. Finley, Hiram S. Powell,
Jas. W. Anderson, Elijah Gabbert, Larkin J. Proctor,
R. C. Anderson, Remus Gibson, Joseph Ricketts,
W. C. Anderson, Henry Griffith, F. D. Rigney,
Landaff W. Andrews, John H. Harney, M. Smith,
E. B. Bacheller, William H. Hays, James P. Sparks,
John C. Beeman, John B. Husted, Harrison Taylor,
William P. Boone, William C. Ireland, Joshua Tevis,
Curtis F. Burnam, Richard T. Jacob, John R. Thomas,
James Calvert, Daniel W. Johns, Thomas Turner,
J. W. Campbell, Urban E. Kennedy, Joseph R. Underwood,
Marion N. Carr, James M. O. Eisenby, John S. Vanwinkle,
Joseph B. Chandler, David P. Mears, Zeb. Ward,
John B. Cochran, Otoh Miller, Nathaniel Wolfe,
Robert Cochran, Thomas Z. Morrow, George H. Yeaman,
John C. Cooper, Thomas W. Owings, Bryan R. Young—52.

Albert A. Curtis,

Those who voted in the negative, were—

Vincent Ash, G. M. Hampton, John Ray,
John W. Blue, William J. Heady, George S. Shanklin,
E. F. Burns, P. L. Maxey, G. Clay Smith,
W. P. D. Bush, Felix G. Murphy, Rob't A. Spalding,
W. H. Edmunds, William S. Rankin, George M. Thomas,
Joseph Gardner, Nicholas A. Rapier, Milton Young—19.

The same committee reported a bill, entitled

An act to organize police forces to protect public property, railroads, locks and dams, bridges, and turnpikes, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, Any police force employed by the Military Board, for the protection of property of the State, or any of the railroads or locks and dams in the State, or any bridges or turnpike roads, may be organized with so many officers, of the same titles, grades and emoluments as officers of the army, as said Board may deem needful to secure the greatest efficiency, and provided there shall be no officer in the police force of higher rank than major.
§ 2. All officers and privates in any police force, while in service, and employed for the purposes specified in the first section of this act, shall be liable to the same penalties, for disobedience of orders, neglect of duty, or other improper conduct, and subject to the same rules, regulations, and articles of war as soldiers and officers of the regular army of the United States.

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 engrossed and read a third time.

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

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell,
Alfred Allen,
James W. Anderson,
R. C. Anderson,
W. C. Anderson,
Landaff W. Andrews,
John C. Beeman,
William P. Boone,
Curtis F. Burnam,
James Calvert,
J. W. Campbell,
Marion N. Carr,
Joseph H. Chandler,
John B. Cochran,
Robert Cochran,
John C. Cooper,
Albert A. Curtis,
Stephen J. England,
Hugh F. Finley,
Elijah Gabbert,
Remus Gibson,
Henry Griffith,
John H. Harney,
William H. Hays,
John B. Huston,
William C. Ireland,
Richard T. Jacob,
Daniel W. Johns,
Urban E. Kennedy,
James M. C. Lisenby,
P. L. Maxey,
David P. Mears,
Otho Miller,
Thomas Z. Morrow,
Thomas W. Owings,
George Poindexter,
Hiram S. Powell,
Larkin J. Proctor,
William S. Rankin,
Nicholas A. Rapier,
John Ray,
Joseph Ricketts,
F. D. Rigney,
George S. Shanklin,
M. Smith,
James P. Sparks,
Joshua Tevis,
John R. Thomas,
Thomas Turner,
Joseph R. Underwood,
John S. Vanwinkle,
Zeb. Ward,
Nathaniel Wolfe,
George H. Yeaman,
Bryan R. Young—56,

Those who voted in the negative, were—

Vincent Ash,
E. F. Burns,
W. P. D. Bush,
W. H. Edmunds,
Joseph Gardner,
Evan M. Garriott,
George M. Hampton,
William J. Heady,
Felix G. Murphy,
G. Clay Smith,
Rob't A. Spalding,
George M. Thomas,
Milton Young—13.
An act to amend the law regulating the taking of depositions out of this State.

An act supplemental to an act, entitled "An act to amend an act, entitled an act for the regulation of the militia and to provide for the arming of the State, approved May 24, 1861;" and also further to provide for the public defense.

An act for the benefit of Odd Fellows' Hall, in Covington.

With an amendment to the last named bill.

That they had concurred in the amendment adopted by this House in relation to Senators Breckinridge and Powell.

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

An act to amend chapter 93, article 6, section 5, Revised Statutes, title "Runaway Slaves."

An act for the benefit of L. S. Lee, sheriff of Ballard county.

An act for the benefit of Jacob Corbett, clerk of the circuit and county courts of Ballard county.

The House then took up a bill from the Senate, entitled

An act to compel the attendance of absent members of the General Assembly.

Said bill reads as follows, viz:

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That if, at any time when the General Assembly is in session, there should be less than a quorum in either or both branches of the Legislature, the Speakers of the two Houses, if present, and either or both Speakers are not present, two members of the Senate and three of the House, shall have power to adjourn from day to day, and shall be authorized to compel the attendance of absent members.

§ 2. The Speakers of the two Houses shall have power, by proclamation, to warn in the absent members by a named day, and upon the failure of any absent member to attend on the day designated, to issue their warrants to the Sergeant-at-Arms of either or both Houses, and to such sheriffs, constables, or jailers as they shall see fit, to arrest and bring to the Capitol the absent members; in case the Speaker of the House is not present, three members may sign the warrants in his stead; and in case the Speaker of the Senate is not present, two members of the Senate may sign the warrants in his stead; and in case both Speakers are not present, the warrants shall be signed by three members of the House and two of the Senate.

§ 3. It shall be the duty of the Sergeant-at-Arms, all sheriffs, constables, and jailers, to execute said warrants; and if they fail or refuse to do so, they shall be fined in a sum not less than one hundred dollars nor more than one thousand dollars; and the officer executing such warrants shall receive as his fee and for mileage the same sum that sheriffs are entitled to for like services.
§ 4. The member so arrested shall pay all the cost of his arrest, to be retained out of his per diem, if it shall be so much; and if not, to be recovered as other debts due the Commonwealth; and the member so arrested and brought to the Capitol shall pay such other sums above the cost of his arrest as the House of which he is a member shall impose as a fine: Provided, however, That either House shall, for good cause shown, relieve their members so arrested from the penalties imposed by this section.

§ 5. This act to take effect from its passage.

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

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

Ordered, That said bill be read a third time.

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

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled "An act for the benefit of James Edmiston, of Hopkins county."

An act for the benefit of James C. Edwards, late sheriff of Green county.

An act for the benefit of William Hampton, guardian of the heirs of A. W. Ferguson, deceased.

An act for the benefit of Caroline Ferguson, executrix of A. W. Ferguson, deceased.

An act in relation to purchasing certain histories and maps for the State Library.

An act supplemental to an act, entitled "An act to amend an act entitled an act for the regulation of the militia, and to provide for the arming of the State," approved May 24, 1861; and also further to provide for the public defense.

Also a bill and resolution, which originated in the Senate, of the following titles, viz:


Resolution relating to Senators John C. Breckinridge and Lazarus W. Powell.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Bills from the Senate of the following titles, viz:

1. An act to appoint commissioners to redistrict Carter county into magistrates' and constables' districts.

2. An act to empower the jailer of Franklin county to appoint a deputy.


4. An act to repeal the 8th section of an act, entitled "An act concerning the penitentiary."

5. An act to amend chapter 93, article 6, section 5, Revised Statutes, title "Runaway Slaves."

6. An act for the benefit of L. S. Lee, sheriff of Ballard county.
7. An act for the benefit of Jacob Corbett, clerk of the county and circuit courts of Ballard county.

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

The rule of the House, constitutional provision, and second reading of the 1st, 2d, 3d, 4th, 5th, 6th, and 7th bills having been dispensed with, the 4th was referred to the Committee on the Penitentiary; the 1st, 2d, 3d, 5th, 6th, and 7th 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, and 7th bills having been dispensed with,

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

A bill from the Senate, entitled

An act to prohibit the sale or gift of intoxicating liquors to officers or soldiers,

Was read the first time, and ordered to be read a second time.

Mr. Huston moved to amend the bill by striking out the figures "$50," and insert "$10," and "$250," and insert "$100."

And the question being taken thereon, said amendment was adopted.

Mr. Burnam moved to strike out the word "give."

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.

A bill from the Senate, entitled

An act supplemental to an act to raise volunteer forces to repel the invasion of the State, and for other purposes,

Was taken up.

On motion of Mr. Taylor,

Ordered, That said bill be laid upon the table.

The House then took up a bill, entitled

An act to provide for a clerk in the Treasurer's office,

Which is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken- tucky, That the Treasurer be, and he is hereby, allowed annually the
sum of three hundred dollars, to enable him to employ a clerk, which
sum shall be paid monthly out of any money in the treasury not other-
wise appropriated.

§ 2. 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,

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

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, (Buckner,) John W. Finnell,
Alfred Allen,
Jas. W. Anderson,
R. G. Anderson,
W. C. Anderson,
Landaff W. Andrews,
E. B. Bacheller,
John C. Beeman,
John W. Blue,
William P. Boone,
Curtis F. Burnam,
James Calvert,
J. W. Campbell,
Marion N. Carr,
Joseph H. Chandler,
John B. Cochran,
Robert Cochran,
John C. Cooper,
Albert A. Curtis,
W. H. Edmunds,
Stephen J. England,
Larkin J. Proctor,
William S. Rankin,
Nicholas A. Rapkin,
John Ray,
Joseph Ricketts,
P. D. Rigney,
George S. Shanklin,
G. Clay Smith,
M. Smith,
Harrison Taylor,
Joshua Tevis,
George M. Thomas,
John R. Thomas,
Thomas Turner,
Joseph R. Underwood,
John S. Vanwinkle,
Zeb. Ward,
Nathaniel Wolfe,
George H. Yeaman,
Bryan R. Young—62.

Those who voted in the negative, were—

Vincent Ash,
E. F. Burns,
W. P. D. Bush,
Hugh F. Finley,
George M. Hampton,
P. L. Maxey,
David May,
Hiram S. Powell,
Rob't A. Spalding,
James P. Sparks,
Milton Young,
Van B. Young—12.

The House then took up bills of the following titles, with Senate
amendments, viz:

An act for the benefit of Odd Fellows' Hall, Covington.
An act to amend the common school law defining the number of
days in a school month.

Which amendments were concurred in.
Mr. Burns moved to suspend the rule of the House to enable him to offer a resolution requiring the Military Board to give bond for performance of their duties, &c.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


An act for the appropriation of money,

Reported the same.

Mr. Ward moved to strike out "$248," in sections 11 and 12, and insert "$125" in lieu thereof.

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

The yeas and nays being required thereon by Messrs. Rapier and Sparks, were as follows, viz:
Those who voted in the affirmative, were—
Nicholas A. Repier, James P. Sparks, Van B. Young—3.

Those who voted in the negative, were—
Mr. Speaker, (Buckner,) Hugh F. Finley,
Alfred Allen, John W. Finnell,
Jas. W. Anderson, Elijah Gabbert,
R. C. Anderson, Joseph Gardner,
W. C. Anderson, Evan M. Garriott,
Landaff W. Andrews, Remus Gibson,
Vincent Ash, Geo. M. Hampton,
E. B. Bacheiler, John H. Harney,
John W. Blue, William H. Hays,
William P. Boce, William J. Heady,
Curtis F. Burnam, John B. Huston,
E. F. Burns, Wm. C. Ireland,
W. P. D. Bush, Daniel W. Johns,
James Calvert, Urban E. Kennedy,
J. W. Campbell, James M. C. Lisenby,
Marion N. Carr, David May,
Joseph H. Chandler, David P. Mears,
John B. Cochran, Otho Miller,
Robert Cochran, Thomas Z. Morrow,
John C. Cooper, Felix G. Murphy,
Albert A. Curtis, Thomas W. Owings,
W. H. Edmunds, Stephen J. England,

The bill was read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,
Ordered, That said bill be engrossed and read a third time.

Which is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following sums of money are hereby appropriated, to the persons named and entitled to be paid out of the public treasury, upon the warrant of the Auditor of Public Accounts.

§ 2. To the Speakers of the Senate and House of Representatives, eight dollars per day, each, during the session of this Legislature.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars per day, each, during the present session, and the same sum per day, each, for five days after the close of the session, or during the first five days of the recess, for their services in preparing the acts for publication and arranging the papers.

§ 4. To the Assistant Clerks of the Senate and House of Representatives, eight dollars per day, each, during the session.

§ 5. That the Auditor is authorized to draw his warrant on the treasury in favor of the principal Clerks of the Senate and House of Rep-
sentatives for the amount of extra clerk hire for enrolling bills, to be estimated and certified by them.
§ 6. To the Sergeants-at-Arms of the Senate and House of Representatives, six dollars per day, each, during the session.
§ 7. To the Doorkeepers of the Senate and House of Representatives, six dollars per day, each, during the session.
§ 8. To Anderson Gray, for the services of two negro men, each, one dollar per day during the session, in waiting on the House of Representatives.
§ 9. To John W. Pruett, for the service of one negro man, in waiting upon the Senate, one dollar per day during the session.
§ 10. To the Pages of the Senate and House of Representatives, one dollar and fifty cents, each, per day during the session, to be drawn and disbursed by the Sergeants-at-Arms of the two Houses.
§ 12. To S. I. M. Major & Co., for the Daily Kentucky Yeoman during the session, two hundred and forty-eight dollars.
§ 13. To the ministers of the different religious denominations in Frankfort, fifty dollars, to be distributed equally amongst them by the Sergeant-at-Arms of the Senate.
§ 14. To Anderson Gray, for two days' services for self and boy, in preparing the hall of the House of Representatives for the present session, fifteen dollars.
§ 15. To George A. Robertson, for two days' services as Sergeant-at-Arms of the House, five dollars.
§ 16. To W. Overton, for sundries furnished the Legislature, four hundred and thirty-six dollars and ninety cents.
§ 17. To John B. Huston, twenty-four dollars and sixty cents; to Wm. B. Read, six dollars and sixty-five cents, and to John M. Elliott, six dollars and ten cents, expenses incurred by them as a committee of the General Assembly, in visiting Harrodsburg, to inquire into the cause of arrest of certain members of the General Assembly.
§ 18. To J. L. Smedley, eight dollars, expenses incurred by him in visiting Harrodsburg with the above committee, by order of the Speaker of the House.
§ 19. To John N. Crutcher, twenty-five dollars, for one American flag.
§ 20. To John L. Smedley, for the services of the Frankfort Brass Band, fifteen dollars.
§ 21. To G. W. Berry, for timber and other materials and work done in raising the flag, twenty dollars and sixty cents.
§ 22. To Peter Qualls, for one ice box, &c., three dollars and fifty cents.
§ 23. To Sandford Goins, for one hundred and twenty-nine bushels of ice furnished the present Legislature, ninety-six dollars.
§ 24. To W. H. Averill, for bill of sundries, one dollar and forty cents.
§ 25. To John J. Roberts, clerk of the Senate enrolling committee, three dollars per day for eighteen days' services.
§ 26. To A. W. Vallandingham, for the services of his negro man
in attending to the "back capitol," fifty cents per day during the session.

§ 27. To Gray & Todd, as per bill rendered, seventy-six dollars and seventy-five cents.

§ 28. To Robb & Dehoney, as per bill rendered, thirteen dollars and seventy-six cents.

§ 29. To the servants who have waited on the Legislature, twenty dollars, to be drawn by the Sergeant-at-Arms of the House of Representatives and disbursed.

§ 30. To A. G. Cammack, as per bills rendered, twenty-six dollars.

§ 31. To J. M. Mills, as per bills rendered, five dollars and thirty cents.

§ 32. To J. W. South, as per bills rendered, thirty dollars and seventy-five cents.

§ 33. To Greenup & Alley, as per bill rendered, seventeen dollars and eighty-five cents.

§ 34. To Keenon & Gibbons, as per bill rendered, sixteen dollars and twenty-five cents.

§ 35. To John Haly, as per bill rendered, three dollars and eighty cents.

§ 36. To John R. Graham, as per bill rendered, one dollar and ninety-five cents.

§ 37. To S. C. Bull, as per bill rendered, forty-three dollars and fifteen cents.

§ 38. To R. Runyan, as per bill rendered, three dollars.

§ 39. To A. G. Hodges & Co., for publishing general order No. 2, per order of S. B. Buckner, Inspector General, sixteen squares, threecentimes, as per account filed, twenty-four dollars.

§ 40. To M. P. Marshall, for going to inform Gen. Anderson of resolutions of General Assembly, expenses, eight dollars and seventy-five cents.

§ 41. To John J. Roberts, to writing, at instance of chairman Military Committee, in Senate, five dollars.

§ 42. To G. W. Berry, to going to Camp Robinson, at the instance of the Speaker of the House, twenty-five dollars.

§ 43. To Selby Harney, to clerking for House Committee on Federal Relations, twenty dollars.

§ 44. This act to take effect from its passage.

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

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

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, Larkin J. Proctor,
Alfred Allen, Elijah Gabbert, William S. Rankin,
Jas. W. Anderson, Joseph Gardner, Nicholas A. Rapier,
A message was received from the Senate, announcing that they had concurred in the amendment of this House to a bill from the Senate, entitled

An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers.

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

An act to provide for a clerk in the Treasurer's office.

An act to enlarge the powers of the Military Board, and to increase the pay of its members.

With an amendment to the last named bill.

Which amendment the House concurred in.

On motion of Mr. G. Clay Smith,

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

1. A bill to amend an act, entitled "An act relating to the county levy of Kenton."

2. A bill to amend the charter of the city of Covington.

Ordered, That the Committee on Circuit Courts prepare and bring in said bills.

The House then took up the resolution offered by Mr. Powell on Monday last.
in attending to the "back capitol," fifty cents per day during the session.

§ 27. To Gray & Todd, as per bill rendered, seventy-six dollars and seventy-five cents.

§ 28. To Robb & Dehoney, as per bill rendered, thirteen dollars and seventy-six cents.

§ 29. To the servants who have waited on the Legislature, twenty dollars, to be drawn by the Sergeant-at-Arms of the House of Representatives and disbursed.

§ 30. To A. G. Cammack, as per bills rendered, twenty-six dollars.

§ 31. To J. M. Mills, as per bills rendered, five dollars and thirty cents.

§ 32. To J. W. South, as per bills rendered, thirty dollars and seventy-five cents.

§ 33. To Greenup & Alley, as per bill rendered, seventeen dollars and eighty-five cents.

§ 34. To Keenan & Gibbons, as per bill rendered, sixteen dollars and twenty-five cents.

§ 35. To John Healy, as per bill rendered, three dollars and eighty cents.

§ 36. To John R. Graham, as per bill rendered, one dollar and ninety-five cents.

§ 37. To S. C. Bull, as per bill rendered, forty-three dollars and fifteen cents.

§ 38. To R. Runyan, as per bill rendered, three dollars.

§ 39. To A. G. Hodges & Co., for publishing general order No. 2, per order of S. B. Buckner, Inspector General, sixteen squares, thricefives, as per account filed, twenty-four dollars.

§ 40. To M. P. Marshall, for going to inform Gen. Anderson of resolutions of General Assembly, expenses, eight dollars and seventy-five cents.

§ 41. To John J. Roberts, for going to Camp Robinson, at the instance of chairman Military Committee, in Senate, five dollars.

§ 42. To G. W. Berry, for going to Camp Robinson, at the instance of the Speaker of the House, twenty-five dollars.

§ 43. To Selby Harney, for clerking for House Committee on Federal Relations, twenty dollars.

§ 44. This act to take effect from its passage.

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

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

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, Larkin J. Proctor,
Alfred Allen, Elijah Gabbert, William S. Rankin,
Jas. W. Anderson, Joseph Gardner, Nicholas A. Rapier,
A message was received from the Senate, announcing that they had concurred in the amendment of this House to a bill from the Senate, entitled

An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers.

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

An act to provide for a clerk in the Treasurer's office.
An act to enlarge the powers of the Military Board, and to increase the pay of its members.

With an amendment to the last named bill.

Which amendment the House concurred in.

On motion of Mr. G. Clay Smith,
Leave was given him to bring in bills of the following titles, viz:

1. A bill to amend an act, entitled "An act relating to the county levy of Kenton."

2. A bill to amend the charter of the city of Covington.

Ordered, That the Committee on Circuit Courts prepare and bring in said bills.

The House then took up the resolution offered by Mr. Powell on Monday last.
Mr. J. B. Cochran moved an amendment to the resolution.
Which was adopted.
Said resolution, as amended, was twice read and adopted.
And then the House adjourned.

THURSDAY, OCTOBER 3, 1861.

Mr. Bacheller, from the Committee on Enrollments, reported that
the committee had examined sundry enrolled bills which originated
in this House, of the following titles, and had found the same truly
enrolled, viz:

An act for the benefit of W. B. Estis, of Knox county.
An act for the benefit of Odd Fellow's Hall, in Covington.
An act for the benefit of Thomas J. Jackson, executor of Beckley
Jackson, deceased.
An act to amend the common school law defining the number of
days in a school month.
An act to amend the law regulating the taking of depositions out of
this State.
An act to provide for a clerk in the Treasurer's office.
An act to enlarge the powers of the Military Board and to increase
the pay of its members.
Also, bills which originated in the Senate, of the following titles,
viz:

An act to amend the charter of the Masonic Temple Company.
An act to amend the charter of the town of Mount Sterling.
An act empowering the jailer of Franklin county to appoint a
deputy jailer.
An act to compel the attendance of absent members of the General
Assembly.
An act to appoint commissioners to redistrict Carter county into
magistrates' and constables' districts.
An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers.

An act to amend chapter 93, article 6, section 5, Revised Statutes, title "Runaway Slaves."

An act for the benefit of L. S. Lee, sheriff of Ballard county.

An act for the benefit of Jacob Corbett, clerk of the county and circuit courts of Ballard county.

Mr. Tevis reported a bill, entitled
An act for the benefit of Wm. Milward.

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 being dispensed with,

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

The rule of the House, constitutional provision, and third reading of said bill being dispensed with, and the same being engrossed,

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

The Committee on Circuit Courts, to whom was referred leave to bring in a bill to amend the charter of the city of Covington, reported the same.

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 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 resumed the consideration of the bill from the Senate, entitled
An act to repeal the 8th section of an act, entitled "An act concerning the penitentiary."

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, "Shall the bill pass?" and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Murphy and Edmunds, were as follows, viz:

Those who voted in the affirmative, were—


Elijah Gabbert, John H. Harney, John B. Huston, William C. Ireland, Daniel W. Johns, James M. C. Lisenby, Thomas W. Owings, Hiram S. Powell, William S. Rankin,


Those who voted in the negative, were—


And so said bill was rejected.

The House took up a bill from the Senate, entitled

An act for the benefit of John P. Frederick.
Which was read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Ordered, That said bill be read a third time.
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 message was received from the Senate, announcing that they had passed bills, which originated in this House, of the following titles, viz:

An act for the benefit of W. B. Estis, of Knox county.
Oct. 8.]

HOUSE OF REPRESENTATIVES.

An act for the benefit of Thomas J. Jackson, executor of Beckly Jackson, deceased.
An act for the benefit of Wm. Milward.
An act to amend the charter of the city of Covington.
An act for the appropriation of money.

A message was received from the Senate, announcing that they had passed a bill, entitled
An act to amend the charter of the city of Covington.
Also, adopted a resolution in relation to the arrest of members of this General Assembly.
And concurred in a resolution from this House in relation to absent members.

Mr. Turner moved the following resolution, viz:
Whereas, It is represented to this General Assembly that the present keeper of the penitentiary, on account of the pecuniary crisis in the country, is unable to procure the money to clothe and feed the prisoners; and the keeper has a large quantity of bagging on hand for which there is no sale; therefore,
Be it resolved, That the Committee on the Penitentiary be directed to inquire into and report upon the propriety of rendering him, upon loan or otherwise, such assistance as will be necessary to feed and clothe the convicts, upon the same terms amply secured; and to report, by bill or otherwise, at 4 o'clock this evening.
Which was adopted.

Mr. Burns moved the following resolution, viz:
Resolved, That the Governor be requested to report to this Legislature the names of the visiting committee of the Penitentiary, the number of times they visit it per month, and make a full report of all matters confided to their charge by the law creating said committee.

On motion, Messrs. Rankin, and Burns were excused, and Messrs. Bush and Edmunds were appointed by the Speaker on the committee of investigation in the case of Judge Nuttall.

The Committee on Education, to whom was referred a bill from the Senate, entitled
An act to repeal an act for the benefit of James D. Ballard, and revive an act for his benefit.

Asked to be discharged from the further consideration of the same.
Which was granted.

Ordered, That said bill be referred to the Committee on the Judiciary.

The House took up the amendments adopted by the Senate to the bill from this House, entitled
An act for the appropriation of money,
And concurred in the amendments, except the one proposed to section 26, in which they refuse to concur.

The yeas and nays being required by Messrs. Ward and Huston on concurring in the amendment to 3d section, allowing ten dollars to the Assistant Clerks of the Senate and House of Representatives, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Remus Gibson, Nicholas A. Rapier,
R. C. Anderson, John H. Harney, Joseph Ricketts,
W. C. Anderson, William H. Hays, F. D. Rigney,
William P. Boone, William J. Heady, George S. Shanklin,
Curtis F. Burnam, Richard T. Jacob, Rob't A. Spalding,
James Calvert, Daniel W. Johns, Harrison Taylor,
Joseph H. Chandler, William Johnson, Joshua Tevis,
John B. Cochran, Otho Miller, John R. Thomas,
Robert Cochran, Felix G. Murphy, Nathaniel Wolfe,
John M. Elliott, Thomas W. Owings, George H. Yeaman,
Elijah Gabbert, George Poindexter, Milton Young—35.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Stephen J. England, John Ray,
Mr. President, James P. Sparks,
Jas. W. Anderson, Henry Griffith, George M. Thomas,
Vincent Ash, G. M. Hampton, Thomas Turner,
John C. Beeman, John B. Huston, Joseph R. Underwood,
John W. Blue, William C. Ireland, John S. Vanwinkle,
E. F. Burns, Urban E. Kennedy, Zeb. Ward,
W. P. D. Bush, James M. C. Lisenby, Bryan R. Young,

John C. Cooper, David May,
Albert A. Curtis, Hiram S. Powell,
W. H. Edmunds, William S. Rankin,
W. H. Edmunds, William S. Rankin,

The House took up the Senate resolution in reference to the arrest at Harrodsburg of Messrs. Silvertooth, Ewing, and Irvan.

Mr. Huston offered a substitute to the Senate resolution, which is as follows, viz:

Resolved, That the arrest of George W. Ewing, George W. Silver-
tooth, and John L. Irvan, members of this General Assembly, was illegal and is disapproved; but it is not intended hereby to impugn the motives of the persons making said arrest.

Mr. George M. Thomas 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 adopting the substitute of Mr. Huston, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Huston and Bush, 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 resolution of the Senate, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and May, 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. Gaither, Secretary of State, announcing that he had approved and signed sundry enrolled bills, which originated in this House, of the following titles, viz:

An act for the benefit of William Hampton, guardian for the heirs of A. W. Ferguson, deceased.
An act for the benefit of Caroline Ferguson, executrix of A. W. Ferguson, deceased.
An act in relation to purchasing certain histories and maps for the State Library.
An act for the benefit of James C. Edwards, late sheriff of Green county.
An act to amend an act, entitled "An act for the benefit of James Edmonson, of Hopkins county, and others."
An act for the benefit of common school district No. 15, in Crittenden county.
An act for the benefit of common school district No. 34, in Crittenden county.
An act for the benefit of common school district No. 46, in Henderson county.
An act to repeal an act, entitled "An act for the benefit of the sheriffs of Barren and Metcalfe counties."
An act for the benefit of Wm. A. L. B. Sharp, late sheriff of Estill county, and his sureties.
An act to define magistrates' districts and regulate election precincts in Franklin county.
An act to change the times of holding circuit courts in Cumberland and Russell counties.
An act appointing commissioners to mark and establish the line between the counties of Henderson and Webster and Union and Webster.
An act supplemental to the act, entitled "An act for the benefit of
R. P. Sanders, late sheriff of Taylor county, and his securities, and for the benefit of the sheriff of Madison county."

An act for the benefit of John C. Burks, guardian for the heirs of Joseph Ewing, deceased.

An act in relation to the trustees of the jury fund for the counties of Bath and Daviess.

An act for the benefit of the Shelbyville and Taylorsville turnpike road company.

An act for the benefit of James R. Garland and his deputies, late sheriff of Lewis county.

An act for the benefit of the county of Boone.

An act to repeal so much of an act approved May 24, 1861, as relates to the boundary line between Barren and Metcalfe counties.

An act for the benefit of the sheriff of Livingston county.

An act to suspend the fall and winter terms of the circuit courts of the counties of Wayne, Clinton, Cumberland, Adair, Casey, and Russell.

An act for the benefit of Samuel H. Murrell, of Adair county.

An act for the benefit of H. P. Bozarth, late sheriff of Grayson county; and his sureties.

An act extending the time for returning delinquent lists in the collection of the public revenue for the year 1861.

An act to incorporate the Bell Insurance Company of Louisville.

An act for the benefit of Ben. L. McAtee and James Wood, late sheriffs of Nelson county.

An act to amend the charter of the Bardstown and Louisville railroad company.

Also, resolution in relation to the security of money borrowed.

Mr. John B. Cochran moved the following resolution, viz:

Resolved, That the Clerk of this House be directed to furnish the Auditor with a list of the members of this House now absent on leave, and also the day on which leave was granted them.

Mr. Bush proposed to amend by adding the words, "and the date they left."

Mr. Ireland offered an amendment.

Mr. Cochran moved to lay the resolution and amendments on the table.

Mr. Hays reported a bill, entitled

An act for the benefit of the sheriff of Washington county.

Mr. Turner reported a bill, entitled
An act for the benefit of John W. Clay, late sheriff of Montgomery 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,
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 having been 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 insisted on the adoption by the House of their resolution in relation to the arrest at Harrodsburg of members of this General Assembly.
Also, that they insist on their 3d amendment to section 26 of an act for the appropriation of money.
That they had adopted a resolution in relation to the Bank of Louisville.
That they had passed a bill, entitled “An act for the benefit of the sheriff of Washington county,” which originated in this House.
And had received official information from the Governor that he had signed and approved sundry enrolled bills which originated in the Senate, of the following titles, viz:
An act to amend the charter of the town of Mt. Sterling.
An act to empower the jailer of Franklin county to appoint a deputy.
An act to compel the attendance of absent members of the General Assembly.
An act to amend chapter 93, article 6, section 5, Revised Statutes, title “Runaway Slaves.”
An act for the benefit of L. S. Lee, sheriff of Ballard county.
An act for the benefit of Jacob Corbett, clerk of the county and circuit courts of Ballard county.
An act to amend the charter of the Masonic Temple Company.
An act to appoint commissioners to re-district Carter county into magistrates’ and constables’ districts.
An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers.

An act to amend article 3d of chapter 48 of the Revised Statutes.

The House took up a bill, entitled

An act for the appropriation of money,

With the amendment of the Senate to the 26th section.

Ordered, That the House recede from their disagreement to the 3d amendment of the Senate to section 26 of said bill.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The House took up the resolution from the Senate in relation to the arrest at Harrodsburg of members of this General Assembly and their refusal to adopt the substitute by this House.

Mr. J. B. Cochran moved to lay the 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. Huston and May, were as follows, viz:

41
Those who voted in the affirmative, were—

Alfred Allen,  Albert A. Curtis,  Larkin J. Proctor,
Jas. W. Anderson,  Elijah Gabbert,  William S. Rankin,
W. C. Anderson,  Remus Gibson,  John Ray,
E. B. Bacheller,  John H. Harney,  George S. Shanklin,
John C. Beeman,  William C. Ireland,  G. Clay Smith,
John W. Blue,  Richard T. Jacob,  James P. Sparks,
William P. Boone,  Daniel W. Johns,  George M. Thomas,
Curtis F. Burnam,  Urban E. Kennedy,  John R. Thomas,
W. P. D. Bush,  James M. C. Lisenby,  Joseph R. Underwood,
J. W. Campbell,  David P. Mears,  Zeb. Ward,
Marion N. .Car,  Thomas Z. Morrow,  Nathaniel Wolfe,
Joseph H. Chandler,  Thomas W. Owings,  Bryan R. Young
John B. Cochran,  Hiram S. Powell,  Milton Young—40.
John C. Cooper,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,)  Joseph Gardner,
R. C. Anderson,  Evan M. Garriott,  George Poindexter,
Landaff W. Andrews,  Henry Griffith,  Nicholas A. Rapier,
Vince Ash,  George M. Hampton,  Joseph Ricketts,
E. F. Burns,  William H. Hays,  F. D. Rigney,
James Calvert,  William J. Head,  Robert A. Spalding,
Robert Cochran,  John B. Histon,  Joshua Tevis,
W. H. Edmunds,  P. L. Maxey,  Thomas Turner,
John M. Elliott,  David May,  John S. Vanwinkle,

The House then took up the resolution of the Senate in relation to the Bank of Louisville.

Mr. Bush moved to amend the resolution by striking out the “Bank of Louisville,” and insert “all the banks of issue in this State.”

Mr. Ireland 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 adopting the amendment of Mr. Bush, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Vincent Ash,  Stephen J. England,  David May,
E. F. Burns,  Joseph Gardner,  Rob’t A. Spalding,
W. P. D. Bush,  Evan M. Garriott,  James P. Sparks,
John M. Elliott,
Those who voted in the negative, were—


The question was then taken, having been twice read on the adoption of the resolution, and it was decided in the affirmative.

Mr. Tevis moved to add to the Committee on Banks of this House Messrs. Wolfe and W. C. Anderson.

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

Mr. B. R. Young, from the Committee on the Penitentiary, reported a bill, entitled

An act for the benefit of J. W. South, Kentucky penitentiary.

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. Huston offered an amendment.

Which amendment 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, and the same being engrossed, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Treasurer of this Commonwealth be, and he is hereby, authorized and directed to loan, out of any money in the treasury not otherwise appropriated, five thousand dollars to J. W. South, Keeper of the Penitentiary, at the rate of six per cent. per annum for one year, and that he take bond and security therefor, the Treasurer to
approve the solvency and sufficiency of the securities offered by said South.

Resolved, That said bill be rejected.

The yeas and nays being required thereon by the constitution, (a majority, by the decision of the Speaker of the House, being required on its passage,) were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Joseph Gardner, George Poindexter,
Jas. W. Anderson, Evan M. Garriott, Larkin J. Proctor,
R. C. Anderson, George M. Hampton, F. D. Rigney,
Landaff W. Andrews, William H. Hays, George S. Shanklin,
Vincent Ash, William J. Heady, Rob't A. Spalding,
Curtis F. Burnam, John B. Huston, Thomas Turner,
E. F. Burns, William C. Ireland, Joseph R. Underwood,
W. P. D. Bush, Urban E. Kennedy, J. S. Vanwinkle,
John B. Cochran, P. L. Maxey, Zeb. Ward,
Robert Cochran, David May, Nathaniel Wolfe,
Albert A. Curtis, Otho Miller, Bryan R. Young,
W. H. Edmunds, Thomas Z. Morrow, Milton Young,
John M. Elliott, Thomas W. Owings, Van B. Young—39.

Those who voted in the negative, were—

Alfred Allen, Stephen J. England, Hiram S. Powell,
W. C. Anderson, John W. Finneil, William S. Rankin,
E. B. Bacheller, Elijah Gabbert, Nicholas A. Rapier,
John C. Beeman, Remus Gibson, John Ray,
John W. Blue, Henry Griffith, Joseph Ricketts,
William P. Boone, John H. Harney, James P. Sparks,
James Calvert, Richard T. Jacob, Harrison Taylor,
J. W. Campbell, Daniel W. Johns, Joshua Tevis,
Marion N. Carr, James M. C. Lisenby, George M. Thomas,

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the appropriation of money,
An act for the benefit of Wm. Milward.
An act to amend the charter of the city of Covington.
An act for the benefit of the sheriff of Washington county.
Also, a resolution in relation to members absenting themselves from the General Assembly.
Also, a bill, which originated in the Senate, entitled
An act for the benefit of John P. Frederick.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

A message was received from the Governor by Mr. Nat. Gaither, Secretary of State, which is as follows, viz:

EXECUTIVE DEPARTMENT,

Frankfort, Oct. 3, 1861.

Gentlemen of the House of Representatives:

In response to the accompanying resolution of inquiry, I report that in accordance with the provisions of section 8, chapter 164, Session Acts 1857-8, of an act, entitled "An act concerning the penitentiary," I appointed, as a visiting committee, the following named gentlemen, to-wit: Dr. B. F. Duvall, A. P. Williams, and Jno. W. Shannon.

The reports of said committee were made regularly and filed in the Secretary's office; but I have no information as to the number of times per month they visited the penitentiary. The time for which the said committee were appointed having expired on the 12th of September, 1861, no appointments have been made to fill the vacancies thus created.

B. MACOFFIN.

The resolution referred to in the foregoing message is as follows, viz:

Resolved, That the Governor be requested to report to this Legislature the names of the visiting committee of the penitentiary, the number of times they visit it per month, and make a full report of all matters confided to their charge by the law creating said committee.

Ordered, That said message be referred to the Committee on the Penitentiary.

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

An act increasing the pay of the members of the Military Board.
An act to provide for a clerk in the Treasurer's office.
An act for the benefit of Odd Fellows' Hall, in Covington.
An act to amend the common school law defining the number of days in a school month.
An act to amend the law regulating the taking of depositions out of this State.
An act supplemental to an act, entitled "An act to amend an act entitled an act for the regulation of the militia, and to provide for the arming of the State," approved May 24th, 1861; and also further to provide for the public defense.
Mr. Burnam moved the following resolution, viz:

Resolved, That the Public Printer be directed to transmit, by mail, to the members of this House, the unfinished sheets of the Journals of the Senate and House of Representatives, as soon as they may be printed.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three, one from the Senate and two from the House, be appointed to arrange with the Government of the United States the indebtedness of this State, incurred in defense and to aid in suppressing rebellion, and for that purpose shall confer with the proper authorities of the United States Government, and that they report their action to the General Assembly.

Mr. Huston moved to suspend the rules of the House in order to take up the same for adoption.

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

Ordered, That the further consideration of said resolution be postponed.

Mr. Huston moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it will take a recess until the Wednesday first after the fourth Monday in November next, and that the presiding officers of the two Houses shall adjourn their respective Houses on the 4th day of October, 1861, at 12 o'clock, M.; and when their respective Houses shall be so adjourned, they shall stand adjourned until said Wednesday next after the said fourth Monday in November, at which time the members of this General Assembly shall again assemble in the Capitol for the transaction of business.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be, and he is hereby, directed to forward, by mail, to each member of the House of Representatives, his share of the acts and resolutions concerning the war now raging in this State, which are now in process of printing, and that the Auditor draw his warrant on the Treasurer for the amount of the postage, who is directed to pay the same out of any moneys in the treasury not otherwise appropriated.

Mr. Elliott moved to suspend the rules of the House in order to take up said resolution for adoption.
FRIDAY OCTOBER 4, 1861.

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

WHEREAS, J. W. South, the present lessee, and keeper of the penitentiary, is unable to provide for the comfort and sustenance of the convicts, for the reason that his capital has been consumed, and is wholly invested in bagging and such other articles as are manufactured in the penitentiary; and the said South being unable to dispose of the stock of bagging, &c., on hand, because of the troubles with which the country is now afflicted,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the commissioners of the sinking fund be, and they are hereby, requested to make a loan to the said J. W. South of such sums of money as he may need for the purposes aforesaid, not exceeding $5,000, for the term of one year, at the rate of six per cent. per annum interest thereon; taking from him bond with good security for the same.

Mr. Bush moved to dispense with the rules of the House in order to put said resolution on its passage.

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

Said resolution was then taken up, twice read, and adopted.

Mr. Burnam moved the following resolution, viz:

Resolved, That the thanks of this House are due, and are hereby tendered, to the Hon. Richard A. Buckner, for the fair, impartial, and dignified manner in which he has discharged his duties as Speaker of this House during this present session.

Which was unanimously adopted.

Mr. Burnam moved the following resolution, viz:

Resolved, That the Public Printer be directed to transmit by mail to
the members of this House the usual number of copies of the synopsis of the acts passed at this session of the General Assembly; the postage therefor to be paid out of the treasury.

Which was unanimously adopted.

Mr. Blue reported a bill, entitled

An act for the benefit of the sheriff of Crittenden county.

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

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

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. Bacheller, from a select committee, to whom was referred leave to bring in a bill for the benefit of John McGeorge, late sheriff of Harlan county, asked to be discharged from the further consideration thereof.

Which was granted.

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

An act for the benefit of John W. Clay, late sheriff of Montgomery county.

An act for the benefit of the sheriff of Crittenden county.

That they had concurred in resolutions from this House of the following titles, viz:

A resolution in relation to forwarding a synopsis of the acts passed this session to members of this House.

Resolution in regard to taking a recess.

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

An act supplemental to an act for the benefit of Sayres, Todd, Hensley, and Lewis, passed at this session.

An act declaring Anna Robinson Catlett to be the heir at law of Dr. Henry C. Catlett and Mary E. Catlett, his wife.

Bills from the Senate of the following titles, viz:

An act supplemental to an act for the benefit of Sayres, Todd, Hensley, and Lewis, passed at this session.

An act declaring Anna Robinson Catlett the heir at law of Dr. Henry C. Catlett and Mary E. Catlett, his wife.
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,

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. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of John W. Clay, late sheriff of Montgomery county.

An act for the benefit of the sheriff of Crittenden county.

Resolution in relation to forwarding a synopsis of the acts passed this session to members of this House.

Resolution in regard to taking a recess.

Resolution in regard to armed neutrality of Kentucky.

Also bills and a resolution which originated in the Senate, entitled

An act supplemental to an act for the benefit of Sayres, Todd, Hensley, and Lewis, passed at this session.

An act declaring Anna Robinson Catlett to be the heir at law of Dr. Henry C. Catlett and Mary E. Catlett, his wife.

Resolution in relation to the Bank of Louisville.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information from the Governor that he had signed and approved sundry bills and resolutions which originated in the Senate, of the following titles, viz:

An act supplemental to an act for the benefit of Sayres, Todd, Hensley, and Lewis.

An act declaring Anna Robinson Catlett to be the heir at law of Dr. Henry C. Catlett and Mary E. Catlett, his wife.

A resolution in relation to the Bank of Louisville.

A message was received from the Governor by Mr. Gaither, Secretary of State, announcing that he had signed and approved sundry
bills and resolutions which originated in this House, of the following titles, viz:

An act for the appropriation of money.
An act for the benefit of Thomas J. Jackson, executor of Beckly Jackson, deceased.
An act for the benefit of William Milward.
An act for the benefit of the sheriff of Washington county.
An act to amend the charter of the city of Covington.
An act for the benefit of W. B. Estis, of Knox county, appropriating $21.

Also, a resolution in relation to absent members.
An act for the benefit of the sheriff of Crittenden county.
Also, a resolution in regard to taking a recess.
Resolution directing the Public Printer to forward to members of the House certain documents.
An act for the benefit of John W. Clay, late sheriff of Montgomery county.

Mr. Bush moved the following resolution, viz:

Resolved, That the Clerk shall address a letter to the absent members of this House, informing them of the date of the next meeting of this General Assembly.

Which was adopted.

Mr. Heady had leave to introduce a bill to give married women one half of the profits of property, real and personal, held jointly with their husbands, and all the profits of property owned by them solely; Provided, The expense of the family and charges on the estate shall be paid before there is any division of income.

Ordered, That the Committee on the Judiciary prepare and bring in the same.

A message was received from the Senate, announcing that they had closed their legislative business, and were now ready to close the present session of the General Assembly on their part, by taking a recess till the Wednesday after the 4th Monday in November next, in pursuance of the resolution adopted by the General Assembly; and had appointed a committee on their part, to act in conjunction with a similar committee on the part of this House, to wait upon the Governor, and inform him of the proposed recess of the General Assembly, and to know of him if he had any other or further communication to make.
Whereupon Messrs. Huston, Bash, and Allen were appointed the committee on the part of this House.

Ordered, That Mr. Huston inform the Senate thereof, and that this House had also closed their legislative business, and were now ready to close the present session of the General Assembly by taking a recess until the Wednesday after the fourth Monday in November next.

The committee then retired, and after a short time returned, when Mr. Huston reported that said 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 no further communication now to make.

Whereupon the Speaker addressed the House as follows, viz:

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES: When I was out of the chair this morning, on official business, you kindly adopted a resolution of thanks for the manner in which I have discharged the duties of my office. I thank you sincerely for the kindness which prompted it, and the confidence which it conveys. If I have succeeded in doing my duty, it has been because of your generous co-operation in the business of legislation. I have been pleased to see that your sojourn at the Capital, and your associations, have tended rather to assuage than to increase the acerbity of party rancor. If your proceedings have not been altogether harmonious, your differences have been expressed with the dignity becoming your positions. Though we have failed to keep from our borders the armies of the Confederate States and our own Government, you have done much in the cause of humanity. You have, with a Kentucky manliness, adopted the Conklin resolutions. You have said their sentiments are your sentiments, and you have pledged yourselves to the maintenance of their principles. Go home, then, gentlemen, and proclaim them; cause them to sink deep into the hearts of your constituents, and you will have robbed this war of half its horrors. You have assured against the stiletto of the brigand, and you have transferred the scene of carnage from the domestic hearth-stone to the battle-field.

The order I am about to pronounce contemplates only a temporary separation. May God in His merciful providence so order it.

With my kindest regard for each of you, and my sincere wish for your safe return to your homes, by direction of your resolution, and by virtue of my office, I pronounce you adjourned until the first Wednesday after the fourth Monday of November next. I bid you farewell.
WEDNESDAY, NOVEMBER 27, 1861.

The House met pursuant to adjournment, and there being no quorum present,

Mr. Finnell moved a call of the House.

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

The absentees were then called.

Mr. Huston moved that the Sergeant-at-Arms be sent for the absentees.

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

On motion of Mr. W. C. Anderson,

Ordered, That all further proceedings under a call of the House be suspended, there being a quorum now present.

Mr. Wolfe presented the petition of William Clayton, praying compensation for going to New Orleans, under a requisition from Governor of Kentucky, to arrest Robert Ellis, a fugitive from justice.

Which was received, the reading dispensed with, and referred to the Committee on Claims.

The following bills were reported, viz:

By Mr. Wolfe—

1. A bill to amend sections 221, and 224, of the Civil Code of Practice.

By same—

2. A bill to amend the charter of the People's Bank of Kentucky.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st was referred to the Committee on the Codes of Practice, and the 2d to the Committee on the Judiciary.

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

On motion of Mr. Huston—1. A bill to amend the law in regard to runaway slaves.

On motion of Mr. W. C. Anderson—2. A bill to regulate the elec-
tion of directors in turnpike roads where the State of Kentucky is interested.

On motion of Mr. Allen—3. A bill for the relief of loyal citizens of this Commonwealth despoiled of their property by the Confederate armies and their allies.

On motion of Mr. Maxey—4. A bill regulating the time of holding the court of claims in certain counties in this State.

On motion of same—5. A bill to give the counties of Hardin, Larue, Hart, and Barren, the control of the Louisville and Nashville turnpike road, from Elizabethtown to Bell's Tavern.

On motion of Mr. Burnam—6. A bill amending the law relating to courts of inquiry in criminal cases.

On motion of Mr. Bush—7. A bill for the benefit of Wermly S. Gibbs, late sheriff of Hancock county.

On motion of Mr. Sparks—8. A bill for the benefit of the Bank of Ashland.


Ordered, That the 1st and 3d be referred to the Committee on the Judiciary; the 2d and 5th to the Committee on Internal Improvement; the 4th to the Committee on County Courts; the 6th and 7th to the Committee on Revised Statutes; the 8th to the Committee on Banks, and the 9th to the Committee on Ways and Means.

Mr. Finnell moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be instructed to report a bill appropriating a sum of not less than fifty thousand dollars, out of any money in the treasury not otherwise appropriated, for the relief of the destitute men, women, and children of Kentucky, who have been driven from their homes, or whose homes have been ravaged by the armies invading the State, or by lawless bands of Kentuckians in armed rebellion against the authority of the State.

Ordered, That said resolution be referred to the Committee on Ways and Means.

Mr. J. R. Thomas moved the following resolution, viz:

Resolved, That the Military Committee be instructed to bring in a bill requiring every able-bodied male citizen of Kentucky, between the ages of 18 and 45 years, (except ministers of the gospel,) to enroll themselves immediately in a military company, the companies to be formed into battalions, regiments, brigades, and divisions, and the whole to be placed under the command of the commanding general of this department, for not more than twelve months nor less than
ninetY days, for the purpose of expelling the Confederate armies from the soil of Kentucky.

Ordered, That said resolution be referred to the Committee on Military Affairs.

And then the House adjourned till Friday next.

FRIDAY, NOVEMBER 29, 1861.

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

On motion of Mr. W. C. Anderson—1. A bill to so amend the Civil Code of Practice as to require the plaintiffs in any civil action to make affidavit "that he or she will support the Constitution of the United States and the Constitution of this State, and be true and faithful to the Commonwealth of this State."

On motion of Mr. Cleveland—2. A bill for the benefit of William Marshall, late marshal of the town of Brookville, in Bracken county.

On motion of Mr. Allen—3. A bill to amend the Criminal Code of this Commonwealth.


On motion of Mr. Van B. Young—5. A bill for the benefit of Omar Wilson, sheriff of Bath county.

On motion of same—6. A bill for the benefit of John E. Young, a lunatic of Bath county.

On motion of Mr. Yeaman—7. A bill for the benefit of Jos. G. Harrison, late sheriff of Daviess county.

On motion of same—8. A bill to amend the law in relation to the collection and payment into the treasury of the revenue of the State.

On motion of Mr. Andrews—9. A bill for the benefit of the executors of Alvin G. Day.

On motion of Mr. Conklin—10. A bill for the benefit of George Heiskill, of Grayson county.
On motion of Mr. Sparks—11. A bill to dispense with the Board of Internal Improvement.


On motion of Mr. G. Clay Smith—15. A bill for the benefit of the sheriff of Kenton county.

On motion of same—16. A bill to organize a military force for the exclusive use of the State.

On motion of Mr. J. W. Anderson—17. A bill for the benefit of Francis Catron, sheriff of Knox county.

On motion of Mr. Bacheller—18. A bill for the benefit of common school district No. 31, of Rockcastle county.


On motion of Mr. George M. Thomas—20. A bill exempting soldiers, now in the service of the United States, from the payment of county levy for the year 1862.

On motion of same—21. A bill providing that an attachment shall not be issued against a soldier in the service of the United States, because of said soldier being absent from the State four months.

On motion of same—22. A bill providing that no person now aiding and assisting the rebellion, or who has aided and assisted said rebellion against the Government of the United States, shall ever hold any office of honor or profit in this Commonwealth.

On motion of Mr. Cooper—23. A bill to amend the charter of the town of Stanford.

On motion of same—24. A bill to amend the charter of Knob Lick turnpike road company.

On motion of Mr. Wolfe—25. A bill to establish certain holy days.

On motion of same—26. A bill to authorize the Secretary of State to sell a number of copies of the Revised Statutes.

On motion of Mr. Ricketts—27. A bill for the benefit of the Kentucky soldiers in the Federal army.

On motion of Mr. Burnam—28. A bill to legalize a conventional rate of interest.

On motion of same—29. A bill to revise and amend the law on the subject of changes of venue in criminal causes.

On motion of same—30. A bill abolishing the office of President of the Board of Internal Improvement.
On motion of Mr. Turner—31. A bill to amend the 221st section of the Code of Practice.

On motion of Mr. J. R. Thomas—32. A bill for the benefit of H. T. Jackson, sheriff of Marion county.

On motion of same—33. A bill to exempt the citizen soldiers of the State from prosecution by the Commonwealth for misdemeanors.

On motion of Mr. Owings—34. A bill for the benefit of Walter B. Simmons, present sheriff of Meade county.

On motion of Mr. Braan—35. A bill for the benefit of James A. Moore, late sheriff of Pendleton county.

On motion of Mr. John B. Cochran—36. A bill for the benefit of the Shelbyville and Mt. Eden turnpike company.

On motion of Mr. Chandler—37. A bill for the benefit of John L. Chisholm, of Taylor county.

On motion of same—38. A bill to amend the charter of the town of Lebanon.

On motion of same—39. A bill for the benefit of James Gorin, of Barren county.

On motion of same—40. A bill for the benefit of the sheriff of Taylor county.

On motion of Mr. Finley—41. A bill for the benefit of Charles R. Samuels, executor of Robert F. Samuels, deceased.

On motion of Mr. Calvert—42. A bill for the benefit of school district No. 22, in Boone county.

On motion of same—43. A bill to prevent clerks and their deputies from practicing law in any court in their county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 3d, 4th, 9th, 15th, 25th, 26th, 27th, 33d, 38th, and 39th; Messrs. Cleveland, Geo. M. Thomas, and G. Clay Smith the 2d; the Committee on Ways and Means the 5th, 7th, 8th, 15th, 17th, 32d, 34th, and 35th; the Committee on County Courts the 6th, 20th, 41st, and 43d; the Committee on Claims the 10th; the Committee on Internal Improvement the 11th, 12th, 24th, and 30th; the Committee on Education the 13th, 18th, and 42d; the Committee on Propositions and Grievances the 14th, 37th, and 40th; the Committee on Military Affairs the 16th; Messrs. J. W. Anderson, W. C. Anderson, and Finley the 19th; the Committee on the Codes of Practice the 21st and 31st; the Committee on Revised Statutes the 22d, 28th, and 29th; the Committee on Incorporated Institutions the 23d and 36th.
The following bills were reported by the committees appointed to prepare and bring in the same, viz:

By the Committee on County Courts—
1. A bill to authorize the holding of a court of claims in such counties as may fail to hold such courts at the time fixed by law.

By Mr. George M. Thomas—
2. A bill for the benefit of William Marshall, late marshal of the town of Brookville, in Bracken county.

By the Committee on Ways and Means—
3. A bill for the benefit of John G. Wyatt, sheriff of Montgomery county.

By Mr. Gabbert—
4. A bill for the benefit of George W. Tompkins, late sheriff of Mercer 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,

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. W. C. Anderson moved the following resolution, viz:

Resolved, That the Speaker of this House appoint two persons to supply the places of John M. Elliott and Daniel Matthewson, upon the committee of ten to lay off the State into congressional districts.

Which was adopted.

Mr. Huston read and laid on the table the following joint resolutions, viz:—

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That in view of the want and famine impending over Ireland, and of our sense of humanity and of gratitude to her brave sons, who by thousands are periling their lives upon the battle-fields of liberty in defense of our government and of liberty in this time of trial, our Senators in Congress be instructed, and our Representatives requested, to use all constitutional means in their power for the immediate relief of that distressed land by appropriate action.

2. Resolved, That the Governor forward a copy of these resolutions to our Senators and Representatives in Congress with all convenient dispatch.
Mr. Huston moved to dispense with the rule of the House requiring joint resolutions to lie on the table one day.

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

Mr. Cleveland moved to refer the resolutions to the Committee on Federal Relations.

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

Said resolutions were taken up, twice read, and adopted.

The yeas and nays being required thereon by Messrs. J. W. Anderson and W. C. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, John Ray,
Alfred Allen, Hugh F. Finley, Joseph Ricketts,
Jas. W. Anderson, Elijah Gabbert, F. D. Riggey,
E. C. Anderson, Remus Gibson, George S. Shanklin,
W. C. Anderson, Henry Griffith, G. Clay Smith,
Landaff W. Andrews, John H. Harney, M. Smith,
E. B. Bacheller, Wm. J. Heady, James P. Sparks,
John C. Beeman, Joseph W. Hester, George M. Thomas,
William A. Braun, John B. Huston, John R. Thomas,
Curtis F. Burnam, Daniel W. Johns, Thomas Turner,
James Calvert, Urban E. Kennedy, Joseph R. Underwood,
Cyrus Campbell, John C. Lindsey, John S. Vanwinkle,
J. W. Campbell, James M. C. Lienby, Zeb. Ward,
Joseph H. Chandler, P. L. Maxey, Alexander T. White,
Brutus J. Clay, David P. Mears, Nathaniel Wolfe,
Francis L. Cleveland, Thomas Z. Morrow, Geo. H. Yeaman,
John B. Cochran, Thomas W. Owings, Bryan R. Young,
William L. Conklin, George Poindexter, Milton Young,
John C. Cooper, William S. Rankin, Van B. Young—57.

Those who voted in the negative, were—

Vincent Ash, Joseph Gardner, William Johnson,
E. F. Burns, Evan M. Garrriott, Otho Miller,
A. B. Chambers,

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the attempt of H. C. Burnett, John C., Breckinridge, G. W. Johnson, Blanton Duncan, and their confederates, to establish a Provisional Government over Kentucky, is an open and flagrant violation of her Constitution, and of the right of her people to govern themselves.

2. Resolved, That it is an effort to subvert and overturn the civil government of the State, and substitute a military despotism in its
stead, by an insignificant and factious minority in opposition to the often expressed and well known will of an overwhelming majority of her citizens.

3. Resolved, That it is the work of disappointed ambition, a part of the grand scheme to destroy the National Government, and is another of the many evidences of the deceit and hypocrisy of its authors in their professions of love for the Union, and their protestations in favor of the neutrality and peace of Kentucky, and is a repudiation of their own vaunted doctrine of State rights.

4. Resolved, That it is unprovoked, unmitigated treason of the deepest dye; subversive of popular government, is deserving of the utter execration of every true Kentuckian; must, and, if Kentucky remains the Kentucky of old, will, be put down, and the honor of the Commonwealth vindicated; for our honor and the blessings of free government are more dear to us than place, or power, or treasure, or even life itself. We therefore appeal once more to the oft tried bravery, and patriotism of Kentucky to expel the invaders from our soil, break up this Provisional Government of traitors, sustain the National Union, of which she is a member, and defend the National Government that so promptly and nobly defends her in this, her hour of trial, against the invasion of her "southern brethren," and the perfidious treachery of her own unworthy sons.

5. Resolved, That His Excellency, Governor Magoffin, be, and he is hereby, instructed to issue his proclamation to the people of Kentucky forthwith, forewarning them against participating in, aiding, abetting, or in any manner giving countenance, aid, or comfort to said Provisional Government, or any similar organization, intended or calculated to subvert, counteract, or obstruct the constitution or laws of the State, and requiring those already engaged in said Provisional Government to disband and desist from all further efforts to organize or carry it on.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Ordered, That said resolutions be referred to the Committee on Federal Relations.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That any member of the General Assembly of this Commonwealth, who shall fail or refuse to appear in the Hall of either, for three days, at any time hereafter, shall not be entitled to any pay for the time absent; that no member shall draw pay, unless he is in the House or Senate, and actually serves, unless he is here in Frankfort, and excused by the House or Senate; that the Clerks of House and Senate shall report, from day to day, to the Auditor, the members present in each House.
Mr. Sparks also read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That no member of the General Assembly shall be entitled to pay or per diem during the recess of the General Assembly; and that no member shall be entitled to mileage hereafter, unless there is a called session by the Governor of Kentucky.

Mr. G. Clay Smith moved the following resolution, viz:

Resolved, That a committee of five be appointed to investigate the cause of the vacation of the seats of members of this House; and that said committee be allowed to send for persons and papers to further their purposes; and that they report as soon as practicable.

Which was adopted.

Mr. J. W. Anderson moved the following resolution, viz:

WHEREAS, There is now raging in the so-called seceded States, an iniquitous and unjustifiable rebellion against the Government of the United States; and whereas, they have organized marauding bands, who are now, and have been for some time past, committing the most high-handed depredations upon the property of the loyal citizens of this Commonwealth; and whereas, in the counties of Knox, Harlan, Clay, Laurel, and Whitley, those who have been in favor of supporting their government, or a great majority of them, have been driven from their homes by the ruthless invader, Zollicoffer, and his hordes of vandals, and their property wantonly taken to support the Confederate army of miscreants, or destroyed in order to prevent the Unionists from enjoying their own property; and whereas, Zollicoffer has had the undisputed possession of Knox county since the 14th of September last, with an army of six or seven thousand men under his command, destroying everything, equal, almost, to the destroying angel, and has consequently left those loyal citizens in a very destitute condition, and more especially Knox county, as the army has been in that county all the time, and upon the border, from the 1st of June; therefore,

Be it resolved by the House of Representatives of Kentucky, That the Committee on Ways and Means be instructed to prepare a bill to provide for the actual wants of the loyal citizens of said counties, for the next twelve months, and prepare a bill to renumerate them for what has been wantonly taken from them or destroyed; and that they have due regard to the injuries that each county has received, and report the same at as early a day as possible to this House.

Ordered, That said resolution be referred to the Committee on Ways and Means.

Mr. George M. Thomas moved the following resolution, viz:

Resolved, That the Committee on Federal Relations be requested to ascertain, and report to this House, whether any member of this House has joined the army of the so-called Confederate States, or has aided and assisted in any manner the rebellion against the Govern-
ment of the United States, and that said committee shall have power to send for persons and papers; and that said committee report to this House what action is necessary to be taken.

Ordered, That said resolution be referred to the select committee of five, to be appointed under the resolution of Mr. G. Clay Smith, this day adopted.

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

WHEREAS, John C. Breckinridge has, in a published address to the people of Kentucky, announced his resignation of his seat in the Senate of the United States, exchanging his "full term in that body for the musket of a soldier" in the army of the so-called Confederate States; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses of the Legislature will, in joint session, proceed to elect his successor in the Senate, on the 9th day of December, hence next ensuing.

Mr. Burnam moved the following resolution, viz:

Resolved, That the Committee on Circuit Courts be instructed to inquire into, and report to this House, whether any of the circuit judges of this State have abandoned their offices, by taking service in the armies of the so-called Confederate States.

Ordered, That said resolution be referred to the Committee on Circuit Courts.

Mr. Ward moved the following resolution, viz:

Resolved, That this Legislature do recognize the action of the Provisional Government, lately established at Russellville, Ky., by which George W. Johnson was made the Governor of Kentucky, and that our sympathies are with them and their cause.

Ordered, That said resolution be referred to the Committee on Federal Relations.

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

Considering the condition of the Government of the United States and of the State of Kentucky, the General Assembly, now in session, deems it proper to declare—

1. That in a Republic political sovereignty abides in the people.
2. That the thirteen original States, by their Declaration of Independence of the 4th of July, 1776, successfully maintained by their arms, became "free and independent States," and as such, the people of these States became vested with full power, as separate communities, to create such government or governments as to them seem best calculated to protect and secure life, liberty, property, and the pursuit of happiness.
3. That the people of said thirteen States, by the exercise of thei
political sovereignty, did create two governments: one for local purposes, confined to the limits of the State; and the other for national purposes, extending over and embracing all the States in its operations.

4. That these two governments have been created and established by the will of the people, as made known and published in written constitutions; in framing which, the adult male citizens, through representatives chosen for the purpose, have acted for the whole population.

5. That these written constitutions provide for different departments or bodies of magistracy, and distribute the powers of government among the several departments, assigning to each its appropriate legislative, executive, or judicial duty, and prohibit the exercise or performance of any duty belonging to one department by any other; thus instituting a system of checks the better to guard against acts of tyranny and oppression. The people have the same right to divide and distribute political power between two governments, that they have to divide and distribute it between different departments of the same government.

6. That in forming two governments, instead of one, the general or national government has been vested with powers essential to the welfare of the whole people, and which can be more beneficially administered by one government than two or more; but in forming the national government, no powers have been granted to it except those expressly delegated, and such as "shall be necessary and proper for carrying into execution" the delegated powers.

7. That in establishing one national government of paramount authority over all the States, the people of the several States become one people and one nation, so far as the powers delegated to the national government are concerned; at the same time remaining as separate and distinct in respect to the powers reserved for local and State purposes, as they would have been without the creation of a national government.

8. That the authority of the people of the several States to unite and create a national government can no more be questioned than their authority to create a government for the State; and when a government is thus created for the nation, it is as binding on every citizen or subject as is the State government, and cannot be dissolved or destroyed except by the same power which created it, or by the power of revolution. There is no such right as that a minority may peaceably secede and thus break up the government.

9. That the American people, in creating governments, State and National, have not vested either with unlimited powers. On the contrary, our governments, both State and National, are limited and restricted in their powers in many important particulars. We have, therefore, no sovereign government to command and dictate to the people; but the government must act within the limits of its Constitution, and the people owe no other allegiance than to obey constitutional laws; and this allegiance is just as obligatory and binding in respect to the orders of the humblest officer, as it is in regard to those of the
President of the United States. Allegiance is nothing more than the duty to obey law.

10. That the people of each State, where there is no restriction to be found in the Constitution of the United States, have the fullest right and authority, without interference by the people of any other State, to enact such laws, whether they be organic or statute, as shall, in their judgment, best promote their welfare.

11. That the institution of slavery in a State is not prohibited by the Constitution of the United States. On the contrary, the power and the right of a State to establish slavery is recognized and acknowledged by that provision of the national constitution which provides, that “persons held to service or labor in one State, under the laws thereof, escaping into another, shall be delivered up on the claim of the party to whom such service or labor may be due.” It follows that each State may establish or abolish slavery at its own discretion, and in conformity to its own judgment; and such has been the practice, notwithstanding the unjustifiable attempts at interference.

12. That as the existence of slavery in a State depends entirely upon the separate political action of the people of the particular State, it follows, as a necessary deduction, that the people of the other States are in no manner responsible for its existence; they are entitled to no credit if it be a virtue and a blessing, and to no condemnation if it be a sin and a curse. Kentucky protests against members of Congress becoming casuistic disputants, engaging in hopeless and pernicious debates to settle the morality of slavery, instead of attending to the business indicated by the powers conferred on the national government, and which business, all our experience proves, can be alike well performed by slaveholders and non-slaveholders.

13. That as Congress is bound, by the national constitution, to give effect to the act of a State establishing slavery, and has legislated to that end, by the passage of the law for the restoration of fugitive slaves, it would be a palpable violation of the constitution for Congress to deprive owners of their slave property, except it be forfeited as a punishment for crime, or be taken for public use upon just compensation being made.

14. That we feel an unutterable abhorrence toward the suggestion that the national government should arm slaves and employ them to make war upon their owners, as means to conquer the rebellion. Such a course would be not less disgraceful, nor less horrible, than to employ cannibals to make war upon a civilized people, and we will fight with no such allies, much as we condemn the authors of the evils which now afflict us.

15. That we believe it to be indispensable to the permanent welfare of all the States, those engaged in the rebellion as well as those which are not, that the constitution and laws of the United States shall be enforced in and over all the territory at any time heretofore subject to their operation; and that the valley of the Mississippi, especially, shall not be inhabited by two or more distinct nations. Its vast resources cannot be developed with equal advantage to communities and to individuals, nor can the cause of human progress and civilization be
promoted as well by two or more national governments as by one. So believing, our interest and conscience alike impel us to unite with our brethren of the non-slaveholding States in suppressing the rebellion and expelling the invaders of our soil; and we have an abiding confidence that all this will be accomplished; but we can never consent that the national government, under which we are loyal citizens, shall arm slaves and put them to shedding the blood of their masters and their families; nor can we consent that the national government shall undertake, through military officers or otherwise, the emancipation of slaves, against the will of the people of the slaveholding States. Suppose the national government, by an arbitrary exercise of power, were to liberate slaves, would not the slaves thus liberated be dependent upon State authority and law for permission to remain, as free persons, within the limits of the State? Might they not be again reduced to slavery by the power of the State? What constitutional power has the President or Congress to intermeddle with slavery in any of these aspects? Believing that the principles and positions enunciated present the true theory of the government in regard to the institution of slavery; and believing, likewise, that it would eminently conduce to allay the spirit of rebellion to have an expression of opinion both by Congress and the Legislatures of the non-slaveholding States in accordance with these positions; therefore,

1. Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their best efforts to prevent the national government from arming slaves and using them as soldiers to fight in the existing civil war, and that they procure the passage of a resolution to the effect that it shall not be done.

2. Resolved, further, That the Governor be requested to forward a copy of this declaration and these resolutions to each of our Senators and Representatives in Congress, and that he also forward copies to the Governor of each non-slaveholding State, and request such Governor to lay the same before the Legislature of his State.

Resolved, That the Legislature of each non-slaveholding State be, and the same is, respectfully requested to express assent or dissent to the principles herein enunciated, and through their respective Governors to communicate the result of their deliberations to the Governor of Kentucky.

Mr. Underwood moved to dispense with the rule of the House requiring joint resolutions to lie one day on the table.

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

Ordered, That the Public Printer forthwith print 150 copies of said resolutions for the use of the members of this House,

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

Those who voted in the affirmative, were—

Alfred Allen, John C. Cooper, William S. Rankin,
P. C. Anderson, Hugh F. Finley, John Ray,
Vincent Ash,  Joseph Gardner,  George S. Shanklin,  James P. Sparks,
John C. Beeman, Evan M. Garriott,  Henry Griffith,  Joshua Tevis,
Curtis F. Burnam, Geo. M. Hampton,  William J. Heady,  Thomas Turner,
E. F. Burns, William Johnson,  Urban E. Kennedy,  John S. Vanwinkle,
W. P. D. Bush, John C. Lindsey,  Nathaniel Wolfe,  Zeb. Ward,
James Calvert, John B. Cochran,  Bryan R. Young,  Van B. Young—38.
Cyrus Campbell, Thomas Z. Morrow,  P. L. Maxey,
A. B. Chambers, George S. Shanklin,  Alex. T. White,
Joseph H. Chandler, Thomas W. Owings,  John R. Thomas,
John B. Cochran, George Poinder,  Alex. T. White,
William L. Conklin, Joseph Ricketts,  M. Smith,
Felix G. Murphy, F. D. Rigney,  G. Clay Smith,
Those who voted in the negative, were—
Mr. Speaker, (Buckner,) John W. Finnell,  Joseph Ricketts,
Mr. Allen moved the following resolution, viz:  F. D. Rigney,
Resolved by the House of Representatives, That the Speaker be directed
Mr. Allen moved the following resolution, viz:  G. Clay Smith,
to fill the places of absent members on the different standing commit­
Mr. Allen moved the following resolution, viz:
tees of this House; such new appointments to be vacated on the
appearance of the absentees in their places.
Mr. Allen moved the following resolution, viz:
Which was adopted.
Which was adopted.
Mr. Chandler announced the death of Mr. Carr, Representative
Mr. Chandler announced the death of Mr. Carr, Representative
from the county of Metcalfe.
Mr. G. Clay Smith moved the following resolutions, viz:
WHEREAS, It has pleased an All-wise Providence to remove from
WHEREAS, It has pleased an All-wise Providence to remove from
our midst by death, our friend and co-laborer, Marion N. Carr, of the
our midst by death, our friend and co-laborer, Marion N. Carr, of the
county of Metcalfe; therefore,
county of Metcalfe; therefore,
1. Resolved, That we most deeply deplore, at this time of our
country's peril, the death of one whose private worth and public services
1. Resolved, That we most deeply deplore, at this time of our
tended so much to the peace and welfare of his country and State.
country's peril, the death of one whose private worth and public services
tended so much to the peace and welfare of his country and State.
2. Resolved, That the course of the deceased, while a member
2. Resolved, That the course of the deceased, while a member
of this body, secured to him the confidence and esteem, not only of this
of this body, secured to him the confidence and esteem, not only of this
General Assembly, but also the people of his county and State.
General Assembly, but also the people of his county and State.
3. Resolved, That the usual badge of mourning be worn by the
3. Resolved, That the usual badge of mourning be worn by the
members of this House for thirty days.
members of this House for thirty days.
4. Resolved, That we sincerely sympathize with the bereaved family,
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and that the Clerk be directed to transmit to them a copy of these
and that the Clerk be directed to transmit to them a copy of these
resolutions.
Resolved, That this House do now adjourn.
Which were unanimously adopted.
On motion, Mr. Calvert has leave of absence till Wednesday next, and Mr. Turner has leave of absence for Monday next.
And then the House adjourned.

SATURDAY, NOVEMBER 30, 1861.

Mr. Huston presented the petition of H. G. Poston, praying that one hundred and fifty dollars broker's license be refunded.
Which was received, the reading dispensed with, and referred to the Committee on Ways and Means.
Mr. Anderson, from the Committee on the Judiciary, to whom was referred a bill to amend the charter of the People's Bank of Kentucky, 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. Wolfe, from the Committee on Federal Relations, reported a bill, entitled
A bill to repeal an act, entitled "An act concerning the city court of Louisville."
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 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.
On motion of Mr. G. Clay Smith, the resolution referred to Military Affairs, in regard to State defense, was ordered to be referred to Committee on Circuit Courts.

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 for the benefit of Charles R. Samuels, clerk of the Bullitt county court.

By same—
2. A bill to amend an act, entitled "An act to amend the common school law, defining the number of school days in a school month."

By the Committee on Revised Statutes—
3. A bill to establish a conventional rate of interest.

By the Committee on the Codes of Practice—
4. A bill to amend the 221st section of the Civil Code of Practice.

By the Committee on the Judiciary—
5. A bill to amend the charter of the Bank of Ashland.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 4th, and 5th were severally ordered to be engrossed and read a third time; the 2d was referred to the Committee on Education; the 3d was referred to the Committee of the Whole, and made the special order for Tuesday next at 11 o'clock.

The rule of the House, constitutional provision, and third reading of the 1st, 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 third bill for the use of the members of the General Assembly.

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

An act for the benefit of William Marshall, late marshal of the town of Brookville, in Bracken county.

An act for the benefit of John G. Wyatt, sheriff of Montgomery county.

An act for the benefit of Geo. W. Tompkins, late sheriff of Mercer county.
Resolved, That this House do now adjourn.
Which were unanimously adopted.
On motion, Mr. Calvert has leave of absence till Wednesday next, and Mr. Turner has leave of absence for Monday next.
And then the House adjourned.

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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.

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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 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.
On motion of Mr. G. Clay Smith, the resolution referred to Military Affairs, in regard to State defense, was ordered to be referred to Committee on Circuit Courts.

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 for the benefit of Charles R. Samuels, clerk of the Bullitt county court.

By same—

2. A bill to amend an act, entitled "An act to amend the common school law, defining the number of school days in a school month."

By the Committee on Revised Statutes—

3. A bill to establish a conventional rate of interest.

By the Committee on the Codes of Practice—

4. A bill to amend the 221st section of the Civil Code of Practice.

By the Committee on the Judiciary—

5. A bill to amend the charter of the Bank of Ashland.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 4th, and 5th were severally ordered to be engrossed and read a third time; the 2d was referred to the Committee on Education; the 3d was referred to the Committee of the Whole, and made the special order for Tuesday next at 11 o'clock.

The rule of the House, constitutional provision, and third reading of the 1st, 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 third bill for the use of the members of the General Assembly.

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

An act for the benefit of William Marshall, late marshal of the town of Brookville, in Bracken county.

An act for the benefit of John G. Wyatt, sheriff of Montgomery county.

An act for the benefit of Geo. W. Tompkins, late sheriff of Mercer county.
An act to repeal an act, entitled "An act concerning the city court of Louisville."

Also, a resolution in regard to Ireland.

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

1. An act to amend section 473 of the Civil Code of Practice.
3. Leave was given to bring in the following bills, viz:
   a. On motion of Mr. Heady-1. A bill for the benefit of the clerk of the Bullitt circuit court.
   c. On motion of Mr. Clay-3. A bill to amend the charter of the Paris and Winchester turnpike road company.
   d. On motion of Mr. Allen-4. A bill requiring the commissioners of the sinking fund to collect certain funds.
   e. On motion of Mr. Johns-5. A bill for the benefit of the sheriffs of Lawrence and Boyd counties.
   f. On motion of same-6. A bill for the benefit of Solomon Williamson, jr., of Lawrence county.
   g. On motion of Mr. White-7. A bill to amend the registration law.
   h. On motion of same-8. A bill to reduce the Military Board to two members.
   i. On motion of Mr. Yeaman-9. A bill to amend the law of attachments.
   j. On motion of same-10. A bill for the benefit of Josiah Veech, of Daviess county.
   k. On motion of same-11. A bill to amend the law in relation to executions.
   l. On motion of same-12. A bill to amend the law in relation to descents and distributions.
   n. On motion of Mr. Rankin-14. A bill to create the office of county treasurer for Grant county.
   o. On motion of Mr. Mears-15. A bill more fully to define the duties of assessors of tax in this Commonwealth.
   p. On motion of Mr. Milton Young-16. A bill to amend the law in reference to the vendors of spirituous liquors.
On motion of Mr. Harney—17. A bill to amend the law regulating the fees for the arrest of runaway slaves in this Commonwealth.

On motion of Mr. Finnell—18. A bill for the benefit of the Commercial Bank of Kentucky.

On motion of Mr. J. W. Anderson—19. A bill to amend the general election laws.

On motion of Mr. Ricketts—20. A bill for the distribution of books to civil officers in Muhlenburg county.

On motion of Mr. J. R. Thomas—21. A bill giving additional powers to the trustees of the town of Lebanon.

On motion of Mr. Owings—22. A bill for the benefit of school district No. 16, in Meade county.

On motion of Mr. Burns—23. A bill for the benefit of the town marshal of the town of Owenton, in Owen county.

On motion of Mr. Brand—24. A bill to allow George W. Jamison, constable Pendleton county, to appoint a deputy.

On motion of Mr. Garriott—25. A bill to amend an act to establish a ferry across the Ohio river at the town of Milton.

Ordered, That the Committee on County Courts prepare and bring in the 1st, 2d, 6th, 10th, and 24th; the Committee on Incorporated Institutions the 3d; the Committee on Ways and Means the 4th and 5th; the Committee on Revised Statutes the 7th, 11th, 12th, 15th, 17th, 23d, and 25th; the Committee on Military Affairs the 8th; the Committee on the Codes of Practice the 9th; the Committee on the Judiciary the 13th, 14th, 16th, and 21st; the Committee on Banks the 18th; the Committee on Education the 22d; Messrs. Yeaman, M. Young, and Ray the 10th, and Messrs. J. W. Anderson, White, and Burnam the 19th.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Senate and House of Representatives, on the 9th day of December next, will proceed to the election of a Public Printer, Librarian, and Keeper of the Penitentiary.

Mr. Van B. Young moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be directed to print the usual number of copies of the rules of this House, and that he be directed to print, with said rules, the Constitution of the United States, and the proclamation of Andrew Jackson against the State of South Carolina in 1832.
And the question being taken, "Shall the resolution be adopted?" it was decided in the negative.

Mr. Yeaman moved the following resolutions, viz:

1. **Resolved**, That the Committee on Military Affairs be instructed to inquire into and report to this House, whether it is expedient and necessary to raise 25,000 troops in Kentucky, or any other number, in addition to those now in service, from this State, for a term of service not exceeding one year, to be organized and officered under the authority of the State, and subject to the order of the commanding general of this department.

2. **Resolved**, And if so expedient, a commissioner be appointed and authorized by this General Assembly, to arrange with the United States Government for the services of such troops, and for defraying the expenses of arming and equipping the men, and their payment while in the service.

Which were adopted.

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

Those who voted in the affirmative, were—

| Mr. Speaker, (Buckner,) | Elijah Gabbert, | Remus Gibson, | Joseph Ricketts, | F. D. Rigney, |
| Alfred Allen, | Henry Griffith, | George S. Shanklin, | | |
| Jas. W. Anderson, | John H. Harney, | C. Clay Smith, | | |
| R. C. Anderson, | William J. Heady, | M. Smith, | | |
| W. C. Anderson, | Joseph W. Hecter, | James P. Sparks, | | |
| Landaff W. Andrews, | John B. Huston, | Joshua Tevis, | | |
| E. B. Bache, | Urban E. Kennedy, | George M. Thomas, | | |
| John C. Beeman, | James M. C. Lisenby, | John R. Thomas, | | |
| William A. Brann, | Alexander Lusk, | Thomas Turner, | | |
| Curtis F. Burnam, | P. L. Maxey, | Joseph R. Underwood, | | |
| Cyrus Campbell, | David P. Mears, | John S. Vanwinkle, | | |
| J. W. Campbell, | Otho Miller, | Alex. T. White, | | |
| Joseph H. Chandler, | Thomas Z. Morrow, | Nathaniel Wolfe, | | |
| Brutus J. Clay, | Thomas W. Owing, | George H. Yeaman, | | |
| Francis L. Cleveland, | George Feindexter, | Bryan R. Young, | | |
| William L. Conklin, | William S. Rankin, | Milton Young, | | |
| John C. Cooper, | John Ray, | Van B. Young—55. | | |
| Stephen J. England, | | | | |
| Hugh F. Finley, | | | | |

Those who voted in the negative, were—

| Vincent Ash, | A. B. Chambers, | G. M. Hampton, |
| E. F. Burns, | Joseph Gardner, | John C. Lindsey, |

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

1. **Resolved by the General Assembly of the Commonwealth of Kentucky**, That whereas, there are numerous persons in the United States drawing
pensions from the government of the United States who are disloyal to said government; therefore,

2. Resolved, That our Senators and Representatives in Congress be requested to so amend the laws in relation to pensions that no person or pensioner of the United States shall be allowed to draw his or her pension until he proves his or her loyalty to said government to the satisfaction of the pension office or the member of Congress of his or her respective district; that the oath of loyalty alone shall not be sufficient to entitle said pensioner to payment of a pension.

3. Resolved, That the Speaker of the House of Representatives be, and he is hereby, requested to send a copy of the above and foregoing resolutions to each of our Senators and Representatives in Congress, and to all of the Governors of the United States.

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

WHEREAS, It is the duty of this General Assembly, in times of great national peril, to express plainly and unequivocally their opinions, and the opinions of their constituents, upon all the great questions of the day; wherefore be it

1. Resolved, That government is but an aggregation of individuals associated together for the promotion of the common good, and the preservation of their lives and liberty and property; and that all governments derive their just powers from the consent of the governed.

2. Resolved, That our national government is one of special powers, and cannot properly exercise any authority except within their legitimate scope.

3. Resolved, That the people have vested the State governments with general powers, which are limited alone by the reserved rights of individuals and the restrictions of the National Constitution—subject to these restrictions, the State governments are supreme within the scope of the purposes for which they were created.

4. Resolved, That those who are born in a government, or are adopted as citizens thereof, become parties to the original compact, and agree to delegate to the government all the powers given it by the individuals who framed it.

5. Resolved, Although governments are based upon the consent of the governed, when once formed, a minority cannot, at its will, overturn them without the consent of the majority.

6. Resolved, Our National Constitution is not the creature of the States, or compact between the States, but is the creature of the people, and acts directly upon them.

7. Resolved, That no State or States have the right to secede at will from the National Government.

8. Resolved, The right of revolution is a right reserved by individuals in the formation of governments, and exists in all governments; but this right can only be properly exercised when the government becomes so oppressive, and so far trespasses upon the reserved rights of individuals, that the consequences of resistance are less disastrous than those of submission, and are such as justify an invocation of all the horrors of civil war.
Resolved, That there exists no just and sufficient grounds for the pretended exercise of the right of revolution in the present wicked attempt to overthrow our National Government, "which, with all its imperfections, is the best government ever framed by human intellect."

Resolved, That many of the leaders of the States Rights party have, by justifying and approving the invasion of Kentucky, openly and shamelessly abandoned the doctrine which they had so zealously inculcated and enforced.

Resolved, That all the citizens of Kentucky who are in arms against the National Government, are guilty of treason according to the tenets of every political party that ever existed in this nation.

Resolved, That the so-called Southern Confederacy, and its abettors in this State, are responsible for involving Kentucky in this war and making her soil its theatre, and they only made the formation of Federal camps in the State a pretext for doing that which they had long before contemplated.

Resolved, That slaves are property, and as such, according to the uniform rule and practice of civilized warfare, are subject to capture and confiscation when their owners are in arms against the government; and while Kentucky cannot complain of their capture and confiscation, she will not consent to or approve of their emancipation when so captured.

Resolved, That in our opinion the best disposition that can be made of slaves so captured, is to turn them over to the loyal slave States, to be by them disposed of.

Resolved, That the use of captured slaves to work upon fortifications, &c., is not improper; but we unqualifiedly condemn and oppose the arming of slaves to fight in behalf of the government.

Resolved, That the capture of Mason and Slidell is approved, and was in accordance with international law.

Resolved, That, as we understand, the sole object of the present war is to maintain the unity and integrity of the nation, and to restore its authority over its whole territory; and should the national authorities, during its progress, madly make it a war against the institution of slavery, it will then become the right and the duty of Kentucky to resist; and she will resist.

Resolved, That we should by every kind of legislation consistent with the Constitution of Kentucky and of the United States, and the great principle of freedom of opinion and speech, cripple and crush out disloyalty in the State.

Resolved, That virtue and intelligence are the true vestal fires, the extinction of which bode detriment to a republic; and it is the duty of all our State and National legislators, so far as in their power, to promote the cause of popular education and the spread of general intelligence and morality.

Resolved, That Kentucky is firmly attached to the Union, and will make every honorable sacrifice to maintain it, and to that end will exert all her energies and means, so long as the present unhappy war shall be prosecuted, for the legitimate purpose of maintaining its constitutional unity and integrity.
The rule of the House requiring resolutions to lie one day on the table being dispensed with,

Ordered, That said resolutions be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Military Board be instructed to issue, as soon as practicable, one additional blanket to each soldier, musician, farrier, blacksmith, and non-commissioned officer of the Kentucky troops now in the field.

The rule requiring joint resolutions to lie one day on the table being dispensed with,

Ordered, That said resolution be referred to the Committee on Military Affairs.

Mr. Underwood moved the following resolution, viz:

Resolved, That the Committee on Agriculture and Manufactures be instructed to inquire into the expediency of allowing more toll for grinding grain at mills propelled by steam than is allowed for grinding at water mills; and that they report by bill or otherwise.

Which was adopted.

Mr. Finnell moved the following resolution, viz:

Resolved, That the Speaker be authorized to dispatch a special messenger to the county of Metcalfe with the writ of election for a member to the Legislature, to fill the vacancy occasioned by the death of Marion N. Carr.

Which was adopted.

The Speaker laid before the House the report of the Superintendent of the Institution for the Education and Training of Feeble-minded Children, which reads as follows, viz:

Report from the Institution for the Education and Training of Feeble-minded Children, made to the Legislature of Kentucky.

FRANKFORT, KY., Nov. 30th, 1861.

HON. R. A. BUCKNER, Speaker of House of Representatives:

I herewith transmit the reports of the Superintendent and Treasurer of Kentucky Institution for the Education and Training of Feeble-minded Children. They give a succinct account of the present condition of the establishment in its domestic and financial departments, the current expenditures for support since the date of last annual report, and of the construction fund since the time of charter. The original contract with Cook & Brawner for work upon our new build-
ing was for $14,600; by some alteration in the plan this amount was reduced to something less than $14,000. By reference to the Treasurer’s report, it will be seen that Cook & Brawner have received in cash $10,388 75; this sum, with a reservation of 20 per cent. as security for faithful performance of contract, leaves us but little indebted to them until their work is finally received. Our Superintendent has been faithful in the performance of his onerous duties. We are now assured of the entire success of the Institution. It is answering the full measure of the hope of its enlightened and benevolent founders.

ROBT. W. SCOTT, P. B. K. I. F. M. C.

SUPERINTENDENT’S REPORT.

KENTUCKY INSTITUTION FOR THE EDUCATION AND TRAINING OF FEEBLE-MINDED CHILDREN.

Robert W. Scott, Esq., President Board Commissioners:

Sir: The number of inmates now in Kentucky Institution for the Education and Training of Feeble-minded Children is twelve, all that we can make comfortable during the winter in the somewhat dilapidated house that we yet occupy; our average number during the year has been fourteen. They are from various parts of the State, and represent nearly all grades of imbecility. Of the seventeen whose cases we have treated, one was dismissed as insane; one as not coming within the scope of this charity; one whose brain was involved in such disability from disease that no effort can bring about very decided improvement; and two having made such improvement as will make their progress under ordinary methods of instruction easy. Of the remaining twelve, four are developed to a degree of strength of mind that leads us to believe that they will differ, when grown up, slightly, if at all, from the great mass of men and women in their social position; five are making quite satisfactory progress, all able to read—and write a little; two that have not been with us long enough yet to have made material progress; and one from epilepsy in infancy, who, although now quiet, well behaved, even affectionate in disposition, and proper in habits, will always be a source of care to friends.

As remarked in our last report, the number of inmates now in the establishment is but a small proportion of the number of applicants (now about one hundred) that we are compelled to refuse admission to on account of a want of room. This lack of accommodation will be to some extent removed, I am glad to say, in another month. By some modification in the plan of our house, and the decreased price of material, coupled with an economical expenditure of our means, we will put it in a condition for comfortable occupancy room enough for forty or fifty children in our new building, now under roof, and with the glazed sash and outside doors in such a state of forwardness to have them in position by first of December.

We have great cause for congratulation in the continued good health of our charge, having had no death or even serious sickness since we began operations.

JAS. RODMAN, Superintendent.
TREASURER'S STATEMENT.

Statement of Treasurer of Kentucky Institution for the Education and Training of Feeble-minded Children.

Amount received by Treasurer on account of board, clothing, salaries, books, furniture, maps, apparatus, and improvements from February 12, 1861, to November 11, 1861. $2,956.86

Amount paid out as per vouchers on file. $2,965.00

Amount received for purchase of land and erection of buildings. $20,800.00

Amount paid Lloyd's heirs for land. $4,675.00

Amount paid Cook & Brawner, contractors for the erection of buildings. $12,388.75

Amount paid for sinking well. $200.00

Amount paid Samuel Sloan, (Architect). $10,388.75

Balance on hand. $5,136.25

$20,366.00

JAS. W. TATE, Treasurer Ky. I. F. M. C.

Ordered, That said report be referred to the Committee on Education, and that the Public Printer forthwith print 150 copies of said report for the use of the members of this General Assembly.

The House then took up the bill, entitled

An act to establish the county of Menifee.

Mr. Andrews moved to lay the bill on the table.

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

And so said bill was rejected.

The House then took up the bill and substitute, entitled

A bill to amend the law with regard to commissioner's sales.

Ordered, That said bill be made the special order for Wednesday, the 4th December next, at 10 o'clock.

The House then took up a bill from the Senate, entitled

An act to amend section 473 of the Civil Code of Practice.

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 the Codes of Practice.

A bill from the Senate, entitled

An act for the benefit of the executors of R. R. Revill, deceased,

Was read the first time, and ordered to be read a second time.
If the rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

Ordered, That said bill 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 as aforesaid.

The House then took up the following resolutions, viz:

1. Resolution in relation to the election of a Senator in place of John C. Breckinridge, resigned.
2. Resolution regarding pay per diem and mileage to members of General Assembly during recess.
3. Resolution in regard to members General Assembly absenting themselves.

Ordered, That the 1st be referred to the Committee on the Judiciary; the 2d to the Committee on Ways and Means, and the 3d to the Committee on Retrenchment and Reform.

Mr. Bush moved a reconsideration of the vote referring the resolution in regard to the election of a Senator in place of John C. Breckinridge, to the Committee on the Judiciary.

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

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

Mr. Finnell, from the Committee on the Codes of Practice, to whom was referred a bill, entitled "An act to amend sections 93, 221, and 224, of the Civil Code of Practice," asked to be discharged from the further consideration thereof, which was granted.

Ordered, That said bill be referred to the Committee on Revised statutes.

And then the House adjourned.
MONDAY, DECEMBER 2, 1861.

Mr. R. C. Anderson presented the petition and proceedings of a meeting of the citizens of Franklin county in reference to slavery, the war, &c.

Which was read and referred to the Committee on Federal Relations.

Mr. Wolfe presented the petition of Col. Jesse Bayles, and other officers of his cavalry regiment, praying its acceptance into the service, &c.

Which was received, the reading dispensed with, and referred to the Committee on Military Affairs.

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 charter of the People's Bank of Kentucky.

An act for the benefit of Charles R. Samuels, clerk Bullitt county court.

An act to amend the charter of the Bank of Ashland.

That they had passed bills of the following titles, viz: An act for the benefit of the administrators of John C. Morton, late clerk of the Ohio circuit court.

An act for the benefit of John Schoolfield, of Bracken county.

An act to provide for the filling of vacancies in certain offices in Pendleton county.

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

By the Committee on the Judiciary—
1. A bill for the benefit of the executors of Alvin G. Day.
By Mr. J. W. Anderson—
2. A bill to amend the general election laws.
By Mr. Tevis—
3. A bill to incorporate the Bremen and London Petroleum Manufacturing and Mining 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 ordered to be
engrossed and read a third time; the 2d was referred to the Committee on Revised Statutes, and the 3d to the Committee on Incorporated Institutions.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with, and the same being engrossed,

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

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

On motion of Mr. Bush—1. A bill for the benefit of Isaac N. Greathouse, of Hancock county.

On motion of Mr. Shanklin—2. A bill to provide for the support and maintenance of the families of volunteer soldiers.

On motion of Mr. George M. Thomas—3. A bill for the benefit of Tollboro school district, in Lewis county.

On motion of same—4. A bill for the benefit of Vanceburg school district, in Lewis county.

On motion of Mr. Cooper—5. A bill for the benefit of E. B. Caldwell, late sheriff of Lincoln county.

On motion of Mr. Wolfe—6. A bill for the benefit of Isaac T. Brewer.

On motion of Mr. Ricketts—7. A bill to amend the limitation laws.

On motion of Mr. J. R. Thomas—8. A bill to amend sub-division 5, of section 11, chapter 30, of Revised Statutes, concerning descent and distribution.

Ordered, That the Committee on Claims prepare and bring in the 1st; Messrs. Shanklin, Huston, Rankin, R. C. Anderson, and W. C. Anderson the 2d; Messrs. Geo. M. Thomas, Ireland, and Cleveland the 3d and 4th; the Committee on Ways and Means the 5th; the Committee on Military Affairs the 6th; the Committee on the Judiciary the 7th, and the Committee on Revised Statutes the 8th.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee, to consist of three members of the House and two of the Senate, be appointed by the Speakers of the respective Houses; that said committee be instructed to inquire into and report to the General Assembly what legislation is necessary to restore the civil authority in northeastern Kentucky, and especially what increase in the military force, if any, is required to aid the civil authorities in the maintenance of law and order, and the protection of the citizens in their persons and property; that they shall have power to send for persons and papers.
The rule of the House requiring joint resolutions to lie one day on the table, and a reference being dispensed with, 
Said resolution was adopted.
Mr. Sparks read and laid on the table the following joint reso-
lution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That
the Congress of the United States be requested so to amend the postal
laws of the United States, as to allow all letters going to and
coming from any soldier in the army of the United States free of
postage until they are mustered out of said service. That the Speaker
of this House send a copy of the foregoing resolution to each of our
Senators and Representatives in Congress.

Mr. Sparks moved the following resolution, viz:
Resolved, That the Librarian be requested and directed to purchase,
for the use of the people of this Commonwealth, Thomas H. Benton's
"Thirty Years in the Senate," and all the other published books of that
distinguished statesman that are not now in said library.
Which was adopted.

Mr. Burns read and laid on the table the following joint resolu-
tion, viz:

Whereas, C. S. Morehead, M. W. Barri, and R. T. Durrett, citizens
of the State of Kentucky, have been forcibly seized, without warrant
of law, by order of the Federal Government, and taken beyond the
jurisdiction of this Commonwealth, and are now incarcerated in the
military forts of the United States; therefore,
Resolved by the General Assembly of the Commonwealth of Kentucky, That
the Governor of this Commonwealth is hereby requested to demand of
the President of the United States the immediate delivery of the citi-
zens of Kentucky aforesaid into the custody of the United States
Court for the District of Kentucky, that charges may be preferred
against them, if they have committed any offense against the laws of
the United States, and that they may have a speedy and impartial
trial, as prescribed by the constitution of the State of Kentucky.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That
all officers or other persons having charge of any maps or note books
of any surveys made in this State, and by authority thereof, are hereby
authorized and directed to deliver any such maps and books aforesaid
to the commanding general of the department of Cumberland, or
any properly authorized agent to receive the same, who shall receipt
for the books and maps so received by him as a loan for the use of
said department, and shall return the same when used.

The rules of the House being dispensed with, said resolution was
adopted.
The House then took up the resolution of Mr. Allen, providing for the election of a Public Printer, Librarian, and Keeper of the Penitentiary.

Mr. Andrews moved to strike out the election of Keeper of the Penitentiary.

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

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

The House then took up the resolution of Mr. Sparks in relation to paying pensions by the general government.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Bills from the Senate of the following titles, viz:

An act for the benefit of the administrators of John C. Morton, late clerk of the Ohio circuit court.

An act for the benefit of John Schoolfield, of Bracken county.

An act to provide for the filling of vacancies in certain offices in Pendleton 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,

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

And then the House adjourned.

TUESDAY, DECEMBER 3, 1861.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled

An act to authorize the holding of a court of claims in such counties as may fail to hold such courts at the time fixed by law.

That they had concurred in a resolution from this House providing
for an inquiry into the condition of the northeastern part of Kentucky.
Also, a resolution in relation to the election of a Senator, and a
resolution in relation to the election of a Public Printer and Librarian.
With amendments to the last two.
That they had passed bills of the following titles, viz:
An act for the benefit of Wm. R. McFerran, presiding judge of the
Barren county court.
An act for the benefit of Lewis A. Bradshaw, of Adair county.
An act for the benefit of common school district No. 19, in Bullitt
county.
An act for the benefit of John Benton, of Montgomery county.
Resolution relating to the position of Kentucky in the existing war.
Mr. Bacheller, from the Committee on Enrollments, reported that
the committee had examined sundry enrolled bills, and a resolution
which originated in this House, of the following titles, and had found
the same truly enrolled, viz:
An act for the benefit of William Marshall, late marshal of the
town of Brookville, in Bracken county.
An act for the benefit of John G. Wyatt, sheriff of Montgomery
county.
An act for the benefit of George W. Tompkins, late sheriff of Mer­
cer county.
An act to repeal an act, entitled "An act concerning the city court
of Louisville.
Resolution in regard to Ireland.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller inform the Senate thereof.
The following bills were reported by the several committees ap­
pointed to prepare and bring in the same, viz:
By the Committee on Propositions and Grievances—
1. A bill to change the county line between the counties of Barren
and Allen.
By same—
2. A bill to permit John L. Chisholm to peddle in Marion, Taylor,
and Adair counties without license.
By Mr. Andrews, Judiciary Committee—
3. A bill authorizing the sale of Stanton's Revised Statutes.
By Mr. Burnam, Education Committee—
4. A bill for the benefit of school district No. 31, in Rockcastle county.
By same—
5. A bill to divide school district No. 10, in Meade county.
By same—
6. A bill for the benefit of district schools, &c.
By Mr. Tevis—
7. A bill to amend section 879, of the Civil Code of Practice.

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,

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,

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

Mr. Chandler, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill for the benefit of the sheriff of Taylor county, asked to be discharged from the further consideration thereof.

Which was granted.

Ordered, That the same be referred to the Committee on Ways and Means.

Mr. Andrews, from the Committee on the Judiciary, to whom was referred leaves of the following titles, viz:

A bill to prevent servile insurrection, and to punish those who instigate the same.

A bill to amend the law in relation to selecting grand jurors.

A bill for the benefit of the heirs of Thomas Lamb, deceased, of the county of Madison.

A bill for the benefit of Wm. McClure, a free man of color.

A bill for the benefit of Crawford Anderson, of Graves county.

Also, a resolution in relation to persons holding office under the laws of this State and the United States.

Asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Andrews, from the Committee on the Judiciary, to whom was referred a bill, entitled "A bill to abolish the office of President of the Board of Internal Improvement," asked to be discharged from the further consideration thereof.

Which was granted.
Ordered, That said bill be referred to the Committee on Internal Improvement.

The Committee on the Judiciary, to whom was referred leave to bring in a bill to amend the Civil Code of Practice, reported the same, with the expression of opinion that it ought not to pass.

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. J. B. Cochran moved to amend said bill, as follows, viz:

"Provided, however, That the provisions of this bill shall not apply to non-resident litigants."

Which amendment was adopted.

Ordered, That said bill and amendment be referred to the Committee on Revised Statutes.

The special order, entitled "A bill to establish a conventional rate of interest," was taken up.

Ordered, That the consideration of said bill be postponed till Thursday next, at 11½ o'clock.

Mr. Andrews, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of Sarah Hoffman, wife of H. C. W. Hoffman, reported the same, with the expression of opinion that it ought not to pass.

And the question being taken on concurring with the report of the committee, it was decided in the affirmative.

And as said bill was rejected.

The Committee on the Judiciary, to whom was referred a bill from this House, entitled

A bill to regulate compensation for taking up loose timber on Licking river,

Reported a substitute therefor.

Which was read the first time.

Mr. Webster offered an amendment, exempting Campbell county.

And the question being taken thereon, the amendment was rejected.

The question was then taken on ordering said bill to be read a second time, and it was decided in the negative.

And as said bill was rejected.
Mr. Andrews, from the Committee on the Judiciary, to whom was referred leave to bring in a bill to amend the law in relation to bail, reported the same.

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

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

Ordered, That said bill be re-committed to the Committee on the Judiciary.

The Committee on the Judiciary, to whom was referred leave to bring in a bill to establish certain holidays, reported the same.

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

The Committee on the Judiciary, to whom was referred a bill from the Senate, entitled An act to amend the law in relation to devises, bequests, descent, and distribution,

Reported the same, with the expression of opinion that it ought not to pass.

On motion of Mr. John B. Cochran,

Ordered, That said bill be made the special order for Friday next at 11 o'clock.

Mr. Burnam, from the Committee on Education, to whom was referred a bill from this House, entitled "An act to amend an act, entitled an act to amend the common school law, defining the number of days in a school month,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

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

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. Burnam, from the Committee on Education, to whom was referred leave to bring in a bill concerning common schools, reported the same.

Which was read the first time, and ordered to be read a second time.
Mr. Conklin moved to strike out the 6th section of said bill. And the question being taken thereon, it was decided in the negative. Mr. Bush offered an amendment. And the question being taken thereon, it was adopted. The rule of the House, constitutional provision, and second reading of said bill, as amended, having been dispensed with,

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,

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

Mr. Underwood, from the Committee on Military Affairs, to whom was referred the resolution offered by Mr. Heady, in relation to furnishing one additional blanket to each non-commissioned officer, private, musician, farrier, blacksmith, and teamster, in the field, of the Kentucky troops, reported the same.

Mr. Allen offered the following amendment, viz:

"If, in the opinion of said Board, it is necessary to the comfort of said soldier."

Mr. Huston offered the following as a substitute for the resolution and amendment, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Military Board is authorized to issue an additional blanket to such non-commissioned officers, privates, musicians, farriers, blacksmiths, and teamsters of the Kentucky troops in the field, as they may deem to be in need thereof: Provided, That the proper officers of the several regiments shall at any time deem it necessary, and make a requisition on the Military Board therefor, which Board shall then furnish the same.

The question being taken, the amendment of Mr. Allen was rejected. The question being taken, the substitute of Mr. Huston was rejected.

Mr. Wolfe then offered the following amendment to the original resolution, viz:

"Provided, That the proper officers of the several regiments shall at any time deem it necessary, and make a requisition on the Military Board therefor, which Board shall then furnish the same."

Which was adopted.

Mr. Huston moved to strike out the words "as soon as practicable" from the original resolution. Which was adopted.
The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yea and nay being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Elijah Gabbert, John Ray,
Alfred Allen, Remus Gibson, Joseph Ricketts,
Jas. W. Anderson, Henry Griffith, F. D. Rigney,
R. C. Anderson, John H. Harney, George S. Shanklin,
W. C. Anderson, Wm. J. Heady, G. Clay Smith,
Landaff W. Andrews, Joseph W. Hester, M. Smith,
E. B. Bacheller, John B. Huston, James P. Sparks,
John C. Beeman, Richard T. Jacob, Joshua Tevis,
William A. Braan, Daniel W. Johns, George M. Thomas,
Curtis F. Burnham, Urban E. Kennedy, John B. Thomas,
Cyrus Campbell, James M. C. Lisenby, Thomas Turner,
J. W. Campbell, Alexander Luce, Joseph R. Underwood,
A. B. Chambers, P. L. Maxey, John S. Vanwinkle,
Joseph H. Chandler, David P. Mears, Zeb. Ward,
Brutus J. Clay, Otho Miller, George P. Webster,
Francis L. Cleveland, Thomas Z. Morrow, Alexander T. White,
John B. Cochran, Thomas W. Owings, Nathaniel Wolfe,
Robert Cochran, George Poindexter, Geo. H. Yeaman,
William L. Conklin, Hiram S. Powell, Bryan R. Young,
John C. Cooper, William S. Rankin, Milton Young,
Stephen J. England, Nicholas A. Rapier, Van B. Young—64.
Hugh F. Finley,

Those who voted in the negative, were—

Vincent Ash, Joseph Gardner, William Johnson,
E. F. Burns, Evan M. Garriott, John C. Lindsey,

The Speaker announced the following additions to the standing committees, in pursuance of the resolution adopted, viz:


On Military Affairs—Mr. G. Clay Smith, in place of Lucius Desha.

The Speaker announced the following committee, under the resolution offered by Mr. G. Clay Smith, on 29th November last, viz:

Mr. Wolfe presented the petition of sundry citizens of Louisville, protesting against the extension of the stay law.

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

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

On motion of Mr. Kennedy—1. A bill to give further time to administrators, executors, and guardians, in the counties of Todd and Logan, to settle their accounts and make distribution.

On motion of Mr. Gabbert—2. A bill for the benefit of Matt. Harris, a free man of color, of Mercer county.


And then the House adjourned.

WEDNESDAY, DECEMBER 4, 1861.

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, entitled "An act to amend the common school law, defining the number of days in a school month."
An act for the benefit of school district No. 31, in Rockcastle county.
An act to divide school district No. 16, in Meade county.

That they had concurred in a resolution from this House in relation to maps, surveys, &c., with an amendment thereto.
That they had passed a resolution touching the relation of debtor and creditor.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, and had found the same truly enrolled, viz:

An act to amend the charter of the People’s Bank of Kentucky.

An act to authorize the holding of a court of claims in such counties as may fail to hold such court at the time fixed by law.

An act for the benefit of Charles R. Samuels, clerk Bullitt county court.

An act to amend the charter of the Bank of Ashland.

Also, bills and a resolution which originated in the Senate, of the following titles, viz:

An act for the benefit of the executors of R. R. Revill, deceased.

An act for the benefit of the administrators of John C. Morton, late clerk of the Ohio circuit court.

An act for the benefit of John Schoolfield, of Bracken county.

Resolution of inquiry into the condition of the northeastern part of Kentucky.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

1. Mr. Ash presented the petition of sundry citizens of Anderson county, praying the passage of a law authorizing the county court to increase the county levy.

2. Mr. Burnam presented the remonstrance of citizens of Madison, Jackson, and Laurel counties, against the allowance of the claim for the benefit of J. D. Ballard.

3. Also, the petition of sundry citizens of Madison, Jackson, and Laurel counties, concerning the Wilderness turnpike road.

4. Mr. Morrow presented the petition of Joel W. Sallee, late sheriff of Pulaski county, in relation to tax books for 1861.

5. Mr. Van B. Young presented the petition of Travis Daniel, praying allowance for keeping idiots, &c.

Which were received, the reading dispensed with, and referred, the 1st to the Committee on County Courts; the 2d to the Committee on the Judiciary; the 3d to the Committee on Internal Improvement; the 4th to the Committee on Ways and Means, and the 5th to the Committee on Claims.

Mr. Burns moved a reconsideration of the vote by which a bill from
the Senate, entitled "An act to provide for the filling of vacancies in certain offices in Pendleton county," passed this House on Monday last.

The House took up the special order, entitled "A bill to amend the law with regard to commissioner's sales," &c.

Ordered, That said bill and substitute be referred to a select committee of five, to be appointed by the Speaker.

The Committee on Federal Relations, to whom was referred the resolution of Mr. Ward, in reference to the Russellville Convention proclaiming George W. Johnson Provisional Governor, &c., reported the same, with the expression of opinion that it ought not to pass.

The question was taken, "Shall the resolution be adopted."

And it was decided in the negative.

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

In the affirmative—none.

Those who voted in the negative, were—


The resolution of Mr. Ward reads as follows, viz:

Resolved, That this Legislature do recognize the action of the Pro-
visional Government lately established at Russellville, Ky., by which George W. Johnson was made the Governor of Kentucky, and that our sympathies are with them and their cause.

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

By Mr. Thomas, from the Committee on County Courts—
1. A bill for the benefit of the clerk of the Bullitt county court.

By same—
2. A bill for the benefit of the personal representatives of R. F. Samuels, deceased.

By the Committee on Revised Statutes—
3. A bill to amend the 23d section, of chapter 84, of Revised Statutes, concerning roads and passways.

By same—
4. A bill for the benefit of the town marshal of the town of Owenton.

By same—
5. A bill to amend an act, entitled "An act to establish a ferry across the Ohio river at the town of Milton."

By same—
6. A bill repealing section 6, chapter 75, Revised Statutes, and providing for allowance to physicians for medical attention to poor and indigent persons.

By Mr. Wolfe—
7. A bill to amend an act to incorporate the Pilots' Benevolent Relief 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,

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 Committee on Revised Statutes, to whom was referred leave to bring in a bill to define the powers and duties of the assessors of tax, reported a bill.

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. Rankin proposed to strike out from the bill the word "value."

Which was adopted.

Mr. Finley offered an amendment.

On motion of Mr. Rankin,

Ordered, That the bill and amendments be recommitted to the Committee on the Revised Statutes.

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

On motion of Mr. Powell—1. A bill for the benefit of the heirs of John Lewis, deceased.

On motion of same—2. A bill for the benefit of school district No. 9, in Letcher county.

On motion of Mr. Curtis—3. A bill for the benefit of John B. Powell, jailer of Estill county.


Ordered, That Messrs. Burnam, J. W. Anderson, and Powell prepare and bring in the 1st; the Committee on Education the 2d; Messrs. Curtis, White, and Bacheller the 3d, and Messrs. Curtis, Burnam, and Yeaman the 4th.

Mr. Bush, from the Committee on Revised Statutes, to whom was referred leave, reported a bill for the benefit of W. S. Gibbs, late sheriff of Hancock county.

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

Mr. England offered an amendment, that the provisions of the bill be applied to Jacob Rice, late sheriff of Carter county.

Mr. Morrow offered an amendment, that the provisions of the bill be applied to W. D. Black, late sheriff of Pulaski county.

Which amendments were adopted.

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

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, as amended, do pass, and that the title thereof be as amended.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By the Committee on Incorporated Institutions—
1. A bill to amend the charter of the town of Stanford.
   By Mr. Wolfe—

2. A bill to incorporate the Louisville, Pittsburg, St. Louis, and Tennessee River Pilots' Benevolent and Relief Association.
   By Mr. Morrow—

3. A bill for the benefit of executors, administrators, and guardians in the counties of Logan and Todd.
   By Mr. Tevis—


The Speaker, in pursuance of the resolution of Mr. Anderson, appointed A. T. White and W. P. D. Bush on the committee to divide the State into congressional districts, in place of John M. Elliott and Daniel Mathewson.

The Committee on Incorporated Institutions, to whom was referred a bill, entitled "A bill to incorporate Bremen and London Petroleum Manufacturing and Mining 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 House then took up the resolution and amendment proposed by the Senate, entitled "Resolution in regard to maps, surveys, &c."

Which amendment was concurred in.

Mr. Ask moved the following resolution, viz:

Resolved, That J. R. Underwood, Milton Young, and A. B. Chambers, be, and they are hereby, appointed a committee to investigate and inquire by what authority Col. E. Dudley arrested and now holds in his camp at Lexington, Francis Kingston, Jordan Mizendor, and John Smith, citizens of Anderson county, and what punishment, if any, shall be inflicted on said Col. E. Dudley, for his arrest and confinement of such persons.

Resolved further, That said committee do also report what legislation, if any, is necessary to protect the citizens of this Commonwealth against unauthorized and illegal arrests, and what remedy shall be provided therefor.

Ordered, That said resolution be referred to the Committee on Military Affairs.
At 12 o'clock, Mr. Andrews 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. Cleveland and Gabbert, were as follows, viz:

Those who voted in the affirmative, were—

R. C. Anderson,          William L. Conklin,          George Poindexter,
W. C. Anderson,           Albert A. Curtis,            Hiram S. Powell,
Landaff W. Andrews,       Stephen J. England,           F. D. Riney,
Vincent Ash,              Hugh F. Finlay,              George S. Shanklin,
E. B. Bacheller,          Elijah Gabbert,              Joshua Tevis,
John C. Beeman,           Joseph Gardner,              George M. Thomas,
John W. Blue,             Evan M. Gurriott,            Thomas Turner,
William P. Boone,         Remus Gibson,                John S. Vanwinkle,
E. F. Burns,              John H. Harney,              Zeb. Ward,
James Calvert,            William J. Heady,             Nathaniel Wolfe,
J. W. Campbell,           John B. Huston,              Bryan R. Young,
A. B. Chambers,           Felix C. Murphy,             Milton Young,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) G. M. Hampton, William S. Rankin,
William A. Brann,          Joseph W. Hester,            Nicholas A. Rapier,
Curtis F. Burnam,          Richard T. Jacob,            John Ray,
W. P. D. Bush,             Urban E. Kennedy,           G. Clay Smith,
Cyrus Campbell,            John C. Lindsey,             M. Smith,
Joseph H. Chandler,        James M. C. Lisenby,          James P. Sparks,
Francis L. Cleveland,      Alexander Lusk,              Joseph R. Underwood,
John B. Cochran,           P. L. Maxey,                 George P. Webster,
John C. Cooper,            David P. Mears,              Alex. T. White,

And then the House adjourned.

THURSDAY, DECEMBER 5, 1861.

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 the clerk of the Bullitt circuit court.
An act for the benefit of the personal representatives of R. F. Samuels, deceased.
An act for the benefit of the town marshal of the town of Owenton.

An act to amend an act to establish a ferry across the Ohio river at the town of Milton.

An act to amend an act to incorporate the Pilots' Benevolent and Relief Association.

An act for the benefit of W. S. Gibbs, late sheriff of Hancock county, and the late sheriffs of Carter and Pulaski counties.

With an amendment to the last named bill.

And had concurred in a resolution in relation to furnishing an additional blanket to the Kentucky soldiers.

That they had passed a bill, entitled

An act for the benefit of W. S. D. Megowan, and his securities.

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

An act to repeal an act, entitled "An act concerning the city court of Louisville."

An act for the benefit of Geo. W. Tompkins, late sheriff of Mercer county.

An act for the benefit of William Marshall, late marshal of the town of Brookville, in Bracken county.

An act for the benefit of John S. Wyatt, late sheriff of Montgomery county.

Resolution in regard to Ireland.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled "An act to amend the common school law, defining the number of days in a school month."

An act for the benefit of school district No. 31, in Rockcastle county.

An act to divide school district No. 16, in Meade county.

Resolution in relation to maps and surveys.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

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

The attention of this Legislature having been called to the follow-...
House of Representatives.

Dec. 5.]

The rule of the House requiring resolutions to lie on the table, &c., having been dispensed with,

Ordered, That said resolutions be referred to the Committee on Military Affairs.

Mr. Ricketts presented the petition of J. W. Bickers, in reference to some contracts on locks on Green river.

Which was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

Mr. Tevis presented the petition of Sallie P. Otis, praying the passage of an act allowing her to trade, and to hold and dispose of real and personal estate, as though she were an unmarried woman.
Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

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

By the Committee on the Judiciary—
1. A bill to amend the limitation laws.
2. A bill for the benefit of the Kentucky soldiers in the Federal army.
3. A bill for the benefit of the town of Lebanon.
4. A bill for the benefit of the county attorney of Barren county.
5. A bill for the benefit of E. B. Caldwell, late sheriff of Lincoln county.
6. A bill to amend an act, entitled "An act to amend the charter of the Knob Lick turnpike road company."
7. A bill for the benefit of school district No. 22, in Boone 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, 3d, 4th, 5th, 6th and 7th were severally ordered to be engrossed and read a third time; the 2d was made the special order for Thursday next at 11 o'clock.

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

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

Mr. Rankin, from the Committee on the Judiciary, to whom was referred leave to bring in a bill in relation to the qualification of jurors, asked to be discharged from the further consideration thereof.

Which was granted.

Ordered, That said leave be referred to the Committee on Revised Statutes.
The Committee on the Judiciary, to whom was referred bills from this House, of the following titles, viz: 
An act to amend the charter of the town of Stanford.
An act for the benefit of Charles M. and Harriet Wheeler.
Reported the same without amendment.

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

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Committee on the Judiciary, to whom was referred leave, reported a bill, entitled
A bill for the benefit of soldiers in the service of the State of Kentucky and the United States.
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 placed in the orders of the day.

The Speaker laid before the House the condensed report of the Auditor of Public Accounts.

[For Report—see Legislative Documents.]

Ordered, That said report be referred to the Committee on Ways and Means.

The Committee on Military Affairs reported a bill to amend an act, entitled "An act supplemental to an act to raise volunteer forces to repel the invasion of the State, and for other purposes."
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 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. Finley and Rankin, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Albert A. Curtis, Joseph Ricketts,
R. C. Anderson, Stephen J. England, E. D. Bigney,
Landaff W. Andrews, Elijah Gabbert, G. Clay Smith,
Vincent Ash, Renuis Gibson, Joshua Tavis,
E. B. Bachecker, John H. Harney, George M. Thomas,
John C. Beeman, Wm. J. Heady, John R. Thomas,
William P. Boone, Richard T. Jacob, Thomas Turner,
William A. Brann, Daniel W. Johns, Joseph R. Underwood,
Curtis F. Burnam, Urban E. Kennedy, John S. Vanwinkle,
J. W. Campbell, John C. Lindsey, George P. Webster,
Joseph H. Chandler, James M. C. Lisenby, Alexander T. White,
Brutus J. Clay, David P. Mears, Nathaniel Wolfe,
Francis L. Cleveland, Otha Miller, Geo. H. Yeaman,
John B. Cochran, Thomas Z. Morrow, Bryan B. Young,
Robert Cochran, Thomas W. Owings, Milton Young,
William L. Conklin, George Poindexter, Van B. Young—50.
John C. Cooper, John Ray,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Joseph Gardner, Hiram S. Powell,
John W. Blue, Evan M. Garriett, William S. Rankin,
E. F. Burns, Henry Griffith, Nicholas A. Rapier,
W. P. D. Bush, George M. Hampton, George S. Shanklin,
James Calvert, John B. Huston, M. Smith,
Cyrus Campbell, William Johnson, James P. Sparks,
Hugh F. Finley, Felix G. Murphy,

Mr. Allen moved the following resolution, viz:

Resolved, That the Committee on the Library be instructed to report what additional legislation is necessary to have the public books and documents distributed to the different counties of this State, and report by bill or otherwise at 10 o'clock to-morrow.

Which was adopted.

Ordered, That said resolution be referred to the Committee on the Library.

The House then resolved itself into a committee of the whole upon the bill to establish a conventional rate of interest, Mr. Huston in the chair.

Mr. Vanwinkle offered the following amendments, viz:

Strike out the word "ten," in the 1st section, and insert "eight."

Amend 2d section by striking out the word "ten," and inserting "eight."

Add the following additional sections, viz:

§ 3. That if any person shall stipulate for a greater rate of interest,
for the loan or forbearance of money, than that authorized by the 1st section of this act, he shall forfeit to the debtor the whole sum secured by such usurious contracts.

§ 4. That if any person shall, under any pretext whatever, receive or collect a greater rate of interest than that authorized by said section, shall forfeit to the persons paying the same the whole sum so collected, who may sue for and recover the same at any time within five years.

And after some time spent therein, Mr. G. Clay Smith moved that the committee rise, report progress, and ask leave to sit again.

The Speaker resumed the chair, when Mr. Huston reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again.

Which was granted.

And then the House adjourned.

FRIDAY, DECEMBER 6, 1861.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the clerk of Bullitt circuit court.
An act for the benefit of the personal representative of R. F. Samuel, deceased.
An act for the benefit of the town marshal of the town of Owenton.
An act to amend an act to establish a ferry across the Ohio river, at the town of Milton.
An act to amend an act to incorporate the Pilots' Benevolent and Relief Association.

Also, resolution in relation to furnishing an additional blanket to the Kentucky soldiers.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.
Mr. Burnam presented the petition of James T. Woodward, praying the establishment of a toll-gate on the Kentucky river turnpike road.

Which was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

Mr. Proctor presented the petition of Wm. R. McPerran, judge Barren county court, in reference to arms furnished State Guard in Barren and other counties.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

The Speaker said before the House a communication from Wm. M. Coffee, a member of this House from the county of Ballard, resigning his seat.

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 authorize the county court of Anderson county to increase the county levy.

By the Committee on Revised Statutes—
2. A bill in regard to the effect of the renunciation of wills by widows.

By the Committee on Incorporated Institutions—
3. A bill to amend an act, entitled "An act to incorporate the town of Florence, in Boone county."

By Mr. Gabbert—
4. A bill for the benefit of Matt Norris, a free man of color.

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,

Ordered, That said bills be severally 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 Committee on County Courts, to whom was referred a leave, reported a bill for the benefit of John E. Young, of Bath county.

Which was read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

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 the constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

The Committee on County Courts, to whom was referred leave, reported a bill to prevent clerks of courts from practicing law in certain courts.

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

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

Ordered, That said bill be referred to the Committee on Circuit Courts.

The same committee also reported

A bill exempting soldiers from the payment of county levy for the year 1862.
Which was read the first time, and ordered to be read a second time.

The Committee on Revised Statutes, to whom was referred leave, reported
A bill concerning paupers and idiots.
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 engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) Hugh F. Finley, Hiram S. Powell,
Alfred Allen, Elijah Gabbert, Larkin J. Proctor,
Landaff W. Andrews, Joseph Gardner, William S. Rankin,
Vincent Ash, Evan M. Garrett, Nichoias A. Rapier,
E. B. Bacheller, Remus Gibson, John Ray,
John C. Beeman, Henry Griffith, Joseph Ricketts,
John W. Blue, George M. Hampton, George S. Shanklin,
William A. Brann, John H. Harney, G. Clay Smith,
Curtis F. Burnam, William J. Heady, M. Smith,
E. F. Burns, Joseph W. Heeter, James P. Sparks,
W. P. D. Bush, John B. Huston, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis,
Cyrus Campbell, Daniel W. Johns, George M. Thomas,
J. W. Campbell, William Johnson, John R. Thomas,
A. B. Chambers, Urban E. Kennedy, J. R. Underwood,
Joseph H. Chandler, John C. Lindsey, John S. Vanwinkle,
Brutus J. Clay, Alexander Lusk, Zeb. Ward,
Francis L. Cleveland, P. L. Maxey, George P. Webster,
John B. Cochran, David P. Mears, Alex. T. White,
Robert Cochran, Otto Miller, Nathaniel Wolfe,
William L. Conklin, Thomas Z. Morrow, George H. Yeaman,
John C. Cooper, Felix C. Murphy, Bryan R. Young,
Albert A. Curtis, Thomas W. Owings, Milton Young,

In the negative—none.

The same committee, to whom was referred a bill to amend the Civil Code of Practice, reported the same, with the expression of opinion that said bill ought not to pass.
A message was received from the Governor, by Mr. Gaither, Secretary of State, transmitting a communication from Mr. Chase, Secretary of the Treasury of the United States, in reference to the war tax.

Which was read, and referred to the Committee on Ways and Means, as follows, viz:

Executive Office, Dec. 5, 1861.

Gentlemen of the House of Representatives:

I herewith lay before your House a letter of inquiry from the Hon. S. P. Chase, Secretary of U. S. Treasury, in regard to the assumption of the direct tax of the Federal Government by the State of Kentucky, and recommend the matters therein contained for your consideration.

B. Magoffin.

Treasury Department, Nov. 29, 1861.

Sir: I have the honor to call your attention to the act of 6th August, 1861, levying a direct tax and apportioning it among the several States. The amount apportioned to the State of Kentucky is $718,095.33.5.

The 53d section of the act provides: "That any State or Territory, and the District of Columbia, may lawfully assume, assess, collect, and pay into the Treasury of the United States the direct tax, or its quota thereof, imposed by this act upon the State, Territory, or District of Columbia, in its own way and manner, by and through its own officers, assessors, and collectors; and any such State, Territory, or District, which shall give notice by the Governor, or other proper officer thereof, to the Secretary of the Treasury of the United States, on or before the second Tuesday of February next, of its intention to assume and pay, or to assess, collect, and pay, into the treasury of the United States, the direct tax imposed by this act, shall be entitled to a deduction of fifteen per centum on the quota of direct tax apportioned to such State: Provided, however, That the deduction shall only be made to apply to such part or parts of the same as shall have been actually paid into the treasury of the United States on or before the last day of June in the year to which such payment relates."

Will you inform me, at the earliest practicable period, whether the authorities of Kentucky will assume and pay the amount of direct tax apportioned to that State by the existing law? and, also, whether, in case of any change in the law, by which a different and perhaps larger amount shall be apportioned to the State, the authorities will probably assume and pay it?

I am, very respectfully,

S. P. Chase,
Secretary of the Treasury.

His Excellency, Beriah Magoffin, Governor of Kentucky.

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

The Committee on Revised Statutes, to whom was referred leave to bring in a bill in regard to runaway slaves, reported the same.
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. Harney moved to strike out all after the word "but," in the 3d section of the bill.

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

Ordered, That said bill, as amended, be recommitted to the Committee on Revised Statutes.

Mr. Underwood moved the following resolution, viz:

Resolved. That the Speaker appoint four other members to the select committee having under consideration the bill to amend the law with regard to commissioner's sales; and that said committee, thus enlarged, shall constitute part of a joint committee of twelve, three of which shall be appointed by the Senate, and that the Senate be requested to make such appointment; said joint committee to report to each House on the subject embraced by said bill in any mode they may deem proper.

Which was adopted.

The House took up the special order, a bill from the Senate, entitled

An act to amend the law in relation to devises, bequests, descent, and distribution.

Ordered, That the consideration thereof be postponed till to-morrow at 11 o'clock.

The House then took up a bill from the Senate, entitled

An act for the benefit of W. S. D. Megowan and his securities.

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

The House again resolved itself into a committee of the whole on the bill to authorize a conventional rate of interest, Mr. Huston in the chair; and after some time spent therein, the Speaker resumed the chair, when Mr. Huston reported that the committee had, according to order, had under consideration the bill and amendments proposed by Mr. Vanwinkle, and had instructed him to report the same to the House, with the opinion that the bill and amendments ought to be rejected, which he handed in at the Clerk's table.

The question was then taken on ordering the bill to be read a third time, (the amendments having been rejected while in committee of the whole,) and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Burnam and Allen, were as follows, viz:

Those who voted in the affirmative, were—


Albert A. Curtis, William S. Rankin,

Those who voted in the negative, were—


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

On motion of Mr. Owings—1. A bill authorizing James Dinwiddie and wife to sell and convey real estate.

On motion of Mr. Finley—2. A bill for the benefit of Robert Boyd, circuit clerk of Whitley county.

On motion of same—3. A bill for the benefit of Joseph L. McCarty, sheriff of Whitley county.

On motion of Mr. G. Clay Smith—4. A bill for the benefit of Sanford Goins.

On motion of Mr. W. P. Boone—5. A bill to charter the Home Insurance Company of Louisville.


On motion of Mr. Chandler—7. A bill to amend section 221, of the Civil Code of Practice.
On motion of Mr. J. W. Campbell—8. A bill for the benefit of the members of the Kentucky Annual Conference of the Methodist Episcopal Church, South.

On motion of Mr. White—9. A bill for the benefit of school district No. 1, in Clay county.

On motion of Mr. Cooper—10. A bill to change the time of holding the Lincoln and Pulaski circuit courts.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 6th; Messrs. Finley, Bacheller, and J. W. Anderson the 2d; the Committee on Ways and Means the 3d; the Committee on Propositions and Grievances the 4th; the Committee on Incorporated Institutions the 5th; the Committee on the Codes of Practice the 7th; Messrs. Taylor, M. Smith, and Campbell the 8th; the Committee on Education the 9th, and the Committee on Circuit Courts the 10th.

Mr. Finley moved the following resolution, viz:

Resolved, That the Judiciary Committee be instructed to inquire into the facts whether clerks and assessors have performed official services required by provisions of an act, entitled "An act to reorganize the Kentucky militia," approved March 4, 1860, and whether there exists in the present laws any legal authority by which those services, when rendered, are to be paid; and if no legal authority exists for the payment of those services, so performed, that the committee be instructed to introduce a bill providing for payment.

Which was adopted.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. Jacob moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be requested to report a bill prohibiting the emigration of free negroes to this State.

Which was adopted.

Ordered, That said resolution be referred to the Committee on the Judiciary.

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

Whereas, John C. Breckinridge has been expelled from the Senate of the United States; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses will proceed, on Tuesday, the 10th inst., at 12 o'clock, M., to elect a Senator to fill said vacancy.

The rules of the House being dispensed with, said resolution was taken up, twice read, and concurred in.
Mr. Ward moved the following resolution, viz:  

Resolved, That the Speaker appoint a committee to examine the report of the Superintendent of the Institution for the Education and Training of Idiots and Feeble-minded Children, and ascertain if said report cannot be made fuller and more explicit; and also, to inquire into the propriety of reducing the number of Commissioners of said Institution, (now eighteen,) and to report to this House the result of such examination and inquiry, by bill or otherwise.

Which was adopted.

The House took up the resolution of Mr. Sparks, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Congress of the United States be requested so to amend the postage laws of the United States, as to allow all letters going to and coming from any soldier in the army of the United States free of postage, until they are mustered out of said service. That the Speaker of this House send a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Mr. Owings moved to lay the resolution on the table.

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

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

Those who voted in the affirmative, were—

<table>
<thead>
<tr>
<th>Vincent Ash</th>
<th>Hugh F. Finley</th>
<th>John C. Lindsey</th>
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<tr>
<td>E. F. Burns</td>
<td>Joseph Gardner</td>
<td>P. L. Maxey</td>
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<td>W. P. D. Bush</td>
<td>Evan M. Garriott</td>
<td>Felix G. Murphy</td>
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<tr>
<td>James Calvert</td>
<td>George M. Hampton</td>
<td>Thomas W. Owings</td>
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<tr>
<td>A. B. Chambers</td>
<td>John B. Huston</td>
<td>Joshua Tevis</td>
</tr>
<tr>
<td>John B. Cochran</td>
<td>William Johnson</td>
<td>Van B. Young—19</td>
</tr>
<tr>
<td>William L. Conklin</td>
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</table>

Those who voted in the negative, were—

<table>
<thead>
<tr>
<th>Mr. Speaker, (Buckner,)Elijah Gabbert,</th>
<th>Remus Gibson,</th>
<th>Joseph Ricketts</th>
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</thead>
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<tr>
<td>Alfred Allen</td>
<td>Henry Griffith,</td>
<td>George S. Shanklin</td>
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<tr>
<td>Landaff W. Andrews</td>
<td>John H. Harney,</td>
<td>G. Clay Smith</td>
</tr>
<tr>
<td>E. B. Bacheller</td>
<td>William J. Heady,</td>
<td>M. Smith</td>
</tr>
<tr>
<td>John C. Beaman</td>
<td>Joseph W. Heeter,</td>
<td>James P. Sparks</td>
</tr>
<tr>
<td>John W. Blue</td>
<td>Richard T. Jacob,</td>
<td>Harrison Taylor</td>
</tr>
<tr>
<td>William P. Boone</td>
<td>Urban E. Kennedy,</td>
<td>George M. Thomas</td>
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<tr>
<td>William A. Braun</td>
<td>James M. C. Lisenby,</td>
<td>John R. Thomas</td>
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<tr>
<td>Curtis F. Burnam</td>
<td>David P. Mears,</td>
<td>Thomas Turner</td>
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<tr>
<td>Cyrus Campbell</td>
<td>Otho Miller,</td>
<td>Joseph R. Underwood</td>
</tr>
<tr>
<td>J. W. Campbell</td>
<td>Thomas Z. Morrow,</td>
<td>John S. Vanwinkle</td>
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<tr>
<td>Joseph H. Chandler</td>
<td>George Pointdexter,</td>
<td>Zeb. Ward</td>
</tr>
<tr>
<td>Bratus J. Clay</td>
<td>Hiram S. Powell,</td>
<td>George P. Webster</td>
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<tr>
<td>Francis L. Cleveland</td>
<td>Larkin J. Proctor,</td>
<td>Alex. T. White</td>
</tr>
<tr>
<td>Robert Cochran</td>
<td></td>
<td>George H. Yeaman</td>
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</table>
Ordered, That said resolution be referred to the Committee on Federal Relations.

The House took up Mr. Burns' resolution, offered on the 2d inst.

Mr. Burns offered an amendment.

Ordered, That said resolution and amendment be referred to the Committee on Federal Relations.

The House took up the resolution, with the amendment adopted by the Senate, in relation to the election of a Public Printer and Librarian.

Mr. Tevis proposed an amendment to the amendment, to strike out the 5th instant, and insert the 10th December, at 11 o'clock.

Which amendment was adopted.

The House then took up a resolution from the Senate in relation to the position of Kentucky in the existing war.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Burns read and laid on the table the following joint resolutions.

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That liberty of speech and of the press are rights guaranteed and protected to our citizens by the organic law of our land, and the Federal Government, or its subordinate officers, have no right to interfere with either—the right to discuss the measures and policy of our Federal and State governments, and to arraign their action before the people, is a constitutional right, which is given to every citizen of the United States.

2. Resolved, That the President of the United States has no right to suspend the privilege of the writ of habeas corpus—that power can only be exercised by Congress; and the plea of necessity, which is urged by the Federal Government as an apology for the exercise of that power, is the plea of a usurper, and ought to meet with the unanimous condemnation of the American people.

3. Resolved, That the arrest by the General Government, or its subordinate officers, of citizens of Kentucky, their abduction and transportation beyond the jurisdiction of the State, to be incarcerated in the military forts and public prisons, without warrant of law, or an opportunity for a trial, is a subversion of personal right, and a most flagrant violation of the Constitution of the United States and the constitution of Kentucky.

4. Resolved, That the sentiments expressed by Mr. John Cochrane, and indorsed by Mr. Cameron, to arm the slaves of the South against their masters, is a proposition too monstrous and barbarous to be uttered by any citizen in a civilized country; and the retaining these
gentlemen in their high positions, is an indication that the present Administration approves the sentiments by them expressed; and this action on the part of the Federal Government should meet with the immediate and unqualified condemnation of the people of Kentucky.

5. Resolved, That the right of the people to hold slaves is a State right, protected by the Constitution of the United States; and any attempt by the Federal Government, or its subordinate officers, to interfere with the relations of master and slave, as they now exist, would be an act of usurpation unparalleled in the history of our country, and would meet with the resistance of the united people of Kentucky.

6. Resolved, That the propositions of Messrs. Elliott and Stevens, recently introduced by them in the Congress of the United States, to emancipate the slaves in the South by the action of the Federal Government, is a proposition which the people of Kentucky will never submit to, and which we will resist under all circumstances and to the last extremity.

7. Resolved, That during the progress of this war the military should be subservient to the civil power of the State, and outside of actual military lines should at all times be subordinate to the civil authority.

8. Resolved, That, in the language of the Declaration of Independence, "governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of the ends for which it was instituted, it is the right of the people to alter and abolish it, and to institute a new government, laying its foundation in such principles, and organizing its powers in such form, as shall seem most likely to effect their safety and happiness."

9. Resolved, That as the domestic institutions of the South are incompatible with the views and feelings of the North, and to restore peace to our distracted country, we recommend that the slaveholding States, or so many as may desire to do so, may be permitted to establish a separate government; that hostilities cease; that treaties mutually reciprocal and beneficial between the two governments be made, that happiness, quietude, and peace may again be enjoyed by the people of our beloved country.

10. Resolved, That the people of Kentucky will not unite themselves with any government or people who proclaim, as a principle of that government, or as a necessity to sustain it, that the slaves should be emancipated, or that they should be armed for its support and preservation.

Mr. Yeaman offered the following amendment to resolution No. 7, viz:

"And by this is intended to include the armies of the Confederate States now in Kentucky."

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Ordered, That the said resolutions and amendment be referred to the Committee on Federal Relations.
On motion of Mr. Huston,

Ordered, That the Public Printer forthwith print 150 copies of said resolutions and amendment for the use of the members of this General Assembly.

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 the county attorney of Barren county.
An act for the benefit of E. B. Caldwell, late sheriff of Lincoln county.
An act to amend an act, entitled “An act to amend the charter of the Knob Lick turnpike road company.”
An act for the benefit of school district No. 22, in Boone county.
An act to authorize the county court of Anderson county to increase the county levy.
An act to amend an act, entitled “An act supplemental to an act to raise volunteer forces to repel the invasion of the State, and for other purposes.”

With an amendment to the last named bill.
Which amendment was concurred in.

And then the House adjourned.

SATURDAY, DECEMBER 7, 1861.

The Speaker laid before the House the report of the Military Board, which is as follows, viz:

OFFICE OF THE MILITARY BOARD, November 30th, 1861.

To His Excellency, Gov. Magoffin:

Sir: I am directed by the Military Board to say to you, that they regret their inability, at present, to make a detailed report of their operations. Since the re-organization of the Board in September last, they have been incessantly engaged, with the valuable assistance of Adjutant General John W. Finnel and Quartermaster General W. A. Dudley, in recruiting volunteers, and in providing their clothing and subsistence.

Their efforts have met with unexpected success. The total number of enlisted men, as appears from the returns made to the Adjutant General to the 30th of this month, is 18,812—and this is in addition

*The number of volunteers is stated from official returns, but in many instances the rolls show larger numbers, and the discrepancies occur from the negligence of officers in making their
to the several completed regiments prior to their operations. The number of gentlemen authorized to raise regiments in the State was so great, as materially to retard the completion of any of them; and the Board deemed it due to the public interests to order a consolidation of all incomplete regiments on the 10th of November.

As was to be expected, very great difficulties have been encountered in carrying out this order. Wherever the necessary arrangements could be made by the agreement of the officers and men, they have met the hearty concurrence of the Board. Where this could not be done, the Board have themselves made consolidation in the way thought most beneficial to the public, endeavoring always to avoid the commission of injustice to the parties affected. Undoubtedly there have been cases of individual hardship. Gentlemen have given their time and means to recruiting, who have been deprived of their commands. The cheerfulness with which these gallant men have, in most cases, submitted to their sore disappointments, has exhibited a devotion to the public good deserving the highest praise. But it could not be expected that the State should continue to subsist large numbers of men, for an indefinite period, without receiving any service from them, for the purpose of enabling particular individuals to receive appointments. The total amount of money borrowed by the Board from the banks up to the present time, is as follows:

<table>
<thead>
<tr>
<th>Bank</th>
<th>Amount Borrowed</th>
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<tbody>
<tr>
<td>Bank of Kentucky</td>
<td>$500,000</td>
</tr>
<tr>
<td>Northern Bank</td>
<td>$350,000</td>
</tr>
<tr>
<td>Bank of Louisville</td>
<td>$200,000</td>
</tr>
<tr>
<td>Farmers' Bank</td>
<td>$250,000</td>
</tr>
<tr>
<td>Commercial Bank</td>
<td>$100,000</td>
</tr>
<tr>
<td>Bank of Ashland</td>
<td>$25,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,435,000</strong></td>
</tr>
</tbody>
</table>

Amount borrowed prior to reorganization of this Board = $90,000
Of which there had been expended = 22,440 52

Total amount received by this Board = $1,402,559 48
Expenditures to 30th November, inclusive = 1,345,647 23
Leaving unexpended at that date = $146,878 95

The Board expects additional advances from all of the banks named, except the Bank of Louisville, which declined a call upon her for an additional sum.

A large amount, in the aggregate, remains in the hands of numerous disbursing agents for the scattered regiments in process of formation, for which, in many cases, vouchers have not been returned.

From an apprehension that the officers of the United States army would not be able to furnish clothing for the troops of the State as rapidly as it would be needed, the Quartermaster General has, under the instructions of the Board, contracted for seventeen thousand suits of uniform clothing, and twenty thousand great coats. They are now being rapidly supplied, and are of superior quality; and it is believed that the soldiers of the State will be comfortable.

In addition to troops recruited since the commencement of the operations of this Board, there were already in service several regiments of volunteers. The Adjutant General has taken the necessary
steps to secure perfect rolls of these regiments, that they may be preserved in the proper office.

The alacrity with which the brave sons of our beloved Commonwealth have rallied to her defense, and that of our common country, must be truly gratifying to every loyal and patriotic heart.

J. B. TEMPLE, President.

Ordered, That said report be referred to the Committee on Military Affairs, and that the Public Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.

Also, the biennial report of the State Agricultural Society.

[For Report—See Legislative Documents.]

Ordered, That said report be referred to the Committee on Agriculture and Manufactures, and that the Public Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.

The Speaker appointed Messrs. Ward; Huston, Chambers, Allen, and Proctor a committee under the resolution of Mr. Ward, adopted on yesterday, to inquire into the condition of the Institution for Feebleminded Children, &c.; and Mr. A. T. White on the Committee on Enrollments, in place of Mr. Coffee, resigned.

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 for the benefit of Tollesboro school district No. —, in Lewis county.
   By Mr. Powell—
2. A bill for the benefit of the heirs of John Lewis, deceased.
   By the Committee on Claims—
3. A bill for the benefit of George Heiskell, of Grayson county.
   By same—
4. A bill for the benefit of Isaac N. Greathouse.
   By the Committee on Ways and Means—
5. A bill for the benefit of James A. Moore, late sheriff of Pendleton county.
   By the Committee on Education—
6. A bill for the benefit of school district No. 1, in Clay county.
   By the Committee on the Library—
7. A bill to distribute public books, &c.
   By Mr. Huston—
8. A bill creating the office of Public Binder, and repealing so much of article 1, chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books, &c.
By Mr. Curtis—


By Mr. Wolfe—

10. A bill to authorize watchmen in the city of Louisville to execute subpoenas in criminal causes from the clerk's office of the Jefferson circuit court, and to receive compensation therefor.

By Mr. J. W. Campbell—

11. A bill for the benefit of the Kentucky Annual Conference of the Methodist Episcopal Church, South.

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 the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 11th having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, and 10th were severally ordered to be engrossed and read a third time; the 11th was referred to the Committee on Incorporated Institutions.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 9th, and 10th bills having been dispensed with, and the same being engrossed,

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

Ordered, That the Public Printer forthwith print 150 copies of the 8th bill for the use of the members of this General Assembly.

The yeas and nays being required on the passage of the 7th bill, were as follows, viz:

Those who voted in the affirmative, were—

Albert A. Curtis, Thomas Z. Morrow, G. H. Yeaman,
Hugh F. Finley, Felix G. Murphy, Bryan R. Young,
Elijah Gabbert, Thomas W. Owings, Milton Young,
Joseph Gardner, George Poindexter, Van B. Young—63.

In the negative—
Alexander Lusk—1.

The Committee on Propositions and Grievances, to whom was referred leave to bring in a bill for the benefit of James L. Hicks, of Henderson county, reported the same.

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 engrossed and read a third time.

The Committee on Ways and Means, to whom was referred a bill from the Senate, entitled
An act for the benefit of W. S. D. Megowan, and his securities,
Reported the same without amendment.
Ordered, That said bill be read a third time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Committee on Internal Improvement, to whom was referred a bill, entitled
A bill to abolish the office of President of the Board of Internal Improvement,
Reported the same without amendment.

Mr. Ricketts proposed to strike out of the 3d section the figures "$250," and insert "$400" in lieu thereof.

Mr. Turner offered an amendment.
Ordered, That said bill and amendment be recommitted to the Committee on Internal Improvement.

Mr. Underwood, from the Committee on Military Affairs, to whom was referred the petition of Col. Bayles and others, made the following report, viz:

The Committee on Military Affairs, to which was referred the petition of Jesse Bayles and others, having duly considered the same, and the difficulties which have attended the consolidation and organization of the companies raised by said Bayles, and those raised by T.
C. Worley into a regiment of cavalry, have concluded to recommend the adoption of the following resolution:

Resolved, That five of the companies raised by said Bayles, and designated by the Military Board, shall be permitted to elect the colonel and first major for the regiment, and that five companies raised by said Worley be permitted to elect the lieutenant colonel and second major for the regiment. The officers thus elected shall constitute the field officers for the regiment, and the companies electing them shall be amalgamated into and form one regiment of cavalry. Upon the election being certified to the Military Board, in the manner now provided for by law, said Board is directed to present the certificates of election to the Governor, so that commissions may be issued to the officers elected.

Mr. G. Clay Smith offered an amendment.

Mr. Ward offered an amendment.

Mr. J. B. Cochran offered a substitute for the resolution and amendments, as follows, viz:

Resolved, That Capts. Wilson and Bateman's companies be added to Col. Bayles' eight companies, and that the regiment of Col. Bayles thus be organized; and the Military Board is hereby authorized and directed to order an election, and commission such officers as may be elected.

Mr. Curtis moved to lay the resolution, amendments, and substitute on the table.

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

The question was then taken on adopting the substitute, and it was decided in the affirmative.

Mr. G. Clay Smith and Mr. Ward withdrew the amendments proposed by them.

The resolution, as amended, was then taken up, twice read, and concurred in.

Mr. Underwood, from the same committee, to whom was referred the resolution offered by Mr. Ash on the 4th instant, made the following report, viz:

The Committee on Military Affairs have, according to order, had under consideration the resolution offered by Mr. Ash, of Anderson, and now report that it appeared, from the testimony submitted, that Francis Kingston, John Mizener, and John Smith, were forcibly seized, in the county of Anderson, by Captain Russell and about forty men, under his command, well armed, and taken from said county as prisoners, said Russell being an officer in the regiment of Col. E. Dudley. It appeared from the proof that a dispute had taken place between Kingston and a soldier in Col. Dudley's regiment, named — Nealy, which resulted in blows, Kingston knocking Nealy down, and beating him severely. The quarrel grew out of slanderous language which
Nealy had used to the wife of Kingston, she being the sister of the wife of Nealy. There was nothing of a political character in the quarrel. Nealy, from the testimony, is a man of intemperate habits and very bad character, and the committee are apprehensive that the officers of his regiment have been imposed upon by misrepresentations. It did not appear that Mizenor and Smith took any part in the beating which Nealy received. At the time the prisoners were arrested and taken off, the civil authorities of Anderson county had instituted proceedings against Kingston, with a view to his punishment for the assault and battery committed upon Nealy. To the civil authority should have been left the disposition of the whole case, in the opinion of your committee. The seizure of the parties, or any of them, by a military force, unless done when called on to aid the civil authority, is altogether illegal. It is a wrong for which the existing laws furnish adequate redress, provided they can be enforced. The chairman of your committee has been directed to write to those who are supposed to have control of the prisoners, and to request their restoration to their homes. It is believed that the arrests were made without warrant issued from proper authority, setting forth cause for the arrest, and verified by oath or affirmation, as the constitution requires. Such practices, in the opinion of your committee, deserve the severest condemnation. The committee do not perceive that any additional legislation is necessary, and therefore ask to be discharged from the further consideration of the subject.

And asked to be discharged from the further consideration thereof.
Which was granted.

The same committee, to whom was referred leave to bring in a bill for the benefit of Isaac T. Brewer, asked to be discharged from the further consideration thereof.
Which was granted.

Mr. Andrews, from the Committee on the Judiciary, to whom had been referred the petition of Sallie P. Otis, asked to be discharged from the further consideration thereof.
Which was granted.

Mr. Bush presented the petition of the county judge and justices of Hancock county, praying an act to increase the county levy and taxes for county purposes, &c.
Which was received, the reading dispensed with, and referred to the Committee on Revised Statutes.

A message was received from the Senate, announcing that they had concurred in resolutions from this House, of the following titles, viz:

Resolution in relation to the election of Senator.
Resolution in relation to the election of Public Printer and Librarian.
That they had passed bills from this House of the following titles, viz:

An act to change the boundary line between the counties of Barren and Allen.

An act authorizing the sale of Stanton’s Revised Statutes.

An act to amend the 23d section of chapter 84 of Revised Statutes, concerning roads and passways.

An act to amend an act, entitled “An act to incorporate the town of Florence, in Boone county.”

An act for the benefit of Matt. Harris, a free man of color, of Mercer county.

An act for the benefit of the heirs of John Lewis, deceased.

An act appropriating money for the Western Lunatic Asylum.

With an amendment to the last named bill.

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

An act to authorize the holding of a special election in Pendleton county.

An act to amend chapter 106 of the Revised Statutes.

An act to amend an act, entitled “An act for the benefit of certain sheriffs of this Commonwealth, and their securities.”

An act to amend an act, entitled “An act to amend the charter of the Richmond and Lancaster turnpike road company.”

An act to amend the charter of the Bank of Kentucky.

An act for the benefit of the inhabitants of the city of Frankfort.

Also, asking to withdraw a bill from this House, which passed the Senate with an amendment, entitled

An act to amend an act, entitled “An act to raise volunteer forces to repel the invasion of Kentucky, and for other purposes.”

Which was granted, and said bill was withdrawn.

The House took up a bill from the Senate, entitled

An act to authorize the holding of a special election in Pendleton county.

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

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

Mr. Rankin moved to strike out the 16th and insert the 23d of December in said bill,

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,

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

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

An act for the benefit of the county attorney of Barren county.

An act to amend an act, entitled "An act to amend the charter of the Knob Lick turnpike road company."

An act for the benefit of E. B. Caldwell, late sheriff of Lincoln county.

An act for the benefit of school district No. 22, in Boone county.

An act to authorize the county court of Anderson county to increase the county levy.

An act for the benefit of the heirs of John Lewis, deceased.

Resolution in relation to the election of a Senator in place of John C. Breckinridge.

Resolution in relation to the election of Public Printer and Librarian.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

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

When Cataline was called upon by his accomplices to arm the slaves of Rome, that were daily flocking to him in great numbers, and he would succeed in overthrowing that mighty Republic; and Napoleon, the man of unbounded thought, when told to arm the serfs of Russia and he could subdue that Empire, they both refused; the first with the expression "that it would be bad policy to appear to blend the cause of freemen with that of fugitive slaves," and the other, by proclaiming the emancipation of the slaves, said, "humanity would shudder at the idea of placing arms in the hands of those unfit to be trusted with the liberty they desire;" and

Whereas, It has been advocated by certain officers of the United States army, and members of the Cabinet of the present Administration, and newspapers of the free States, the arming of slaves against their masters in what is now known as the Confederate States; therefore, be it.

Resolved, That this House is of the opinion that the arming of slaves against their masters would be contrary to all rules of civilized warfare, inhuman and barbarous, and would receive the just condemnation of the civilized world.
The rule of the House being dispensed with,
Ordered, That said resolution be referred to the Committee on Federal Relations.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the existing civil war, forced upon the National Government without cause by the disunionists, should not be waged upon the part of the Government in any *spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of any of the States, free or slave, but to defend and maintain the supremacy of the Constitution and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished, the war ought to cease. 

2. Resolved, That in the adoption of the foregoing resolution by the National Congress, with unprecedented unanimity, at its late session, a rule of action was prescribed to the Government from which it cannot depart without a disregard of the plighted faith of the National Legislature, which we would be slow to believe can be seriously entertained. Against any such departure we solemnly protest. 

3. Resolved, That the purposes expressed in said resolution is the great end demanded, and that which inspires Kentucky with patriotic ardor to seek their achievement with all her loyal energies and means, in the confident hope of success, and belief that the country saved, in our triumph, to us and to posterity, will still be glorious in the freedom of its people, in the unity of its government and the security of society, and worth infinitely more than it cost to save it. 

4. Resolved, That we have learned with amazement that the authorities of the Confederate States have armed negroes and Indians to wage war upon our Government and people, and utterly condemn it, and that we would deplore and protest against our National Government following their example and arming slaves to be used as soldiers to fight in the existing war, and we cannot believe that the National Executive entertains any such purpose. 

5. Resolved, That we deem slavery a State institution, and we cannot agree that the National Government, to which we are and intend to be loyal, shall undertake the emancipation of slaves against the will of slaveholding States. Against such a course we remonstrate. 

6. Resolved, That a copy of the foregoing resolutions be forwarded by the Governor to the President of the United States, and to our Senators and Representatives in Congress, to be laid before that body.

Ordered, That said resolution be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies of said resolutions for the use of the members of this General Assembly.
Mr. Miller moved the following resolutions, viz:

WHEREAS, Each State in the North, in pursuance of the practice in Europe, have Sanitary Commissions, whose duty it is to visit the various camps of soldiers within their respective districts, for the purpose of looking into the rules and regulations of each camp, the character of the food furnished, the clothing, the medical management, and all other matters of importance to the health and general well-being of the soldiers; therefore,

1. Resolved, That the Committee on Military Affairs inquire into the necessity of such commission, and report as soon as may be the result of their labors, by bill or otherwise, to the General Assembly.

2. Resolved, That said Board, if appointed, shall act in conjunction with Dr. Prentice, Medical Inspector for the Department of the Cumberland who received his appointment from the Sanitary Commission at Washington.

3. Resolved, That the committee inquire into and report the amount necessary to be appropriated for paying said commission.

Which was adopted.

Ordered, That said resolutions be referred to the Committee on Military Affairs.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the Government of the United States, in resisting and suppressing the rebellion, need not and ought not to interfere with the property rights of loyal citizens or those not aiding the rebellion.

2. Resolved, That in the disposition of any property legally confiscated to the use of the Government, the object should be to punish treason and suppress the rebellion; and no such property should be confiscated, used, or disposed of so as, by the action of the Government, to alter permanently the legal or political status of slaves.

3. Resolved, That the causes for which property may be confiscated, the kinds that may be, and the term for which it may be, are questions of judicial cognizance, which we leave for the courts to determine.

4. Resolved, That while we are willing to meet in a spirit of conciliation those who are willing to be reasoned with, we do now affirm that we have no compromises or terms to offer to those who, in advance, reject all terms compatible with the authority and existence of the Government, and especially none to those of Kentucky who, in their public proceedings, have “bid defiance” to both the Federal and State Governments. They must either submit unconditionally to the Constitution and laws of the United States, or conquer the Government; therefore, the first thing to be done is to try which is the stronger, the rebellion or the Government.

5. Resolved, That the people of Kentucky will continue to determine their conduct towards the Federal Government by their own relations with that Government; that they will address themselves to their own
grievances when any arise, and not to the grievances, supposed or real, of their enemies; that they will not make the complaints of those who began the rebellion, without justification, a cause for revolutionizing their own Government or their connection with the Federal Government; and that whatever sympathy they once may have had with the people of the seceded States, Kentucky will not make common cause with those who are using all their power to subjugate her people and make a conquest of her territory.

6. Resolved, That the Government of the United States would violate every principle of right and humanity, and be made infamous in the judgment of the civilized world, by putting arms in the hands of slaves; therefore, we do not for a moment believe it will invoke the assistance of such allies. If the Government cannot support and defend itself without their assistance, it had better surrender the struggle now.

7. Resolved, That copies of these resolutions be sent to the President and our Representative in Congress.

The rule being dispensed with,

Ordered, That said resolutions be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies of said resolutions for the use of the members of this General Assembly.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That any member of this House hereafter offering resolutions for the independence or recognition of the so-called Confederated States, or offering resolutions, memorials, or papers for a disunion of the Government of the United States, that it shall be good cause for expelling such members from this House forthwith.

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

1. Resolved, That the General Assembly repeat the sentiment of Kentucky in 1832, that Kentucky has a deep interest in the perpetuity of the Union, and an undoubted right to preserve it; and that it is a duty our people owe to themselves to aid the Government in the execution of its laws.

2. Resolved, That the preservation of the Constitution, and the execution of the laws made in pursuance thereof, are the objects of this war, and no means should be used subversive of either.

3. Resolved, That whilst we hold property, of any description, used in the rebellion, may be lawfully seized by the Government, the confiscation of private property is unwarranted by the rules of civilized warfare.

4. Resolved, That whilst we admit any policy demanded by the necessities of war, we hold it limited by those necessities, both in its extent and duration.
5. Resolved, That the permanent emancipation of slaves in a State is not in the constitutional power of the Federal Government.

6. Resolved, That when military necessities cease, those of the African race residing in a State are at the disposal of the State, and under the operation of its laws.

7. Resolved, That this Government was made by white men for white men, and that the employment of African slaves to preserve it is unworthy of the age; and the suggestion of it betrays weakness and desperation, and follows the mean example of the rebels, which is to be shunned, not imitated.

8. Resolved, That the military of the United States are neither bound nor authorized to execute State laws; and that when they occupy a State, or any part thereof, and the civil authorities abandon their functions, persons held to service in the State under the laws thereof are temporarily at liberty, and may be rightfully used by the military in manual labor, for wages or otherwise.

9. Resolved, That there are intrinsic difficulties on this subject which render it easier to find fault with any management proposed than to suggest anything better; and whilst loyal men have a right to require an adherence to the Constitution, it is sheer impertinence in rebels to demand rights from a Government they are trying to destroy.

10. Resolved, That we have a firm faith in a majority of the people of the United States; and we believe that whilst during this unnatural rebellion, great damage may be done to property in slaves—the greater the longer it is continued—yet, in a peaceable adjustment at last, a remedy will be found for calamities unavoidable in the fortunes of war.

11. Resolved, That whilst wrongs may be done by the errors of the Administration, a dissolution of the Union is a remedy for none of them, but an aggravation of them all; we, therefore, adhere to the advice of Washington, to discountenance even the suggestion that the Union can, in any event, be abandoned.

The rule of the House being dispensed with,

Ordered, That said resolutions be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.

Mr. Geo. M. Thomas read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the thanks of this General Assembly are hereby tendered to the loyal and brave men of Kentucky who have volunteered to aid and assist the Government of the United States in expelling the invaders from our soil.

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

Whereas, The people of Kentucky, on every occasion offered at the polls, have evinced their loyal devotion to the Union, as it was
founded by our fathers, and by their Legislature have deplored the acts of rebellion on the part of a portion of the States, and would now act as a mediator in the spirit so solemnly declared on former occasions, that a period may be put to the civil war and peace restored by the guarantee of every right of person and property, and by the enforcement of the constitution in its proper and harmonious spirit; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That slavery having been solemnly guaranteed under the constitution, Kentucky looks to that constitution as its surest protection, and believes that there is no security for its preservation outside of that constitution, which so wisely compromised all the antagonistic interests of the various sections of the Union, and reduced them to a harmonious and happy system, reciprocally depending on the fidelity which animates the sections in carrying out all such compromises and giving assurance of protection to every right of property.

2. Resolved, That we regard the action of the present Federal Administration; the action of Congress in its legislation, under the act of August 6, 1861; the instruction of President Lincoln to the heads of the various military divisions, and the proclamation of the generals commanding the Federal armies in the slave border States, as so many cumulative proofs that the Government of the United States has acted within the limits of the constitution, and evinced a disposition to respect the rights of the slave States in the protection of their property.

3. Resolved, That Congress having recognized the rights of slaveholders in the slave States, and having proposed, as an amendment to the Constitution of the United States, that such rights should be placed beyond the power of federal legislation for all time to come, Kentucky cannot attribute to her sister States a design to hold out to her such just and friendly recognition and ultimate settlement of disputed points, while at the same time they were prepared to betray her most treacherously, and under pretext of crushing out this rebellion, destroy the value and impair the security of the most important species of property recognized under her State laws.

4. Resolved, That we recognize the right of confiscation of the property of rebels as a high national prerogative, which the Federal Government is justified in exercising under the careful restraints of proper laws; but that we deplore the idea of exercising the right of confiscation against those who have committed no overt act of treason, no matter what opinions they may have formed or expressed upon the unhappy national controversy.

5. Resolved, That the arming of slaves, whether captured when aiding their owners in acts of rebellion or as fugitives from service, is an atrocity repugnant to the sentiments of Kentucky, and calculated to bring disgrace upon a war which should be waged only for the preservation of our national unity; an act so atrocious would meet in Kentucky, universal execration.

6. Resolved, That we feel every confidence that the Government will prosecute the war with a view to uphold the Constitution, and without
a design to destroy the rights of loyal citizens, or for the emancipation of slaves; for the latter course would break down the Union, and Kentucky, loyal as she is, would recoil from that; as likely to involve all in a common ruin, and destroy her interest individually, as those of the disloyal States.

The rule of the House having been dispensed with,

Ordered, That said resolutions be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies of said resolutions for the use of the members of this General Assembly.

Mr. Taylor moved the following resolution, viz:

Resolved, That the Committee on Military Affairs be required to inquire into the propriety of raising a military force, not exceeding 5,000 in number, of cavalry or mounted riflemen, to be mustered into the service of the State of Kentucky, said force to be employed in such exposed parts of the State as are not protected by the presence of the troops of the Federal Government.

Which was adopted.

Ordered, That said resolution be referred to the Committee on Military Affairs.

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

On motion of Mr. Blue—1. A bill for the benefit of the branch Bank of Ashland, at Mayfield, &c.

On motion of same—2. A bill to regulate the holding of elections in the first congressional district.

On motion of same—3. A bill for the benefit of Frank W. Clark and John S. Fowler, of Crittenden county.

On motion of Mr. Yeaman—4. A bill regulating the collection by the sheriffs of the unpaid revenue.

On motion of Mr. Ireland—5. A bill for the benefit of G. W. Darlington, late sheriff of Greenup county.


On motion of Mr. Lusk—7. A bill for the relief of the families of the Kentucky volunteers.

On motion of same—8. A bill to establish a ferry at Cumberland river, in Cumberland county.

On motion of Mr. M. Young—9. A bill to supply lost depositions.

On motion of Mr. Sparks—10. A bill for the benefit of L. D. Owen, sheriff of Henry county.

On motion of Mr. Powell—11. A bill for the benefit of Hezekiah Combs, sheriff of Perry county, and his sureties.
On motion of same—12. A bill to aid the citizens of eastern Kentucky in defending themselves against invasion.

On motion of same—13. A bill to amend the charter of the Twelve Mile turnpike road company, in Campbell county.


On motion of Mr. Bacheller—15. A bill for the benefit of E. T. Fish, clerk of the circuit and county courts of Rockcastle county.

On motion of same—16. A bill for the benefit of the jailer of Rockcastle county.

On motion of Mr. Burns—17. A bill to amend the act incorporating the town of Monterey, in Owen county.

On motion of Mr. Underwood—18. A bill to allow the presidents of turnpike roads further time to make their reports.

Ordered, That the Committee on Banks prepare and bring in the 1st; the Committee on Privileges and Elections the 2d; the Committee on County Courts the 3d, 5th, 8th, 11th, 15th, 16th, and 17th; the Committee on Ways and Means the 4th; the Committee on the Judiciary the 6th; the Committee on Military Affairs the 7th and 12th; the Committee on Circuit Courts the 9th; the Committee on Claims the 10th; Messrs. Cyrus Campbell, Blue, and Powell the 13th; Messrs. Allen, Van B. Young, and Rankin the 14th, and Messrs. Underwood, Rapier, and Murphy the 18th.

And then the House adjourned.

MONDAY, DECEMBER 9, 1861.

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 Bremen and London Petroleum Manufacturing and Mining Company.

An act to amend the charter of the town of Stanford.
An act for the benefit of executors, administrators, and guardians, in the counties of Logan and Todd.

An act for the benefit of the town of Lebanon.

An act for the benefit of Tollesboro school district No. —, in Lewis county.

An act for the benefit of James A. Moore, late sheriff of Pendleton county.

An act for the benefit of school district No. 1, in Clay county.

With an amendment to the last named bill.

And had concurred in an amendment proposed by this House to a bill from the Senate, entitled

An act to authorize the holding of a special election in Pendleton county.

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

An act for the benefit of Albert G. Waggenor, late sheriff of Cumberland county.

An act to reduce into one the various acts in reference to "Anderson Seminary."

Mr. George M. Thomas presented the petition of sundry persons, praying relief to the late sheriffs of Lewis county.

Which was received, the reading dispensed with, and referred to the Committee on Ways and Means.

Mr. Van B. Young read and laid on the table the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the unity of our Government, which constitutes us one people, is dear to us, for it is a main pillar in the edifice of our real independence, the support of our tranquility at home, our peace abroad, of our safety, of our prosperity, of our very liberty which we, as American citizens, so highly prize.

2. Resolved, That the Federal Government should use all constitutional means within its power to preserve us as one nation and one people, in order to secure the blessings of liberty to ourselves and our posterity.

3. Resolved, That the Federal Government possesses no other powers than those specially delegated to it by the Constitution; and that any attempt on the part of either branch of the Government to assume power not delegated to it, is an infringement upon our Constitution, and we will resist it.

4. Resolved, That the trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not com-
mitted within any State, the trial shall be at such place or places as the Congress may by law direct.

5. Resolved, That no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment by a grand jury; and that the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed.

6. Resolved, That Congress shall have the power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture, except during the life of the person attainted.

7. Resolved, That Congress possesses no power, under the Constitution, to colonize and emancipate the slaves of the Southern States, and any such assumption of power on the part of Congress is unwarranted, and a direct violation of our Constitution.

8. Resolved, That whenever Congress assumes such power, that they are making war upon our constitutional rights, and they are in rebellion against our government.

9. Resolved, That Congress possesses no power to interfere with the four great relations of life, viz: husband and wife, parent and child, guardian and ward, master and servant, in the States, Territories, or the District of Columbia.

Ordered, That said resolutions be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.

Mr. B. R. Young, from the Committee on the Penitentiary, reported
A bill to provide for the government and discipline of the Kentucky Penitentiary, and to repeal all laws and parts of laws inconsistent therewith.

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 the Public Printer print 150 copies of said bill for the use of the members of this General Assembly.

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 for the benefit of the clerk of the Nicholas county court.

By the Committee on Propositions and Grievances—
2. A bill to change the lines between the counties of Webster and Union.

By the Committee on Revised Statutes—
3. A bill authorizing the county court of Hancock county to increase the county levy, &c.
By the Committee on the Codes of Practice—
4. A bill providing that the absence of a soldier in the service of the United States four months shall be no cause of ground of attachment against the property of said soldier.

By the Committee on Incorporated Institutions—
5. A bill for the benefit of the Mt. Eden and Shelbyville 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,

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. Underwood, from the Committee on Military Affairs, to whom was referred the resolutions of Mr. Burnam in relation to the railroad proposed to be constructed through the eastern part of Kentucky by the United States Government, reported the same without amendment, which is as follows, viz:

The attention of this Legislature having been called to the following passage in the recent message of President Lincoln to the Congress of the United States: "I deem it of importance that the loyal regions of Eastern Tennessee and Western North Carolina should be connected with Kentucky and other faithful parts of the Union, by railroad. I therefore recommend, as a military measure, that Congress provide for the construction of such a road as speedily as possible. Kentucky will, no doubt, co-operate, and, through her Legislature, make the most judicious selection of the line. The northern terminus must connect with some existing railroad, and whether the route shall be from Lexington or Nicholasville to Cumberland Gap, or from Lebanon to the Tennessee line, in the direction of Knoxville, or some still different line, can easily be determined. Kentucky and the General Government co-operating, the work can be completed in a very short time; and when done, it will not only be of vast present usefulness, but also an available permanent improvement, worth its cost in all the future," and deeming it proper to express an early and emphatic indorsement of the recommendation; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly does most cordially approbate the recommendation of the President of the United States to Congress for the construction of a railroad from some northern terminus in Kentucky to the State of Tennessee, so as to unite us with our brethren of East Tennessee and Western North Carolina; that we indorse the state-
ment in the message fully "that said work, when done, will not only be of vast present usefulness, but also an available permanent improvement, worth its cost in all the future."

2. Resolved, That this Legislature will co-operate with the General Government in the selection of the line of said road, and in preparations for its speedy completion by all suitable enactments necessary to the accomplishment of the great end proposed.

3. Resolved, That a copy of these resolutions be transmitted by the Governor of this Commonwealth to the President of the United States, to be by him laid before Congress; and that our Senators be instructed, and our Representatives in Congress be requested, to urge upon Congress the speedy passage of a law carrying out the recommendation of the President.

Mr. Huston moved to refer the resolutions to the Committee on Internal Improvement, with instructions to report a bill.

Mr. Wolfe moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Huston asked for a division of the question.

The question was then taken on adopting the first resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnam and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Vincent Ash, W. H. Edmunds, John C. Lindsey, 
E. F. Burns, Joseph Gardner, Felix G. Murphy, 
W. P. D. Bush, Evan M. Garriott, Geo. H. Yeaman, 
Joseph H. Chandler, William Johnson, 

The question was then taken on adopting the second resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnam and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, Nicholas A. Rapier, 
Alfred Allen, John W. Finnell, John Ray, 
Jas. W. Anderson, Elijah Gabbert, Joseph Ricketts, 
Laundaff W. Andrews, Remus Gibson, F. D. Rigney, 
E. B. Bacheller, Henry Griffith, G. Clay Smith, 
John C. Beeman, William J. Head, James P. Sparks, 
William P. Boone, Joseph W. Hester, Harrison Taylor, 
William A. Bran, William C. Ireland, Joshua Tevis, 
Curtis F. Burnam, Richard T. Jacob, George M. Thomas, 
James Caiver, Daniel W. Johns, John R. Thomas, 
Cyrus Campbell, Alexander Lask, Thomas Turner, 
J. W. Campbell, P. L. Maxey, J. R. Underwood, 
Joseph H. Chandler, David P. Mears, John S. Vanwinkle, 
Francis L. Cleveland, Otho Miller, Zeb. Ward, 
John B. Cochran, Thomas Z. Morrow, George P. Webster, 
Robert Cochran, Thomas W. Owings, Alex. T. White, 
William L. Conklin, George Findexter, Nathaniel Wolfe, 
John C. Cooper, Hiram S. Powell, Bryan R. Young, 
Stephen J. England, William S. Rankin, 

Those who voted in the negative, were—

Vincent Ash, Joseph Gardner, Urban E. Kennedy, 
John W. Blue, Evan M. Garriott, John C. Lindsey, 
E. F. Burns, George M. Hampton, Felix G. Murphy, 
W. P. D. Bush, John B. Huston, George H. Yeaman, 
A. B. Chambers, William Johnson, Van B. Young—16. 
W. H. Edmunds, 

The question was then on the preamble.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, William S. Rankin, 
Alfred Allen, John W. Finnell, Nicholas A. Rapier, 
Jas. W. Anderson, Elijah Gabbert, John Ray, 
Laundaff W. Andrews, Remus Gibson, Joseph Ricketts,
The Committee on County Courts, to whom was referred leave to bring in a bill for the benefit of Hezekiah Combs, sheriff of Perry county, asked to be discharged from the further consideration of the same.

Which was granted.

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

Mr. Huston, from the Committee on Revised Statutes, to whom was referred a bill in regard to the duties and powers of the assessors of tax, reported a substitute therefor.

Ordered, That said substitute 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. Van Winkle, from the Committee on the Codes of Practice, to whom was referred a bill from the Senate, entitled "A bill to amend section 473, of the Civil Code of Practice,"

Reported the same, with an amendment, by way of substitute.

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

Those who voted in the negative, were—


The Committee on the Codes of Practice, to whom was referred a bill from the Senate, entitled "A bill to amend section 473, of the Civil Code of Practice,"

Reported the same, with an amendment, by way of substitute.

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 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. James W. Anderson, from the select committee, to whom was referred leave to bring in a bill for the benefit of M. G. Horton and A. T. White, reported the same.

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 Revised Statutes.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to change the boundary line between the counties of Barren and Allen.

An act authorizing the sale of Stanton's Revised Statutes.

An act to amend the 23d section, of chapter 84, of Revised Statutes, concerning roads and passways.

An act to amend an act, entitled "An act to incorporate the town of Florence, in Boone county."

An act for the benefit of Matt. Harris, a free man of color, of Mercer county.

Also, bills from the Senate, viz:

An act for the benefit of W. S. D. Megowan and his securities.

An act to authorize the holding of a special election in Pendleton county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Curtis moved the following resolution, viz:

Resolved, That a select committee of Messrs. Curtis, Wolfe, Jacob, and White, be instructed to report a bill for the benefit of the families of those who have enlisted in the army of the United States from the mountain regions of Kentucky.

Which was adopted.
Bills from the Senate of the following titles, viz:

1. An act for the benefit of Wm. R. McFerran, presiding judge of the Barren county court.
2. An act for the benefit of Lewis A. Bradshaw, of Adair county.
3. An act for the benefit of common school district No. 19, in Bullitt county.
4. An act for the benefit of John Benton, of Montgomery county.
5. An act to amend chapter 106 of the Revised Statutes.
6. An act to amend an act, entitled "An act for the benefit of certain sheriffs of this Commonwealth, and their securities."
7. An act to amend an act, entitled "An act to amend the charter of the Richmond and Lancaster turnpike road company."
8. An act to amend the charter of the Bank of Kentucky.
10. An act for the benefit of the inhabitants of the city of Frankfort.
11. An act to reduce into one the various acts in reference to the Anderson Seminary.

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 County Courts; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Education; the 4th to the Committee on Privileges and Elections; the 5th and 11th to the Committee on Revised Statutes; the 6th and 9th to the Committee on Ways and Means; the 7th to the Committee on Internal Improvement; the 8th to the Committee on Banks; and the 10th to the Committee on Incorporated Institutions.

The House then took up the bill, entitled a bill for the benefit of W. S. Gibbs, late sheriff of Hancock county, and the late sheriffs of Carter and Pulaski, with the amendment to the same adopted by the Senate. Which amendment was concurred in.

The House then took up a bill, entitled

An act appropriating money for the Western Lunatic Asylum.

With the Senate amendment thereto.

Ordered, That the same be referred to the Committee on Ways and Means.

The House then took up the amendment proposed by the Senate to a bill from this House, entitled

An act for the benefit of John E. Young; of Bath county.
Which amendment was concurred in.

The House took up a bill for the benefit of James L. Hicks, of Henderson county.

Mr. Gibson moved an amendment.

Mr. Geo. M. Thomas moved an amendment.

Mr. G. Clay Smith moved an amendment.

Mr. Underwood moved to lay the bill and amendments on the table. And the question being taken thereon, it was decided in the negative.

Ordered, That said bill and amendments be referred to the Committee on Internal Improvement.

The House then took up a bill for the benefit of soldiers in the service of the State of Kentucky and the United States.

Mr. Blue offered an amendment.

Mr. Van Winkle offered an amendment.

Mr. Sparks offered an amendment.

Ordered, That said bill and amendments be referred to the Committee on Revised Statutes.

And then the House adjourned.

TUESDAY, DECEMBER 10, 1861.

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 Heiskell, of Grayson county.

An act to amend the 221st section of the Civil Code of Practice.

An act for the benefit of W. S. Gibbs, late sheriff of Hancock, and the late sheriffs of Carter and Pulaski counties.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend the charter of the city of Louisville.

An act for the benefit of W. S. Gibbs, late sheriff of Hancock, and the late sheriffs of Carter and Pulaski counties.
An act for the benefit of the executors, administrators, and guardians, in the counties of Logan and Todd.
An act for the benefit of the town of Lebanon.
An act for the benefit of John E. Young, of Bath county.
An act for the benefit of Tollesboro school district, in Lewis county.
An act for the benefit of James A. Moore, late sheriff of Pendleton county.
An act for the benefit of school district No. 1, in Clay county.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

1. Mr. Underwood presented the petition of J. T. Watson in reference to his estate in the hands of C. D. Bradley, his guardian.
2. Mr. Wolfe presented the petition of sundry citizens of Jefferson county, praying the passage of an act against trespassers.
3. Mr. Burnam presented the petition of Samuel Pealeheimer, praying the passage of an act that suits may be brought before justices where the contract is made.
4. Also, a memorial in reference to the 1st and 2d Kentucky regiments, now in the service of the United States.
5. Mr. Poindexter presented the memorial of M. A. Marlow, in reference to depredations by the Confederates in Christian county.
6. Mr. White presented the petition of E. B. Treadway, sheriff of Owsley county, praying extension of time for payment of the revenue for 1861.

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 and 5th to the Committee on Military Affairs, and the 6th to the Committee on Ways and Means.

Mr. Underwood moved the following resolution, viz:

Resolved, That the petition of A. Duvall, Jas. Simpson, and others, be referred to the Committee on Ways and Means, and that said committee be instructed to inquire into the propriety of making some compensation to the present Librarian for past and extra service, and to report by bill or otherwise.

Which was adopted.

Ordered, That said resolution be referred to the Committee on Ways and Means.

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

By the Committee on Circuit Courts—
1. A bill to amend the law with regard to billiards.
By the Committee on Banks—

2. A bill for the benefit of the Commercial Bank of Kentucky.

By the Committee on Incorporated Institutions—

3. A bill to incorporate the Home Insurance Company of Louisville.

By the Committee on the Judiciary—


By Mr. Yeaman—

5. A bill for the benefit of common school district No. 21, in Daviess county.

By same—

6. A bill for the benefit of Joseph G. Harrison, late sheriff of Daviess county.

By Mr. Powell—

7. A bill to amend the charter of the Twelve Mile turnpike road company, in Campbell county.

By Mr. Curtis—


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 the 1st, 2d, 3d, 4th, 5th, 6th, 7th, and 8th bills having been dispensed with, the 1st was referred to a select committee composed of Messrs. G. Clay Smith, Proctor, Wolfe, Burnam, and Ireland; the 2d was referred to the Committee on Banks; the 3d, 4th, 5th, and 7th were severally ordered to be engrossed and read a third time; the 6th and 8th were referred to the Committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 3d, 4th, 5th, and 7th bills having been dispensed with.

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

On motion, leave of absence was granted to Mr. England.

Mr. Finnell, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Bank of Kentucky,

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. Webster, from the select committee, to whom was referred leave to bring in a bill for the protection of birds and other game, reported the same.

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 Agriculture and Manufactures.

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

An act to amend the charter of the People's Bank of Kentucky.
An act for the benefit of Charles R. Samuels, clerk of Bullitt county court.
An act to authorize the holding of a court of claims in such counties as may fail to hold such court at the time fixed by law.
An act to amend the charter of the Bank of Ashland.
An act for the benefit of school district No. 31, in Rockcastle county.
An act to amend an act, entitled "An act to amend the common school law defining the number of days in a school month."
An act to divide school district No. 16, in Meade county.
An act to amend an act to incorporate the Pilots' Benevolent and Relief Association.
An act to amend an act to establish a ferry across the Ohio river, at the town of Milton.
An act for the benefit of the town marshal of the town of Owenton.
An act for the benefit of the personal representatives of R. F. Samuels, deceased.
An act for the benefit of the clerk of the Bullitt circuit court.
An act for the benefit of the heirs of John Lewis, deceased.
An act for the benefit of school district No. 22, in Boone county.
An act to amend an act, entitled "An act to amend the charter of the Knob Lick turnpike road company."
An act to authorize the county court of Anderson county to increase the county levy.
An act for the benefit of E. B. Caldwell, late sheriff of Lincoln county.
An act for the benefit of the county attorney of Barren county.
An act for the benefit of Matt Harris, a free man of color, of Mercer county.
An act to amend the 23d section of chapter 84 of Revised Statutes, concerning roads and passways.
An act to amend an act, entitled "An act to incorporate the town of Florence, in Boone county."
An act to change the boundary line between the counties of Barren and Allen.
An act authorizing the sale of Stanton's Revised Statutes.
Also the following resolutions, viz:
Resolution in regard to the election of United States Senator.
Resolution in regard to the election of Public Printer and Librarian.
Resolution providing for an inquiry into the condition of the north-eastern part of Kentucky.
Resolution in relation to the furnishing an additional blanket to the Kentucky soldiers.
Resolution in relation to maps and surveys.
A message was received from the Senate by Messrs. Chiles and Grover, announcing that the Senate was then ready to proceed with the election of Public Printer and Librarian.
On motion of Mr. Andrews,
Ordered, That a message be sent to the Senate, informing them that this House was also ready to proceed with said election.
Messrs. Tevis and Burnam were appointed a committee on the part of this House.
Mr. Andrews nominated Mr. William E. Hughes as a suitable person to fill the office of Public Printer.
Mr. Bush nominated Mr. John B. Major.
After interchanging nominations between the two Houses, this House proceeded to a vote, which stood thus:

Those who voted for Mr. Hughes were—

Mr. Speaker, (Buckner,) Hugh F. Finley, John Ray,
Alfred Allen, John W. Finnell, Joseph Ricketts,
Jas. W. Anderson, Elijah Gabbert, F. D. Rigney,
Landaff W. Andrews, Remus Gibson, George S. Shanklin,
E. B. Bacheller, Henry Griffin, G. Clay Smith,
John C. Beeman, Joseph W. Hester, M. Smith,
John W. Blue, John B. Huston, James P. Sparks,
William P. Boone, Richard T. Jacob, Harrison Taylor,
William A. Brann, Urban E. Kennedy, Joshua Tevis,
Those who voted for Mr. Major, were—

Vincent Ash, E. F. Burns, W. P. D. Bush, A. B. Chambers,
Alexander Lusk, P. L. Maxey, David P. Mears, Nicholas A. Rapier,

Mr. Cleveland nominated Mr. George A. Robertson as a suitable person to fill the office of Librarian.

Those who voted for Mr. Robertson, were—


Messrs. Andrews and Bush were appointed a committee on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote, and report the result.

A short time, Mr. Andrews reported that the joint vote stood thus:

For Mr. William E. Hughes, 83
For Mr. John B. Major, 13

Mr. Cleveland nominated Mr. George A. Robertson as a suitable person to fill the office of Librarian.

Mr. Bush nominated Mr. A. W. Vallandingham.

After interchanging nominations between the two Houses, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Robertson, were—


Joseph H. Chandler, Otho Miller, John S. Van Winkle, 
Brutus J. Clay, Thomas Z. Morrow, Zeb. Ward, 
Francis L. Cleveland, Thomas W. Owings, George P. Webster, 
John B. Cochran, George Poindexter, Alex. T. White, 
Robert Cochran, Hiram S. Powell, Nathaniel Wolfe, 
William L. Conklin, Larkin J. Proctor, Geo. H. Yeaman, 
John C. Cooper, William S. Rankin, Bryan R. Young, 
Albert A. Curtis, Nicholas A. Rapier, Milton Young—63. 

Those who voted for Mr. Vallandingham were—

Vincent Ash, W. H. Edmunds, William Johnson, 
E. F. Burns, Joseph Gardner, John C. Lindsey, 
A. B. Chambers, George M. Hampton, 

Messrs. Cleveland and Bush were appointed a committee on the 
part of this House, to act in conjunction with a similar committee on 
the part of the Senate, to compare the joint vote, and report the 
result.

After a short time, Mr. Cleveland, from said committee, reported the 
joint vote stood thus:

For Mr. Robertson, 86
For Mr. Vallandingham, 13

Whereupon Mr. Robertson was declared duly elected Librarian.

The Committee on the Judiciary, to whom was referred leave to 
bring in a bill for the benefit of Lydia F. James, reported the same.

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.

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

On motion of Mr. Poindexter—1. A bill for the benefit of the late 
and present sheriff of Christian county.

On motion of Mr. Miller—2. A bill for the benefit of the sheriffs of 
Clinton and Cumberland counties.

On motion of Mr. Blue—3. A bill giving further time to Col. R. K. 
Williams to fill his regiment.

On motion of Mr. Andrews—4. A bill for the benefit of John W. 
Campbell and John B. Holliday, late sheriffs of Nicholas county.

On motion of Mr. Rankin—5. A bill for the benefit of the late and 
present sheriff of Edmonson county.

On motion of Mr. Heady—6. A bill for the benefit of the sheriff of 
Bullitt county.
On motion of Mr. Ward—7. A bill to establish a police force in the county of Woodford.

On motion of same—8. A bill to incorporate a company to construct a turnpike road from the Frankfort and Versailles turnpike road to Spring Station, on the Lexington and Frankfort railroad.

On motion of Mr. Lusk—9. A bill to confiscate the property of persons joining the Confederate army, and for other purposes.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st, 2d, 5th, and 6th; the Committee on Military Affairs the 3d; the Committee on the Judiciary the 4th, 7th, and 9th, and the Committee on Internal Improvement the 8th.

Mr. Cleveland moved the following resolution, viz:

Resolved, That the special committee appointed to re-district the State for representation in Congress, be instructed to report by bill or otherwise, on Thursday, the 12th inst., at 11 o'clock.

Ordered, That said resolution be referred to the Committee on Revised Statutes.

A message was received from the Senate by Messrs. McHenry and Baker, announcing that the Senate was ready to proceed to the election of a Senator in Congress, to fill the vacancy occasioned by the expulsion of John C. Breckinridge, in accordance with the joint resolution.

Messrs. Huston and Turner were appointed a committee on the part of this House to inform the Senate that this House is also ready to proceed with said election.

Mr. Heady nominated Mr. Garrett Davis as a suitable person to fill the office of Senator in Congress.

Mr. Chambers nominated Mr. Wm. Johnson.

After interchanging nominations between the two Houses, the House proceeded to take a vote, which stood thus:

Those who voted for Mr. Davis, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, John N. Nicholas A. Rapier, Alfred Allen, Elijah Gabbert, John Ray,
Jas. W. Anderson, E. Remus Gibson, Joseph Ricketts,
Landaff W. Andrews, Henry Griffith, F. D. Rigney,
E. B. Bacheller, John H. Harney, George S. Shanklin,
John C. Beeman, William J. Heady, G. Clay Smith,
John W. Blue, Joseph W. Hester, M. Smith,
William P. Boone, John B. Hasting, James P. Sparks,
William A. Brann, Wm. C. Ireland, Harrison Taylor,
Curtis F. Burnam, Richard T. Jacob, Joshua Tevis,
James Calvert, Urban E. Kennedy, George M. Thomas,
Cyrus Campbell,  
J. W. Campbell,  
Joseph H. Chandler,  
Brutus J. Clay,  
Francis L. Cleveland,  
John B. Cochran,  
Robert Cochran,  
William L. Conklin,  
John C. Cooper,  
Albert A. Curtis,  
Alexander Lusk,  
P. L. Maxey,  
David P. Mears,  
Otho Miller,  
Thomas Z. Morrow,  
George Poindexter,  
Hiram S. Powell,  
Larkin J. Proctor,  
John R. Thomas,  
Thomas Turner,  
Joseph R. Underwood,  
John S. Van Winkle,  
Zeb. Ward,  
George P. Webster,  
Alex. T. White,  
Nathaniel Wolfe,  
Geo. H. Yeaman—61.

Those who voted for Mr. Johnson, were—

Vincent Ash,  
W. H. Edmunds,  
Joseph Gardner,  
E. F. Burns,  
W. P. D. Bush,  
A. B. Chambers,  
W. O. Butler 1—Wm. Johnson voting for him.

Ordered, That Messrs. Heady and Chambers be appointed a committee upon the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Heady reported that the committee had compared the joint vote, and the result stood thus:

For Mr. Davis, 84
For Mr. Johnson, 12
For Mr. W. O. Butler, 1—William Johnson.

Whereupon, Mr. Davis having received a majority of all the votes given, was declared duly elected Senator in Congress from the State of Kentucky, to fill the vacancy occasioned by the expulsion of John C. Breckinridge from the Senate of the United States.

The House then took up a bill to establish certain holidays. The question was taken on ordering said bill to be read a third time.

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolfe and Huston, were as follows, viz.: Those who voted in the affirmative, were—

Mr Speaker, (Buckner,) J. W. Campbell,  
Alfred Allen,  
Jas. W. Anderson,  
E. B. Bacheller,  
John C. Beeman,  
John W. Blue,  
William P. Boone,  
William A. Brann,  
Curvis F. Burnam,  
James Calvert,  
Cyrus Campbell,  
William S. Rankin,  
F. D. Rigney,  
Francis L. Cleveland,  
Hugh F. Finley,  
John H. Harney,  
William J. Heady,  
Thomas Z. Morrow,  
Felix G. Murphy,  
George Poindexter,  
Larkin J. Proctor,  
John C. Lindsey,  
G. Clay Smith,  
James P. Sparks,  
Harrison Taylor,  
Joshua Tevis,  
J. S. Van Winkle,  
Nathaniel Wolfe,  
Those who voted in the negative, were—

Landaff W. Andrews, Remus Gibson, Hiram S. Powell,
Vincent Ash, Henry Griffith, Nicholas A. Rapier,
E. F. Burns, George M. Hampton, John Ray,
W. P. D. Bush, Joseph W. Hester, Joseph Ricketts,
A. B. Chambers, John B. Huston, M. Smith,
Brutus J. Clay, Richard T. Jacob, George M. Thomas,
John B. Cochran, William Johnson, John R. Thomas,
Robert Cochran, Urban E. Kennedy, Thomas Turner,
William L. Conklin, John C. Lindsey, Joseph R. Underwood,
W. H. Edmunds, Alexander Lusk, Zeb. Ward,
Elijah Gabbert, P. L. Maxey, Alex. T. White,
Joseph Gardner, David P. Mears, Milton Young—38.
Evan M. Garriott, Otho Miller,

And so said bill was rejected.

The House then took up the resolution offered by Mr. George M. Thomas, which is as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the thanks of this General Assembly are hereby tendered to the loyal and brave men of Kentucky, who have volunteered to aid and assist the government of the United States in expelling the invaders from our soil.

The rule requiring a reference to a standing committee having been dispensed with,

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

The yeas and nays being required thereon by Messrs. George M. Thomas and G. Clay Smith, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Elijah Gabbert, Joseph Ricketts,
Jas. W. Anderson, Remus Gibson, F. D. Rigney,
Landaff W. Andrews, Henry Griffith, George S. Shanklin,
E. B. Bacheller, John H. Harney, G. Clay Smith,
John C. Beeman, Wm. J. Heady, M. Smith,
John W. Blue, Joseph W. Hester, James P. Sparks,
William P. Boone, John B. Huston, Harrison Taylor,
William A. Brann, Richard T. Jacob, Joshua Tevis,
Curtis F. Burnam, Urban E. Kennedy, George M. Thomas,
James Calvert, Alexander Lusk, John R. Thomas,
Cyrus Campbell, P. L. Maxey, Thomas Turner,
J. W. Campbell, David P. Mears, Joseph R. Underwood,
Joseph H. Chandler, Otho Miller, John S. Vanwinkle,
Brutus J. Clay, Thomas Z. Morrow, Zeb. Ward,
Francis L. Cleveland, George Poindexter, Alexander T. White,
John B. Cochran, Hiram S. Powell, Nathaniel Wolfe,
Robert Cochran, Larkin J. Proctor, Geo. H. Yeaman,
Those who voted in the negative, were—

Vincent Ash, W. H. Edmunds, William Johnson,
E. F. Burns, Joseph Gardner, John C. Lindsey,
A. B. Chambers, George M. Hampton,

The resolution offered by Mr. Sparks in relation to expelling members from this House, offered on the 7th instant, was taken up, and referred to the Committee on Federal Relations.

The House then took up the amendments proposed by the Senate to a bill from this House, entitled

An act for the benefit of John B. Powell.
Mr. Ward proposed to strike out from the amendment the name of "Cotton," and insert in lieu thereof "Sublett."

And the question being taken on striking out, it was decided in the negative.

Ordered, That said bill and amendments be referred to the Committee on Circuit Courts.

Mr. Jacob moved the following resolution, viz:

Resolved, That a select committee be instructed to inquire why gentlemen in this House give aid and comfort to the invaders of our soil by voting No to a vote of thanks to our noble defenders; and to inquire why they should not be expelled from this House.

Mr. Jacob moved to dispense with the rule of the House requiring a reference to a standing committee.

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

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

Those who voted in the affirmative, were—

Alfred Allen, Joseph W. Heeter, Wm. S. Rankin,
Jas. W. Anderson, Richard T. Jacob, Nicholas A. Rapier,
John C. Beeman, Urban E. Kennedy, F. D. Rigney,
James Calvert, Alexander Lusk, G. Clay Smith,
Brutus J. Clay, Thomas Z. Morrow, James P. Sparks,
John C. Cooper, Thomas W. Owings, George M. Thomas,
Hugh F. Finley, Hiram S. Powell, John R. Thomas,
Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Robert Cochran, Felix G. Murphy,
Landaff W. Andrews, William L. Conklin, Geo. Poindexter,
Vincent Ash, W. H. Edmunds, John Ray,
E. B. Bacheller, Joseph Gardner, Joseph Ricketts,
John W. Blue, Evan M. Garriott, George S. Shanklin,
Wm. P. Boone, Remmus Gibson, Harrison Taylor,
Wm. A. Braun, Henry Griffith, Joshua Tevis,
Curtis F. Burnam, Geo. M. Hampton, Thomas Turner,
E. F. Burns, John H. Harney, Joseph R. Underwood,
W. P. D. Bush, William J. Heady, Zeb. Ward,
Cyrus Campbell, John B. Huston, Alex. T. White,
J. W. Campbell, John C. Lindsey, Geo. H. Yeaman,
A. B. Chambers, P. L. Maxey, Bryan R. Young,
Joseph H. Chandler, Otho Miller, Milton Young—42.
John B. Cochran.

Ordered, That said resolution be referred to the Committee on Privileges and elections.

And then the House adjourned.

WEDNESDAY, DECEMBER 11, 1861.

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 the executors of Alvin G. Day.
An act for the benefit of the clerk of the Nicholas county court.
An act providing that the absence of a soldier of the United States four months shall be no cause of attachment against the property of said soldier.
An act for the benefit of the Shelbyville and Mt. Eden turnpike road company.
An act to amend the charter of the Twelve Mile turnpike road company, in Campbell county.
That they had passed bills and a resolution of the following titles, viz:
An act to amend the charter of the town of Mount Sterling.
An act enlarging the powers of the Cumberland county court in ferry cases.

An act to amend the charter of the Clay and Kiser’s turnpike road company.

Resolution calling on the Auditor for information.

That they had received official information from the Governor, announcing his approval of sundry bills which originated in the Senate, of the following titles, viz:

1. An act for the benefit of the administrator of John C. Morton, late clerk of the Ohio circuit court.
3. An act for the benefit of John Schoolfield, of Bracken county.
4. An act to authorize the holding of a special election in Pendleton county.
5. An act for the benefit of W. S. D. Megowan and his securities.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the Bank of Kentucky.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Chandler, from the Committee on Propositions and Grievances, to whom was referred a leave, reported a bill, entitled “A bill to authorize the purchase of a lot of ground adjoining the State magazine, belonging to Sanford Goins.”

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.

The same committee, to whom was referred a bill from the Senate, entitled

An act for the benefit of Lewis A. Bradshaw,

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. Conklin, from the Committee on Claims, reported a bill, entitled
A bill for the benefit of Wm. N. Gayton, of McLean county.
Which was read the first time, and ordered to be read a second
time.
The rule of the House, constitutional provision, and second reading
of said bill having been dispensed with.
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
foresaid.
The yeas and nays being required on the passage of said bill by the
constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Hugh F. Finley,
Alfred Allen, Elijah Gabbert,
Jas. W. Anderson, Joseph Gardner,
Vincent Ash, Evan M. Garriott,
E. B. Bacheller, Remus Gibson,
John C. Beehan, Henry Griffith,
John W. Blue, George M. Hampton,
William A. Braun, John H. Harney,
Curtis F. Burnam, William J. Heady,
E. F. Burns, Joseph W. Heeter,
W. P. D. Bush, John B. Huston,
James Calvert, William C. Ireland,
Cyrus Campbell, Richard T. Jacob,
J. W. Campbell, Daniel W. Johns,
A. B. Chambers, William Johnson,
Joseph H. Chandler, David P. Mears,
Brutus J. Clay, Otho Miller,
Francis L. Cleveland, Thomas Z. Morrow,
John B. Cochran, Felix G. Murphy,
Robert Cochran, Thomas W. Owings,
William L. Conklin, George Poindexter,
John C. Cooper, Hiram S. Powell,
Albert A. Curtis, Larkin J. Proctor,
Landaff W. Andrews, William S. Rankin,
P. L. Maxey, Nicholas A. Rapier,
James P. Sparks—4.
Alexander Lusk,

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

By the Committee on Claims—
1. A bill for the benefit of J. D. Pollard, of the city of Frankfort,
By the Committee on Internal Improvement—
2. A bill transferring the control of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren.

By the Committee on Education—
3. A bill for the benefit of the trustees of school district No. 9, in Letcher county.

By the Committee on County Courts—
4. A bill to amend the act to incorporate the town of Monterey, in Owen 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 the 1st, 2d, 3d, and 4th bills having been dispensed with,

Ordered, That the 1st, 3d, and 4th bills be engrossed and read a third time; the 2d was recommitted to the Committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, and 4th bills having been dispensed with,

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

The Committee on Claims, to whom was referred the petition of William Clayton, reported the following resolution, viz:

Resolved, That, in the opinion of the committee, this claim ought not to be allowed.

Which was adopted.

The Committee on Internal Improvement, to whom was referred a bill and amendments, entitled "A bill for the benefit of James L. Hicks, of Henderson county," reported the same, with the expression of opinion that the bill ought not to pass.

The question was then taken, "Shall the bill be engrossed and read a third time?"

It was decided in the negative.

And so said bill was rejected.

The Committee on Internal Improvement, to whom was referred a bill to abolish the office of President of the Board of Internal Improvement, and to create a new board, and to prescribe their duties,

Reported a substitute for said bill.

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.
On motion of Mr. Underwood,
Ordered, That said bill be recommitted to the Committee on the
Judiciary.

The same committee, to whom was referred a bill from the Senate, entitle
An act to amend an act, entitled "An act to amend the charter of
the Richmond and Lancaster turnpike road company;"
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading
of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.

The following bills from the Senate were severally reported without
amendment by the committee to whom they were referred, viz:
By the Committee on Education—
An act for the benefit of common school district No. 19, in Bullitt
county.

By the Committee on County Courts—
An act for the benefit of W. R. McFerran, presiding judge of the
Barren county court.

By the Committee on Revised Statutes—
An act to amend chapter 106, Revised Statutes.
By same—
An act to reduce into one the various acts in reference to "Anderson
Seminary."
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 Committee on Banks, to whom was referred a bill, entitled
A bill for the benefit of the Commercial Bank of Kentucky,
Reported the same, with an amendment.
Mr. Ward offered an amendment.
Which was adopted.
The question was then taken on the bill, as 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,

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

The Committee on Revised Statutes, to whom was referred a bill,
entitled

An act for the benefit of M. G. Horton and A. T. White,
Reported the same, with the expression of opinion that it ought not
to pass.

The question was then taken, "Shall the bill be read a third time?"
and it was decided in the negative.

And so said bill was rejected.

The same committee, to whom was referred the resolution in rela-
tion to districting the State into congressional districts, asked to be
discharged from the further consideration thereof.

Which was granted.

Mr. Bush, from the Committee on Revised Statutes, to whom was
referred a bill and amendments, entitled

An act to amend the law in relation to runaway slaves,
Reported the same with a substitute therefor.

Mr. Ward offered an amendment, as follows: "That the hirer pay
one half the reward, instead of one tenth."

And the question being taken thereon, it was decided in the nega-
tive.

Mr. Clay moved an amendment.

Which was rejected.

Mr. Allen moved to strike out the fifth section of the substitute.

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—

Alfred Allen,    Joseph W. Heeter,  James P. Sparks,
E. B. Bacheller, William O. Ireland, Harrison Taylor,
John C. Beeman,    Richard T. Jacob,  George M. Thomas,
Wm. P. Boone,    Urban E. Kennedy,  John S. Van Winkle,
James Calvert,    Alexander Lusk,  George P. Webster,
Cyrus Campbell,    P. L. Maxey,    Alexander T. White,
J. W. Campbell,    Thomas Z. Morrow,  Nathaniel Wolfe,
William L. Conklin,  George Poinder,
John C. Cooper,    Hiram S. Powell,  Geo. H. Yeaman,
Reynus Gibson,    William S. Rankin,  Bryan R. Young,
John H. Harney,    Nicholas A. Rapier,  Milton Young—32.
Dec. 11.] HOUSE OF REPRESENTATIVES.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, David P. Mears,
Jas. W. Anderson, W. H. Edmonds, Felix G. Murphy,
Landaff W. Andrews, Hugh F. Finley, Thomas W. Owings,
Vincent Ash, John W. Finnell, John Ray,
John W. Blue, Elijah Gabbert, Joseph Ricketts,
William A. Brann, Joseph Gardner, F. D. Rigney,
Curtis F. Burnam, Evan M. Garriott, George S. Shanklin,
E. F. Burns, Henry Griffith, G. Clay Smith,
W. P. D. Bush, George M. Hampton, Joshua Tevis,
A. B. Chambers, William J. Head, John R. Thomas,
Joseph H. Chandler, John B. Huston, Joseph R. Underwood,
Bruttus J. Clay, William Johnson, Zeb. Ward,

Mr. Andrews moved the previous question.
And the question being taken thereon, "Shall the main question be
now put?" it was decided in the affirmative.

Mr. Clay offered the following by way of engrossed rider, viz:

The meaning of the term "runaway," as used in this act, shall be
an escape from the owner, or person entitled to the service at the
time, with a view to obtain freedom.

Which was rejected.

The question was then taken on ordering the substitute to be
engrossed and 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. Burnam moved a reconsideration of the vote by which the
resolution offered by Mr. Conklin, from the Committee on Claims, was
this day adopted, in reference to the claim of William Clayton.

And then the House adjourned.
THURSDAY, DECEMBER 12, 1861.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, viz:

- An act for the benefit of the executors of Alvin G. Day.
- An act to incorporate the Bremen and London Petroleum Manufacturing and Mining Company.
- An act to amend the charter of the town of Stanford.
- An act for the benefit of George Heiskell, of Grayson county.
- An act for the benefit of Isaac N. Greathouse.
- An act for the benefit of the clerk of the Nicholas county court.
- An act providing that the absence of a soldier in the service of the United States four months shall be no ground of attachment against the property of said soldier.
- An act for the benefit of the Shelbyville and Mt. Eden turnpike road company.
- An act to amend the charter of the Twelve Mile turnpike road company.

Also, bills from the Senate of the following titles, viz:

- An act for the benefit of William R. McFerran, presiding judge of the Barren county court.
- An act for the benefit of common school district, No. 19, in Bullitt county.
- An act to reduce into one the various acts in reference to the Anderson Seminary.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

1. Mr. Wolfe presented the petition of Thomas Shanks, surety of W. S. D. Megowan, late sheriff of Jefferson county, praying relief.
2. Mr. Burnam presented the petition of John Stephens, praying an act enjoining the collection of a certain sum of money.
3. Mr. Webster presented the petition of Joseph Silman, praying an appropriation for keeping slave in Newport jail.
4. Mr. Ireland presented the petition of Captain Augustus C. Van
dyke, of Beard's cavalry regiment, praying compensation for services to his company before going into camp at Joe Holt.

5. Mr. Murphy presented the petition of sundry citizens against the further extension of the stay law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Ways and Means; the 2d and 5th to the Committee on the Judiciary; the 3d to the Committee on Claims, and the 4th to the Committee on Military Affairs.

Mr. Burnam's motion, made on yesterday, to reconsider the vote discharging the Committee on Claims from the further consideration of the claim of William Clayton, was taken up.

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

Ordered, That said claim, petition, &c., be recommitted to the Committee on Claims.

The Speaker laid before the House the annual report of the Kentucky and Louisville Mutual Insurance Company.

Ordered, That said report be referred to the Committee on Ways and Means.

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

On motion of Mr. J. B. Cochran—1. A bill to incorporate J. M. Bullock Lodge, No. 287, of Free and Accepted Masons.

On motion of Mr. V. B. Young—2. A bill to incorporate Bath Lodge, No. 55, of Free and Accepted Masons, of Owingsville.

On motion of same—3. A bill to amend the law in relation to pleadings in civil and equitable proceedings.

On motion of Mr. Clay—4. A bill to amend the orders and acts establishing the town of Millersburg, in the county of Bourbon.

On motion of Mr. J. B. Cochran—5. A bill for the benefit of J. B. Hall and James Claydon.

On motion of Mr. Heady—6. A bill for the benefit of Louis Leach, of Bullitt county.

On motion of Mr. J. R. Thomas—7. A bill for the benefit of common school district No. 26, of Marion county.

On motion of Mr. Garriott—8. A bill for the benefit of Geo. Miller, late sheriff of Trimble county.

On motion of Mr. Ricketts—9. A bill for the benefit of the sureties of Moses Wickliffe, late sheriff of Muhlenburg county.

On motion of Mr. J. R. Thomas—10. A bill for the benefit of the sheriff of McCracken county.
On motion of Mr. Burns—11. A bill to amend the law in relation to the sampling of tobacco at the tobacco warehouses in the city of Louisville.

On motion of Mr. Sparks—12. A bill to amend the law in relation to the assessors of tax.


Ordered, That the Committee on Incorporated Institutions prepare and bring in the 1st and 2d; the Committee on the Codes of Practice the 3d and 4th; the Committee on Education the 5th and 7th; the Committee on Propositions and Grievances the 6th; the Committee on Revised Statutes the 8th and 12th; the Committee on Ways and Means the 9th, 10th, and 13th, and the Committee on County Courts the 11th.

Mr. J. B. Cochran moved the following resolution, viz:

Resolved, That the Speaker appoint a committee of three, whose duty it shall be to inquire into the propriety of purchasing the Kentucky Military Institute property, for the purpose of using the same as a Lunatic Asylum, and report to this House.

Ordered, That said resolution be referred to the Committee on Incorporated Institutions.

Mr. Sparks moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Judiciary Committees be requested to make diligent inquiry whether a law, in their opinion, can be made to allow each and every soldier, (who may be over twenty-one years of age,) on the 1st Monday in August, 1862, the right to vote for judges, &c., in the year 1862 and thereafter, outside of his or their respective precincts; to apply to all persons who may be soldiers from the State of Kentucky, and to report by bill or otherwise to this House.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. White moved the following resolution, viz:

Whereas, It has been represented to this General Assembly that the Eastern and Western Lunatic Asylums of this State have insufficient accommodations for the lunatics of the Commonwealth; therefore, Be it resolved, That a committee of five members of this House be appointed to inquire into the expediency and propriety of converting the institution for Feeble-minded Children into a Lunatic Asylum, to be called the Central Lunatic Asylum of Kentucky.

Ordered, That said resolution be referred to the Committee on Education.
Mr. Andrews, from the Committee on the Judiciary, reported the following resolution, viz:

Resolved by the House of Representatives, That the Committee on Military Affairs be requested, as the judgment of the House, to report at an early day a bill repealing an act, entitled "An act for the better organization of the militia," approved March 5th, 1860; and that said committee are further requested to report a bill reorganizing the State militia.

Which was adopted.

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

1. A bill for the benefit of loyal citizens who have been injured by the rebellion.

By Mr. J. W. Anderson—


By same—

3. A bill for the benefit of James A. Dinwiddie, and Eliza, his wife.

By same—

4. A bill for the benefit of R. T. Lindsey, sheriff of Harrison 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 was referred to the Committee on Revised Statutes; the 2d and 3d were ordered to be engrossed and read a third time; the 4th was referred to the Committee on Ways and Means.

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

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

The Committee on Privileges and Elections, to whom was referred Senate resolutions concerning senatorial elections for 1863, reported the same with an amendment.

The question was then taken on the adoption of the amendment.

Which was concurred in.

The question was then taken on concurring in the resolutions, as amended.

Said resolutions, as amended, were twice read, and concurred in.
On motion of Mr. Burns—11. A bill to amend the law in relation to the sampling of tobacco at the tobacco warehouses in the city of Louisville.

On motion of Mr. Sparks—12. A bill to amend the law in relation to the assessors of tax.

On motion of Mr. J. W. Anderson—13. A bill for the benefit of Densy King, late sheriff of Knox county.

Ordered, That the Committee on Incorporated Institutions prepare and bring in the 1st and 2d; the Committee on the Codes of Practice the 3d and 4th; the Committee on Education the 5th and 7th; the Committee on Propositions and Grievances the 6th; the Committee on Revised Statutes the 8th and 12th; the Committee on Ways and Means the 9th, 10th, and 13th, and the Committee on County Courts the 11th.

Mr. J. B. Cochran moved the following resolution, viz:

Resolved, That the Speaker appoint a committee of three, whose duty it shall be to inquire into the property of purchasing the Kentucky Military Institute property, for the purpose of using the same as a Lunatic Asylum, and report to this House.

Ordered, That said resolution be referred to the Committee on Incorporated Institutions.

Mr. Sparks moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Judiciary Committees be requested to make diligent inquiry whether a law, in their opinion, can be made to allow each and every soldier, (who may be over twenty-one years of age,) on the 1st Monday in August, 1862, the right to vote for judges, &c., in the year 1862 and thereafter, outside of his or their respective precincts: to apply to all persons who may be soldiers from the State of Kentucky, and to report by bill or otherwise to this House.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. White moved the following resolution, viz:

Whereas, It has been represented to this General Assembly that the Eastern and Western Lunatic Asylums of this State have insufficient accommodations for the lunatics of the Commonwealth; therefore,

Be it resolved, That a committee of five members of this House be appointed to inquire into the expediency and propriety of converting the Institution for Feeble-minded Children into a Lunatic Asylum, to be called the Central Lunatic Asylum of Kentucky.

Ordered, That said resolution be referred to the Committee on Education.
Mr. Andrews, from the Committee on the Judiciary, reported the following resolution, viz:

Resolved by the House of Representatives, That the Committee on Military Affairs be requested, as the judgment of the House, to report at an early day a bill repealing an act, entitled "An act for the better organization of the militia," approved March 5th, 1860; and that said committee are further requested to report a bill reorganizing the State militia.

Which was adopted.

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

By Mr. J. W. Anderson—
1. A bill for the benefit of loyal citizens who have been injured by the rebellion.

By the Committee on the Judiciary—

By same—
3. A bill for the benefit of James A. Dinwiddie, and Eliza, his wife.

By same—
4. A bill for the benefit of R. T. Lindsey, sheriff of Harrison 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 was referred to the Committee on Revised Statutes; the 2d and 3d were ordered to be engrossed and read a third time; the 4th was referred to the Committee on Ways and Means.

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

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

The Committee on Privileges and Elections, to whom was referred Senate resolutions concerning senatorial elections for 1863, reported the same with an amendment.

The question was then taken on the adoption of the amendment.

Which was concurred in.

The question was then taken on concurring in the resolutions, as amended.

Said resolutions, as amended, were twice read, and concurred in.
Mr. Ireland, from the Committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled
An act for the benefit of John Benton, of Montgomery 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. Andrews, from the Committee on the Judiciary, to whom was referred the petition of Robert Brazier and wife, &c., asked to be discharged from the further consideration of the same.
Which was granted.
Mr. Clay, from the Committee on Agriculture and Manufactures, to whom was referred a bill for the protection of birds and other game, with sundry amendments, reported the same, with the expression of opinion that the 4th section, relative to fish, should be stricken out.
Mr. J. W. Anderson moved an amendment, that the provisions of the bill should not apply to the counties of Knox, Laurel, Rockcastle, Whitley, Clay, and Harlan.
Mr. Bush moved to recommit the bill and amendments to the Committee on Agriculture and Manufactures.
And the question being taken thereon, it was decided in the negative.
Mr. Andrews 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 striking out the fourth section, the "fish section."
And it was decided in the negative.
The question was then taken on Mr. J. W. Anderson's amendment. Which was adopted.
Ordered, That said bill, as amended, be engrossed and read a third time.
Mr. Huston moved a reconsideration of the vote ordering the bill to a third reading.
And the question being taken thereon, it was decided in the affirmative.
Mr. Andrews 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. Andrews and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

James W. Anderson, William L. Conklin, William Johnson,  
Landaff W. Andrews, Albert A. Curtis, John C. Lindsey,  
Vincent Ash, Elijah Gabbert, P. L. Maxey,  
E. F. Burns, Evan M. Garriott, David P. Mears,  
James Calvert, Remus Gibson, Nicholas A. Rapier,  
J. W. Campbell, William J. Heady, Joseph Ricketts,  

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Henry Griffith, Geo. S. Shanklin,  
Alfred Allen, George M. Hampton, G. Clay Smith,  
E. B. Bacheller, John H. Harney, James P. Sparks,  
John C. Beeman, Joseph W. Heeter, Harrison Taylor,  
John W. Blue, John B. Huston, Joshua Tevis,  
William A. Brann, Richard T. Heeter, George M. Thomas,  
Curtis F. Burnam, Daniel W. Johns, John R. Thomas,  
W. P. D. Bush, Urban E. Kennedy, Thomas Turner,  
Cyrus Campbell, Alexander Lusk, Joseph R. Underwood,  
A. B. Chambers, Otho Miller, John S. Vanwinkle,  
Brutus J. Clay, Thomas Z. Morrow, Zeb. Ward,  
John B. Cochran, Thomas W. Owings, George P. Webster,  
Robert Cochran, George Poindexter, Alex. T. White,  
John C. Cooper, Hiram S. Powell, Nathaniel Wolfe,  
W. H. Edmunds, Larkin J. Proctor, Geo. H. Yeaman,  
Hugh F. Finley, William S. Rankin, Bryan R. Young,  
John W. Finnell, John Ray, Van B. Young—53.  
Joseph Gardner, F. D. Rigney,

Mr. Conklin moved an amendment.

On motion of Mr. Bush,  
Ordered, That said bill and amendments be recommitted to the Committee on Agriculture and Manufactures.

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 concerning common schools.

That they had concurred in the House resolution of thanks to the Kentucky volunteers.

That they had passed a bill, entitled

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

The House then took up the special order, entitled

A bill for the benefit of the Kentucky soldiers in the Federal army.

Ordered, That the further consideration thereof be postponed till Monday next, at 11 o'clock.
The House then took up bills from the Senate of the following titles, viz:

1. An act to amend the charter of the city of Louisville.
2. An act to amend the charter of the town of Mount Sterling.
3. An act to amend the Code of Practice in civil cases.
4. An act enlarging the powers of the Cumberland county court in ferry cases.
5. An act to amend the charter of the Clay and Kiser's 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,

Ordered, That the 1st and 2d bills be referred to the Committee on Incorporated Institutions; the 3d and 4th to the Committee on the Codes of Practice, and the 5th to the Committee on Internal Improvement.

The House then took up the amendment adopted by the Senate to a bill from this House, entitled

An act to amend the 221st section of the Civil Code of Practice.

Mr. Huston moved to strike out the word "his," in the 5th line of the amendment, and insert "defendant."

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

The question was then taken, and the amendment of the Senate, as amended, was concurred in.

The House then took up the bill, entitled

A bill exempting soldiers from the payment of county levy for the year 1862.

Mr. Finley offered a substitute by way of amendment.

Ordered, That said bill and amendment be committed to the Committee on Ways and Means, with special instructions to report to-morrow, at 11 o'clock.

The House then took up the bill and amendment, entitled

A bill to amend the Civil Code of Practice.

Mr. Huston 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. G. Clay Smith and Huston, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Joseph Gardner, William S. Rankin,
Landaff W. Andrews, Evan M. Garriott, Nicholas A. Rapier,
Vincent Ash, Henry Griffith, John Ray,
John W. Blue, George M. Hamptom, Joseph Ricketts,
William A. Brann, John H. Harney, Harrison Taylor,
E. F. Burns, Wm. J. Heady, Thomas Turner,
W. P. D. Bush, John B. Huston, Joseph R. Underwood,
A. B. Chambers, William Johnson, John S. Van Winkle,
John B. Cochran, P. L. Maxey, Geo. H. Yeaman,
Robert Cochran, David P. Mears, Bryan R. Young,
William L. Conklin, Felix G. Murphy, Milton Young,
W. H. Edmunds, George Poindexter, Van B. Young—38.
Hugh F. Finley,

Those who voted in the negative, were—

Alfred Allen, Albert A. Curtis, Hiram S. Powell,
Jas. W. Anderson, Elijah Gabbert, F. D. Rigney,
E. B. Bacheller, Joseph W. Heeter, George S. Shanklin,
John C. Beeman, William C. Ireland, G. Clay Smith,
Curtis F. Burnam, Richard T. Jacob, M. Smith,
James Calvert, Daniel W. Johns, James P. Sparks,
Cyrus Campbell, Urban E. Kennedy, George M. Thomas,
J. W. Campbell, Alexander Lusk, John R. Thomas,
Joseph H. Chandler, Otho Miller, George P. Webster,
John C. Cooper, Thomas W. Owings,

On motion of Mr. Huston—

Mr. Webster has leave of absence till Monday next.

Mr. Rankin moved a reconsideration of the vote on yesterday, rejecting the bill, entitled

A bill to authorize the purchase of a lot of ground adjoining the State magazine belonging to Sandford Goin.

The House then took up the bill, entitled

A bill creating the office of Public Binder, and repealing so much of article 1st of chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books.

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,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House then took up the resolutions from the Senate calling on the Auditor for information. Which were twice read and concurred in. And then the House adjourned.

FRIDAY, DECEMBER 13, 1861.

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 section 879, of the Civil Code of Practice.
An act in regard to the duties and powers of the assessors of tax.
An act to incorporate the Home Insurance Company, of Louisville.
An act to amend an act to incorporate the town of Monterey, in Owen county.
An act fixing the compensation of assessors for listing births and deaths, under the registration laws of this State.
With an amendment to the last named bill.
That they had passed bills and resolutions of the following titles, viz:
An act to amend an act to amend title 7, chapter 4, of the Code of Practice, approved December 16, 1857.
An act for the benefit of John L. Chisholm, of Taylor county.
Resolution in relation to Federal representation.
Resolution relating to the exchange of prisoners of war.

On motion of Mr. Huston,
The Speaker appointed Mr. Van Winkle, in place of W. C. Anderson, on the committee to lay off the State into congressional districts.

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

By Mr. Burnam—
1. A bill for the benefit of James Agee, authorizing him to build a dam and fish trap across Silver creek.

By Mr. Turner—
2. A bill for the benefit of R. M. Barnes.

By the Committee on Circuit Courts—
3. A bill to supply lost depositions.
By the Committee on County Courts—
4. A bill authorizing Solomon Williamson to build a mill dam across Rockcastle creek, in Lawrence county.

By the Committee on Incorporated Institutions—
5. A bill to incorporate J. M. Bullock Lodge, No. 287, of Free and Accepted Masons.

By the same—
6. A bill to incorporate Bath Lodge, No. 55, of Free and Accepted Masons.

By the same—
7. A bill repealing an act amending the charter of the Union turnpike road company, and re-enacting the original charter of said company.

By Mr. Owings—
8. An act for the benefit of Meade county.

By Mr. Chandler—

By the Committee on the Judiciary—
10. A bill to punish certain trespassers in Jefferson 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,

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. Bacheller, from the select committee to whom was referred leave to bring in a bill for the benefit of Robert Boyd, clerk of the Whitley circuit court, reported the same.

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. Morrow moved an amendment.

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,

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

Mr. Clay, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill to amend the law in regard to mills, reported the same.

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. Conklin offered an amendment.

Mr. Ward offered an amendment.

Mr. Allen moved to lay the 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. Burnam and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred a bill to prevent clerks of courts from practicing law in certain courts, reported the same, with the expression of opinion that it ought not to pass.

Mr. Huston moved to amend the bill by making its provisions applicable to the county of Boone alone.

Which amendment 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, as amended, having been dispensed with, and the same being engrossed,

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

The Committee on Incorporated Institutions, to whom was referred a bill from the Senate, entitled

A bill to amend the charter of the city of Louisville,

Reported the same with an amendment.

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, as amended, being dispensed with,

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

The same committee, to whom was referred bills of the following titles, viz:

An act for the benefit of the members of the Kentucky Annual Conference of the Methodist Episcopal Church, South.

An act to incorporate the Louisville, Pittsburg, St. Louis, and Tennessee River Pilots' Benevolent and Relief Association.

Reported the same without amendment.

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

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

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

The same committee, to whom was referred the resolution in relation to the purchasing the Kentucky Military Institute for a lunatic asylum, reported the same.
Mr. Curtis offered an amendment.
Mr. Allen offered an amendment to the amendment of Mr. Curtis.
Which amendment was adopted.
The question was then taken on the adoption of the amendment, as amended, and it was decided in the affirmative.
Said resolution, as amended, was taken up, twice read, and adopted.
Mr. George M. Thomas, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled
An act enlarging the powers of the Cumberland county court in ferry 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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. White, from the select committee to whom was referred leave to bring in a bill for the benefit of Dillon White, reported the same.
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.
Mr. Rankin, from the Committee on the Judiciary to whom was referred leave, reported
A bill to suspend the laws prohibiting the carrying of concealed deadly weapons.
Which was read the first time, and ordered to be read a second time.
Mr. George M. Thomas moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, George Poindexter,
Jas. W. Anderson, W. H. Edmunds, Nicholas A. Rapier,
Landaff W. Andrews, Elijah Gabbert, F. D. Rigney,
Vincent Ash, Joseph Gardner, George S. Shaaklin,
E. B. Bacheller, Remus Gibson, G. Clay Smith,
John W. Blue, Henry Griffith, M. Smith,
Those who voted in the negative, were—

Alfred Allen,                Evan M. Garrriott,                Hiram S. Powell,                George M. Thomas,
John C. Beeman,             George M. Hampton,                William S. Rankin,            Joseph R. Underwood,
James Calvert,             John H. Harney,                John Ray,                        John S. Van Winkle,
A. B. Chambers,            William J. Heady,                Joseph Ricketts,               Zeb. Ward,
Joseph H. Chandler,         Joseph W. Heeter,                Alex. T. White,                 Alex. T. White,
Bruno J. Clay,             John B. Huston,                Geo. H. Yeaman,                 George H. Yeaman,
John B. Cochran,            Daniel W. Jones,                Bryan R. Young,                William L. Conklin,
John C. Cooper,            John C. Lindsey,                Van B. Young—44.                Felix G. Murphy,
Hugh F. Finley,            Thomas W. Owings,                Milton Young—30.

And so said bill was rejected.

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

On motion of Mr. Hecter—1. A bill to continue in force till January 1, 1863; an act, entitled “An act to suspend the circuit and other courts in this Commonwealth, and for other purposes,” approved May 24, 1861.

On motion of Mr. Johns—2. A bill for the benefit of the trustees of school district No. 63, in Lawrence county.

On motion of Mr. Mears—3. A bill for the benefit of S. C. Edwards, late sheriff of Green county, and sureties.

On motion of Mr. Powell—4. A bill in relation to distillers of ardent spirits.

On motion of Mr. Wolfe—5. A bill concerning the Louisville and Coving railroad company.

On motion of Mr. Huston—6. A bill for the benefit of school district No. 29, in Clarke county.

On motion of Mr. Speaker—7. A bill for the benefit of the Cleveland turnpike road company.

Ordered, That Messrs. J. R. Thomas, Chandler, Morrow, and Heeter prepare and bring in the 1st; the Committee on Education the 2d and 6th; the Committee on Ways and Means the 3d and 4th; the Committee on the Judiciary the 5th, and the Committee on Internal Improvement the 7th.
The House then took up a bill, entitled
A bill to provide for the government and discipline of the Kentucky penitentiary, and to repeal all laws and parts of laws inconsistent herewith.

On motion of Mr. B. R. Young,

Ordered, That the further consideration of said bill be postponed till Monday next, at 11 o'clock, and that it be made the special order for that day.

The House took up the motion made on yesterday by Mr. Rankin to reconsider the vote discharging the Committee on Propositions and Grievances from the further consideration of the bill authorizing the purchase of a piece of ground of Sandford Goins.

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

Ordered, That said bill be recommitted to the Committee on Propositions and Grievances.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses adjourn on Friday, the 20th inst., at 12 o'clock, M., they adjourn to meet on the 1st Monday in June, 1863.

Mr. V. B. Young read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Military Board be required to report to this General Assembly how many regiments Kentucky has in the field; what counties have furnished companies; what companies have been consolidated; who are the colonels of the regiments; in what manner has the $1,345,680 53 been expended; to whom, if any one, they have furnished money to raise volunteers, and how much to each individual, and in what manner have they expended the money to them furnished.

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

At the last meeting of the General Assembly it passed a resolution requesting John C. Breckinridge and Lazarus W. Powell to resign their places in the Senate of the United States. Mr. Breckinridge has, in conformity with that request, resigned his seat, but said Powell contumaciously, and in disregard of the aforesaid request, holds on to his position, when his rebel principles and disloyal feelings would better qualify him as an emissary, than as an exponent of the loyalty of this body and the people of this State; therefore,

Resolved, That the Senate of the United States be earnestly requested to expel from their honorable body the aforesaid L. W. Powell, and
give this Legislature an opportunity to elect a successor, who will be a proper exponent and representative of Kentucky's unaltering and known loyalty.

Resolved, That the Governor be requested to communicate this resolution to the presiding officer, Hannibal Hamlin, of the Senate of the United States.

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

WHEREAS, According to reliable information, there seems to be two governments in the boundary of the State of Kentucky, and Geo. W. Johnson claiming to be Governor of all of that part of the State in and around Russellville; and said Johnson may claim jurisdiction over all of Kentucky, as Governor of this Commonwealth; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That Gov. Magoffin inform this House how far his jurisdiction extends over Kentucky; whether he claims all of our original boundary or not; and if he claims the whole boundary of Kentucky, what action he has taken, by proclamation or otherwise, to expel the rebel Government at Russellville, Ky., headed by Geo. W. Johnson; that he inform this House whether he approves or disapproves of the new Governor and Government in the original boundary of the State of Kentucky; and whether or not he intends to see that the laws are faithfully executed in this State.

The rule requiring joint resolutions to lie one day on the table being dispensed with,

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Gibson moved the following resolution, viz:

Resolved, That a committee be appointed to inquire into absence of the Door-keeper of this House, and report to this House what action may be necessary to supply his absence, and report at its earliest convenience.

Which was adopted.

Ordered, That Messrs. Gibson, Ward, and Morrow be appointed on said committee.

Mr. Ward moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms have a latch put on the inner door of this hall.

Which was adopted.

Mr. J. W. Anderson moved the following resolution, viz:

Resolved, That the Committee on Religion report a bill providing that all ministers of the Gospel in this Commonwealth be required to take the oath of allegiance to the Constitution of the United States and of Kentucky, as a condition precedent to solemnizing the rites of matrimony.
Mr. Sparks moved to amend said resolution by adding that "no man be considered a minister who is a disunionist."
Which amendment was rejected.
And then the House adjourned.

SAVATURDAY, DECEMBER 14, 1861.

On motion of Mr. Andrews,
Mr. Richard J. Browne, the member elected to fill the vacancy occasioned by the resignation of William H. Hays, of the county of Washington, was admitted to a seat as a member of this House, and thereupon the said Richard J. Browne took the oaths prescribed by the constitution and laws of this State.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in the Senate, of the following titles, viz:
An act for the benefit of Lewis A. Bradshaw, of Adair county.
An act for the benefit of John Benton, of Montgomery county.
An act to amend chapter 106 of the Revised Statutes.
An act to amend an act, entitled "An act to amend the charter of the Richmond and Lancaster turnpike road company."
Also, a House resolution of thanks to the Kentucky volunteers.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller 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 with regard to the effect of the renunciation of wills by widows.
An act to amend the law in relation to runaway slaves.
An act to authorize watchmen in the city of Louisville to execute subpoenas in criminal cases issued from the clerk's office of the Jefferson circuit court, and to receive compensation therefor.
An act for the benefit of James A. Dinwiddie and Eliza, his wife.
An act for the benefit of R. M. Barnes.
An act for the benefit of Robert Boyd, clerk of the Whitley circuit court.
An act for the benefit of B. F. Booker.
That they had disagreed to a bill from this House, entitled
An act to amend the limitation laws.
And also to an amendment adopted by this House to a bill from the Senate, entitled
An act to amend the charter of the city of Louisville.
That they had passed bills of the following titles, viz:
An act to repeal an act to establish equitable and criminal courts in the first judicial district.
An act in relation to the branches of the Southern Bank of Kentucky.
The Committee on the Judiciary, to whom was referred the petition of John Stephens, asked to be discharged from the further consideration thereof.
Which was granted.
The same committee, to whom was referred the resolution of Mr. Sparks in relation to soldiers voting in 1862, asked to be discharged from the further consideration thereof.
Which was granted.
The same committee, to whom was referred a bill and substitute, entitled
A bill to abolish the office of President of the Board of Internal Improvement, and to create a new board and prescribe their duties,
Reported the substitute with an amendment, with the expression of opinion that it ought to pass.
Mr. Yeaman moved an amendment.
Which was adopted.
The question was then taken on ordering the bill, as amended, to be engrossed and 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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Remus Gibson, Nicholas A. Rapier,
Alfred Allen, Henry Griffith, John Ray,
Jas W. Anderson, William J. Head, Joseph Hickets,
Landaff W. Andrews, Joseph W. Heeter, F. D. Rigney,
E. B. Bacheller, John B. Huston, George S. Shanklin,
R. J. Brown, William C. Ireland, M. Smith,
William A. Brann, Daniel W. Johnson, James P. Sparks,
Curtis F. Barnam, William Johnson, Harrison Taylor,
W. P. D. Bush, Urban E. Kennedy, George M. Thomas,
James Calvert, John C. Lindsay, John R. Thomas,
James Campbell, James M. C. Lisenby, Thomas Turner,
A. B. Chambers, P. L. Maxey, J. R. Underwood,
Joseph H. Chandler, David P. Mears, John S. Van Winkle,
Brutos J. Clay, Otho Miller, Zeb. Ward,
Francis L. Cleveland, Thomas Z. Morrow, Alex. T. White,
John B. Cochran, Felix G. Murphy, Nathaniel Wolfe,
Robert Cochran, Thomas W. Owings, George H. Yeaman,
William L. Conklin, George Poindexter, Bryan R. Young,
John C. Cooper, Hiram S. Powell, Milton Young,
Hugh F. Finley, Larkin J. Proctor, Van B. Young—62,
Eliah Gabbert, William S. Rankin.

Those who voted in the negative, were—

E. F. Burns,

The Speaker laid before the House the report of the Managers of the Eastern Lunatic Asylum, as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

The short period during which the present Board of Managers have had control of the Eastern Lunatic Asylum, necessarily contracts the limits of their annual report. The present Board entered upon the duties of their office in October. Although no resignation had taken place, the office of Secretary and Treasurer was in fact vacant by the removal of that officer from this section of the State to join the Confederate army invading the State.

The Board proceeded at once to elect a Secretary and Treasurer, into whose hands they placed the funds, books, and papers of the Institution, as soon as he had given the requisite bond and taken the oaths of office, as prescribed by the laws and constitution.

The amount of funds so placed in his hands consisted of the sum of $2,000, specially appropriated to building and fitting up a kitchen, and the sum of $5,662 21 remaining in bank, unexpended, of the general appropriation. To these sums may be added the sum of $1,375, paid to the Treasurer by the direction of the late Treasurer, on account of board money received from pay patients. There will shortly be received from the same source $477.
The Board has lately had a settlement with their Treasurer, from which it appears that the expenditure for the kitchen amounted to $2,000 10, exhausting the appropriation. The amounts due for provisions, salaries, wages, clothing, improvements, repairs, and other expenses, on the 1st October, 1861, all of which were paid and settled by the present Treasurer, amounted to $3,053 98, leaving a balance in hand of $1,283 23.

So far as known to the Board, the Institution now owes no debts, except salaries and wages, since the 1st October last, and which will be payable the 1st January next. All purchases now made are paid for in cash.

In regard to the late Treasurer's accounts, all that we could do was to direct the Treasurer to transcribe them from the books, and lay the amount, with the vouchers for settlement, before the Auditor, which will be done.

There is an apparent balance against the late Treasurer of about $1,500, which may be increased or diminished upon a full and final settlement.

There is an admitted balance due from the late Chairman of $1,670 29, which will be collected.

The principal, and perhaps only, difficulty in the settlement of any of the accounts, will be in relation to the moneys received from pay patients. The Treasurer has been directed to examine this subject thoroughly and as expeditiously as possible.

In the opinion of the Board, the Institution is managed with order, efficiency, and economy by the Superintendent and assistants. Our experience has not enabled us yet to suggest any amendment or change. The buildings, grounds, gardens, and farm and orchard, are all in excellent order, and are evidently well managed, and contribute greatly to the comfort and health of the inmates, and to the economical support of the Institution.

There are now two hundred and two pauper or non-paying patients in the Asylum, and we think an appropriation of $150 per annum for each would be proper. The annual report of the Superintendent has been already laid before the General Assembly and printed. The accounts of the Treasurer and late Treasurer will also be laid before you.

Additional buildings would enlarge the capacity of the Asylum, and increase the comforts of the present inmates; but in the present financial condition of the State, we ask for no appropriations for that purpose.

DAVID A. SAYRE, Chairman.
M. C. JOHNSON,
HIRAM SHAW,
CHAS. S. BODLEY,
S. M. LETCHER.

Ordered, That the Public Printer print 150 copies thereof for the use of the members of this General Assembly, and that the same be referred to the Committee on Incorporated Institutions.
Mr. Andrews, from the Committee on the Judiciary, to whom was referred the petition of citizens of Nelson county against the extension of the stay law, made the following report, viz:

Resolved by the House of Representatives, That it is inexpedient, (if not wholly unconstitutional,) to continue in force the act suspending the courts of this Commonwealth; and whatever law may be enacted, having reference to the relation of debtor and creditor, it should not be by suspending the civil authority of the courts.

Ordered, That the further consideration thereof be postponed.

Mr. Taylor, from the Committee on Ways and Means, to whom was referred Senate bills, viz:

An act to amend an act, entitled "An act for the benefit of certain sheriffs of this Commonwealth, and their sureties."

An act for the benefit of Albert G. Waggoner, late sheriff of Cumberland 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.

The same committee, to whom was referred an amendment of the Senate to a bill from this House, entitled

An act appropriating money for the Western Lunatic Asylum,

Reported the same.

And the question being taken on concurring therein, 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, (Buckner,) Elijah Gabbert, Alfred Allen, Joseph Gardner, Hiram S. Powell, Larkin J. Proctor, William S. Rauckin, Nicholas A. Rapier, John Ray, Joseph Ricketts, F. D. Rigney, George S. Shanklin, M. Smith, James P. Sparks, Harrison Taylor, Joshua Tevis, George M. Thomas,
The same committee, to whom was referred leaves, reported the following bills, viz:

A bill for the benefit of Joseph G. Harrison, late sheriff of Daviess county.
A bill for the benefit of Joseph L. McCarty.

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,

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 yeas and nays being required on the passage of the last named bills, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, Hiram S. Powell,
Alfred Allin, Elijah Gabbert, Larkin J. Proctor,
Jas. W. Anderson, Joseph Gardner, William S. Rankin,
Landaff W. Andrews, Evan M. Garriott, Nicholas A. Rapier,
Vincent Ash, Remus Gibson, John Ray,
E. B. Bacheller, Henry Griffith, Joseph Ricketts,
John W. Blue, Joseph W. Heeter, F. D. Rigney,
William A. Brann, Wm. C. Ireland, Harrison Taylor,
R. J. Browne, Richard T. Jacob, Joshua Tevis,
Curtis F. Burnam, Daniel W. Johns, George M. Thomas,
E. F. Burns, William Johnson, John R. Thomas,
W. P. D. Bush, Urban E. Kennedy, Thomas Turner,
James Calvert, John C. Lindsey, Joseph R. Underwood,
Cyrus Campbell, John H. Heeter, John S. Van Winkle,
J. W. Campbell, F. D. Rigney, Zeb. Ward,
Urban E. Kennedy, Thomas R. Thomas, Bryan R. Young,
John C. Lindsey, Thomas Turner, Milton Young—69.

In the negative—
Van B. Young—1.
A. B. Chambers, 
Joseph H. Chandler, 
Brutus J. Clay, 
Robert Cochran, 
William L. Conklin, 
W. H. Edmunds, 
David P. Mears, 
Otho Miller, 
Thomas Z. Morrow, 
Felix G. Murphy, 
Thomas W. Owings, 
George Poindexter, 
Alex. T. White, 
Nathaniel Wolfe, 
Bryan R. Young, 
Milton Young, 
Van E. Young—62.

The same committee, to whom was referred the petition of the Judges of the Court of Appeals and members of the bar of said court, &c., praying an increase in the salary of the State Librarian, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Underwood, from the Committee on Military Affairs, to whom was referred leave to bring in a bill for the benefit of the families of Kentucky soldiers, asked to be discharged from the further consideration thereof.

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 question was then taken on discharging the committee, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and George M. Thomas, were as follows, viz:

Those who voted in the affirmative, were—

Mr Speaker, (Buckner,) J. W. Campbell, 
Alfred Allen, 
Landaff W. Andrews, 
Vincent Ash, 
John W. Blue, 
R. J. Browne, 
William A. Brann, 
Curtis F. Burnam, 
E. F. Burns, 
W. P. D. Bush, 
James Calvert, 
Cyrus Campbell, 
P. L. Mace, 
David P. Mears, 
Felix G. Murphy, 
Thomas W. Owings, 
John Ray, 
Harrison Taylor, 
Thomas Turner, 
Joseph R. Underwood, 
Zeb. Ward, 
Milton Young, 
Van E. Young—35.

Those who voted in the negative, were—

Jas. W. Anderson, 
E. B. Bacheller, 
John C. Beeman, 
Joseph H. Chandler, 
John B. Cochran, 
William L. Conklin, 
John C. Cooper, 
William C. Ireland, 
Richard T. Jacob, 
Daniel W. Johns, 
Urban E. Kennedy, 
Otho Miller, 
Thomas Z. Morrow, 
George Poindexter, 
P. D. Rigney, 
George S. Shanklin, 
M. Smith, 
James P. Sparks, 
Joshua Tevis, 
George M. Thomas, 
John R. Thomas,
Albert A. Curtis, Hiram S. Powell, J. S. Van Winkle,
Hugh F. Finley, Larkin J. Proctor, Alex. T. White,
Elijah Gabbert, William S. Rankin, Nathaniel Wolfe,
Remus Gibson, Nicholas A. Rapier, Geo. H. Yeaman,

The House took up bills from the Senate of the following titles, viz:
1. An act for the benefit of John L. Chisholm, of Taylor county.
2. An act to amend an act to amend title 7, chapter 4, of the Code of Practice, approved December 16, 1851.
3. An act in relation to the branches of the Southern Bank of Kentucky.

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 the 1st, 2d, and 3d bills having been dispensed with, the 1st was referred to the Committee on Claims; the 2d to the Committee on the Codes of Practice, and the 3d was ordered to be read a third time.

The rule of the House, constitutional provision, and third reading of said 3d 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 amendment proposed by the Senate to a bill from this House, entitled
An act fixing the compensation of assessors for listing births and deaths under the registration laws of this State.
Ordered, That said bill and amendment be referred to the Committee on Education.

A resolution from the Senate touching the relation of debtor and creditor was taken up, twice read, and concurred in.

A resolution from the Senate relating to exchange of prisoners of war was taken up.
Ordered, That said resolution be referred to the Committee on Military Affairs.

A resolution from the Senate relating to Federal representation was taken up.
Ordered, That said resolution be referred to the select committee appointed to draft Kentucky into congressional districts.

Resolution offered by Mr. Sparks in relation to L. W. Powell, Senator in Congress, was taken up.
Ordered, That said resolution be referred to the Committee on Federal Relations.

Resolution, offered by Mr. Van B. Young, of inquiry of Military Board, was taken up.

Ordered, That said resolution be referred to the Committee on Military Affairs.

Resolution, offered by Mr. Cleveland, in relation to the adjournment of this General Assembly, was taken up.

Mr. Cleveland moved to dispense with the rule of the House requiring a reference to a committee.

Mr. Burnam moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

Mr. Geo. M. Thomas moved an amendment, to which Mr. Chandler moved an amendment.

The House then refused to suspend the rules of reference to a committee.

Ordered, That said resolution and amendments be referred to the Committee on Federal Relations.

At 1½ o'clock, P. M., Mr. Huston moved an adjournment.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Nicholas A. Rapier, Joseph Ricketts, F. D. Rigney, Geo. S. Shanklin, James P. Sparks, Harrison Taylor, George M. Thomas, John R. Thomas,
Ordered, That Mr. R. J. Browne be added to the Committee on Circuit Courts.

Ordered, That Mr. G. Clay Smith have leave of absence.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That all statements published in the newspapers of the Union, that this Legislature contemplates the abolition of slavery in Kentucky is false; such a thought has not been entertained by any member of it. Kentucky is attached to the institution of slavery, and intends to retain it, and no step tending to emancipation has been contemplated.

Mr. Turner moved to dispense with the rule requiring joint resolutions to lie one day on the table.
Which motion was adopted.

Mr. Turner moved to dispense with the rule of the House requiring a reference of said resolution to a committee, but afterwards withdrew said motion, because the House was not full, and he wanted a full expression in reference to said resolution.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Wolfe, from the Committee on Federal Relations, to whom was referred a resolution from the Senate in relation to the position of Kentucky in the existing war, and sundry resolutions, &c., upon the same subject, &c., reported the Senate resolution, with an amendment, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky has ever cherished and adhered to the Federal Union, and she will cling to it now, in this time of its extremest peril, with unflinching devotion. While at the beginning of the mad and wicked war which is being waged by the rebellious States for the destruction of the Government, she forbore to take part, in the hope that she might interpose her friendly offices in the interests of peace, she has, nevertheless, sternly repelled every movement which looked to a change of her political relations, and has never swerved from her full and fervent loyalty to the noblest and freest Government in the world. And now, since her proffered mediation has been spurned and her soil invaded
by the Confederate armies, she deems it fit that she should announce to the world that, standing firmly by her Government, she will resist every effort to destroy it; and she calls upon her true and heroic sons to rally around the standard of their country, and put forth the whole energies of the Commonwealth, till the rebellion shall be overthrown and the just supremacy of the National Government shall be restored and maintained everywhere within its limits.

2. Resolved, That the existing civil war, forced upon the National Government without cause by the disunionists, should not be waged upon the part of the Government in any "spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of any of the States, free or slave, but to defend and maintain the supremacy of the Constitution and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished, the war ought to cease."

3. Resolved, That in the adoption of the foregoing resolution by the National Congress, with unprecedented unanimity, at its late session, a rule of action was prescribed to the Government from which it cannot depart without a disregard of the plighted faith of the National Legislature, which we would be slow to believe can be seriously entertained. Against any such departure we solemnly protest.

4. Resolved, That the purpose expressed in said resolution is the great end demanded, and that which inspires Kentucky with patriotic ardor to seek their achievement with all her loyal energies and means, in the confident hope of success, and belief that the country saved, in our triumph, to us and to posterity, will still be glorious in the freedom of its people, in the unity of its government and the security of society, and worth infinitely more than it cost to save it.

5. Resolved, That we have learned with amazement that the authorities of the Confederate States have armed negroes and Indians to wage war upon our Government and people, and utterly condemn it, and that we would deplore and protest against our National Government following their example and arming slaves to be used as soldiers to fight in the existing war, and we cannot believe that the National Executive entertains any such purpose.

6. Resolved, That slavery is a State institution, guaranteed by the Constitution of the United States, and we cannot agree that the National Government, to which we are and intend to be loyal, shall undertake the emancipation of slaves against the will of slaveholding States.

7. Resolved, That a copy of the foregoing resolutions be forwarded by the Governor to the President of the United States, and to our Senators and Representatives in Congress, to be laid before that body.

Mr. Burns, from the same committee, presented a minority report, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That liberty of speech and of the press are rights guaranteed and protected to our citizens by the organic law of our land, and the Federal Government, or its subordinate officers, have no right to interfere with
Resolved, That the President of the United States has no right to suspend the privilege of the writ of habeas corpus—that power can only be exercised by Congress; and the plea of necessity, which is urged by the Federal Government as an apology for the exercise of that power, is the plea of a usurper, and ought to meet with the unanimous condemnation of the American people.

3. Resolved, That the arrest by the General Government, or its subordinate officers, of citizens of Kentucky, their abduction and transportation beyond the jurisdiction of the State, to be incarcerated in the military forts and public prisons, without warrant of law, or an opportunity for a trial, is a subversion of personal right, and a most flagrant violation of the Constitution of the United States and the constitution of Kentucky.

4. Resolved, That the sentiments expressed by Mr. John Cochrane, and indorsed by Mr. Cameron, to arm the slaves of the South against their masters, is a proposition too monstrous and barbarous to be uttered by any citizen in a civilized country; and the retaining these gentlemen in their high positions, is an indication that the present administration approves the sentiments by them expressed; and this action on the part of the Federal Government should meet with the immediate and unqualified condemnation of the people of Kentucky.

5. Resolved, That the right of the people to hold slaves is a State right, protected by the Constitution of the United States; and any attempt by the Federal Government, or its subordinate officers, to interfere with the relations of master and slave, if they now exist, would be an act of usurpation unparalleled in the history of our country, and would meet with the resistance of the united people of Kentucky.

6. Resolved, That the propositions of Messrs. Elliott and Stevens, recently introduced by them in the Congress of the United States, to emancipate the slaves in the South by the action of the Federal Government, is a proposition which the people of Kentucky will never submit to, and which we will resist under all circumstances and to the last extremity.

7. Resolved, That during the progress of this war the military should be subservient to the civil power of the State, and outside of actual military lines should at all times be subordinate to the civil authority.

8. Resolved, That, in the language of the Declaration of Independence, "governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of the ends for which it was instituted, it is the right of the people to alter and abolish it, and to institute a new government, laying its foundation in such principles, and organizing its powers in such form, as shall seem most likely to effect their safety and happiness."

9. Resolved, That as the domestic institutions of the South are
incompatible with the views and feelings of the North, and to restore peace to our distracted country, we recommend that the slaveholding States, or so many as may desire to do so, may be permitted to establish a separate government; that hostilities cease; that treaties mutually reciprocal and beneficial between the two governments be made, that happiness, quietude, and peace may again be enjoyed by the people of our beloved country.

10. Resolved, That the people of Kentucky will not unite themselves with any government or people who proclaim, as a principle of that government, or as a necessity to sustain it, that the slaves should be emancipated, or that they should be armed for its support and preservation.

Ordered, That the Public Printer forthwith print 150 copies of said reports for the use of the members of this General Assembly, and that the same be made the special order for Monday next, at 11 o'clock, A. M.

Mr. Turner moved an adjournment.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Remus Gibson, George S. Shanklin, Harrison Taylor,
Landaff W. Andrews, Wm. J. Heady, Harrison Taylor,
Vincent Ash, Daniel W. Johns, George M. Thomas,
William A. Brann, John C. Lindsey, Joseph R. Underwood,
R. J. Browne, George Poindexter, Nathaniel Wolfe,
A. B. Chambers, John Ray, Geo. H. Yeaman,
Elijah Gabbert, Joseph Ricketts, Van B. Young—22.
Evan M. Garriott,

Those who voted in the negative, were—

Alfred Allen, Robert Cochran, Felix G. Murphy,
John C. Beeman, William L. Conklin, Hiram S. Powell,
John W. Blue, John C. Cooper, Larkin J. Proctor,
Curtis F. Burnam, W. H. Edmunds, William S. Rankin,
E. F. Burns, Joseph Gardner, Nicholas A. Rapier,
W. P. D. Bush, Henry Griffith, F. D. Rigney,
James Calvert, John B. Huston, M. Smith,
Cyrus Campbell, William C. Ireland, James P. Sparks,
J. W. Campbell, Richard T. Jacob, Zeb. Ward,
Brutus J. Clay, Urban E. Kennedy, Milton Young—32.
John B. Cochran, P. L. Maxey,

On motion of Mr. Heady,

Leave was granted to withdraw the papers, &c., connected with the claim of George W. Koons, of Boyd county.

Mr. Gibson, from the committee appointed to inquire into the
The committee who were appointed to inquire into the absence of the Door-keeper of this House, are happy to say that the heretofore accommodating officer alluded to is again at his post, and ready to attend to all duties devolving upon him, as he has done in the past.

Ordered, That said committee be discharged from any further duties in regard to the same.

And then the House adjourned.

MONDAY, DECEMBER 16, 1861.

A message was received from the Senate, announcing that they had concurred in an amendment of this House to a bill, entitled

An act to amend the 221st section of the Civil Code of Practice.

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

An act for the benefit of J. D. Pollard, of the city of Frankfort.
An act for the benefit of the trustees of school district No. 9, in Letcher county.
An act authorizing Solomon Williamson, jr., to build a mill dam across Rockcastle creek, in Lawrence county.
An act for the benefit of Meade county.
An act in relation to the appointment of school commissioners, &c.
An act for the benefit of school districts, &c.
An act to prevent clerks of courts from practicing law in certain courts.
An act concerning pauper idiots.
An act for the benefit of the members of the Kentucky Annual Conference of the Methodist Episcopal Church, South.
With amendments to the last named five bills.

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

An act to repeal an act, entitled "An act to prescribe the means
and mode of opening roads in Boone county, approved 23d March, 1859.

An act for the benefit of the Methodist Episcopal Church, South, in Floydsburgh.

An act for the benefit of Spencer and Nelson County turnpike road company.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend section 879, of the Civil Code of Practice.
An act in regard to the duties and powers of the assessors of tax.
An act to incorporate the Home Insurance Company, of Louisville.
An act to amend an act to incorporate the town of Monterey, in Owen county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Griffith presented the petition of sundry citizens of McLean county, praying relief to the sheriff of McLean county.

Which was received, the reading dispensed with, and referred to the Committee on Ways and Means.

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

By Mr. Shanklin, from the Committee on Circuit Courts—
1. A bill to change the time of holding the Lincoln and Pulaski circuit courts.

By the Committee on County Courts—
2. A bill for the benefit of Wm. Payne, jailer of Rockcastle county.

By Mr. Mears—
3. A bill for the benefit of the trustees of school district No. 12, in Green county.

By Mr. Morrow—
4. A bill to amend the charter of the town of Somerset.

By same—
5. A bill authorizing the county judge of Pulaski county to appoint a sheriff.

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

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

The 1st, 2d, and 3d were severally ordered to be engrossed and read
Dec. 16.] HOUSE OF REPRESENTATIVES 463

a third time; the 4th was referred to the Committee on Incorporated Institutions, and the 5th was referred to the Committee on County Courts.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 3d bills having been dispensed with,

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

Mr. Huston, from the Committee on Revised Statutes, to whom was referred leave to bring in a bill to amend the laws in relation to descent and distribution,

Reported the same without amendment.

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,

On motion of Mr. Geo. M. Thomas—

Ordered, That said bill be referred to the Committee on the Judiciary.

The same committee, to whom was referred a bill to amend section 7, article 14, chapter 36, of the Revised Statutes, reported the same, with the expression of opinion that the same ought not to pass.

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.

The same committee, to whom was referred leave to bring in a bill prescribing further qualifications for grand and petit jurors, reported the same, with the expression of opinion that the same ought not to pass.

Which was read the first time.

The question was taken, "Shall the bill be read a second time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Allen and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Reverus Gibson, Hiram S. Powell,
Alfred Allen, Henry Griffith, Nicholas A. Rapier,
Jas. W. Anderson, John H. Harney, F. D. Rigney,
John C. Beeman, William J. Heady, G. Clay Smith,
James Calvert, Joseph W. Heeter, M. Smith,
Cyrus Campbell, William C. Ireland, James P. Sparks,
Those who voted in the negative, were—

Landaff W. Andrews,  
Joseph Gardner  
Vincent Ash,  
Joseph M. Thomas  
John W. Blue,  
George M. Hampton,  
William A. Brann,  
John B. Huston,  
R. J. Browne,  
William Johnson,  
E. F. Burns,  
John C. Lindsey,  
W. P. D. Bush,  
P. L. Maxey,  
Robert Cochran,  
Felix G. Murphy,  
William L. Conklin,  
Larkin J. Proctor,  
W. H. Edmunds,  

William S. Rankin,  
John Ray,  
Joseph Ricketts,  
George S. Shanklin,  
Harrison Taylor,  
Thomas Turner,  
Joseph R. Underwood,  
Zeb. Ward,  
Milton Young—28.

Ordered, That said bill be read a second time.

Mr. George M. Thomas moved an amendment.

Which amendment was adopted.

Mr. Conklin 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. Conklin and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Joseph Gardner,  
Landaff W. Andrews, Evan M. Garrriott,  
Vincent Ash,  
John W. Blue,  
William A. Brann,  
R. J. Browne,  
E. F. Burns,  
W. P. D. Bush,  
Francis L. Cleveland,  
Robert Cochran,  
William L. Conklin,  
W. H. Edmunds,  

John Ray,  
Joseph Ricketts,  
George S. Shanklin,  
Harrison Taylor,  
Thomas Turner,  
Joseph R. Underwood,  
Zeb. Ward,  
Nathaniel Wolfe,  
G. H. Yeaman,  
Bryan R. Young,  
Milton Young—35.

Those who voted in the negative, were—

Alfred Allen,  
Jas. W. Anderson,  
John C. Beeman,  
James Calvert,  
Cyrus Campbell,  

John H. Harney,  
William J. Heady,  
Joseph W. Heeter,  
William C. Ireland,  
Daniel W. Johns,  

Hiram S. Powell,  
Larkin J. Proctor,  
Nicholas A. Rapier,  
G. Clay Smith,  
M. Smith,
The Committee on County Courts, to whom was referred leave to bring in a bill for the benefit of George W. Darlington, late sheriff of Greenup, reported the same.

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. Allen moved an amendment.

On motion of Mr. Huston—

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

Mr. Wolfe moved a reconsideration of the vote laying the bill on the table, entitled

A bill prescribing further qualifications for grand and petit jurors.

The House then took up a bill, entitled

A bill for the benefit of the Kentucky soldiers in the Federal army.

Ordered, That said bill be read a third time.

The House then took up a bill, entitled

A bill to provide for the government and discipline of the Kentucky penitentiary, and to repeal all laws and parts of laws inconsistent herewith.

Mr. Taylor moved to postpone the further consideration thereof till Thursday next, and that the same be made a special order for eleven o'clock.

Mr. Turner, from the Committee on the Codes of Practice, to whom was referred leave, reported

A bill to amend section 474 of the Civil Code of Practice.

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. Yeaman offered a substitute for the bill.

Mr. Geo. M. Thomas moved to strike out the 2d section of the bill, and to add a section.
Mr. Tyler moved to lay the bill, substitute, and amendments on the table.
And the question being taken thereon, it was decided in the affirmative.

Mr. Van Winkle, from the same committee, to whom was referred leave, reported a bill to amend the law in relation to pleadings in civil and equitable proceedings.
Which was read the first time.
The question was then taken, "Shall the bill be read a second time?" and it was decided in the negative.
And so said bill was rejected.
The same committee, to whom was referred leave to bring in a bill to amend section 221 of the Civil Code of Practice, asked to be discharged from the further consideration thereof.
Which was granted.
The same committee, to whom was referred Senate bill, entitled An act to amend an act to amend title 7, chapter 4, of the Code of Practice, approved December 16, 1857, reported the same.
Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The same committee, to whom was referred a Senate bill, entitled An act to amend the Code of Practice in civil cases.
Reported the same, with an amendment.
Which was adopted.
Mr. Ireland moved an amendment.
Pending which, the hour for the orders of the day arrived.
The House took up the special order, viz: The report of Mr. Wolfe, from the Committee on Federal Relations, in reference to the position of Kentucky upon the subject of slavery, &c.
Mr. Huston moved to strike out of the 1st resolution, in 8th line, "and has never swerved from her full and fervid loyalty."
Mr. Burns, by unanimous consent of the House, offered his minority report, submitted on Saturday last, as a substitute for the report of the committee.
Mr. Heady offered an amendment, by unanimous consent, to the 6th resolution of the report of the committee, viz: That the army should not admit slaves within its lines; should not
work them on the fortifications; should not touch them in the States through which it marches, except when called on in aid of the civil authority.

On motion of Mr. Yeaman, the further consideration of the subject was postponed till to-morrow, at 12 o'clock.

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

On motion of Mr. Allen—1. A bill incorporating the Cloverport Oil and Coal Company.

On motion of Mr. Hampton—2. A bill appointing three loyal commissioners in the counties of Morgan and Wolfe to investigate damages sustained by citizens in said counties.

On motion of Mr. Murphy—3. A bill for the protection of schools, seminaries, and colleges during public examinations.


On motion of Mr. M. Young—5. A bill for the benefit of school district No. 42, in Henderson county.

On motion of Mr. Yeaman—6. A bill for the benefit of Josiah Veech, late deputy sheriff of Daviess county.

On motion of Mr. Browne—7. A bill for the benefit of John M. Smith, committee to Eliza Ann Rice, an idiot.

On motion of same—8. A bill to amend the rule of evidence in the trial of criminal cases.

Ordered, That the Committee on Incorporated Institutions prepare and bring in the 1st; Messrs. Van B. Young, Hampton, and Johns the 2d; the Committee on the Judiciary the 3d; the Committee on Ways and Means the 4th and 6th; the Committee on Education the 5th; the Committee on Claims the 7th, and the Committee on Circuit Courts the 8th.

And then the House adjourned.
A message was received from the Senate, asking leave to withdraw the announcement of their disagreement to the amendment of the House to a bill from the Senate, entitled
An act to amend the charter of the city of Louisville.
Which was granted, and same was withdrawn.
That they had concurred in amendments of this House to bills from the Senate, of the following titles, viz:
An act to amend section 473 of the Code of Practice.
An act to amend the charter of the city of Louisville.
That they had passed bills from this House of the following titles, viz:
An act to incorporate the Louisville, Pittsburg, St. Louis, and Tennessee River Pilots' Benevolent and Relief Association.
An act to change the line between the counties of Webster and Union.
An act for the benefit of J. T. Watson.
An act to supply lost depositions.
An act to incorporate J. M. Bullock Lodge, No. 287, Free and Accepted Masons.
An act to incorporate Bath Lodge, No. 55, of Free and Accepted Masons.
An act repealing an act amending the charter of the Union turnpike road company, and re-enacting the original charter of said company.
An act punishing certain trespassers in Jefferson county.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act for the benefit of James P. Miller, late sheriff of Russell county.
An act for the benefit of James H. Reynolds, sheriff of Adair county, and James P. Miller, sheriff of Russell county.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, viz:
An act appropriating money for the Western Lunatic Asylum.
An act in regard to the renunciation of wills by widows.
An act to authorize watchmen in the city of Louisville to execute subpœnas in criminal cases issued from the clerk's office of the Jefferson circuit court, and to receive compensation therefor.

An act for the benefit of R. M. Barnes.

An act for the benefit of Robert Boyd, clerk of the Whitley circuit court.

An act for the benefit of B. F. Booker.

An act for the benefit of James A. Dinwiddie and Eliza, his wife.

An act to amend the 221st section of the Civil Code of Practice.

An act for the benefit of J. D. Pollard, of the city of Frankfort.

An act authorizing Solomon Williamson, jr., to build a mill dam across Rockcastle creek, in Lawrence county.

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

An act to amend an act, entitled "An act for the benefit of certain sheriffs of this Commonwealth, and their sureties."

An act for the benefit of Albert G. Waggoner, late sheriff of Cumberland county.

An act enlarging the powers of the Cumberland county court in ferry cases.

An act in relation to the branches of the Southern Bank of Kentucky.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Rankin asked and obtained leave to withdraw the petition and other papers before the committee in the contested election case of John J. Landrum against A.B. Chambers, announcing that the said Landrum declined further to prosecute the same.

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

On motion of Mr. Edmunds—1. A bill to enlarge the powers of the town marshal of Smithland, Livingston county, Ky.

On motion of same—2. A bill to amend the act defining the duties of prosecuting attorneys, &c.

On motion of Mr. Browne—3. A bill requiring courts in this State, inferior to the circuit courts, to hold semi-annual terms for the trial of civil suits.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st; the Committee on the Judiciary the 2d, and the Committee on County Courts the 3d.
The Committee on Incorporated Institutions, to whom was referred bills from the Senate, of the following titles, viz:

An act for the benefit of the inhabitants of the city of Frankfort.
An act to amend the charter of the town of Mount Sterling.
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.

The same committee, to whom was referred a bill, entitled
An act to amend the charter of the town of Somerset,
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,

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 Mr. Cochran, from the Committee on Incorporated Institutions—
1. A bill to amend the charter of the town of Millersburg, in Bourbon county.

By same—
2. A bill to incorporate the Cloverport Oil and Coal Company.

By Mr. R. Cochran, from the Committee on Propositions and Grievances—
3. A bill for the benefit of Lewis Leach, of Bullitt county.

By Mr. Andrews, from the Committee on the Judiciary—
4. A bill to protect public examinations of schools, seminaries, and colleges in this State.

By same—
5. A bill for the benefit of John W. Campbell and John B. Holliday.

By same—
6. A bill to amend the charter of the city of Lexington.

By same—
7. A bill to amend the law in relation to divorce cases.

By Mr. Taylor, from the Committee on Ways and Means—
8. A bill to amend chapter 83 of the Revised Statutes, title, "Revenue and Taxation."
By Mr. Huston, from the Committee on Revised Statutes—

9. A bill for the benefit of George Miller, sheriff of Trimble county.

By Mr. J. W. Anderson—

10. A bill suspending the statutes of limitation in Whitley, Knox, and Harlan counties.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 4th, 5th, 6th, 8th, and 9th were severally ordered to be engrossed and read a third time; the 3d was placed in the orders of the day; the 7th was recommitted to the Committee on the Judiciary, and the 10th was referred to the Committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 5th, 6th, 8th, and 9th bills having been dispensed with, and the same being engrossed,

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

Mr. Taylor, from the same committee, to whom was referred a bill and amendment, entitled

An act exempting soldiers from the payment of the county levy for the year 1862,

Reported the same, with the expression of opinion that it ought not to pass.

Mr. Ireland moved the following as a substitute for the bill and amendment, viz:

1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all soldiers from the various counties in this State, in the service of the United States government, shall be exempt from the payment of such county levy as may have been laid upon them by the respective county courts, and payable in the year 1862.

§ 2. To enable the counties whose revenues are thus diminished to discharge their county obligations, it shall be the duty of the assessors of the various counties to report on oath to the county judge of each county the names of all persons exempted by the first section of this act. A list of the names of such persons shall be filed in the clerk's office of the county court; and it shall be the duty of the clerk of such court, within fifteen days after the filing of such list, to transmit a copy thereof, together with a copy of the order of the court of claims fixing the county levy, to the Auditor of Public Accounts; and the sheriffs of the various counties so reporting to the Auditor shall have a credit for the amount of such lists from their respective counties.

§ 3. It shall be the duty of the Auditor of Public Accounts to for-
ward to the clerks of the various county courts a statement of the amount of credit allowed the sheriff under this act; and the sheriff of each county shall pay the amount for which a credit has been allowed him under the order of the county court in the same manner in all respects as he is required by law to pay the county levy; and the county courts shall have the same remedies to enforce payment as now allowed by law in regard to the county levy; and creditors of the counties whose claims have been allowed, shall have the same remedies against the sheriff and his securities as now allowed by law for any failure of the sheriff to make payment as required by the provisions of this act.

§ 4. It shall be the duty of the Auditor of Public Accounts, as soon as practicable after the passage of this act, to cause copies thereof to be printed, and transmit a copy to the various assessors of tax, clerks of county courts, sheriffs, and county judges.

§ 5. This act shall take effect from its passage.

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

The yeas and nays being required thereon by Messrs. George M. Thomas and J. R. Thomas, were as follows, viz:

Those who voted in the affirmative, were—

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<th>Jas. W. Anderson</th>
<th>William J. Heady</th>
<th>Larkin J. Proctor</th>
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<td>Landaff W. Andrews</td>
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<td>William S. Rankin</td>
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<td>E. B. Bacheller</td>
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<td>J. W. Campbell</td>
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<td>Joseph H. Chandler</td>
<td>Alexander Lusk</td>
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<td>Hugh F. Finley</td>
<td>David P. Mears</td>
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<td>John W. Finnell</td>
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<td>Elijah Gabbert</td>
<td>Thomas Z. Morrow</td>
<td>John S. Van Winkle</td>
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<td>Remus Gibson</td>
<td>Thomas W. Owings</td>
<td>George P. Webster</td>
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<td>John H. Harney</td>
<td>Hiram S. Powell</td>
<td>Bryan R. Young—42</td>
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Those who voted in the negative, were—

| Alfred Allen | John C. Cooper | Felix G. Murphy |
| Vincent Ash | W. H. Edmunds | John Ray |
| John W. Blue | Joseph Gardner | Harrison Taylor |
| William A. Brann | Evan M. Garriott | Joshua Tevis |
| E. F. Burns | Henry Griffith | Thomas Turner |
| W. P. D. Bush | George M. Hampton | J. R. Underwood |
| A. B. Chambers | William Johnson | Alex. T. White |
| Brutus J. Clay | John C. Lindsey | Milton Young |
| Francis L. Cleveland | P. L. Maxey | Van B. Young—28 |

Mr. Ireland moved an amendment, viz:

*Provided, That nothing in this act shall exempt owners of slaves,*
who are in the service of the United States, from the payment of
levies assessed upon their slaves.

Which was adopted.

Mr. Andrews moved to lay the bill and amendments 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. George M.
Thomas and Van B. Young, were as follows, viz:

Those who voted in the affirmative, were—
Alfred Allen, W. H. Edmunds, Felix G. Murphy,
Landaff W. Andrews, Joseph Gardner, John Ray,
Vincent Ash, Evan M. Garriott, George S. Shanklin,
John W. Blue, Remus Gibson, M. Smith,
William A. Brann, Henry Griffith, Harrison Taylor,
E. F. Burns, George M. Hampton, Joshua Tevis,
W. P. D. Bush, William Johnson, Thomas Turner,
A. B. Chambers, John C. Lindsey, Joseph R. Underwood,
Brutus J. Clay, James M. C. Lisenby, Alex. T. White,
John B. Cochran, P. L. Maxey, Milton Young,

Those who voted in the negative, were—
Jas. W. Anderson, Elijah Gabbert, Hiram S. Powell,
E. B. Bacheller, John H. Harney, Larkin J. Proctor,
John C. Beeman, William J. Heady, William S. Rankin,
R. J. Browne, Joseph W. Heeter, Joseph Ricketts,
Curtis F. Burnam, John B. Huston, F. D. Rigney,
James Calvert, William C. Ireland, G. Clay Smith,
Cyrus Campbell, Richard T. Jacob, James P. Sparks,
J. W. Campbell, Daniel W. Johns, George M. Thomas,
Joseph H. Chandler, Urban E. Kennedy, John R. Thomas,
Francis L. Cleveland, Alexander Lusk, J. S. Van Winkle,
John C. Cooper, Otho Miller, George P. Webster,
Hugh F. Finley, Thomas Z. Morrow, Nathaniel Wolfe,

Mr. Sparks moved the following amendment, viz:

Provided, That the soldiers aforesaid are not discharged from the
service or army of the United States before the 1st Monday in July,
1862.

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

The yeas and nays being required thereon by Messrs. George M.
Thomas and Van B. Young, were as follows, viz:

Those who voted in the affirmative, were—
Vincent Ash, Joseph Gardner, M. Smith,
John W. Blue, Evan M. Garriott, James P. Sparks,
William A. Brann, George M. Hampton, Harrison Taylor,
Those who voted in the negative, were—

Alfred Allen, John W. Finnell, Otho Miller,
Jas. W. Anderson, Elijah Gabbert, Thomas Z. Morrow,
Landaff W. Andrews, Remus Gibson, Thomas W. Owings,
E. B. Bacheller, Henry Griffith, Hiram S. Powell,
John C. Beeman, John H. Harney, Larkin J. Proctor,
R. J. Browne, Wm. J. Heady, Nicholas A. Rapier,
Curtis F. Eurnam, Joseph W. Hecter, Joseph Ricketts,
James Calvert, John B. Huston, G. Clay Smith,
J. W. Campbell, William C. Ireland, George M. Thomas,
Joseph H. Chandler, Daniel W. Johns, John R. Thomas,
William L. Conklin, Urban E. Kennedy, John S. Van Winkle,
John C. Cooper, James M. C. Lisenby, Nathaniel Wolfe—37.

Mr. Taylor moved the following as a substitute for the amendment and bill, viz:

That it shall be lawful for the county courts of the respective counties in this Commonwealth, in such counties as have furnished soldiers for the service of the General Government, to release such soldiers from the payment of county levies during the continuation of their service.

Which was adopted.

The yeas and nays being required thereon by Messrs. Van B. Young and Morrow, were as follows, viz:

Those who voted in the affirmative, were—

Landaff W. Andrews, W. H. Edmunds, Thomas W. Owings,
Vincent Ash, John W. Finnell, Larkin J. Proctor,
John C. Beeman, Joseph Gardner, Nicholas A. Rapier,
John W. Blue, Remus Gibson, John Ray,
William A. Brann, Henry Griffith, George S. Shanklin,
R. J. Browne, George M. Hampton, M. Smith,
W. P. D. Bush, John H. Harney, Harrison Taylor,
James Calvert, William J. Heady, Joshua Tevis,
Cyrus Campbell, William Johnson, Thomas Turner,
J. W. Campbell, Urban E. Kennedy, Joseph R. Underwood,
A. B. Chambers, John C. Lindsey, George P. Webster,
Brutus J. Clay, P. L. Maxey, Alex. T. White,
Francis L. Cleveland, Otho Miller, Milton Young,
William L. Conklin, Felix G. Murphy, Van B. Young—43.

John C. Cooper;
Those who voted in the negative, were—

Alfred Allen, Joseph W. Hester, Hiram S. Powell,
Jas. W. Anderson, John B. Heston, William S. Rankin,
E. B. Bacheller, William C. Ireland, Joseph Ricketts,
Curtis F. Burnam, Richard T. Jacob, E. D. Rigney,
E. F. Burns, Daniel W. Jones, G. Clay Smith,
Joseph H. Chandler, James M. C. Lisenby, James P. Sparks,
John B. Cochran, Alexander Lusk, George M. Thomas,
Hugh F. Finley, David P. Mears, John R. Thomas,

Mr. G. Clay Smith moved to lay the bill and amendment on the table.

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

Mr. Underwood, from the select committee, to whom was referred the bill and substitute, entitled

A bill to amend the law in relation to commissioner's sales, &c.

Reported the same.

Ordered, That said bill be made the special order for Thursday next at 10½ o'clock.

Mr. G. Clay Smith, from the select committee, to whom was referred the resolution in reference to the absence of members of this General Assembly, made the following report, viz:

The select committee, to whom was referred a resolution authorizing an investigation into the cause of the absence of members of this House, have had the same under consideration, and beg leave to report:

Your committee are of opinion, from all the evidence before them, and the circumstances surrounding the absentees, that Daniel Matthewson, of the county of Calloway; A. R. Boon, of the county of Graves; John M. Elliott, of the counties of Floyd and Johnson; G. W. Silvertooth, of the counties of Hickman and Fulton; G. R. Merritt, of the counties of Livingston and Lyon; G. W. Ewing, of the county of Logan; J. C. Gilbert, of the county of Marshall; and John Q. A. King, of the county of McCracken, are directly or indirectly connected with, and giving "aid and comfort" to, the Confederate army, and are now within the lines of said army, repudiating and acting against the governments of the United States and the Commonwealth of Kentucky; and that Daniel Matthewson, A. R. Boon, G. W. Silvertooth, and J. C. Gilbert, were members of the Russellville Convention, which organized and established a provisional government in Kentucky, in violation of the Constitution, laws, and will of the people of the State, and which was revolutionary and rebellious; therefore, they offer the following:

The committee have been unable to find evidence sufficient to act in the case of Lucius Desha, of Harrison; John S. Barlow, of Barren; David May, of the counties of Pike and Letcher; John W. Gaines, of Trigg; and R. S. Spalding, of the county of Union, therefore, they ask to be discharged from further consideration with regard to them.

The House again resumed the consideration of the report of the Committee on Federal Relations in reference to the position of Kentucky in the existing war, &c., &c.; and after some discussion had thereon,

Mr. Rankin moved that the further consideration thereof be postponed till to-morrow at 12 o'clock.

And then the House adjourned.

WEDNESDAY, DECEMBER 18, 1861.

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

1. An act for the benefit of the Commercial Bank of Kentucky.
2. An act for the benefit of John L. Davidson and his sureties.
3. An act appropriating money to the Western Lunatic Asylum.
4. An act to distribute public books, &c.
5. An act creating the office of Public Binder, and repealing so much of article 1st of chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books.
6. With amendments to the last four named bills.

Mr. Blue, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, viz:

1. An act to amend the law in relation to runaway slaves.
2. An act for the benefit of the trustees of school district No. 9, in Letcher county.
3. An act for the benefit of Meade county.
Also, bills which originated in the Senate of the following titles, viz:

An act to amend section 473 of the Civil Code of Practice.
An act for the benefit of the inhabitants of the city of Frankfort.
An act to amend the charter of the town of Mt. Sterling.
An act to amend an act to amend title 7, chapter 4, of the Code of Practice, approved December 16, 1837.

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

1. Mr. Rankin presented the petition of Hiram G. Richardson and wife, of Grant county, praying the Legislature to pass an act adopting Nancy Ann Richardson.

2. Mr. Sparks presented the petition of L. W. and L. Harrod, praying a reduction of water rent at lock near Frankfort.

3. Mr. Andrews presented a memorial from Covington, praying an act increasing the police force in Covington.

Which were received, the reading dispensed with, and referred—the 1st to a select committee composed of Messrs. Rankin and George M. Thomas; the Committee on Internal Improvement the 2d and 3d.

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


On motion of Mr. Wolfe—2. A bill to increase the commissions of the sheriff of Jefferson county.

Ordered, That the Committee on Ways and Means prepare and bring in the same.

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

By Mr. Morrow—
1. A bill to amend an act, entitled “An act to suspend the circuit and other courts in this Commonwealth, and for other purposes.”

By Mr. Andrews, from the Committee on the Judiciary—
2. A bill to amend the charter of the Elizaville and Upper Blue Lick turnpike road company.

By same—
3. A bill to amend an act concerning the Louisville and Covington railroad company.

By same—
By Mr. Burnam, from the Committee on Education—
5. A bill for the benefit of school district No. 63, in Lawrence county.
By same—
6. A bill for the benefit of school district No. 42, in Henderson 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 the 2d, 3d, 4th, 5th, and 6th bills having been dispensed with,
Ordered, That said bills 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.
Mr. Robert Cochran, from the Committee on Propositions and Grievances, to whom a bill was recommitted, entitled
An act to authorize the purchase of a lot of ground adjoining the State magazine, belonging to Sanford Goins,
Reported the same.
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. Finley moved an amendment.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required thereon by the constitution, were as follows, viz:
Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) W. H. Edmunds, Felix G. Murphy,
Alfred Allen, Stephen J. England, Thomas W. Owings,
James W. Anderson, Elijah Gabbert, George Poindexter,
Landaff W. Andrews, Joseph Gardner, William S. Rankin,
Those who voted in the negative, were—

E. F. Burns, John C. Lindsey, M. Smith,
W. P. D. Bush, Alexander Lusk, James P. Sparks,
A. B. Chambers, P. L. Maxey, John R. Thomas,
William L. Conklin, David P. Mears, Alex. T. White,
Hugh F. Finley, Nicholas A. Rapier, Milton Young,
Henry Griffith, Joseph Ricketts, Van B. Young—19.

The bill aforesaid reads as follows, viz:

WHEREAS, The magazine lately built for the Commonwealth of Kentucky is situate upon the line of Sanford Goins' lot of ground, in the city of Frankfort, containing about two acres, and it is necessary that said lot should be the property of the Commonwealth, in order to prevent the erection of buildings or other combustible matter near the magazine—

1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John Rodman be, and he is hereby, authorized to purchase the said lot of ground from Sanford Goins, taking a deed of conveyance from said Goins to the Commonwealth of Kentucky with general warranty of title: Provided, That the said John Rodman shall not pay exceeding five hundred dollars therefor.

§ 2. That the said John Rodman shall draw his warrant upon the treasury for the sum to be paid for said lot of ground; and said sum shall be paid out of any money in the treasury not otherwise appropriated.

§ 3. That said Goins shall be at all expense incurred in and about the surveying of said lot, and have the same inclosed with a good and substantial plank fence before the aforesaid John Rodman shall draw his warrant on the Treasurer for the price of the lot.

§ 4. This act shall take effect from its passage.

Mr. Taylor, from the Committee on Ways and Means, to whom was referred various leaves asking relief to sheriffs, asked to be discharged from the further consideration thereof.

Which was granted.
The Committee on Ways and Means, to whom was referred the following, viz:

Petition of John M. Todd, sheriff of Lewis county, and other persons.
Petition of Thomas Shanks, surety of W. S. D. Megowan, sheriff of Jefferson county.

Leave to bring in a bill in relation to distillers of ardent spirits.
Report of the Kentucky Louisville and Mutual Insurance Company.

Asked to be discharged from the further consideration thereof.
Which was granted.

The same committee, to whom was referred leave, reported a bill to amend sections 486 and 487 of chapter 7, of the Civil Code of Practice.

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 engrossed and 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. Burnam, from the Committee on Education, to whom was referred leave to bring in a bill for the benefit of John B. Hall and James Clayton, reported the same.

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. John B. Cochran moved to strike out the figures $129, and insert $175.

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

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

Those who voted in the affirmative, were—

Robert Cochran,  
John C. Cooper,  
Stephen J. England,  
Hugh F. Finley,  
Elijah Gabbert,  
Joseph Gardner,  

William Johnson,  
James M. C. Lisenby,  
Otho Miller,  
Felix G. Murphy,  
Thomas W. Owings,  
Joshua Tevis,  
George P. Webster,  
Nathaniel Wolfe,  
Bryan R. Young,  
Van B. Young—33.

Those who voted in the negative, were—

Mr. Speaker, (Buckner), Francis L. Cleveland, Nicholas A. Rapier,  
Alfred Allen, William L. Conklin, John Ray,  
Jas. W. Anderson, Evan M. Garriott, Joseph Ricketts,  
Landaff W. Andrews, Henry Griffith, Harrison Taylor,  
E. B. Bacheller, George M. Hampton, George M. Thomas,  
John W. Blue, Joseph W. Heeter, John R. Thomas,  
William A. Brann, Urban E. Kennedy, Thomas Turner,  
Curtis F. Burnam, John C. Lindsey, J. R. Underwood,  
E. F. Burns, Alexander Lusk, John S. Van Winkle,  
Cyrus Campbell, P. L. Maxey, Zeb. Ward,  
J. W. Campbell, Thomas Z. Morrow, Alex. T. White,  
A. R. Chambers, Hiram S. Powell, Milton Young—37.  

Brutus J. Clay,

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,

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner), Stephen J. England, George Poindexter,  
Alfred Allen, Hugh F. Finley, Hiram S. Powell,  
Jas. W. Anderson, Elijah Gabbert, William S. Rankin,  
Landaff W. Andrews, Joseph Gardner, Nicholas A. Rapier,  
Vincent Ash, Evan M. Garriott, John Ray,  
E. B. Bacheller, Remus Gibson, Joseph Ricketts,  
John C. Beeman, Henry Griffith, F. D. Rigney,  
John W. Blue, G. M. Hampton, George S. Shanklin,  
William A. Brann, John H. Harney, G. Clay Smith,  
R. J. Browne, Joseph W. Heeter, M. Smith,  
Curtis F. Burnam, John B. Huston, James P. Sparks,  
E. F. Burns, William G. Ireland, Harrison Taylor,  
W. P. D. Bush, Richard T. Jacob, Joshua Tevis,  
James Calvert, Daniel W. Johns, George M. Thomas,  
Cyrus Campbell, William Johnson, John R. Thomas,  
J. W. Campbell, Urban E. Kennedy, Thomas Turner,  
A. B. Chambers, John C. Lindsey, Joseph R. Underwood,  
Joseph H. Chandler, William Johnson, John S. Van Winkle,  
Brutus J. Clay, Alexander Lusk, Zeb. Ward,  

61
Francis L. Cleveland, P. L. Maxey, George P. Webster, 
John B. Cochran, David P. Mears, Alexander T. White, 
Robert Cochran, Otho Miller, Nathaniel Wolfe, 
William L. Conklin, Thomas Z. Morrow, Bryan R. Young, 
John C. Cooper, Felix G. Murphy, Milton Young, 
W. H. Edmunds, Thomas W. Owings, Van B. Young—75. 

In the negative—none.

The above bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor is directed to draw his warrant on the treasury, to be paid out of the school fund, for the sum of one hundred and twenty-nine dollars, in favor of John B. Hall and James Clayton, for money advanced by them as trustees of common school district No. 63, in Shelby county, to pay the teacher in said district for services rendered in 1860; said sum being due said district for back pay for the years 1856, 1857, and 1858.

§ 2. This act shall have effect from its passage.

The House took up the amendments proposed by the Senate to a bill from this House, entitled An act creating the office of Public Binder, and repealing so much of article 1, chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books.

Which amendments were concurred in.

The House took up the amendment proposed by the Senate to a bill from this House, entitled A bill fixing compensation of assessors for listing births and deaths under the registration laws of this State.

Mr. Taylor moved to strike out the 3d, 4th, 5th, 6th, and 7th sections of the amendment.

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

Mr. Taylor moved an amendment.

Which was adopted.

The question was then taken on the passage of the bill, as amended, which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the treasury in favor of Samuel M. Bemiss for the sum of seven hundred dollars, in full, for his services rendered as Registrar of births, deaths, and marriages for the year 1860, under the act of the General Assembly, approved March 3d, 1860.

§ 2. The assessors shall hereafter receive two cents for each list faithfully recorded in the regular discharge of their duty.

§ 3. All laws creating the office of Registrar are hereby repealed.

§ 4. This act to take effect from its passage.

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, (Backner,) Stephen J. England, Felix G. Murphy,
Alfred Allen, Hugh F. Finley, Thomas W. Owings,
Jas. W. Anderson, Elijah Gabbert, George Poindexter,
Laadaff W. Andrews, Joseph Gardner, Hiram S. Powell,
Vincent Ash, Evan M. Garriott, Nicholas A. Rapier,
E. B. Bacheller, Remus Gibson, John Ray,
John W. Blue, Henry Griffith, Joseph Ricketts,
William A. Brann, Geo. M. Hampton, F. D. Rigney,
R. J. Browne, John H. Harney, George S. Shanklin,
Curtis F. Burraam, Joseph W. Heeter, M. Smith,
E. F. Burns, John B. Huston, James P. Sparks,
W. P. D. Bush, Wm. C. Ireland, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis,
Cyrus Campbell, Daniel W. Johns, George M. Thomas,
J. W. Campbell, William Johnson, Thomas Turner,
A. B. Chambers, Urban E. Kennedy, Joseph R. Underwood,
Joseph H. Chandler, John C. Lindsey, John S. Van Winkle,
Eratus J. Clay, James M. C. Lisenby, George P. Webster,
Francis L. Cleveland, Alexander Lust, Alex. T. White,
John B. Cochran, P. L. Maxey, Nathaniel Wolfe,
Robert Cochran, David P. Mears, Bryan R. Young,
William L. Conklin, Otho Miller, Milton Young,
John C. Cooper, Thomas Z. Morrow, Van B. Young—70.

Those who voted in the negative, were—


The House again resumed the consideration of the report of the Committee on Federal Relations, with the amendments proposed thereto, in reference to the position of Kentucky during the war, &c.

Mr. Andrews moved the following resolution, viz.:

Resolved by the House of Representatives, That, until the report of the Committee on Federal Relations now before the House is disposed of, the House will hold afternoon and night sessions, by taking a recess until three o'clock and until seven; and if not disposed of during this day, the consideration not to be resumed until to-morrow at three o'clock.

Which was adopted.

Mr. G. Clay Smith moved a call of the House.

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

Mr. Ward moved to suspend the further call of the House.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Andrews and Powell, were as follows, viz.:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Joseph Gardner, Thomas W. Owings,
Jas. W. Anderson, Remus Gibson, George Poindexter,
Curtis F. Burnam, Joseph W. Heeter, William S. Rankin,
E. F. Burns, Richard T. Jacob, George S. Shanklin,
James Calvert, Daniel W. Johns, G. Clay Smith,
A. B. Chambers, James M. C. Lisenby, Zeb. Ward,

Those who voted in the negative, were—

Landaff W. Andrews, Alexander Lusk, John Ray,
R. J. Browne, P. L. Maxey, Joseph Ricketts,
W. P. D. Bush, David P. Mears, George M. Thomas,
J. W. Campbell, Thomas Z. Morrow, John R. Thomas,
John B. Hston, Hiram S. Powell, Bryan R. Young,
John C. Lindsey, Nicholas A. Rapier, Van B. Young—18.

Mr. Rankin moved the previous question.
And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Andrews moved the further postponement of the subject till 12 o'clock to-morrow.
Which motion was adopted.

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 county court of Hancock county to increase the county levy, &c.
An act for the benefit of the trustees of school district No. 12, in Green county.
An act to amend the charter of the city of Lexington.
Also, a resolution in relation to an adjournment of the present General Assembly.

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

On motion of Mr. Webster—1. A bill to amend the charter of the city of Newport.
On motion of same—2. A bill to amend the law in regard to the election of military officers.
On motion of Mr. J. R. Thomas—3. A bill for the benefit of officers thrown out of command by the consolidation of companies, &c., by the Military Board.

Ordered, That Messrs. Webster, Cyrus Campbell, and Powell pre-
Mr. Underwood moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of requiring tenants or owners of estates in remainder to list the value thereof for taxation, and to that extent relieve the tenant for life or years, and to report by bill or otherwise.

Which was adopted.

The Committee on Federal Relations, to whom was referred the resolution and amendments in relation to the adjournment of the present General Assembly, made the following report, viz:

Resolved, That the Legislature will adjourn on Monday, 23d instant, until the 7th day of January, 1862.

Mr. Burns moved the following as an amendment, viz:

That when the Legislature adjourns on the 23d inst., it be to meet again on the 1st Monday in September, 1863.

Mr. Huston moved the postponement of said resolution and amendment until to-morrow at 12 o'clock.

Which motion was adopted.

The Committee on County Courts, to whom was referred a bill, entitled

An act authorizing the county judge of Pulaski county to appoint a sheriff;

Reported the same without amendment.

Ordered, That said bill be recommitted to the Committee on Revised Statutes.

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

By Mr. Geo. M. Thomas, from the Committee on County Courts—
A bill for the benefit of Samuel Province.

By Mr. Huston, from the Committee on Revised Statutes—
A bill to increase the powers and extend the jurisdiction of the town marshal of Smithland.

By Mr. Blye—
A bill for the benefit of James W. Cade, of Livingston county.

By Mr. Owings—
A bill for the benefit of school district No. 7, in Meade county.

By Mr. Webster—
A bill to amend the charter of the city of Newport.

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,

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,

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

And then the House adjourned.

THURSDAY, DECEMBER 19, 1861.

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 to regulate the toll and management of the Crab Orchard Fork of the Wilderness turnpike road.

An act for the benefit of Joseph G. Harrison, late sheriff of Daviess county.

An act to change the time of holding the Lincoln and Pulaski circuit courts.

An act for the benefit of Wm. Payne, jailer of Rockcastle county.

An act to amend the charter of the town of Somerset.

An act to amend the charter of the town of Millersburg, in Bourbon county.

An act to incorporate the Cloverport Oil and Coal Company.

An act for the benefit of John W. Campbell and John B. Holliday.

That they had concurred in a resolution from this House relating to the construction of a railroad to connect Kentucky with East Tennessee and Western North Carolina.

With an amendment.

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

An act for the benefit of the Commercial Bank of Kentucky.

An act to amend the charter of the Masonic Temple of Louisville.

Resolution in relation to pay and per diem and mileage of members of this General Assembly.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, viz:

An act to incorporate the Louisville, Pittsburg, St. Louis, and Tennessee River Pilots' Benevolent and Relief Association.

An act creating the office of Public Binder, and repealing so much of article 1, of chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books.

An act to change the line between the counties of Webster and Union.

An act to authorize the county court of Haacoh county to increase the county levy.

An act for the benefit of the Commercial Bank of Kentucky.

An act for the benefit of J. T. Watson.

An act to supply lost depositions.

An act to incorporate J. M. Bullock Lodge, No. 287, Free and Accepted Masons.

An act to incorporate Bath Lodge, No. 55, of Free and Accepted Masons.

An act repealing an act amending the charter of the Union turnpike road company, and re-enacting the original charter of said company.

An act for the benefit of school district No. 12, in Green county.

An act to amend the charter of the city of Lexington.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The Speaker laid before the House the following report of the committee for superintending prison improvements and repairs, viz:

By an act of the Kentucky Legislature, approved the 25th February, 1860, appropriations were made for the erection of a new hemp house, constructing eighty-four additional cells, grading and paving the prison yard, with alterations and repairs to other buildings.

A subsequent act, approved March 2d, 1860, appointed the undersigned commissioners "to control and superintend the letting of contracts, the erection of the new buildings, and to sell materials contained in the old hemp house, with such lumber and machinery as the present keeper did not require, he being entitled to a credit for such articles as had already been charged to him when he became keeper of the institution."

We beg leave to make the following report:

After advertising in accordance with the provisions of the act for
bids and specifications, we contracted with the present keeper for the entire work (with the exception of the cistern), he being the lowest and best bidder.

We are gratified to state that the hemp house, by far the most important improvement in the institution, has been completed in strict accordance with the contract, and received by us. The building is of good material, in every respect strong, durable, and well calculated to preserve the health of the large number of convicts usually employed in the manufacture of bagging. We attribute the great mortality within the institution for the last six years to the want of ventilation and warmth in winter, which in the old building was impossible. In the present building, warmed as it is by steam power, the inmates are kept always comfortable.

The cell-house addition is finished; but we have feared to have them occupied, because of the danger arising from sleeping in newly plastered apartments. The work on this is in accordance with the contract, except in a single unimportant particular. The stone columns dividing the cells in front, and to which the doors are hung; show imperfections in dressing; and, in a few instances, are made of two pieces, well bolted together with iron. This does not impair the strength or durability of the work, but detracts from the appearance only. An important omission in the plan of this building we have directed to be supplied, which, we trust, you will approve. The contract provides for an iron roof, which will increase the temperature in summer time very greatly, thus rendering the upper tier of cells both very uncomfortable and unhealthy. This can be remedied easily by the addition of three ventilators properly constructed, which, we think, can be placed in the roof for $250.

The dining-room extension and new kitchen are completed in accordance with the contract, thereby giving ample room to seat the entire number of convicts at present contained in the prison.

The grading and paving the prison yard is completed so far as it can be without the removal of buildings which are soon to be dispensed with.

We have purchased a grave-yard in an appropriate and convenient location, fenced in with a rough but substantial post and rail fence.

After a careful examination of the west workshop, we have concluded to await further action of the Legislature. The amount appropriated for the repairs of this building amounts to $2,306.30, and is also the contract price for needed repairs. The west wall is now almost worthless, and we are surprised that it has not sooner tumbled down; for there are in many places fissures extending from the top to the bottom of the walls; at others, the perpendicular is destroyed to such a degree that the slightest force would throw it down. In addition to this, it is not well calculated for its present use, being without proper ventilation, and incapable of being warmed by any process. The convicts are compelled to stand on the bare ground in the winter time, removed from fire and exposed to numberless currents of cold air.

We would respectfully suggest, instead of selling the material contained in the old hemp house, as provided for by law, and which,
under existing circumstances, could not bring one half its real value, that it be used in addition to the materials contained in the old work­shop in erecting a building better suited to the requirements of the institution, and with some regard to the health and comfort of those who are forced to labor there; certainly it must be bad policy to put a new roof on the present rickety and insecure building, at a cost of nearly $2,500, and incur the risk of having it tumble down in the process of roofing, when with material owned by the State a good and sufficient workshop can be made with but little additional expenditure. With this well done, we would have one of the best prisons in the west; requiring no appropriation for years to come, except such as should be needed for repairs. The contractor has upon the ground all the iron required for the roof, with such timbers and other requisite material to complete the repairs; having suspended the contract, we would urge, as an act of justice to him, that he be paid the money already advanced by him for this purpose; and, unless some speedy legislation occurs, shall feel ourselves bound to return him the money thus expended.

Although not in the strict line of our duty, we would suggest that it greatly interferes with the appearance within the walls, as well as the comfort and health of the inmates, to keep large stables so near the hospital door. Cannot a law be passed to remove such buildings entirely without the prison walls on ground immediately adjoining and owned by the State? If the slaughtering of cattle and hogs was also prevented within the prison, it would add to the comfort and health very greatly.

The amount of appropriation placed subject to our order was:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For hemp house and heating apparatus</td>
<td>$25,000</td>
</tr>
<tr>
<td>Repairing west workshop</td>
<td>$2,346.30</td>
</tr>
<tr>
<td>Enlarging old dining room and building new kitchen</td>
<td>$600.00</td>
</tr>
<tr>
<td>Raising walls, re-roofing cell house, and constructing eighty-four additional cells</td>
<td>$15,676.00</td>
</tr>
<tr>
<td>Purchase of grave yard</td>
<td>$800.00</td>
</tr>
<tr>
<td>Building cistern</td>
<td>$125.00</td>
</tr>
<tr>
<td>Grading and paving yard and constructing water tables leading to sewer</td>
<td>$3,254.64</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$47,802.94</strong></td>
</tr>
</tbody>
</table>

Paid contractor, by orders on Treasurer: $42,750.00

Leaving balance of: $5,052.94

Which is retained, awaiting present action of the Legislature.

It may be proper to add that the contract price for the work was $1,000 less than the appropriation, and that more than $25,000 was paid in the rent of the prison and interest on money loaned present keeper. All of which is respectfully submitted.

B. MAGOFFIN, } Commissioners.
H. RODMAN,   

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

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

WHEREAS, Daniel Matthewson, Representative of the county of Cal-
A. R. Boon, of the county of Graves; John M. Elliott, of the counties of Floyd and Johnson; Geo. W. Silvertooth, of the counties of Fulton and Hickman; Geo. R. Merritt, of the counties of Livingston and Lyon; George W. Ewing, of the county of Logan; J. C. Gilbert, of the county of Marshall; John Q. A. King, of the county of McCracken; Lucius Desha, of the county of Harrison; John S. Barlow, of the county of Barren; David May, of the counties of Pike and Letcher; John W. Gaines, of the county of Trigg, and R. S. Spalding, of the county of Union, have not been in attendance upon the present session of this General Assembly since it convened on the 27th of November last past, and no good or valid reason or excuse has been given for their absence; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, instructed not to draw his warrant upon the Treasurer in favor of the Representatives aforesaid, or either of them, for any pay or mileage to them, or either of them, as Representatives aforesaid, since the last September session of this General Assembly.

Mr. Rankin moved to dispense with the rule of the House requiring joint resolutions to lie one day on the table and a reference to a committee.

Which motion was adopted.

Mr. Cleveland moved the following amendment, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That hereafter the members of the General Assembly shall be allowed to draw their per diem only under the following circumstances, viz:

1. When they are in actual attendance upon the session of the Legislature.

2. When they are absent on account of sickness or legislative business, or have leave of absence, since the last recess of the General Assembly.

Resolved, That they who have not taken their seats during the present adjourned session of the Legislature, unless absent on legislative business of the State, or for sickness, shall not be allowed their mileage and per diem.

Resolved, That it shall be the duty of the clerk of each House to furnish the Auditor with the names and time of service of the members of the General Assembly who are entitled to receive their pay in accordance with these resolutions.

Which amendment was adopted.

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

1. Mr. Andrews presented the petition of the members of the bar of Bath county, asking the repeal of an act in reference to the trustee of the jury fund of Bath county, &c.

2. Mr. Webster presented the petition of the jailer of Campbell county, praying compensation for keeping a lunatic.
3. Mr. Wolfe presented the petition of Ben. W. Blincoe, praying a release of payment for keeping billiard saloons in Lexington.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Claims, and the 3d to the Committee on Ways and Means.

Mr. Wolfe moved the following resolution, viz:

Resolved by the House of Representatives, That a committee be appointed by the Speaker to visit the Lunatic Asylum at Lexington, and report to this House the condition of the same, and such other matters touching said asylum, as they may deem advisable.

Which was adopted.

Mr. Speaker asked and obtained leave to bring in a bill for the benefit of Oliver P. Beard; which was referred to the Committee on Claims.

On motion of Mr. Finley, leave was given him to withdraw from the Senate a bill which passed this House on the 14th instant, entitled

An act for the benefit of Joseph L. McCarty.

The House took up the special order, (a substitute for the original bill,) entitled

A bill to amend the law with regard to commissioner's sales, &c.

Mr. Rankin moved to postpone the further consideration thereof.

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

Mr. Burnam 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. Burnam and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Francis L. Cleveland, George S. Shanklin,
Landaff W. Andrews, Joseph Gardner, M. Smith,
William A. Branch, John B. Huston, James P. Sparks,
Curtis F. Burnam, John C. Lindsey, Harrison Taylor,
E. F. Burns, Alexander Lusk, Joshua Tevis,
James Calvert, Hiram S. Powell, George M. Thomas,
J. W. Campbell, Wm. S. Rankin, Milton Young—22.
Brutus J. Clay,

Those who voted in the negative, were—

Mr Speaker, (Buckner,) Evan M. Garriott, Thomas W. Owings,
Jas. W. Anderson, Remus Gibson, George Poindexter,
Vincent Ash, Henry Griffith, Nicholas A. Rapier,
E. B. Bacheville, George M. Hampton, John Ray,
Ordered, That the further consideration thereof be postponed till 12 o'clock to-morrow.

The House took up the special order, entitled

A bill to provide for the government and discipline of the Kentucky penitentiary, and to repeal all laws and parts of laws inconsistent therewith.

Ordered, That the consideration thereof be postponed till 12 o'clock to-morrow.

James A. Rousseau, the member elected to fill the vacancy occasioned by the death of Marion N. Carr, from the county of Metcalfe, appeared and was admitted to a seat in this House, he having taken the oaths prescribed by the constitution and laws of this State.

The House again resumed the consideration of the special order, viz:

The report from the Committee on Federal Relations regarding the position of Kentucky in the existing war, &c.; together with the minority report of Mr. Burns, and the amendments.

The question was taken on striking out the words, “and has never swerved from her full and fervid loyalty,” from the 1st resolution.

And it was decided in the affirmative.

Mr. Burns moved that the House vote upon his substitute by voting separately upon each resolution.

Mr. Burnam being in the Chair, decided the motion out of order; from which decision of the Chair Mr. Bush 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.
The yeas and nays being required thereon by Messrs. Bush and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, John W. Finnell, Joseph Ricketts,
Jas. W. Anderson, Elijah Gabbert, F. D. Rigney,
Landaff W. Andrews, Henry Griffith, J. A. Rousseau,
E. B. Bacheller, John H. Harney, George S. Shanklin,
John C. Beeman, William J. Heady, G. Clay Smith,
John W. Blue, Joseph W. Heeter, M. Smith,
William A. Brann, John B. Hustou, James P. Sparks,
R. J. Browne, William C. Ireland, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis,
Cyrus Campbell, Daniel W. Johns, George M. Thomas,
J. W. Campbell, Urban E. Kennedy, John R. Thomas,
Joseph H. Chandler, John C. Lindsey, Thomas Turner,
Brutus J. Clay, James M. C. Lisenby, Joseph R. Underwood,
Francis L. Cleveland, Alexander Lusk, J. S. Van Winkle,
John B. Cochran, P. L. Maxey, Zeb. Ward,
Robert Cochran, David P. Mears, George F. Webster,
William L. Conklin, Otho Miller, Alex. T. White,
John C. Cooper, Felix G. Murphy, Nathaniel Wolfe,
Albert A. Curtis, George Poin Dexter, Geo. H. Yeaman,
W. H. Edmunds, Hiram S. Powell, Bryan R. Young,
Stephen J. England, Nicholas A. Rapier, Milton Young,
Hugh P. Finley, John Ray, Van B. Young—66.

Those who voted in the negative, were—

Vincent Ash, Joseph Gardner, George M. Hampton,
W. P. D. Bush,

The question was then taken upon the adoption of Mr. Burns' substitute for the report of the committee, as amended, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Vincent Ash, W. H. Edmunds, Geo. M. Hampton,
E. F. Burns, Joseph Gardner, William Johnson,
A. B. Chambers,

Those who voted in the negative, were—

Alfred Allen, Elijah Gabbert, Joseph Ricketts,
Jas. W. Anderson, Henry Griffith, F. D. Rigney,
Landaff W. Andrews, John H. Harney, J. A. Rousseau,
E. B. Bacheller, William J. Heady, George S. Shanklin,
John C. Beeman, Joseph W. Heeter, G. Clay Smith,
When the name of Mr. Murphy was called upon the above ballot, he asked and obtained the unanimous consent of the House to be excused from voting—saying that neither the original report of the committee or substitute embraced his views entirely.

The question was then taken upon the adoption of the report of the committee, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Van Winkle and Rousseau, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell,  
John W. Blue,  
William A. Brann,  
R. J. Browne,  
Curtis F. Burnam,  
James Calvert,  
Cyrus Campbell,  
J. W. Campbell,  
Joseph H. Chandler,  
Brutus J. Clay,  
Francis L. Cleveland,  
John B. Cochran,  
Robert Cochran,  
William L. Conklin,  
John C. Cooper,  
Albert A. Curtis,  
Stephen J. England,  
Hugh F. Finney,  
John W. Finnell,  
John B. Huston,  
Wm. C. Ireland,  
Richard T. Jacob,  
Daniel W. Johns,  
Urban E. Kennedy,  
James M. C. Lisenby,  
Alexander Lusk,  
P. L. Maxey,  
David P. Mears,  
Otho Miller,  
Thomas Z. Morrow,  
Thomas W. Owings,  
George Paindexter,  
Hiram S. Powell,  
William S. Rankin,  
N. A. Rarick,  
Joseph R. Underwood,  
John S. Van Winkle,  
Zeb. Ward,  
Joseph R. Underwood,  
John S. Van Winkle,  
Zeb. Ward,  
George P. Webster,  
Alex. T. White,  
Nathaniel Wolfe,  
G. H. Yeaman,  
Bryan R. Young,  
Milton Young,  
Van B. Young—67.

Joseph Ricketts,  
F. D. Rigney,  
J. A. Rousseau,  
George S. Shanklin,  
G. Clay Smith,  
M. Smith,  
James P. Sparks,  
Harrison Taylor,  
Joshua Tevis,  
George M. Thomas,  
John R. Thomas,  
Thomas Turner,  
Joseph R. Underwood,  
J. S. Van Winkle,  
Zeb. Ward,  
George P. Webster,  
Alex. T. White,  
Nathaniel Wolfe,  
George H. Yeaman,  
Bryan R. Young,
Those who voted in the negative, were—

Vincent Ash, W. H. Edmunds, William Johnson,
E. F. Burns, Joseph Gardner, John C. Lindsey,
A. B. Chambers, George M. Hampton,

The House took up the special order, viz:

Resolution relating to the adjournment of the present General Assembly.

The question was taken on the amendment offered by Mr. Burns, and it was decided in the negative.

Mr. Conklin offered an amendment proposing the 2d Monday in June next, which was rejected.

Mr. Ricketts offered an amendment proposing the 2d Wednesday in February.

Mr. G. Clay Smith 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 upon the amendment of Mr. Ricketts, and 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.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Elijah Gabbert, Nicholas A. Rapier,
Vincent Ash, Joseph Gardner, John Ray,
John W. Blue, Evan M. Garriott, Joseph Ricketts,
Curtis F. Burnam, Remus Gibson, F. D. Rigney,
James Calvert, Henry Griffith, M. Smith,
Cyrus Campbell, George M. Hampton, James P. Sparks,
J. W. Campbell, Richard T. Jacob, Harrison Taylor,
A. B. Chambers, Daniel W. Johns, Joshua Tevis,
Brutus J. Clay, William Johnson, George M. Thomas,
William L. Conklin, Urban E. Kennedy, John R. Thomas,
Albert A. Curtis, John C. Lindsey, Zeb. Ward,
W. H. Edmunds, James C. Lisenby, George P. Webster,
Stephen J. England, P. L. Maxey, Alex. T. White,
John W. Finnell, Hiram S. Powell, Milton Young—42.

Those who voted in the negative, were—

Mr. Speaker, (Backer,) John C. Cooper, George Pondexter,
Alfred Allen, Hugh F. Finley, William S. Rankin,
On motion, Messrs. Blue, Gibson, White, and Garriott had leave of absence for the remainder of the present session.

The following bill was reported, viz:

By Mr. Huston, from the Committee on Revised Statutes—
An act for the benefit 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,

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,

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

Mr. Huston, from the Committee on Revised Statutes, to whom was referred a bill, entitled

A bill authorizing the county judge of Pulaski county to appoint a sheriff,

Reported the same.
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. Bacheller moved an amendment, applying the provisions of the bill to the county of Rockcastle.

And the question being taken, the amendment was adopted.

The bill, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the presiding judge of the Pulaski county court be, and he is hereby, authorized and empowered to appoint a sheriff for said
county to fill the vacancy now existing in said office, and continue in
office until the 1st day of January, 1863.

§ 2. That if the sheriff so appointed should be unable or fail to exe-
cute bond as required by law, he shall not be authorized to collect the
State revenue or county levy of said county for the years 1861 and
1862; but the failure to execute bond as aforesaid shall not vacate
said office of sheriff: Provided, however, That if said sheriff shall
execute bond for the faithful performance of his duties, in all other
respects to be approved by said county court, he shall have the right
to discharge all such duties as are required by law, and be under all
the penalties imposed by law upon sheriffs, excepting the collection of
the State revenue and county levy of said county.

§ 3. That if said sheriff shall execute bond as required by law, he
shall be authorized to collect the State revenue and county levy of
said county under the pains and penalties imposed by law.

§ 4. That this act take effect from and after its passage.

§ 5. That the provisions of this act shall apply to the county of
Rockcastle, and the county judge of said county is hereby authorized
to appoint a sheriff in the manner as prescribed in this act.

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, as amended, do pass, and that the title
thereof be as amended.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Joseph Gardner,
Alfred Allen, Evan M. Garriott, Nicholas A. Repier,
James W. Anderson, Remus Gibson,
Vincent Ash, John H. Harney, John Ray,
E. B. Bacheiler, William J. Heady, F. D. Rigney,
John W. Blue, Joseph W. Hester, J. A. Rousseau,
Curtis F. Burnam, John B. Huston, James P. Sparks,
E. F. Burns, William C. Ireland, Joshua Tevis,
W. P. D. Bush, John R. Turner, George M. Thomas,
William Johnson, William Mears, John R. Thomas,
James Calvert, Daniel W. Johns, Thomas Turner,
Cyrus Campbell, William Johnson, John S. Van Winkle,
A. B. Chambers, James M. C. Lisenby, Alex. T. White,
Bratus J. Clay, Alexander Lusk, Nathaniel Wolfe,
John B. Couchan, David P. Mears, Bryan R. Young,
John C. Cooper, Otho Miller, Milton Young,
Albert A. Curtis, Thomas Z. Morrow, Van B. Young—47.
Those who voted in the negative, were—

Landaff W. Andrews, John C. Lindsey, Harrison Taylor,
William A. Brann, P. L. Maxey, Joseph R. Underwood,
George M. Hampton, Geo. S. Shanklin.

And then the House adjourned.

FRIDAY, DECEMBER 20, 1861.

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 chapter 83 of the Revised Statutes, title "Revenue and Taxation."

An act to amend the charter of the city of Newport.

An act for the benefit of Samuel Province.

An act authorizing the county judge of Pulaski county to appoint a sheriff.

An act to protect public examinations of schools, seminaries, and colleges in this State.

An act to amend an act concerning the Louisville and Covington railroad company.

An act for the benefit of school district No. 33, in Nelson county.

An act to amend sections 486 and 487, title 10, chapter 7, Civil Code of Practice.

An act to increase the powers and extend the jurisdiction of the town marshal of Smithland.

An act for the benefit of James W. Cade, of Livingston county.

An act for the benefit of Transylvania University.

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

An act to reduce the expenditures for binding and printing public books and documents.

An act for the benefit of the sureties of W. A. L. B. Sharp, sheriff of Estill county.
Also, resolutions, entitled
A resolution in relation to vacancy in the first congressional district.
A resolution in relation to property lost or destroyed during the war.
A resolution in relation to the furnishing the members of the Legislature with the general laws.
A resolution in relation to the election of a Public Binder.
That they had concurred in a resolution from this House in relation to the adjournment of the present General Assembly.
Mr. Sparks laid before the House the report of the president, directors, and company of the Eminence Mutual Insurance Company.

Mr. Ricketts moved the following resolution, viz:
Resolved, That the Committee on Military Affairs report to this House, at half-past ten o'clock to-morrow, whether any legislation is necessary in order to put into the field an additional volunteer force, such as is indicated by the act now before Congress; and if any additional legislation is necessary, that they report a bill for that purpose.
Which was adopted.

Mr. Huston moved the following resolution, viz:
Resolved, That the Committee on Retrenchment and Reform, carefully examine into the amounts allowed and paid, from the treasury, for guards for jails and prisoners, and report if any remedy can be found for that cause of expenditure.
Which was adopted.

Mr. Huston moved the following resolution, viz:
Resolved, That the Committee on Circuit Courts be instructed to prepare an address, in proper form, based on their report in regard to Wm. H. Burns, one of the circuit judges of this State, to address him out of office; and that they report said address at their earliest convenience.
Which was adopted.

Mr. Rankin moved the following resolution, viz:
Resolved, That the Military Committee of this House be, and they are hereby, instructed to inquire and report to this House, by bill or otherwise, as to the propriety of raising a regiment of mounted volunteers, in the counties of Bourbon, Harrison, Pendleton, Kenton, Boone, Gallatin, and such other counties as they may deem advisable, to be sworn into service for twelve months, for the State or United States service, to act in case of emergency, and be paid only when in actual service.
Which was adopted.

The Speaker appointed Messrs. Wolfe, Tevis, and Taylor a committee to visit the Lunatic Asylum at Lexington, under a resolution adopted by this House.
Mr. Taylor, from the Committee on Ways and Means, to whom was referred the communication of the Secretary of the Treasury to the Governor of Kentucky, reported the following joint resolution, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the State of Kentucky will, and does hereby, assume the payment of her proportion of the direct tax imposed by the act of Congress of 6th August, 1861.

2. Resolved, That the Governor of this Commonwealth be directed to transmit to the Secretary of the Treasury, at the city of Washington, a copy of these resolutions.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference having been dispensed with,

The question was taken on the adoption of the resolution, and it was decided in the negative, the constitution requiring a majority of the House to pass the same.

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—


Mr. Taylor moved a reconsideration of the vote rejecting said resolution.

And the question being taken thereon, it was decided in the affirmative.
Mr. Andrews moved a call of the roll.
Mr. Huston moved a call of the House.
Which motion was adopted.
Mr. Burnam moved to dispense with the further call of the House.
Which motion was adopted.

Said resolutions were then twice read 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, (Buckner,) Reimus Gibson,
Alfred Allen,
Jas. W. Anderson,
Landaff W. Andrews,
William A. Brana,
R. J. Browne,
Curtis P. Burnam,
James Calvert,
Cyrus Campbell,
J. W. Campbell,
Joseph H. Chandler,
Bruttis J. Clay,
Frencis L. Cleveland,
John B. Cochran,
Robert Cochran,
William L. Conklin,
John C. Cooper,
Albert A. Curtis,
Stephen J. England,
Elijah Gabbert,

Henry Griffith,
John H. Harney,
Wm. J. Heady,
Joseph W. Heeter,
John B. Huston,
William C. Ireland,
Richard T. Jacob,
Daniel W. Johns,
Daniel E. Kennedy,
Jane M. C. Lisenby,
Alexander Lusk,
P. L. Maxey,
David P. Mears,
Otho Miller,
Thomas Z. Morrow,
Thomas W. Owings,
Hiram S. Powell,
William S. Rankin,
Nicholas A. Rapier,

John Ray,
Joseph Ricketts,
F. D. Rigney,
J. A. Rousseau,
George S. Shanklin,
G. Clay Smith,
M. Smith,
James P. Sparks,
Harrison Taylor,
Joshua Tevis,
George M. Thomas,
John R. Thomas,
Joseph R. Underwood,
John S. Van Winkle,
Zeb. Ward,
George P. Webster,
Nahaniel Wolfe,
Milton Young,
Van B. Young—59.

Those who voted in the negative, were—

Vincent Ash,
E. F. Burns,
W. P. D. Bash,
A. B. Chambers,

W. H. Edmunds,
Joseph Gardner,
George M. Hampton,

William Johnson,
John C. Lindsey,
Felix G. Murphy—10.

Mr. Gibson, by leave of the House, recorded his votes against the substitute of Mr. Burns, and in favor of the resolutions reported by the Committee on Federal Relations, adopted on yesterday.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, viz:

An act to amend an act to regulate the toll and management of the Crab Orchard Fork of the Wilderness turnpike road.
An act for the benefit of Jos. G. Harrison, late sheriff of Daviess county.
An act to change the times of holding the Lincoln and Pulaski circuit courts.
An act for the benefit of Wm. Payne, jailer of Rockcastle county.
An act to amend the charter of the town of Somerset.
An act to amend the charter of the town of Millersburg, in Bourbon county.
An act to incorporate the Cloverport Oil and Coal Company.
An act for the benefit of John W. Campbell and John B. Holliday.
And had found the same truly enrolled.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller inform the Senate thereof.
Mr. Ireland, from the Committee on Privileges and Elections, reported a bill, entitled
An act regulating the holding of elections in insurrectionary 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,
Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of this General Assembly.
The Committee on Claims, to whom was referred the claim of David Fitzgerald, of Henry county, asked to be discharged from the further consideration thereof.
Which was granted.
On motion of Mr. Sparks, leave was given him to withdraw all the papers connected with the claim of said David Fitzgerald.
The same committee, to whom was referred and recommitted the claim of Wm. Clayton, asked to be discharged from the further consideration thereof.
Which was granted.
The same committee, to whom was referred a bill, entitled
A bill for the benefit of Dillon White.
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 afore-said.
The same committee, to whom was referred a bill from the Senate, entitled
A bill for the benefit of John L. Chisholm, of Taylor county,
Reported the same, with the expression of opinion that the same
ought not to pass.
The question was taken on ordering said bill to be read a third time,
and it was decided in the negative.
The Committee on the Judiciary, to whom was referred sundry
leaves and resolutions, asked to be discharged from the further considera-
tion thereof.
Which was granted.
The Committee on Federal Relations, to whom was referred the
resolution of Mr. Turner in reference to the newspaper publication
of the emancipation of slaves by the Legislature of Kentucky, reported
the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That
all statements in the public prints that Kentucky contemplates the
emancipation of her slaves, are without truth; Kentucky is attached
to the institution of slavery, and can and will maintain it.
Which was twice read and adopted unanimously.
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,
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 on the passage of said bill by the
constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr Speaker, (Backner,) John W. Finnell, Thomas W. Owings,
Alfred Allen, Elijah Gabbert, George Poindexter,
Jas. W. Anderson, Joseph Gardner, William S. Rankin,
Landaff W. Andrews, Geo. M. Hampton, Nicholas A. Rapier,
Vincent Ash, John H. Harney, John Ray,
William A. Brann, William J. Heady, Joseph Kicketts,
Curtis F. Burnam, Joseph W. Heeter, F. D. Rigney,
E. F. Burns, Wm. G. Ireland, J. A. Rousseau,
Those who voted in the negative, were—

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following sums of money are hereby appropriated to the persons named, to be paid out of the treasury upon the warrant of the Auditor of Public Accounts:

§ 2. To the Speakers of the Senate and House of Representatives, eight dollars per day each during the present session of the General Assembly.

§ 3. To the principal clerks and assistant clerks of the Senate and House of Representatives, ten dollars per day each during the present session; and the same sum per day to each of principal clerks for four days after the close of this session, for their services in preparing the acts for publication and arranging the papers.

§ 4. To the principal clerks of the Senate and House of Representatives, the amount of extra clerk hire, to be estimated and certified by them.

§ 5. To the sergeants-at-arms of the Senate and House of Representatives, six dollars per day each during the present session.

§ 6. To the door-keepers of the Senate and House of Representatives, six dollars per day each during the present session.

§ 7. To the pages of the Senate and House of Representatives, one dollar and fifty cents each per day during the present session, to be estimated, and certified, and drawn, and disbursed by the sergeants-at-arms of the two Houses.

§ 8. To A. G. Hodges & Co., for the Daily Commonwealth during the present session, two hundred dollars.

§ 9. To S. I. M. Major & Co., for the Daily Kentucky Yeoman during the present session, two hundred dollars.

§ 10. To the ministers of the different religious denominations in Frankfort, fifty dollars, for their services during the present session, to be drawn and distributed equally amongst them by the sergeant-at-arms of the Senate.
§ 12. To John W. Pruett, for the service of one negro man in waiting upon the Senate, one dollar per day during this session.

§ 12. To J. L. Smedley, for the services of two negro men in waiting upon the House of Representatives, one dollar per day each during the session.

§ 13. To A. W. Vallandingham, for the services of his negro man, in attending to the back capitol, one dollar per day during this session.

§ 14. To J. R. Underwood, five dollars and sixty cents, amount paid by him for telegraphic dispatches to Washington City.

§ 15. To T. S. & J. R. Page, for three boxes of English crêpe, per bill, twenty-eight dollars and fifty cents.

§ 16. To Gray & Todd, per bill rendered, eight dollars and eighty cents.

§ 17. To John L. Moore & Son, for carpet for clerk's office of court of appeals, thirty-nine dollars.

§ 18. To E. H. Tole, for putting down and making carpet in court appeals clerk's office, seven dollars seventy-five cents.

§ 19. To J. W. South, for bagging put under carpet in court of appeals clerk's office, four dollars sixty-two cents.

§ 20. To the sergeant-at-arms of the House, twenty dollars, to be drawn and distributed by him equally amongst the four negro men who have attended upon the capitol this session.

§ 21. To Daniel Clark, the ancient Governor, for his services one year as porter for public offices, fifty dollars.

The Committee on the Judiciary, to whom was referred a bill, entitled

A bill to amend the law in relation to descent and distribution,

Reported the same, with the expression of opinion that it ought not to pass.

The question was taken, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was rejected.

The same committee, to whom was referred a bill, entitled

A bill to amend the law in relation to divorce cases,

Reported the same, with the expression of opinion that the bill ought not to pass.

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

And so said bill was rejected.

The same committee, to whom was referred leave, reported a bill allowing Commonwealth's attorneys to administer oaths.

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. Burnam moved an amendment.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The same committee, to whom was referred a petition, reported a bill repealing in part an act in relation to trustees of jury fund of Bath and Daviess counties:
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. John R. Thomas moved an amendment.
Mr. Rankin 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. Andrews and Lusk, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) Remus Gibson, J. A. Rousseau, George S. Shanklin,
Alfred Allen, Henry Griffith, G. Clay Smith, M. Smith,
Jas. W. Anderson, George M. Hampton, James P. Sparks,
Vincent Ash, John H. Harney, Harrison Taylor,
E. B. Bacheller, William J. Hedly, Joshua Tevis,
R. J. Browne, Joseph W. Heeter, George M. Thomas,
Curtis F. Burnam, William C. Ireland, Joseph R. Underwood,
James Calvert, Alexander Lusk, J. S. Van Winkle,
Cyrus Campbell, Otho Miller, Nathaniel Wolfe,
J. W. Campbell, Thomas Z. Morrow, Bryan R. Young,
Brutus J. Clay, Hiram S. Powell, Milton Young,
Francis L. Cleveland, William S. Rankin, Van B. Young—44.
John B. Cochran, Nicholas A. Rapier,
John C. Cooper, John Ray,
Elijah Gabbert, F. D. Rigney,

Those who voted in the negative, were—
Landaff W. Andrews, Stephen J. England, James M. C. Lisenby,
William A. Brann, John W. Finnell, P. L. Maxey,
E. F. Burns, Joseph Gardner, David P. Mears,
The Committee on Ways and Means reported a bill, entitled

A bill to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

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. Taylor offered an amendment.

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

The Committee on the Judiciary, to whom was referred a bill suspending the statutes of limitations in Whitley, Knox, and Harlan counties, reported the same with an amendment.

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,

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

The House took up the special order, viz:

A bill to provide for the government and discipline of the Kentucky penitentiary, and to repeal all laws and parts of laws inconsistent therewith.

Ordered, That said bill be re-committed to the Committee on the Penitentiary.

Mr. Clay, from the Committee on Agriculture and Manufactures, to whom was referred a bill for the protection of birds and other game, reported a substitute therefor.

Mr. Huston moved to amend the bill.

Which amendment was adopted.

Mr. Underwood moved the previous question.

The question was then taken, "Shall the main question be now put?" and it was decided in the affirmative.
Mr. Bush moved an amendment.
Which amendment was 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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required thereon by Messrs. Bush and Johnson, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) Albert A. Curtis, Hiram S. Powell,
Alfred Allen, John W. Fianell, William S. Rankin,
Landaff W. Andrews, Elijah Gabbert, John Ray,
John C. Beeman, Joseph Gardner, George S. Shanklin,
John W. Bine, John H. Harney, G. Clay Smith,
William A. Brean, William J. Headly, M. Smith,
R. J. Browne, Joseph W. Hester, James P. Sparks,
Curtis F. Burnam, John B. Histon, Harrison Taylor,
James Calvert, William C. Ireland, Joshua Tevis,
Cyrus Campbell, Richard T. Jacob, George M. Thomas,
J. W. Campbell, Daniel W. Johns, John R. Thomas,
A. B. Chambers, Urban E. Kennedy, Joseph R. Underwood,
Brutus J. Clay, James M. C. Lisenby, Zeb. Ward,
Francis L. Cleveland, Alexander Lusk, George P. Webster,
John B. Cochran, Otis Miller, Bryan R. Young,
Robert Cochran, Thomas W. Owings, Van B. Young—50.
John C. Cooper, George Poindexter,

Those who voted in the negative, were—
Jas. W. Anderson, W. H. Edmunds, David P. Mears,
Vincent Ash, Stephen J. England, Thomas Z. Morrow,
E. B. Bacheller, Remus Gibson, Felix G. Murphy,
E. F. Burns, Henry Griffith, Nicholas A. Kapier,
W. P. D. Bush, George M. Hampton, Joseph Ricketts,
Joseph H. Chandler, William Johnson, F. D. Rigney,

The bill above reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be unlawful for any person, at any time, to kill, injure, or pursue with such intent, on the premises of another, or on any public highway or common, any sparrow, robin, marten, mockingbird, thrush, swallow, wren, red bird, blue bird, screech owl, or any other bird smaller than the quail, except the snipe and plover.

§ 2. That it shall be unlawful, at any time after the first day of April, and before the first day of September of each year, to catch, kill, or in any manner destroy, or pursue with such intent, any quail,
partridge, pheasant, meadow lark, woodcock, snipe, or plover; or at any time after the first day of May and the middle of September of each year, to catch, kill, or destroy, or pursue with such intent, any wild goose, wood duck, teal, or other wild duck, or to have in his possession, or to expose for sale, any of the birds or game mentioned in this act, during the time that the killing of the same is prohibited: Provided, That nothing in this act shall at any time prevent the killing of birds of prey, or birds that are destructive to the grain or fruit crops.

§ 3. That it shall be unlawful to disturb or destroy any of the nests or eggs of the birds protected by this act.

§ 4. That any person violating the foregoing provisions of this act, shall, upon conviction thereof before a justice of the peace, be liable to a fine of not less than one dollar nor more than fifteen, with cost of suit.

§ 5. That it shall be unlawful for any person to shoot or kill any female deer between the first of March and the first of August following, and that, upon the conviction of any person violating this section, shall be fined not less than five nor more than twenty dollars, recoverable as set forth in the fourth section of this act.

Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred the resolution of Mr. Burnam in reference to judges of circuit courts giving aid to the so-called Confederate States, made the following report, viz:

The Committee on Circuit Courts, to whom was referred a resolution instructing them to "inquire and report to this House whether any of the circuit judges of this State have abandoned their offices by taking service in the armies of the so-called Confederate States," have had the same under consideration, and report as follows, viz:

There has been no evidence before your committee that any of the circuit judges of this State have abandoned their offices by taking service in the armies of the so-called Confederate States.

But your committee would further report to the House, that there was evidence before them that William H. Burns, one of the circuit judges of this Commonwealth, had failed to attend the last fall term of his court in several of the counties composing a part of his judicial district; and no evidence that he had held any court in his district since last September.

Your committee would further report, that there was evidence before them conducive to prove that Judge Burns, at least for the last two or three months, had been engaged in giving aid and encouragement to the rebellion now being waged against the Government of the United States and the State of Kentucky. It was satisfactorily proven that in the month of October last, Judge Burns was on terms of intimate association with armed rebels in the town of West Liberty, the place of his residence; and that he left his home with or about the time the rebel force left, upon the approach of the Federal army under General Nelson, and went to Floyd county, where other Confederate forces were at the time congregated.

It is also proven by common rumor in the section of the State
where Judge Burns resides, that he is, and for several months has been, actively engaged in aiding and assisting those engaged in an armed rebellion against the Government of the United States and the State of Kentucky. The testimony of all the witnesses deposing before your committee, was substantially reduced to writing and signed by the witnesses, and the same is herewith reported.

It is the opinion of your committee that the public interest demands, under all the facts and circumstances proven before them, that Judge William H. Burns, one of the circuit judges of this Commonwealth, should be removed from the office of circuit judge.

All of which is most respectfully reported.

G. S. SHANKLIN,
Chairman Committee on Circuit Courts.

DR. SMEDLEY, Sergeant-at-Arms of the House of Representatives State of Kentucky:

You are commanded to summons Geo. M. Hampton, Joseph Gardner, Thomas Turner, and Van B. Young to appear before the Committee on Circuit Courts, on Tuesday, the 3d day of December, at 3 o'clock P. M., at the Representative Hall.

By order of the committee.

December 2, 1861.

G. S. SHANKLIN, Ch'n.

Executed upon the within named parties by their acknowledgment of service, they not requiring a copy of this writ.

J. L. SMEDLEY, Sergeant-at-Arms House Representatives of Kentucky.

December 3d, 1861.

CASE OF Commonwealth against WILLIAM H. BURNS.

G. M. Hampton, sworn, says: I know Judge B.; I reside in same county; do not know where he is; I think I saw him a short time before the scrimmage at West Liberty. He lives in West Liberty; I live 7 or 8 miles from there; I do not know whether he has been at home since that affair; I never saw him at home; do not know where he went. I heard from rumor that he left West Liberty the day the Federal troops got to town; he went to his brother's in Floyd county. I have no knowledge of his ever organizing or collecting forces to resist the Government; I never heard of such a thing until yesterday. I do not know whether he has attended his courts or not; at one of the courts he missed—in Carter county; I may be mistaken; do not know the cause. I have no knowledge of his soliciting or inducing young men to join the Confederate army. Have no knowledge of his giving money or any other aid to the rebellion. I have no knowledge of any of the present circuit judges having taken any part in the present rebellion. I never heard Judge B. make any speeches of a political character during the summer.

G. M. HAMPTON.
Thos. Turner, sworn, says: He knows nothing of his own knowledge, of Judge Wm. H. Burns' participation in and giving aid to the rebellion; but he is reliably informed by others that the Judge has been actively engaged in encouraging the rebellion and giving aid, counsel, and assistance to those in arms against the State and National Governments; and for this end left his home and went to Prestonsburg, where the rebel troops were encamped; remained with them some time, and left there before the rebels retired to Pikeville, and went on to Pikeville to raise rebel troops in Pike county, and left Pikeville with or before the rebels were driven off. He got this information from David Worley and others, at Prestonsburg, and from the whole community along the route of Sandy, and at Prestonsburg, and Pikeville; and it is generally rumored and believed that he is in active participation with the rebels to overturn the Government; but he knows nothing of his own knowledge, but learned it from the persons he seen along the march of Gen. Nelson, from Mt. Sterling to Pikeville, and at Pikeville; he accompanied said march. He resides in Judge Burns' district; and the Judge has not held several of his courts this last fall; and knows, from conversation with him, that he sympathizes with the rebellion.

THOS. TURNER.

V. B. Young, being sworn, states: That he does not know of his own personal knowledge any participation of Judge Burns in the rebellion; but that he has had frequent conversations with him, in which Judge B. justified the secession of the Southern States, and was in favor of Kentucky going out of the Union; this conversation occurred last March; he states that he heard that Judge Burns was in West Liberty at the time that the Confederate army, or a small portion of them, was there, aiding and assisting in their organization; and that he heard that he made several speeches, urging men to join the Southern army; and at the time the Federal army took possession of the town of West Liberty he left hastily and went to the Southern army at Prestonsburg; I learned this from men who were at West Liberty at the time of the fight; he resides in Bath county, in Judge B.'s judicial district; and that Judge B. held a court last September in his county.

V. B. YOUNG.

Mr. James A. J. Lee sworn, and states: That he resides in Owingsville, Bath county; that he is acquainted with Judge Wm. H. Burns; that he resides in his judicial district; saw Judge Burns from the 15th of last October to the 20th, 1861. He is informed that Judge B. is now in Virginia; he states that he has heard from rumor that Judge B. left home hastily, and that he is in Virginia, interested in the rebellion. About the 15th of October last I went to West Liberty, to get some of my friends and relatives to come home; on my way there they took me prisoner, and I went to Judge B. to get his assistance in getting my release; I saw quite a number of Confederate troops; they were in arms against the Government, and held me as a prisoner of war; I saw Judge B. with them and associating with them; Judge Burns
was not in arms or drilling; and he, in my opinion, was giving advice
and counselling with them; there was from one to three hundred troops,
at the time I was taken prisoner, in West Liberty; I was not in arms;
I was detained about three days. I had a conversation with Judge B.
in which he expressed himself to me as in favor of the rebellion; he,
Judge B., expressed the opinion that the Union men would not regard
the proclamation of Nelson. I understood that John Picklin was in
command of the rebel forces at Prestonsburg. The reason that Judge
B. gave me why the military authorities there did not act in my case
immediately was, that my case was referred to the authority at Prestonsburg,
and they released me before they heard from the authorities
at Prestonsburg. Capt. May was in command of the forces at West Liberty,
and gave me my release; there was some three or four other
prisoners there when I was there; I left them there, and I understand
that they were released by the Federal forces. Judge B. lived near
where they were congregated; I saw Judge B. go into the crowd of sol­
diers; Judge B., being situated at one end of the town, must necessarily
pass through where the soldiers were to get to the business portion
of the town, if there was any business portion. I saw Harry Burns,
a son of Judge B., there associating with the soldiers, and on one
occasion saw him with a pistol in his hands. I suppose that Harry
Burns was between 25 and 30 years of age.

J. A. J. LEE,

Mr. Gardner moved to print 150 copies of said report.

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

The Committees on County Courts, to whom was referred leave,
reported a bill for the benefit of E. F. Fish, clerk of the Rockcastle'
county and circuit courts.

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

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

Mr. Ward moved an amendment.

Which amendment was adopted.

Ordered, That said bill 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,

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

The same committee, to whom was referred leave to bring in a bill
authorizing the Crittenden county court to grant coffee-house license
to Frank W. Clark and John S. Fowler, of Crittenden county, reported
the same.

Which was read the first time.
The question was then taken on ordering the bill to be read a
second time, and it was decided in the negative.
And so said bill was rejected.
The same committee, to whom was referred leave, reported a bill
regulating the times of holding courts inferior to circuit courts in this
Commonwealth, with the expression of opinion that the same ought
not to pass.
Which was read the first time, and ordered to be read a second
time.
A message was received from the Governor by Mr. Gaither, Secret-
tary of State, announcing that he had approved and signed sundry
enrolled bills, which originated in this House, of the following titles,
viz:

An act to amend the charter of the Twelve Mile turnpike road
company, in Campbell county.
An act for the benefit of the clerk of the Nicholas county court.
An act for the benefit of the Shelbyville and Mt. Eden turnpike road
company.
An act providing that the absence of a soldier in the service of the
United States four months from the State, shall be no cause or ground
of attachment against the property of said soldier.
An act to incorporate the Bremen and London Petroleum Manu-
facturing and Mining Company.
An act for the benefit of W. S. Gibbs, late sheriff of Hancock, and
the late sheriffs of Carter, Pulaski, Breckinridge, and Scott counties.
An act to amend the charter of the town of Stanford.
An act for the benefit of the town of Lebanon.
An act for the benefit of the executors, administrators, and guar-
dians, in the counties of Logan and Todd.
An act for the benefit of Tollesboro school district, in Lewis county.
An act for the benefit of John E. Young, of Bath county.
An act for the benefit of Isaac N. Greathouse.
An act for the benefit of George Heiskell, of Grayson county.
An act for the benefit of James A. Moore, late sheriff of Pendle-
ton county.
An act for the benefit of school district No. 1, in Clay county.
An act for the benefit of the executors of Alvin G. Day.
An act to amend an act to incorporate the town of Monterey, in Owen county.
An act to amend section 870 of the Civil Code of Practice.
An act in regard to the duties and powers of assessors.
An act for the benefit of J. D. Pollard, of the city of Frankfort.
An act for the benefit of James A. Dinwiddie and Eliza Dinwiddie.
An act for the benefit of B. F. Booker.
An act authorizing Solomon Williamson, jr., to build a mill dam across Rockcastle creek, in Lawrence county.
An act for the benefit of Robert Boyd, clerk of the Whitley circuit court, and the late clerks of the Pulaski circuit and county courts.
An act for the benefit of R. M. Barnes.
An act in regard to the effect of the renunciation of wills by widows.

An act to authorize watchmen in the city of Louisville to execute subpoenas in criminal cases issued from the clerk's office of the Jefferson circuit court, and to receive compensation therefor.

An act to amend the 221st section of the Civil Code of Practice.

An act appropriating money for the Western Lunatic Asylum.

Mr. Rankin, from the select committee to whom was referred leave, reported a bill amending the law in regard to billiards.

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 same was placed in the orders of the day.

The House took up a bill from the Senate, entitled "An act to amend the Code of Practice in civil cases."

Mr. Ireland, by unanimous consent, withdrew the amendment proposed by him.

Mr. Burnam moved an amendment.

Which was adopted.

Mr. Huston moved an amendment.

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,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required thereon by Messrs. Burns and Taylor, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker, (Buckner,) Elijah Gabbert, Nicholas A. Rapier,
Alfred Allen, John H. Harney, John Ray,
Jas. W. Anderson, William J. Headly, Joseph Ricketts,
Landaff W. Andrews, Joseph W. Heeter, F. D. Rigney,
E. B. Bacheller, John B. Huston, George S. Shanklin,
William A. Brann, William C. Ireland, G. Clay Smith,
Curtis F. Burnam, Richard T. Jacob, James P. Sparks,
James Calvert, Daniel W. Johns, Harrison Taylor,
Cyrus Campbell, Urban E. Kennedy, Joshua Tevis,
J. W. Campbell, James M. C. Lisenby, George M. Thomas,
Joseph H. Chandler, Alexander Lusk, John R. Thomas,
Brutus J. Clay, P. L. Maxey, Joseph R. Underwood,
Francis L. Cleveland, David P. Mears, John S. Van Winkle,
Robert Cochran, Otho Miller, Zeb. Ward,
William L. Conklin, Thomas Z. Morrow, George P. Webster,
John C. Cooper, Thomas W. Owings, Nathaniel Wolfe,
Albert A. Curtis, Geo. Poindexter, Bryan K. Young,
Stephen J. England, Hiram S. Powell, Milton Young,
John W. Fianett, Wm. S. Rankin, Van B. Young—58.

Those who voted in the negative, were:

Vincent Ash, W. H. Edmunds, William Johnson,
E. F. Burns, Joseph Gardner, John C. Lindsey,
A. B. Chambers,

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

An act to abolish the office of President of the Board of Internal Improvement, and to create a new board, and to prescribe their duties.

An act in relation to vacancies in ministerial offices.

With an amendment to the last named bill.

Also, a resolution in regard to pay of absent members.

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

An act to amend the revenue laws of this Commonwealth.

An act for the benefit of the estate of Dr. John L. Scott, deceased.

An act for the benefit of the sheriffs of Spencer and Larue counties.

And had received official information from the Governor that he had signed and approved sundry enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Bank of Kentucky.

An act to reduce into one the various acts in reference to the Anderson Seminary.
An act for the benefit of common school district No. 19, in Bullitt county.

An act for the benefit of Lewis A. Bradshaw, of Adair county.
An act for the benefit of John Benton, of Montgomery county.
An act to amend an act, entitled "An act to amend the charter of the Richmond and Lancaster turnpike road company."
An act to amend chapter 106 of the Revised Statutes.
An act to amend an act, entitled "An act for the benefit of certain sheriffs of this Commonwealth, and their sureties."
An act for the benefit of Albert G. Waggoner, late sheriff of Cumberland county.

The following bills were reported, viz:
By Mr. Ireland—
1. A bill to provide for the raising of an additional military force.
By the Committee on Claims—
2. A bill for the benefit of Travis Daniel, of Bath county.
By the Committee on the Judiciary—
3. A bill to define the duties of attorneys for the Commonwealth.
By the Committee on Ways and Means—
4. A bill for the benefit of the late sheriffs of this Commonwealth.
By same—
5. A bill to provide for the collection of the public revenue and county levies for 1861, in the county of Muhlenburg.
By the Committee on Internal Improvement—
6. A bill for the benefit of the Cleveland turnpike road company.
By same—
7. A bill for the benefit of the Old Frankfort turnpike road company.
By same—
8. A bill transferring portions of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren.
By the Committee on Education—
9. A bill for the benefit of school district No. 7, in Garrard, and No. 29, in Clarke county.
By the Committee on Banks—
10. A bill for the benefit of the Bank of Ashland.
By the Committee on Circuit Courts—
11. A bill for the benefit of persons in Jessamine county who have subscribed and paid in stock to aid in the construction of turnpike roads in said county.
By Mr. Powell—

12. A bill for the benefit of Harlan county.

By Mr. Rankin—


By Mr. Turner—

14. A bill to change the time of holding the courts of Montgomery, Powell, Pike, and Johnson counties.

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 ordered to be printed; the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, and 14th 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, and the same being engrossed,

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

Mr. Curtis, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Clay and Kiser's turnpike road company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

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

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

Mr. Underwood moved to take up the bill, entitled "An act to amend the law with regard to commissioner's sales," &c., out of the regular order of business.

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

The yea's and nay's being required thereon by Messrs. Wolfe and Tevis, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, John H. Harney, Nicholas A. Rapier,
Vincent Ash, William J. Heady, John Ray,
E. B. Bacheller, Joseph W. Heeter, F. D. Rigney,
John W. Blue, Wm. C. Ireland, J. A. Rousseau,
Mr. Ricketts offered an amendment to the substitute.

Mr. Cleveland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Ricketts called for a division.

The question was taken on striking out the 3d section of the bill, which reads as follows, viz:

"In valuing the property, as herein required, the valuers shall do it in accordance with the state of the currency and the prices of property, at the time when the debt was contracted, if the execution issued on a judgment founded on contract; but if the execution issued on a judgment founded on tort, then the valuation shall be made regarding the state of the currency, and the prices of property at the date of the judgment."

And it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay.
Those who voted in the affirmative, were—

Joseph Gardner, John B. Huston, John C. Lindsey, David P. Mears, Thomas W. Owings,

Those who voted in the negative, were—

Richard T. Jacob, Daniel W. Johns, Urban E. Kennedy, Alexander Lusk, Otho Miller,

The question was then taken on adopting the 2d amendment to the substitute, and 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 affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John H. Harney, George Poindexter,

Mr. Speer, John H. Harney, George Poindexter,

Jas. W. Anderson, Wm. J. Heady, Nicholas A. Rapier,

Wm. J. Heady, Nicholas A. Rapier,

Vincent Ash, Joseph W. Heeter, John Ray,

Vincent Ash, Joseph W. Heeter, John Ray,

E. B. Bacheller, William C. Ireland, F. D. Rigney,

E. B. Bacheller, William C. Ireland, F. D. Rigney,

John W. Blue, Richard T. Jacob, J. A. Rousseau,

John W. Blue, Richard T. Jacob, J. A. Rousseau,

W. P. D. Bush, Daniel W. Johns, M. Smith,

W. P. D. Bush, Daniel W. Johns, M. Smith,

Joseph H. Chandler, William Johnson, James P. Sparks,

Joseph H. Chandler, William Johnson, James P. Sparks,

John B. Cochran, Urban E. Kennedy, George M. Thomas,

John B. Cochran, Urban E. Kennedy, George M. Thomas,

Robert Cochran, James M. C. Lisenby, John R. Thomas,

Robert Cochran, James M. C. Lisenby, John R. Thomas,

John C. Cooper, P. L. Maxey, Joseph R. Underwood,

John C. Cooper, P. L. Maxey, Joseph R. Underwood,

Stephen J. England, David P. Mears, John S. Van Winkle,

Stephen J. England, David P. Mears, John S. Van Winkle,

John W. Finnell, Otho Miller, Nathaniel Wolfe,

John W. Finnell, Otho Miller, Nathaniel Wolfe,

Elijah Gabbert, Thomas Z. Morrow, Bryan R. Young,

Elijah Gabbert, Thomas Z. Morrow, Bryan R. Young,

George M. Hampton, Felix G. Murphy, Van B. Young—42.

George M. Hampton, Felix G. Murphy, Van B. Young—42.

Those who voted in the negative, were—

Alfred Allen, Francis L. Cleveland, William S. Rankin,

Alfred Allen, Francis L. Cleveland, William S. Rankin,

Landaff W. Andrews, William L. Conklin, Joseph Ricketts,

Landaff W. Andrews, William L. Conklin, Joseph Ricketts,

William A. Brann, Albert A. Curtis, George S. Shanklin,

William A. Brann, Albert A. Curtis, George S. Shanklin,

R. J. Browne, W. H. Edmonds, G. Clay Smith,

R. J. Browne, W. H. Edmonds, G. Clay Smith,

Curtis F. Burnam, Joseph Gardner, Harrison Taylor,

Curtis F. Burnam, Joseph Gardner, Harrison Taylor,
The substitute, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all property, real, personal, or mixed, taken or levied on to satisfy any execution, shall be valued by two disinterested intelligent housekeepers of the county, not related to either of the parties concerned, and who shall be sworn by the officer having charge of the execution, honestly and to the best of their judgments to value said property, which shall be certified by the officer. If they disagree, the officer shall sell the property shall act as umpire. If a part of the property is sold, the part so sold shall, after the sale, be valued in like manner.

§ 2. The valuation so made shall be in writing, signed by the persons making it, and returned with the execution; and the officer making the sale shall, in his return, refer to the certificate of valuation, and explain the proceeding, so as to make it appear that the property valued was the same levied on; and the valuers, in their certificate of valuation, shall state the value of each article separately.

§ 3. If the property, when sold, brings two thirds of the value thereof, when made as aforesaid, then the title to each article and piece of property, so bringing two thirds of its value, shall vest in the purchaser, and the officer selling shall convey it accordingly. But the title to such articles and pieces of property which do not bring two thirds of their value, made as aforesaid, shall not vest in the highest bidder at the sale, and the officer shall not convey the same to such bidder.

§ 4. If the execution be not satisfied by the sale of property bringing two thirds of its value, then, for the amount remaining unsatisfied, the plaintiff in the execution, his agent or attorney, may sue out another execution for the unsatisfied amount, and cause the same to be levied on any property subject to execution, and owned by the defendant or defendants against whom the execution issues, and which such plaintiff, his agent or attorney, may select. The property thus levied on, in virtue of a second or any subsequent execution, shall be valued, as hereinbefore provided for, and sold as required by law; and, when thus sold, if it brings two thirds of its value, the title shall vest in the purchaser, and the officer shall convey it accordingly.

§ 5. Whenever personal property is valued and offered for sale under the provisions of this act, and does not bring two thirds of its value, ascertained as aforesaid, the officers shall return the same to the execution defendant from whom it has been taken: Provided, Such defendant shall, before the return thereof, execute bond, with good security, to be approved by the officer, to the plaintiff or plaintiffs in the execution, in substance stating the value of the property returned, and stipulating and agreeing that such defendant and his sureties will re-deliver to such officer, or to his successor in office, property of equal value to
that returned, at the time and place which may be appointed for the
sale thereof, whenever the same shall be required or demanded by the
officer, or his successor in office. If no such bond be executed, then
the officer making the levy, and having in his possession the property
levied on, shall retain, and take care of, the property according to law.
If the bond be given, it shall be returned to the office from which the
execution issued within fifteen days after its date, if such office be in
the county wherein the officer resides; and if it be not, then the officer
shall, upon demand, deliver the bond to the execution plaintiff, or to
his agent or attorney, to be returned to the office from which the exe-
cution issued.
§ 6. Whenever a bond is taken and returned to the office from which
the execution issued, as provided for in the preceding section, it shall
be lawful for the obligee or obligees, or any one of them, to require
the officer who took the bond, or his deputy, or his successor in office,
to make a demand of the obligors in said bond, requiring them to
comply therewith. Upon such request it shall be the duty of such
officer, his deputy, or successor in office, to notify said obligors of the
time and place fixed for the sale of the property, and to demand of
them a delivery of property sufficient, at two thirds of its value, to pay
the amount mentioned in the bond and interest thereon from the date
of the bond, which notification and demand shall be in writing, and a
copy thereof shall be served by the officer, his deputy, or successor in
office, upon each obligor. The officer, upon giving such notice and
making such demand, shall advertise that he will, at the time and
place mentioned in said notice, offer for sale the property which may
be then and there surrendered by the obligors to pay the amount men-
tioned in the bond, with interest as aforesaid. On the day of sale, or
before, the property which may be surrendered by the obligors in dis-
charge of their bond, shall be valued as is hereinafore required; and
if, when so valued, it does not equal the amount stated in the bond
and interest thereon from its date, the obligee or obligees, their agent
or attorney, may direct the officer not to receive and offer for sale any
of the property, but to return the original notice and demand, with an
endorsement thereon, in substance, that the demand was not complied
with, to the office in which the bond is filed; which being done, the
clerk or proper officer holding the bond shall issue an execution there-
on in favor of the obligee or obligees against the obligors for the
amount mentioned in the bond, and interest thereon at the rate of six
per cent. per annum from the date of the bond until paid; which
execution shall be levied by the officer to whom it is directed upon any
property, subject to execution, owned by any of said obligors, pointed
out and selected by the obligee or obligees, or their agent or attorney.
The property thus levied on shall be advertised for sale as required by
law; it shall be valued in manner aforesaid before put up for sale, and
each article or piece thereof, which brings two thirds of its value,
shall be vested in the purchaser, to whom the officer making the sale
shall convey the same. If, on such sale, the property sold does not
bring enough at two thirds of its value to satisfy the amount of the
execution which issues upon the bond, then another execution shall be
issued upon the same bond for the amount thereof, to be credited with
the sum raised by the preceding sale; after deducting the officer's
commission; and executions may thus issue, from time to time, until,
by the sale of property at two thirds of its value, the bond is
satisfied; which subsequent executions may be levied on any property
subject to execution, owned by the defendants, which the plaintiff
may select.

§ 7. On all original judgments the defendant or defendants shall
have the same right to replevy the executions which issue thereon, as
is allowed by law; and if such defendants fail to replevy the same,
then the property which may be levied on shall be sold on a credit of
three months, provided it brings two thirds of its value, after being
valued as aforesaid. But if it does not bring two thirds of its value, it
shall be returned to the defendant from whom it was taken, upon his
executing bond as aforesaid; which bond shall be returned to the
office from which the execution issued, and after the expiration of
three months an execution may issue thereon as aforesaid, which shall
be indorsed by the officer issuing the same that no replevy is to be
allowed. Upon the first execution so indorsed, the defendants may
surrender to the officer levying the same, such property owned by
them as they deem proper, provided they surrender enough to
pay the amount of the bond, with interest from its date, of which the
officer shall judge; and such officer may levy on more property than
is surrendered, if, in his opinion, it be necessary. If the property thus
surrendered and levied on does not, when sold, bring two thirds of its
value, then it shall be returned to the defendant or defendants who
surrendered it, and the plaintiff may take out other executions on said
bond and have the same levied on any property of the defendants, not
exempt from execution, that the plaintiff may select, to be disposed
of in all respects as hereinbefore provided for. It being the true
intent and meaning of this act to secure to debtors the privilege of
paying their debts by surrendering such property as they please in the
first instance, and to prevent the sacrifice thereof to their ruin; and to
secure justice to creditors by allowing them to select any property of
the debtor, and have the same levied on after the debtor fails to
surrender such property as will pay the debt at two thirds of its value.

§ 8. If property sufficient is not surrendered or levied on to pay the
amount of any execution, and the property so levied on is valued and
returned to the defendant, from whom it was taken, and a bond
executed as aforesaid, for the re-delivery of property of an equal
amount in value as aforesaid, then the officer holding the execution
shall return the same as entitled to a credit for the amount mentioned
in the bond, after deducting his commission; and a subsequent
execution may issue for the residue unsatisfied by the execution of
such bond.

§ 9. In foreclosing mortgages and liens, and in selling property
under the decree or judgment of the chancellor to satisfy any debt, the
chancellor shall adopt and apply the provisions of this act to all sales
ordered and decreed by him, and the commissioner appointed by the
chancellor shall in all respects act under the directions of the chan-
cellor in taking bonds and performing all duties required of him, as if he were a sheriff acting under an execution, and all his acts shall be equally valid. But no sale of property made under the decree or judgment of any chancellor shall be valid, and pass the title to the purchaser, unless the property shall bring two thirds of its value, to be ascertained according to the requirements of this act.

§ 10. All laws inconsistent with the provisions of this act are hereby repealed.

§ 11. That this act take effect from 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,

Mr. Huston offered an amendment, by way of engrossed ryder, which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That every judgment hereafter rendered by any judge or justice of any court, in civil cases, shall operate from its rendition as a lien for its payment on all the property of the persons against whom such judgment is rendered, not now exempt from execution for debt, of the same binding force that executions now have when received and indorsed by sheriffs: Provided, That all judgments rendered at the same term of a court against the same person, shall have an equal and distributive lien, so that one of said judgments shall have no precedence of lien over the others at same term.

§ 2. That no execution shall issue on the said lien judgments for three months after the rendition of the same, and when issued shall be made returnable in three months from the date thereof.

§ 3. That said judgment shall be repleviable for three months, as now required by law, at any time before the return day of the execution issued thereon.

The Speaker decided the amendment not in order, on the ground that the amendment conflicted with the provisions of the bill under consideration.

From which decision of the Chair Mr. Huston appealed.

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.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Joseph W. Heceter, John Ray,
Vincent Ash, William C. Ireland, Joseph Ricketts,
E. F. Burns, Richard T. Jacob, F. D. Rigney,
W. P. D. Bush, Daniel W. Johns, J. A. Ronsean,
James Calvert, William Johnson, George S. Shanklin,
Mr. Browne moved an amendment, by way of engrossed order, which reads as follows, viz:

That if any party shall stipulate in his note, bond, or other writing, obligating that he waives the benefits of this act, that stipulation shall be specifically enforced; and said waiver shall be indorsed upon any execution that may issue to enforce the collection of such debt, and the sales under such execution shall in all things be regulated as now provided by law.

The question was taken thereon, and the amendment was rejected.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Francis L. Cleveland, Joseph Ricketts, J. A. Rousseau, George S. Shanklin, James P. Sparks, Harrison Taylor, Joshua Tevis, George M. Thomas, Thomas Turner, Milton Young—29.

Jas. W. Anderson, William J. Headly, George Poindexter, Nicholas A. Rapier, John Ray,
Resolved, That said bill, as amended, do pass, and that the title thereof be as aforesaid.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, George M. Hampton, George Poindexter,
Vincent Ash, John H. Harney, Nicholas A. Rapier,
E. B. Bacheller, William J. Heady, John Ruy,
John W. Blue, Joseph W. Heeter, F. D. Rigney,
E. F. Burns, William C. Ireland, J. A. Rousseau,
W. P. D. Bush, Richard T. Jacob, G. Clay Smith,
Cyrus Campbell, Daniel W. Johns, M. Smith,
Joseph H. Chandler, William Johnson, George M. Thomas,
John B. Cochran, Joseph W. Heeter, John R. Thomas,
Robert Cochran, William C. Ireland, J. R. Underwood,
John C. Cooper, P. L. Maxey, John S. Van Winkle,
W. H. Edmunds, David P. Mears, George P. Webster,
Stephen J. England, Otho Miller, Nathaniel Wolfe,
Elijah Gabbert, Thomas Z. Morrow, Bryan R. Young,
George M. Hampton, Felix G. Murphy, Van B. Young—43.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Francis L. Cleveland, William S. Rankin,
Alfred Allen, William L. Conklin, Joseph Ricketts,
Landaf W. Andrews, Albert A. Curtis, George S. Shanklin,
William A. Brann, Joseph Gardner, James P. Sparks,
R. J. Browne, John B. Huston, Harrison Taylor,
Curtis F. Burnam, Urban E. Kennedy, Joshua Tevis,
James Calvert, John C. Lindsey, Thomas Turner,
J. W. Campbell, Alexander Lusk, Zeb. Ward,
A. B. Chambers, Thomas W. Owings, Bryan R. Young,

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

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to procure the passage of an act abolishing the holding of United States courts at Covington and Paducah.
The rule of the House being dispensed with,
Mr. G. Clay Smith moved to include Louisville in the resolution.
Which amendment was adopted.
Said resolution, as amended, was twice read and adopted.
Bills from the Senate of the following titles, viz:
1. An act for the benefit of the Commercial Bank of Kentucky.
2. An act to amend the revenue laws of this Commonwealth.
3. An act to repeal an act to establish equity and criminal courts in
the first judicial district.
4. An act to repeal an act, entitled "An act to prescribe the means
and mode of opening roads in Boone county," approved December 23,
1859.
5. An act for the benefit of the Methodist Episcopal Church, South,
in Floydsburg.
6. An act for the benefit of the Spencer and Nelson County turnpike
road company.
7. An act for the benefit of James H. Reynolds, sheriff of Adair
county, and James P. Miller, sheriff of Russell county.
8. An act to amend the charter of the Masonic Temple Company, of
Louisville.
9. An act for the benefit of the sureties of W. A. L. B. Sharp, of
Estill county.
10. An act for the benefit of the estate of Dr. John L. Scott, deceased.
11. An act for the benefit of the sheriffs of Spencer and Larue coun-
ties.
12. An act to reduce the expenditures for binding and printing public
books and documents.
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, 6th, and 8th
were ordered to be read a third time; the 2d, 7th, 9th, 10th, and 12th
were referred to the Committee on Ways and Means; the 3d was
referred to the Committee on Circuit Courts; the 11th to the Commit-
tee on the Judiciary; the 4th bill was rejected.
The rule of the House, constitutional provision, and third reading
of the 1st, 5th, 6th, 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 Senate, announcing that they had
passed bills from this House, of the following titles, viz:
An act to abolish the office of President of the Board of Internal Improvement, and create a new board, and prescribe their duties.
An act for the protection of birds and other game.
An act suspending the statutes of limitation in Whitley, Knox, and Harlan counties.
An act for the benefit of John B. Hall and James Clayton.
An act for the benefit of the late sheriffs of this Commonwealth.
An act providing for the collection of the public revenue and county levies for 1861, in the county of Muhlenburg.
An act for the benefit of the Old Frankfort turnpike road company.
An act for the benefit of E. F. Fish, late clerk of the Rockcastle circuit and county courts.
An act to define the duties of the attorneys for the Commonwealth.
An act for the benefit of the Cleveland turnpike road company.
An act for the benefit of the Bank of Ashland.
An act for the benefit of persons in Jessamine county, who have subscribed and paid in stock to aid in the construction of turnpike roads in said county.
An act for the benefit of Harlan county.
An act for the benefit of Hiram G. Richardson, Sarah Ann Richardson, and Nancy Ann Richardson.
An act in relation to vacancies in ministerial offices.
An act for the appropriation of money.
With amendments to the last two named bills.
A resolution in relation to the pay of absent members.
That they had passed bills of the following titles, viz:
An act to amend the revenue laws of this Commonwealth.
An act for the benefit of Dr. John L. Scott's estate.
An act for the benefit of the sheriffs of Spencer and Larue counties.
That they had concurred in the amendment proposed by this House to a Senate bill, entitled
An act to amend the Code of Practice in civil cases.
Mr. Blue, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution, which originated in this House, of the following titles, viz:
An act to abolish the office of President of the Board of Internal Improvement, and to create a new board, and to prescribe their duties.
An act authorizing the county judge of Pulaski county to appoint a sheriff.
An act for the benefit of Samuel Province.
An act to increase the powers and extend the jurisdiction of the
town marshal of Smithland.
An act for the benefit of school district No. 33, in Nelson county.
An act for the benefit of Transylvania University.
A resolution in relation to a recess.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
At 11 o'clock, P. M., Mr. Jacob moved that the House adjourn.
And the question being taken thereon, it was decided in the affirm-
ative.
The yeas and nays being required thereon by Messrs. Andrews and
Hampton, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And then the House adjourned.
Mr. Heady moved the following resolution, viz:

Resolved, That the Public Printer be directed to deliver to each member of this House ten copies of the 4th volume of the report of the Geological Survey.

Mr. Barnam moved the following as an amendment to said resolution, viz:

That he also deliver 100 copies of said report to Dr. R. S. Peter for the Geological Corps; 50 copies to the State Library; 200 copies for State exchanges; 10 copies to the Smithsonian Institution at Washington; 1 copy to each incorporated college in Kentucky.

Which was adopted.

The resolution, as amended, was taken up, twice read, and adopted.

Mr. Van B. Young moved the following resolution, viz:

Resolved, That a select committee of two members be appointed to ascertain and report to this House, at its next meeting in February, whether the Superintendent of Public Instruction is present in Frankfort at necessary periods to discharge the duties of his office.

Which was rejected.

Mr. Allen moved the following resolution, viz:

Resolved, That the Public Printer prepare and print and send to the address of the members of this House, 150 copies each of the titles and synopsis of the acts passed at the present session of the General Assembly.

Mr. J. B. Cochran moved to strike out 150 copies and insert 50.

Which was adopted.

The resolution, as amended, was then rejected.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts, hereafter, be directed to issue no warrant upon the Treasurer in favor of Judge W. H. Burns, until his case is investigated before this Legislature.

Mr. Van B. Young moved the following as an amendment to said resolution, viz:

That he shall not preside as judge in any of the courts of his judicial district until this Legislature shall determine his case.

Which amendment was rejected.

The yea and nay being required thereon by Messrs. Hampton and Chambers, were as follows, viz:
Those who voted in the affirmative, were—

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<td>John H. Harney</td>
<td>Urban E. Kennedy</td>
<td>Geo. P. Webster</td>
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<td>Joseph W. Heeter</td>
<td>Hiram S. Powell</td>
<td>Van B. Young—38</td>
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<td>Daniel W. Johns</td>
<td>J. A. Rousseau</td>
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Those who voted in the negative, were—

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<tr>
<td>Mr. Speaker, (Buckner,)</td>
<td>William L. Conklin</td>
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<td>Alfred Allen</td>
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The question was then taken on adopting the resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

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<td>Nathaniel Webster—39</td>
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<td>Stephen J. England</td>
<td>Hiram S. Powell</td>
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Those who voted in the negative, were—

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<td>Mr. Speaker, (Buckner,)</td>
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On motion of Mr. Taylor, Mr. Andrews has leave of absence from and after 3 o'clock this day.

Mr. Burnam moved the following resolution, viz:

Resolved, That Hon. R. A. Buckner, Speaker of this House, be instructed to issue, at such time as he may deem right, writs for the election of members to fill the seats made vacant by the expulsion of J. Q. A. King, Geo. W. Ewing, Geo. W. Silvertooth, Jno. M. Elliott, John C. Gilbert, Geo. R. Merritt, Daniel Matthewson, and A. R. Boone; said writs to be directed to the sheriffs of the various counties so represented by said expelled members respectively.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor, in settling the accounts of members of this General Assembly, be required to pay them mileage according to the routes of travel they are necessarily compelled to pursue to enable them to reach their homes respectively.

The rule of the House having been dispensed with,

Said resolution was adopted.

The following bills were reported, viz:

1. A bill to amend the law in regard to the election of military officers.

2. A bill for the benefit of trustees of school district No. 17, in Henry county.

3. A bill for the benefit of Jonathan Horsefall, jailer of Newport.

4. A bill for the benefit of persons in the counties of Clarke, Taylor, and Washington, who have subscribed and paid in stock to aid in the construction of turnpike roads in said counties.
JOURNAL OF THE

By Mr. Taylor, from the Committee on Ways and Means—
5. A bill to amend an act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties.
   By Mr. B. R. Young—
6. A bill to amend an act to incorporate the Petroleum Sulphur Spring and Manufacturing Company.
   By Mr. Huston—
7. A bill providing for filling vacancies in the Board of Commissioners of Internal Improvement.
   By Mr. Underwood, from the Committee on Military Affairs—
8. A bill to reduce the number of the Military Board.

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, and 7th were severally ordered to be engrossed and read a third time.

Ordered, That the further consideration of the 8th bill be postponed.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, and 7th bills 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, entitled
A bill for the benefit of the Kentucky soldiers in the Federal and State army.

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,

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, John Ray,
Alfred Allen, John W. Finnell, Joseph Ricketts,
James W. Anderson, Elijah Gabbert, F. D. Rigney,
Landaff W. Andrews, John H. Harney, J. A. Rousseau,
E. B. Bacheller, William J. Heady, Geo. S. Shanklin,
John C. Beeman, Joseph W. Heeter, M. Smith,
R. I. Browne, John B. Huston, James P. Sparks,
Curtis P. Burnam, William C. Ireland, Harrison Taylor,
James Calvert, Richard T. Jacob, Joshua Tevis,
Those who voted in the negative, were—

Vincent Ash, W. H. Edmunds, William Johnson,
E. F. Burns, Joseph Gardner, John C. Lindsey,

William L. Conklin,

The bill reads as follows, viz:

WHEREAS, The State of Kentucky now has many of her sons imperiling their lives in the defense of the State and National Governments, who have left needy and helpless wives and children behind them; wherefore, to prevent advantage being taken of them, and to prevent their estates being sacrificed, and for the protection of them and their families,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That sections 135 and 187 of the Civil Code shall not apply to actions brought against officers or soldiers in the Federal or State army, but the defense to actions prosecuted by ordinary proceedings against such defendants must be filed on the day they are set for trial, which, in the circuit court, will be the second term, commencing not less than ten days after the execution of the summons; and in equity causes, in the equity and circuit courts, the third day of the second term, commencing not less than twenty days after the execution of the summons; and in all actions in quarterly, police, and justices' courts, on the day said actions are set for trial, which will be the third term, commencing not less than five days after the execution of the summons.

§ 2. Actions mentioned in section 106 of the Civil Code, against a single defendant, who is an officer or soldier, or against more than one, all of whom are officers or soldiers in the Federal or State army, must be brought in the county of the residence of the family of one of said defendants, or in the county of the residence of one of said defendants at the time he enlisted: Provided, He has no family in this State at the institution of the action.

§ 3. In actions mentioned in title 10, chapter 5th, of the Civil Code, brought on a return of "no property found," against an officer or soldier in the Federal or State army, no lien as against said defendants or the garnishees or persons holding the property sought to be subjected, shall be acquired on said property, or chose in action, until the execution of the summons on said officer or soldier.

§ 4. Limitation shall not run against any cause of action against the officer or soldiers described herein during the time this act remains in force.
§ 5. Executions on judgments heretofore rendered, or hereafter to be rendered, in all courts in this State, as to all persons whatever, shall be made returnable in not less than seventy and not more than one hundred and twenty days.

§ 6. This act shall take effect from its passage, and shall remain in force only until the 1st day of January, 1863; and all acts inconsistent herewith are repealed.

Mr. Burnam moved a reconsideration of the vote passing the bill aforesaid, and that the consideration thereof be postponed till after the recess.

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

The House took up a bill, entitled

A bill to amend an act, entitled "An act to suspend the circuit and other courts in this Commonwealth, and for other purposes."

Which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section 1st of an act, entitled "An act to suspend the circuit and other courts in this Commonwealth, and for other purposes," approved May 24, 1861, be, and the same is hereby, amended so that all the provisions of said section, except the provision in regard to the circuit court of Boyle county, shall be in full force and effect until the 1st day of January, 1863.

§ 2. That section 2d of said act be, and the same is hereby, so amended that all of its provisions shall be in full force until the 1st day of March, 1863; and all executions now made returnable, or by law should have been made returnable, to the 1st day of March, 1862, when issued, shall be made returnable to the 1st day of March, 1863; and all executions that may be issued on or after the 1st of March, 1862, shall be made returnable the 1st day of March, 1863.

§ 3. The provisions of sections 3 and 4 of said act are hereby re-enacted and made applicable to this act.

§ 4. This act to take effect from and after its passage.

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

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) (Francis L. Cleveland, Alexander Lusk,
Alfred Allen, John B. Cochran, Ortho Miller,
Laudaff W. Andrews, Robert Cochran, Joseph Kicketts,
Vincent Ash, William L. Cenkl, J. A. Rousseau,
John C. Beeman, Albert A. Curtis, George S. Shanklin,
R. J. Browne, Stephen J. England, M. Smith,
Curtis E. Burnam, John W. Finnell, James P. Sparks,
E. F. Burns, Elijah Gabbert, Harrison Taylor,
W. P. D. Bush, Joseph Gardner, Joshua Tevis,
The House took up the amendment of the Senate to the amendment of this House, to the amendment of the Senate, to a bill, entitled

An act to amend the charter of the city of Louisville.

Which was concurred in.

The House took up amendments of the Senate to bills from this House, of the following titles, viz:

- An act for the benefit of the members of the Kentucky Annual Conference of the Methodist Episcopal Church, South.
- An act concerning pauper idiots.
- An act in relation to the appointment of school commissioners, &c.
- An act for the benefit of John L. Davidson and his sureties.
- An act for the benefit of Chas. N. and Harriet Wheeler.
- An act to distribute public books, &c.
- An act for the appropriation of money.

Which amendments were separately concurred in.

The House took up the amendment of the Senate to a bill from this House, entitled

An act to prevent clerks of courts from practicing law in certain courts.

Mr. Huston moved an amendment.

Which was adopted.

Mr. Ward moved to lay the bill and amendment on the table.

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

Mr. Huston moved a reconsideration of the vote laying the bill and amendment on the table.
And the question being taken thereon, it was decided in the affirmative.

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

The House then took up the amendment of the Senate to a bill from this House, entitled

A bill concerning common schools.
The question was taken on concurring in the Senate amendment and it was decided in the negative.

The House then took up the Senate amendment to a bill from this House, entitled

An act to punish certain trespassers in Jefferson county.

Mr. Webster moved an amendment, applying the provisions of the bill to the counties of Campbell and Woodford.

Which was adopted.
The question was taken on concurring in the amendment, as amended, and it was decided in the affirmative.

The House then took up the amendment of the Senate to a bill from this House, entitled

An act in relation to vacancies in ministerial offices.
The question was taken on concurring in the Senate amendment, and it was decided in the negative.

The House took up the bill amending the law with regard to billiards.

Ordered, That the consideration thereof be postponed.

The House then took up the resolution of this House, reported by the Committee on the Judiciary, regarding the further suspension of the courts of this Commonwealth.

Mr. Huston moved to lay the resolution on the table.

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

The House then took up the amendment of the Senate to the resolutions adopted by this House in relation to the construction of a railroad to connect Kentucky with East Tennessee and Western North Carolina.

Mr. Bush moved an amendment to the same, making the terminus of said road at Lewisport, Kentucky, on the Ohio river.

Which amendment was rejected.
The question was then taken on concurring in the 1st amendment of the Senate, "for military purposes," and it was decided in the affirmative.

The question was then taken on concurring in the 2d amendment of the Senate, and it was decided in the negative.

The House then took up the Senate resolutions relating to the per diem and mileage of members of this General Assembly.

Which were twice read and concurred in.

The House then took up the resolution of the Senate in relation to a vacancy in the first congressional district.

Which was twice read and concurred in.

The House then took up the resolution from the Senate in relation to furnishing the members of the Legislature with the general laws.

Which was twice read and concurred in.

The House then took up the Senate resolution in relation to the election of Public Binder.

Which was twice read and concurred in.

The House then took up the Senate resolution in relation to property lost or destroyed during the present war.

Which was twice read and concurred in.

The House then took up the amendment proposed by the Senate to resolutions from this House concerning Federal Relations.

The question was taken on concurring in the Senate amendment, which is as follows, viz:

Resolved, That in his modification of Fremont's proclamation, and of Secretary Cameron's report, the President of the United States has given earnest and gratifying evidence of his purpose to administer the Government under the sanction of the Constitution, and for his faithfulness under the circumstances, he is entitled to, and should receive, the thanks of every loyal-hearted man in the State and nation.

Resolved, That we respectfully request the President of the United States to dispense with the services of Mr. Cameron as a member of his Cabinet.

And it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Hiram S. Powell,
Alfred Allen, Elijah Gabbert, Nicholas A. Rapier,
Jas. W. Anderson, Joseph Gardner, John Ray,
Landaff W. Andrews, John H. Harney, Joseph Ricketts,
Vincent Ash, William J. Heady, F. D. Rigaeu,
E. B. Bacheller, JOURNAL OF THE
John W. Blue, J. A. Rousseau,
R. J. Browne, George S. Shanklin,
Cyrus F. Burnam, M. Smith,
W. P. D. Bush, James P. Sparks,
James Calvert, Harrison Taylor,
Cyrus Campbell, Joshua Tevis,
J. W. Campbell, George M. Thomas,
A. B. Chambers, John R. Thomas,
Joseph H. Chandler, Joseph R. Underwood,
Brutus J. Clay, Alexander Lusk,
Francis L. Cleveland, John S. Van Winkle,
John B. Cochran, Zeb. Ward,
Otho Miller, Nathaniel Wolfe,
Robert Cochran, Bryan R. Young,
William L. Conklin, Milton Young—65,
Albert A. Curtis, George Poindexter,

Those who voted in the negative, were—

W. H. Edmunds,

The House then took up the Senate resolution in relation to the
election of persons to constitute the Board of Internal Improvement.

Mr. Allen moved to strike out the figures 12 o'clock.

Which was adopted.

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

The House then took up the resolution, offered by Mr. J. W. Anderson, in relation to ministers of the gospel celebrating the rites of mat¬rimony, which is as follows, viz:  

Resolved, That the Committee on Religion be instructed to report to this House a joint resolution requiring all ministers of the gospel in
this Commonwealth to go before the county court clerks of their
respective counties, and take an oath to support the Constitution of
the United States and the State of Kentucky; and that such oath
shall be with all such ministers a condition precedent to the legal sol¬
lemnization of the marriage rite.

Mr. Cleveland moved to lay the resolution on the table.

And the question being taken thereon, it was decided in the affirm¬
ative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, George Poindexter,
Alfred Allen, W. H. Edmunds, Nicholas A. Rapier,
Landaff W. Andrews, Stephen J. England, John Ray,
Vincent Ash, John W. Finnell, Joseph Ricketts,
Mr. Underwood, from the Committee on Military Affairs, to whom was referred a bill, entitled
A bill to provide for the raising of an additional military force,
Reported the same without amendment.
Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
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 on the passage of said bill by Messrs. Burns and Burnam, were as follows, viz.:

Those who voted in the affirmative, were—

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Those who voted in the negative, were—

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Mr. Underwood, from the Committee on Military Affairs, to whom was referred a bill, entitled
A bill to provide for the raising of an additional military force,
Reported the same without amendment.
Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
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 on the passage of said bill by Messrs. Burns and Burnam, were as follows, viz.:

Those who voted in the affirmative, were—

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Those who voted in the negative, were—


Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth is hereby directed to issue his proclamation forthwith, calling out three thousand soldiers, residents and citizens of Kentucky, to serve for the term of twelve months, unless sooner discharged; that the forces so raised shall be cavalry and mounted riflemen, and be organized into three regiments according to existing laws.

§ 2. The Military Board are authorized to organize said force, provide for the equipage, arming, and subsistence thereof, in conformity with existing laws, and for this purpose may use any moneys now under their control, or authorized to be raised for military purposes by existing laws.

§ 3. The force raised under this act shall be mustered into the service of the United States if this shall be allowed by an act of Congress, or authority of the War Department; and if this cannot be done, then the force shall be continued in the service of the State.

§ 4. The Military Board is authorized to put into practical operation the provisions of the bill.

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

An act for the benefit of Granville Burch, of Hart county.

An act to authorize the Board of Commissioners created by an act, entitled "An act for the regulation of the militia, and to provide for the arming of the State, approved May 24, 1861; and also to further provide for the public defense," to fill vacancies in said Board.

Resolutions in relation to the election of persons to constitute the Board of Internal Improvement.

That they had concurred in an amendment of this House to the Senate resolution in relation to senatorial elections for 1863.
That they had receded from their 2d amendment to the resolutions adopted by this House in relation to the construction of a railroad to connect Kentucky with East Tennessee and West North Carolina.

That they had concurred in amendment of this House in relation to the election of persons to constitute Board of Internal Improvement.

That they had concurred in amendment of this House to an amendment of the Senate to a bill, entitled

An act to punish certain trespassers in Jefferson county.

That they had receded from the amendment to a bill from this House, entitled

An act in relation to ministerial offices.

That they had passed a resolution in favor of Chinn and Gwin.

That they had concurred in an amendment of this House to a bill from the Senate, entitled

An act for the benefit of the sureties of W. A. L. B. Sharp, sheriff of Estill county.

And had received official information from the Governor that he had signed and approved sundry enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend section 473 of the Civil Code of Practice.

An act enlarging the powers of the Cumberland county court in ferry cases.

An act for the benefit of the inhabitants of the city of Frankfort.

An act to amend the charter of the town of Mount Sterling.

An act to amend an act to amend title 7, chapter 4, of the Code of Practice, approved December 16, 1857.

That they had concurred in the resolution from this House concerning Federal Relations, with an amendment.

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

An act for the benefit of school district No. 63, in Lawrence county.

An act for the benefit of school district No. 42, in Henderson county.

An act for the benefit of school district No. 7, in Meade county.

An act to change the time of holding the circuit courts in the counties of Montgomery, Powell, Pike, and Floyd.

An act to amend the law in regard to the election of military officers.

An act for the benefit of Jonathan Horsefall, jailer of the city of Newport.
An act for the benefit of Dillon White.
An act for the benefit of Travis Daniel, of Bath county.
An act for the benefit of persons in the counties of Clarke, Taylor, and Washington, who have subscribed and paid in stock to aid in the construction of turnpike roads in said counties.
An act to amend an act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties.
An act for the benefit of trustees of school district No. 17, in Henry county.
An act to amend an act to incorporate the Petroleum Sulphur Spring and Manufacturing Company.
An act transferring a portion of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren.
With an amendment to the last named bill.
That they had disagreed to a bill from this House, entitled
An act authorizing Commonwealth's attorneys to administer oaths.
The House took up bills from the Senate, viz:
An act to authorize the Board of Commissioners created by an act, entitled "An act for the regulation of the militia, and to provide for the arming of the State, approved May 24, 1861; and also to further provide for the public defense," to fill vacancies in said Board.
An act for the benefit of Granville Burch, of Hart county.
An act for the benefit of James P. Miller, late sheriff of Russell county.
An act for the benefit of John L. Chisholm, of Taylor 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,
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. Taylor, from the Committee on Ways and Means, to whom was referred bills from the Senate of the following titles, viz:
An act to reduce the expenditures for binding and printing public books and documents.
An act for the benefit of the estate of Dr. John L. Scott, deceased.
Reported the same without amendment.
Ordered, That said bills be read a third time.
The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
The same committee, to whom was referred Senate bill, entitled
A bill for the benefit of the sureties of W. A. L. B. Sharp, sheriff of Estill county,
Reported a substitute by way of amendment, 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 being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred a bill from the Senate, entitled
An act to repeal an act to establish equity and criminal courts in the first judicial district,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House then took up a bill, entitled
An act for the benefit of Lewis Leach, of Bullitt county.
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, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House then took up a bill, entitled
An act regulating the times of holding courts inferior to circuit courts in this Commonwealth.
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. Geo. M. Thomas offered an amendment.
Mr. Burnam moved an amendment.
Mr. Sparks moved to lay the bill and amendments on the table.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. Thomas and Sparks, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the courts of justices of the peace, police judges, the courts held by county judges called quarterly courts, and all other courts having jurisdiction inferior to or concurrent with that of the circuit court, shall hold but two terms in each year for the trial of civil suits; that said terms shall be held in the months of June and December, on such days as the county court shall designate: Provided, That nothing in this act shall be held to prohibit the said courts or officers from making any order out of term time that they are now by law authorized to make.

§ 2. That the several county courts shall designate, by an order, the day on which the said courts shall be held, which shall be advertised at each voting place in their respective counties.

§ 3. That this act shall take effect from and after its passage.

The following are the amendments to the above bill, viz:

This act shall not apply to the counties of Madison, Woodford,

Provided, That this act shall not apply to the January term, 1862, of justices' courts in Lewis county.

The House took up the resolution in relation to the cause of absence of members of this House, reported by the select committee, which is as follows, viz:

The select committee, to whom was referred a resolution authorizing an investigation into the cause of the absence of members of this House, have had the same under consideration, and beg leave to report:

Your committee are of opinion, from all the evidence before them, and the circumstances surrounding the absentees, that Daniel Matthewson, of the county of Calloway; A. R. Boon, of the county of Graves; John M. Elliott, of the counties of Floyd and Johnson; Geo. W. Silvertooth, of the counties of Hickman and Fulton; Geo. R. Merritt, of the counties of Livingston and Lyon; Geo. W. Ewing, of the county of Logan; J. C. Gilbert, of the county of Marshall; John Q. A. King, of the county of McCracken, are directly or indirectly connected with, and giving "aid and comfort" to, the Confederate army, repudiating and acting against the Government of the United States and the Commonwealth of Kentucky; and that Daniel Matthewson, A. R. Boon, Geo. W. Silvertooth, and J. C. Gilbert were members of the Russellville Convention, which organized and established a Provisional Government in Kentucky, in violation of the constitution, laws, and will of the people of the State; and which was revolutionary and rebellious; therefore, they offer the following:


The committee have been unable to find evidence sufficient to act in the case of Lucius Desha, of Harrison; John S. Barlow, of Barren; David May, of the counties of Pike and Letcher; John W. Gaines, of Trigg, and Rob't A. Spalding, of the county of Union; therefore they ask to be discharged from further consideration with regard to them.

Mr. Tevis moved to postpone the consideration thereof.

Which was rejected.

Mr. Conklin moved to strike out the name of John Q. A. King from the resolution.

The vote was taken as to adopting the resolution as to all except King and Silvertooth.

Said resolution was adopted as to all but King and Silvertooth.

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

69
Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John H. Harney,
Alfred Allen,
Jas. W. Anderson,
E. B. Bacheller,
John C. Beeman,
R. J. Browne,
Curtis F. Burnam,
James Calvert,
Cyrus Campbell,
J. W. Campbell,
Joseph H. Chandler,
Brutus J. Clay,
Francis L. Cleveland,
John B. Cochran,
Robert Cochran,
William L. Conklin,
Albert A. Curtis,
Stephen J. England,
John W. Fimmell,
Elijah Gabbert,
George M. Hampton,

Those who voted in the affirmative, were—

William J. Heady,
Joseph W. Hester,
John B. Huston,
William C. Ireland,
Richard T. Jacob,
Daniel W. Johns,
Urban E. Kennedy,
John C. Lindsey,
James M. C. Lisenby,
August Lusk,
Otho Miller,
Thos Z. Morrow,
Thomas W. Owings,
Geo. Poindexter,
Hiram S. Powell,
Nicholas A. Rapier,
John Ray,

Those who voted in the negative, were—

E. F. Burns,
W. P. D. Bush,

A. B. Chambers,
W. H. Edmunds,

Joseph Gardner—5.

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

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

Those who voted in the affirmative, were—

Alfred Allen,
Jas. W. Anderson,
E. B. Bacheller,
John C. Beeman,
R. J. Browne,
Curtis F. Burnam,
James Calvert,
Cyrus Campbell,
J. W. Campbell,
Joseph H. Chandler,
Brutus J. Clay,
Robert Cochran,
Stephen J. England,
John W. Fimmell,
Elijah Gabbert,

Those who voted in the affirmative, were—

John H. Harney,
Joseph Ricketts,
Nicholas A. Rapier,
John R. Thomas,
George M. Thomas,

John H. Heady,
Joseph W. Hester,
John B. Huston,
William C. Ireland,
Richard T. Jacob,
Daniel W. Johns,
Urban E. Kennedy,
John C. Lindsey,
James M. C. Lisenby,
Alexander Lusk,
Otho Miller,
Thos Z. Morrow,
Thomas W. Owings,
Geo. Poindexter,
Hiram S. Powell,
Nicholas A. Rapier,
John Ray,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) William L. Conklin,
Vincent Ash,

George Poindexter,

Albert A. Curtis,
The question was taken on the adoption of the resolution as to G. W. Silvertooth, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner), John H. Harney, Joseph Ricketts, 
Alfred Allen, William J. Heady, F. D. Rigney, 
Jas. W. Anderson, Joseph W. Heeter, J. A. Rousseau, 
John C. Beeman, John B. Huston, George S. Shanklin, 
John W. Blue, William C. Ireland, M. Smith, 
Curtis F. Burnam, Richard T. Jacob, James P. Sparks, 
James Calvert, Daniel W. Johns, Harrison Taylor, 
Cyrus Campbell, Urban E. Kennedy, Joshua Tevis, 
J. W. Campbell, James M. C. Lisenby, 
Joseph H. Chandler, Alexander Lusk, 
Brutus J. Clay, David P. Mears, 
Francis L. Cleveland, Thomas Z. Morrow, 
William L. Conklin, Thomas W. Owings, 
Albert A. Curtis, George Poindexter, 
Stephen J. England, Hiram S. Powell, 
John W. Funnell, Nicholas A. Rapier, 
Elijah Gabbert, John Ray, 

Those who voted in the negative, were—

R. J. Browne, Robert Cochran, Otho Miller, 
E. F. Burns, W. H. Edmunds, Thomas Turner, 
W. P. D. Bush, George M. Hampton, Joseph R. Underwood, 
A. B. Chambers, John C. Lindsey, Milton Young—14, 
John B. Cochran, P. L. Maxey, 

The House took up the amendment proposed by the Senate to the bill from this House, entitled

An act transferring portions of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren.

Which was concurred in.

The House took up the Senate resolution in favor of Chinn and Gwin.

Mr. Huston moved an amendment.

Which amendment was adopted.

The resolution, as amended, was twice read and concurred in.
The House took up a bill, entitled
An act repealing an act establishing an equity and criminal court in the 4th judicial district.
Mr. Underwood moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirmative.

Ordered, That Van B. Young and Mr. Jacob be added to the Committee on Enrollments for the remainder of the session.

The Committee on Ways and Means, to whom was referred a bill from the Senate, entitled
An act for the benefit of James H. Reynolds, sheriff of Adair county, and James P. Miller, sheriff of Russell county,
Reported the same, with the expression of opinion that the bill ought not to pass.
Mr. Hampton moved an amendment.
Mr. Cleveland moved to lay the bill and amendment on the table.
And the question being taken thereon, it was decided in the affirmative.

The House took up the bill, entitled
An act to provide for the government and discipline of the Kentucky penitentiary, and to repeal all laws and parts of laws inconsistent herewith.

Ordered, That said bill be postponed till the next session.

A message was received from the Senate, announcing that they adhered to their amendment to a bill from this House, entitled
A bill for the benefit of district schools, &c.
That they had concurred in the amendment of this House to the Senate resolution in favor of Chinn and Gwin.

The House then took up for consideration the bill for the benefit of district schools, &c., the report of the Senate insisting on their amendment.

Mr. Huston moved that a committee of conference be appointed, to act with a similar committee on the part of the Senate, to take into consideration the subject of disagreement between the two Houses, and, if possible, report a bill which could be agreed upon as a law.
Which was adopted.

Ordered, That Messrs. Huston and Burnam be appointed the committee on the part of this House, and that they inform the Senate thereof.
Mr. Burnam, from said committee, reported a bill to which said joint committee had agreed.

The question was taken on concurring in said report, and it was decided in the affirmative.

A message was received from the Senate, announcing that they had concurred in the resolution relating to pay of mileage of members of this General Assembly.

That they had receded from their amendment to a bill from this House, entitled

An act to prevent clerks of courts from practicing law in certain courts.

The House then took up a bill regulating the holding of elections in insurrectionary districts.

Mr. Ireland moved an amendment.

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,

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

Mr. Taylor, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of the sheriffs of Spencer and Larue counties,

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,

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

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, viz:

An act for the protection of small birds and other game.

An act to protect public examinations of schools, seminaries, and colleges in this State.

An act to amend chapter 88 of the Revised Statutes, title "Revenue and Taxation."
An act concerning limitations in the counties of Knox, Harlan, and Whitley.

An act to amend an act concerning the Louisville and Covington railroad company.

An act to amend sections 486 and 487, title 10, chapter 7, Civil Code of Practice.

An act for the benefit of James W. Cade, of Livingston county.

An act to amend the charter of the city of Newport.

An act to change the time of holding the circuit courts of Montgomery, Powell, Pike, and Floyd counties.

An act for the benefit of Hiram G. Richardson, Sarah Ann Richardson, and Nancy Ann Richardson.

An act to define the duties of attorneys for the Commonwealth.

An act for the benefit of the late sheriffs of this Commonwealth.

An act providing for the collection of the public revenue and county levies for 1861 in the county of Muhlenburg.

An act for the benefit of the Old Frankfort turnpike road company.

An act for the benefit of persons in Jessamine county who have subscribed and paid in stock to aid in the construction of turnpike roads in said county.

An act for the benefit of the Harlan county court.

An act for the benefit of school district No. 42, in Henderson county.

An act for the benefit of John B. Hall and James Clayton.

An act for the benefit of the Bank of Ashland.

An act for the benefit of John L. Davidson and his sureties.

An act for the benefit of Charles N. and Harriet Wheeler.

An act to distribute public books, &c.

An act for the benefit of the members of the Kentucky Annual Conference of the Methodist Episcopal Church, South.

An act for the appropriation of money.

An act for the benefit of E. T. Fish, clerk of the Rockcastle circuit and county courts.

An act for the benefit of Lewis Leach, of Bullitt county.

An act to amend the law in regard to the election of military officers.

An act for the benefit of Jonathan Horsefall, jailer of the city of Newport.
An act for the benefit of trustees of school district No. 17, in Henry county.

An act for the benefit of persons in the counties of Clarke, Taylor, and Washington, who have subscribed and paid in stock to aid in the construction of turnpike roads in said counties.

An act to amend an act, entitled "An act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties."

An act regulating the holding of elections in insurrectionary districts.

Also, a resolution in regard to pay of absent members.

Also, bills and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Commercial Bank of Kentucky.

An act to amend the charter of the Masonic Temple Company, of Louisville.

An act for the benefit of the Methodist Episcopal Church, South, in Floydsburg.

An act for the benefit of the Spencer and Nelson County turnpike road company.

An act to amend the charter of the Clay and Kiser's turnpike road company.

An act to authorize the Board of Commissioners created by an act, entitled "An act for the regulation of the militia, and to provide for the arming of the State, approved May 24, 1861; and also to further provide for the public defense," to fill vacancies in said Board.

An act to amend the charter of the city of Louisville.

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

An act for the benefit of the sheriffs of Spencer and Larue counties.

Resolution in relation to pay of absent members.

Resolutions in relation to senatorial elections in 1863.

Resolution in relation to the election of a Public Binder.

Resolution in relation to the election of persons to constitute the Board of Internal Improvement.

Resolution in relation to a vacancy in the first congressional district.

Resolution in relation to furnishing members with acts of the Legislature.

Resolution in relation to property lost or destroyed during the war.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Blue, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions, which originated in this House, of the following titles, viz:

An act concerning pauper idiots.
An act for the benefit of Dillion White.
An act to punish certain trespassers in Jefferson, Woodford, and other counties.
An act for the benefit of school district No. 63, in Lawrence county.
An act for the benefit of school district No. 7, in Meade county.
An act for the benefit of Travis Daniel, of Bath county.
An act for the benefit of the Cleaveland turnpike road company.
An act regulating the holding of elections in insurrectionary districts.

Resolutions concerning Federal Relations.
Resolutions in relation to the construction of a railroad to connect Eastern Kentucky with East Tennessee and Western North Carolina.

Also, bills and a resolution, which originated in the Senate, of the following titles, viz:
An act for the benefit of the sureties of W. A. L. B. Sharp, sheriff of Estill county.
An act for the benefit of Granville Burch, of Hart county.
Resolution in favor of Chinn, Gwin, and Bradley.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Blue inform the Senate thereof.

A message was received from the Governor by Mr. Gaither, Secretary of State, announcing that he had signed and approved sundry enrolled bills and resolutions, which originated in this House, of the following titles, viz:
An act concerning limitations in the counties of Whitley, Knox, and Harlan.
An act to amend the charter of the town of Millersburg, in Bourbon county.
An act to increase the powers and extend the jurisdiction of the town marshal of Smithland.
An act for the benefit of school district No. 33, in Nelson county.
An act for the benefit of Samuel Province.
An act for the benefit of James W. Cade, of Livingston county.
An act to amend the charter of the city of Newport.
An act for the benefit of the Harlan county court.
An act to define the duties of attorneys for the Commonwealth.
An act to protect public examinations of schools, seminaries, and colleges in this State.
An act to amend sections 486 and 487, title 10, chapter 7, Civil Code of Practice.
An act to amend an act concerning the Louisville and Covington railroad company.
An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."
An act for the benefit of the Old Frankfort turnpike road company.
An act for the protection of small birds and other game.
An act for the benefit of persons in Jessamine county who have subscribed and paid in stock to aid in the construction of turnpike roads in said county.
An act providing for the collection of the public revenue and county levies for 1861 in the county of Muhlenburg.
An act for the benefit of the late sheriffs of this Commonwealth.
An act for the benefit of school district No. 42, in Henderson county.
An act for the benefit of John B. Hall and James Clayton.
An act for the benefit of the Bank of Ashland.
An act creating the office of Public Binder, and repealing so much of article 1, chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books.
Resolution in regard to recess.
An act to amend the charter of the city of Lexington.
An act to incorporate the Cloverport Oil and Coal Company.
An act for the benefit of the Commercial Bank of Kentucky.
An act to amend the law in relation to runaway slaves.
An act to abolish the office of President of the Board of Internal Improvement, and to create a new board, and to prescribe their duties.
An act for the benefit of Joseph G. Harrison, late sheriff of Daviess county.
An act for the benefit of Wm. Payne, jailer of Rockcastle county.
An act to amend an act to regulate the toll and management of the Crab Orchard Fork of the Wilderness turnpike road.

An act to change the times of holding the Lincoln and Pulaski circuit courts.

An act to amend the charter of the town of Somerset.

An act for the benefit of John W. Campbell and John B. Holliday.

An act for the benefit of the trustees of school district No. 9, in Letcher county.

An act for the benefit of Meade county.

An act to change the lines between the counties of Webster and Union.

An act to incorporate the Louisville, St. Louis, and Tennessee River Pilots' Benevolent and Relief Association.

An act for the benefit of John T. Watson.

An act repealing an act amending the charter of the Union turnpike road company, and re-enacting the original charter of said company.

An act to incorporate Bath Lodge, No. 55, of Free and Accepted Masons.

An act to incorporate J. M. Bullock Lodge, No. 287, Free and Accepted Masons.

An act to supply lost depositions.

An act for the benefit of the trustees of school district No. 12, in Green county.

An act to authorize the county court of Hancock county to increase the county levy, &c.

A message was received from the Senate, by Messrs. Bush and Spalding, announcing that the Senate was then ready to proceed with the election for Public Binder.

On motion of Mr. Finnell,

Ordered, That a message be sent to the Senate, informing them that this House is also ready to proceed with said election.

Mr. Finnell nominated Mr. A. C. Keenon as a suitable person to fill the office of Public Binder.

Mr. Bush nominated Mr. John M. Helms.

After interchanging nominations between the two Houses, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Keenon, were—

Mr. Speaker, (Buckner,) Elijah Gabbert, Joseph Ricketts,

Alfred Allen, John H. Harney, F. D. Rigney,
Those who voted for Mr. Helms, were—

Vincent Ash, A. B. Chambers, George M. Hampton,  
E. F. Burns, W. H. Edmunds, John C. Lindsey,  

Messrs. Finnell and Bush were appointed a committee, on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Finnell, from said committee, reported that the joint vote stood thus:

For Mr. A. C. Keenon, 80
For Mr. John M. Helms, 11

Whereupon Mr. A. C. Keenon was declared duly elected Public Binder.

A message was received from the Senate, by Messrs. Bruner and Speed, announcing that the Senate was then ready to proceed with the election of persons to constitute the Board of Internal Improvement.

On motion of Mr. Underwood,

Ordered, That a message be sent to the Senate informing them that this House is also ready to proceed with said election.

Mr. Harney nominated Mr. E. H. Hopkins as a suitable person for a member of the Board of Internal Improvement, resident on Green river.

Mr. Underwood nominated Mr. William Brown.

Mr. Ricketts nominated Mr. Adam Lighter.
After interchanging nominations between the two Houses, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Hopkins, were—

E. P. Burns, G. M. Hampton, John Ray,
W. P. D. Bush, John H. Harney, J. A. Rousseau,
A. E. Chambers, John C. Lindsey, John R. Thomas,
Joseph H. Chandler, Thomas Z. Morrow, Geo. H. Yeman,
Albert A. Curtis, George Poindexter, Bryan R. Young,
John W. Funnell, Hiram S. Powell, Milton Young—19.
Joseph Gardner,

Those who voted for Mr. Brown, were—

Mr. Speaker, (Boekner,) Robert Cochran, George S. Shanklin,
Jas. W. Anderson, Stephen J. England, M. Smith,
Vincent Ash, William J. Heady, Harrison Taylor,
John C. Beeman, Joseph W. Hester, Joshua Tevis,
R. J. Browne, William C. Ireland, George M. Thomas,
Curtis F. Burnam, Richard T. Jacob, Joseph R. Underwood,
James Calvert, Alexander Lusk, Zeb. Ward,
J. W. Campbell, P. L. Maxey, George P. Webster,
Francis L. Cleveland, Thomas W. Owings, Van B. Young—29.
John B. Cochran, Nicholas A. Rapier,

Those who voted for Mr. Lighter, were—

J. W. Blue, John B. Huntington, Joseph Ricketts,
Cyrus Campbell, Daniel W. Johns, F. D. Rigney,
Brutus J. Clay, Urban E. Kennedy, James P. Sparks,
Elijah Gabbert,

Messrs. Underwood and Heady were appointed a committee, on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Underwood, from said committee, reported that the joint vote stood thus:

For Mr. Brown, 35
For Mr. Lighter, 27
For Mr. Hopkins, 21

No one having received a majority of all the votes cast,

Mr. Bush moved the following resolution, viz:

Resolved, That in electing Commissioners of the Board of Internal Improvement, after the second ballot, the person receiving the smallest vote shall be dropped from the list.

Which was adopted.
The House proceeded to take another vote, which stood thus:

Those who voted for Hopkins, were—


Those who voted for Mr. Brown, were—


Those who voted for Mr. Lighter, were—


After a short time, Mr. Underwood, from said committee, reported that the joint vote stood thus:

For Mr. Brown, - - - - - - - - - 39
For Mr. Lighter, - - - - - - - - - 30
For Mr. Hopkins, - - - - - - - - - 14

No one having received a majority of all the votes given, Mr. Hopkins was dropped, under the resolution, having received the smallest vote cast.

The House proceeded to take another vote, which stood thus:

Those who voted for Mr. Brown, were—

Those who voted for Mr. Lighter, were—

W. P. D. Bush, Elijah Gabbert, John Ray,
Cyrus Campbell, Richard T. Jacob, Joseph Ricketts,
Joseph H. Chandler, Daniel W. Johns, F. D. Rigney,
Brutus J. Clay, Urban E. Kennedy, James P. Sparks,
William L. Conklin, John C. Lindsey, John R. Thomas,
Albert A. Curtis, David P. Mears, Nathaniel Wolfe,
John W. Finnell, George Poindexter, Milton Young—21.

After a short time, Mr. Underwood, from said committee, reported that the joint vote stood thus:

For Mr. Brown, 50
For Mr. Lighter, 33

Whereupon, Mr. Wm. Brown was declared elected to fill the office of member Board of Internal Improvement on Green river.

The House then proceeded to the election of Commissioners of the Board of Internal Improvement to reside at Frankfort.

Mr. Underwood nominated James R. Watson, Mason Brown, and John M. Todd, as suitable persons to fill said office.

Mr. Bush nominated Mr. Wm. J. Chinn.

After interchanging nominations between the two Houses, this House proceeded to take a vote, which stood thus:

For Mr. Watson—
Wm. L. Conklin—1.

Those who voted for Mr. Brown, were—

R. J. Browne, George M. Hampton, George S. Shanklin,
E. F. Burns, John H. Harney, Joseph R. Underwood,
Brutus J. Clay, John B. Huston, Zeb. Ward,

Those who voted for Mr. Todd, were—

Mr. Speaker, (Buckner,) Wm. J. Heady, John Ray,
Jas. W. Anderson, Joseph W. Heeter, F. D. Rigney,
John C. Beeman, William C. Ireland, J. A. Rousseau,
John W. Blue, Richard T. Jacob, M. Smith,
Curtis F. Burnam, Daniel W. Johns, James P. Sparks,
James Calvert, Urban E. Kennedy, Harrison Taylor,
Cyrus Campbell, James M. C. Lisenby, Joshua Tevis,
J. W. Campbell, Alexander Lusk, George M. Thomas,
Joseph H. Chandler, P. L. Maxey, John R. Thomas,
Francis L. Cleveland, David P. Mears, George P. Webster,

Those who voted for Mr. Chinn, were—

Messrs. Finnell and John R. Thomas were appointed a committee, on the part of this House, to act in conjunction with a similar committee on the part of the Senate, to compare the joint vote, and report the result.

After a short time, Mr. Finnell, from said committee, reported that the joint vote stood thus:
For John M. Todd, - - - - - - - - 46
For Mason Brown, - - - - - - - - 24
For James R. Watson, - - - - - - - 7
For Wm. J. Chinn, - - - - - - - 5

Mr. John M. Todd having received a majority of all the votes given, was duly elected a Commissioner of the Board of Internal Improvement, resident in Frankfort.

The House proceeded to elect a second Commissioner, resident at Frankfort.

Mr. Finnell nominated Philip Swigert.

Mr. Conklin nominated James R. Watson.

After interchanging nominations between the two Houses, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Swigert, were—
Those who voted for Mr. Watson, were—

E. F. Burns, Joseph Gardner, F. D. Rigney,
W. D. Bush, George M. Hampton, J. A. Rousseau,
J. W. Campbell, Richard T. Jacob, M. Smith,
A. B. Chambers, John C. Lindsey, John R. Thomas,

After a short time, Mr. Finnell, from the committee appointed to compare the vote, reported the joint vote stood thus:

For Philip Swigert, - - - - - - - - - - - - - - - - - 56
For James R. Watson, - - - - - - - - - - - - - - - - - 25

Mr. Philip Swigert having received a majority of all the votes cast, was declared elected as a Commissioner of the Board of Internal Improvement, resident at Frankfort.

Mr. Conklin moved a reconsideration of the vote postponing the consideration of a bill, entitled
An act to reduce the number of the Military Board.
And the question being taken thereon, it was decided in the affirmative.

Mr. Ireland moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirmative.

And then the House adjourned.

MONDAY, DECEMBER 23, 1861.

Mr. Burnam presented a communication from Robert Peter in relation to publishing the maps and illustrations of the 4th volume of the Geological Survey, &c.
Which was read, and referred to the Committee on Education.

Mr. Tevis, from the Committee on the Court of Appeals, asked to be discharged from the further consideration of all matters before them.
Which was granted.
Mr. Breman moved the following resolution, viz:—

Resolved, That G. A. Robertson, the State Librarian, be, and he is hereby, directed to have a water closet and urinals put up in some suitable and convenient part of the Capitol building.

Which was adopted.

The following bills were reported, viz:

By Mr. Calvert—
1. A bill for the benefit of Boone county.

By Mr. Mears—

By Mr. Tinnell—
3. A bill for the benefit of the Cynthiana and Rhea Creek 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,

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,

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

Mr. Lusk moved a reconsideration of the vote on the resolution expelling John Q. A. King, a member of this House, on yesterday.

Mr. Beeman moved to lay the motion on the table.

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

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

Those who voted in the affirmative, were—

Alfred Allen,          William J. Heady,          F. D. Rigney,
Jas. W. Anderson,      Joseph W. Hester,      J. A. Rousseau,
E. B. Bacheller,       John B. Huston,        George S. Shanklin,
John C. Beeman,        Richard T. Jacob,      James P. Sparks,
R. J. Browne,          Daniel W. Johns,       Harrison Taylor,
Curtis F. Burnam,      Urban E. Kennedy,      Joshua Tevis,
James Calvert,         James M. C. Lisenby,    George M. Thomas,
Cyrus Campbell,        P. L. Maxey,           John R. Thomas,
J. W. Campbell,        David P. Mears,        Thomas Turner,
Robert Cochran,        Otho Miller,           Joseph R. Underwood,
Albert A. Curtis,      Thomas Z. Morrow,      Zeb. Ward,
Stephen J. England,    Hiram S. Powell,       Geo. F. Webster,
   71
John W. Finnell, Nicholas A. Rapier, Nathaniel Wolfe,
Elijah Gabbert, John Ray, Geo. H. Yeaman,

Those who voted in the negative, were—

Mr. Speaker, (Buckner) William L. Conklin, Alexander Lusk,
Vincent Ash, W. H. Edmunds, Felix G. Murphy,
E. F. Burns, Joseph Gardner, George Poindexter,
A. B. Chambers, George M. Hampton, John S. Van Winkle,
John B. Cochran, John C. Lindsey, Van B. Young—15.

Mr. Browne moved the following resolution, viz:

Resolved, That the Clerk of the House be directed to procure the evidence before the committee upon which they based their resolution for the expulsion of certain members, and spread the same upon the journal.

Mr. Chambers moved to dispense with the rule of the House requiring a reference thereof to a standing committee.

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

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Finnell moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is hereby, constituted, ex-officio, a member of the Board of Internal Improvement, created by the acts passed at the present session of this General Assembly, with all the rights, powers, and privileges conferred on the members thereof by said acts.

The rule of the House having been dispensed with, Said resolution was twice read and adopted.

The yeas and nays being required on the adoption of said resolution by Messrs. Curtis and Ward, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner) Joseph Gardner, Hiram S. Powell,
Alfred Allen, George M. Hampton, Nicholas A. Rapier,
Jas. W. Anderson, John H. Harney, Joseph Ricketts,
Vincent Ash, William J. Headly, F. D. Rigney,
E. B. Bacheller, Joseph W. Hester, J. A. Rousseau,
R. J. Browne, John B. Huston, George S. Shanklin,
Curtis F. Burnam, Richard T. Jacob, James P. Sparks,
E. F. Burns, Urban E. Kennedy, Harrison Taylor,
J. W. Campbell, John C. Lindsey, George M. Thomas,
A. B. Chambers, James M. C. Lisenby, Thomas Turner,
John B. Cochran, Alexander Lusk, Joseph R. Underwood,
Robert Cochran, P. L. Maxey, John S. Van Winkle,
Those who voted in the negative, were—

John C. Beeman, Joshua Tevis, George P. Webster—5.
James Calvert, John R. Thomas,

Mr. Hampton reported a bill to appoint commissioners to ascertain and report the value of property taken and destroyed by the army of Gen. Nelson, without making compensation therefor.

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. Underwood moved to strike out from the bill the preamble thereof.

Mr. George M. Thomas moved to refer the bill to the Committee on Claims.

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

Mr. Underwood moved the following resolution, viz:

Resolved, That the acting chairman of the committee to lay off the State into congressional districts be authorized to have printed 150 copies of the last Federal census of Kentucky, as far as the population of the several counties are concerned, for the use of the members of the two Houses; and that the Public Printer forward one copy of the same by mail to each member.

Which was adopted.

On motion,

Mr. Ireland was added to the Committee on Circuit Courts.

On motion of Mr. Ward,

Ordered, That Mr. Wolfe be added to the committee appointed under the resolution to investigate the affairs and condition of the Institution for the Education and Training of Feeble-minded Children.

Ordered, That Mr. Browne be added to the Committee on Banks, in place of Mr. Hays, resigned.

The Speaker appointed Messrs. John B. Cochran, Burnam, and Heady a committee, under the resolution of this House, to examine
and report as to the propriety of purchasing the Kentucky Military Institute, Estill Springs, and Tar Springs, for a lunatic asylum.

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

WHEREAS, There are numerous persons in the United States drawing pensions from the Government of the United States who are disloyal to said Government; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress be requested to amend the laws in relation to pensions, that no person or pensioner of the United States shall be allowed to draw his or her pension until he or she proves his or her loyalty to said Government to the satisfaction of the pension officer, or the member of Congress of his or her respective district; that the oath of loyalty alone shall not be sufficient to entitle said pensioner to payment of pension.

2. Resolved, That the Speaker of the House of Representatives be, and he is hereby, directed to send a copy of the above and foregoing resolutions to each of our Senators and Representatives in Congress, and to all the Governors of loyal States in the United States.

Mr. Yeaman moved to dispense with the rule of the House, to enable Mr. Hampton to offer the following resolution, viz:

Resolved by the House of Representatives, That the Public Printer be, and he is hereby, directed to print and forward to each member 60 copies of the synopsis of the acts passed during this Legislature.

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

Mr. Sparks moved that the Committee on Federal Relations be directed to report his resolutions in relation to George W. Johnson's Provisional Government at Russellville, &c., referred to said committee on the 12th inst.

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

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

Those who voted in the affirmative, were—

John C. Beeman, Joseph W. Heeter, P. D. Rigney,
R. J. Browne, Richard T. Jacob, James P. Sparks,
James Calvert, Daniel W. Johns, Joshua Tevis,
J. W. Campbell, Urban E. Kennedy, George M. Thomas,
John B. Cochran, James M. C. Lisenby, Zeb. Ward,
Stephen J. England, Thomas Z. Morrow, George P. Webster,
John W. Finnell, Hiram S. Powell, Milton Young—22.

Elijah Gabbert,
Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John H. Harney, John Ray,
Jas. W. Anderson, William J. Heady, Joseph Ricketts,
Vincent Ash, John B. Huston, George S. Shanklin,
E. B. Bacheller, John C. Lindsey, Harrison Taylor,
Curtis F. Burnam, Alexander Lusk, Thomas Turner,
E. F. Burns, P. L. Maxey, J. R. Underwood,
Robert Cochran, David P. Mears, John S. Van Winkle,
William L. Conklin, Otho Miller, Nathaniel Wolfe,
Albert A. Curtis, Felix G. Murphy, Geo. H. Yeaman,
W. H. Edmunds, George Poindexter, Bryan R. Young,
George M. Hampton,

Mr. Conklin moved the following resolution, viz:

Resolved, That the Speaker of this House is entitled to receive, and
we hereby tender him, our thanks for the impartial and efficient manner
with which he has discharged his duties.

Which was unanimously adopted.

On motion of Mr. Wolfe,

Resolved, That the thanks of this House are due to the Clerk and
other officers of this House for their faithful performance of their
duties.

On motion of Mr. Finnell,

Resolved, That the thanks of this House are due to the Reporters of
the Commonwealth and Yeoman, during this session, for their faithful
attention to their duties.

On motion of Mr. Heady,

Resolved, That the ministers of the gospel who have attended this
House and opened the same daily with prayer, are entitled to the
thanks of this House.

On motion of Mr. Taylor,

Resolved, That the thanks of this House are hereby tendered to the
Chairman of the Committee on Enrollments, Mr. Bacheller, for the
faithful and prompt manner he has discharged his duties the present
session.

Mr. Van Winkle moved the following resolution, viz:—

Resolved, That the Chairman of the Committee on Ways and Means,
(Mr. Taylor, of Mason,) is entitled to the thanks of this House for the
able manner in which he has discharged his arduous duties.

Which was unanimously adopted.

Mr. Burnam moved the following resolution, viz:—

Resolved, That the Committee on the Library be instructed to inquire
into the expediency of having painted a full length likeness of Henry
Clay, by some competent artist, to be suspended in this Hall; and that they report to the next meeting of this General Assembly. Which was adopted.

A message was received from the Senate, announcing that they had concurred in a resolution from this House in relation to the Federal Courts for the district of Kentucky.

That they had disagreed to a resolution adopted by this House adding the Governor, ex-officio, a member of the Board of Internal Improvement.

That they had adopted a resolution relating to the assumption by the State of the Federal tax.

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

An act providing for filling vacancies in the Board of Commissioners of Internal Improvement.

An act for the benefit of Boone county.

An act for the benefit of S. H. Woodring, sheriff of Green county.

An act for the benefit of the Cynthiana and Raven Creek turnpike road company.

That they had received official information from the Governor, announcing that he had signed and approved sundry enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Louisville.

An act to authorize the Board of Commissioners created by an act, entitled "An act for the regulation of the militia, and to provide for the arming of the State, approved May 24, 1861; and also to further provide for the public defense," to fill vacancies in said Board.

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

An act for the benefit of Dr. John L. Scott, deceased, and Samuel Osenton, administrator of J. P. Seybold, deceased.

An act for the benefit of Granville Burch, of Hart county.

An act for the benefit of the sureties of W. A. L. B. Sharp, sheriff of Estill county.

An act for the benefit of the sheriffs of Spencer and Larue counties.

An act for the benefit of John L. Chisholm, of Taylor county.

An act to reduce the expenditures for binding and printing public books and documents.

An act to repeal an act to establish equity and criminal courts in the first judicial district.
An act for the benefit of James P. Miller, late sheriff of Russell county.

Resolution in relation to furnishing the members of the Legislature with the general laws.

Resolution in relation to property lost or destroyed during the present war.

Resolution in favor of Chinn, Gwin, and Bradley.

Resolution concerning senatorial elections for 1863.

Resolutions relating to the per diem and mileage of members of the General Assembly.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, and also resolutions, of the following titles, viz:

An act for the benefit of district schools, &c.

An act to prevent the clerks of courts in the county of Boone from practicing in certain courts.

An act in relation to vacancies in ministerial offices.

An act transferring a portion of the Elizabethtown and Bell's Tavern turnpike road to the counties of Hardin, Hart, and Barren.

An act to amend an act to incorporate the Petroleum Sulphur Spring and Manufacturing Company.

An act providing for filling vacancies in the Board of Commissioners of Internal Improvement.

An act for the benefit of Boone county.

An act for the benefit of S. H. Woodring, sheriff of Green county.

An act for the benefit of the Cynthiana and Raven Creek turnpike road company.

Resolution relating to the per diem and mileage of members of this General Assembly.

Resolution concerning the Federal courts for the district of Kentucky.

Resolution relating to the assumption of the Federal tax by this Commonwealth.

Also, bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of John L. Chisholm, of Taylor county.

An act to reduce the expenditures for binding and printing public books and documents.
An act to repeal an act to establish an equity and criminal court in the first judicial district.
An act for the benefit of James P. Miller, late sheriff of Russell county.
An act for the benefit of Dr. John L. Scott, deceased, &c.
Resolution in regard to the mileage of the members of the present General Assembly.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller inform the Senate thereof.
A message was received from the Governor by Mr. Gaither, Secretary of State, announcing that he had approved and signed sundry enrolled bills and resolutions, which originated in this House, of the following titles, viz:
An act for the appropriation of money.
An act to distribute public books, &c.
An act for the benefit of Hiram G. Richardson, Sarah Ann Richardson, and Nancy Ann Richardson.
An act for the benefit of Chas. N. and Harriet Wheeler.
An act for the benefit of Jonathan Horsefall, jailer of the city of Newport.
An act for the benefit of persons in the counties of Clarke, Taylor, and Washington, who have subscribed and paid in stock to aid in the construction of turnpike roads in said counties.
An act to amend an act, entitled "An act for the benefit of W. D. Black, late sheriff of Pulaski county, and his sureties."
An act to amend the law in regard to military officers.
An act for the benefit of Lewis Leach, of Bullitt county.
An act for the benefit of trustees of school district No. 17, in Henry county.
An act for the benefit of E. F. Fish, late clerk of the Rockcastle circuit and county courts, and to the circuit clerks of Harrison and Knox counties.
An act for the benefit of the members of the Kentucky Annual Conference of the Methodist Episcopal Church, South.
An act to change the time of holding the circuit courts in the counties of Montgomery, Powell, Pike, and Floyd.
An act for the benefit of John L. Davidson and his sureties.
An act in relation to the appointment of common school commissioners.

An act for the benefit of school district No. 63, in Lawrence county.

An act to punish certain trespassers in Jefferson, Scott, Mason, Kenton, Campbell, and Woodford counties.

An act for the benefit of the Cleveland turnpike road company.

An act for the benefit of Travis Daniel, of Bath county.

An act for the benefit of Dillion White.

An act for the benefit of school district No. 7, in Meade county.

An act concerning pauper idiots.

An act regulating the holding of elections in insurrectionary districts.

An act for the benefit of the Cynthiana and Raven Creek turnpike road company.

An act authorizing the county judges of Pulaski and Rockcastle counties to appoint sheriffs.

An act for the benefit of district schools, &c.

An act to amend an act to incorporate the Petroleum Sulphur Spring and Manufacturing Company.

An act in relation to vacancy in ministerial office.

An act for the benefit of Boone county.

An act providing for filling vacancies in the Board of Commissioners of Internal Improvement.

An act for the benefit of S. H. Woodring, sheriff of Green county.

An act to prevent the clerks of courts in the county of Boone from practicing in certain courts.

Resolutions concerning Federal Relations.

Resolutions in regard to the construction of a railroad to connect Kentucky with Eastern Tennessee and Western North Carolina.

Resolution in regard to pay of absent members.

Resolution in regard to the mileage of the members of the present General Assembly.

Resolutions concerning the Federal courts for the district of Kentucky.

Resolution relating to the assumption of the Federal direct tax by this Commonwealth.

A message was received from the Senate asking leave to withdraw from this House their disagreement to the resolution appointing the Governor ex-officio a member of the Board of Internal Improvement.
Which was granted.

A message was received from the Senate by Mr. Goodloe, announcing that they had closed their legislative business, and were now ready to close the present session of the General Assembly on their part, by taking a recess until the 2d Wednesday in February next, in pursuance of the resolution adopted by the General Assembly, and had appointed a committee on their part, to act in conjunction with a similar committee on the part of this House, to wait upon the Governor, and inform him of the proposed recess of the General Assembly, and to know of him if he had any other or further communication to make.

Whereupon Messrs. Huston, Barnam, and Ward were appointed the committee on the part of this House.

Ordered, That Mr. Huston inform the Senate thereof, and that this House had also closed their legislative business, and were now ready to close the present session of the General Assembly, by taking a recess until the 2d Wednesday in February next.

The committee then retired, and, after a short time, returned, when Mr. Huston reported that said 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 no further communication now to make.

Whereupon, the Speaker, after wishing the members of the House a safe return to their homes, and a merry Christmas, pronounced the House adjourned until the 2d Wednesday in February next.

WEDNESDAY, FEBRUARY 12, 1862.

The House met pursuant to adjournment.

There being no quorum present, on motion of Mr. Huston,

Ordered, That the House adjourn.
THURSDAY, FEBRUARY 13, 1862.

Messrs. Jonas Martin, Elisha Beazly, and J. W. Boone, members elected to fill the vacancies occasioned by the expulsion of Messrs. George R. Merritt, George W. Silvertooth, and John Q. A. King, appeared, and having severally produced certificates of their election and taken the oath prescribed by the constitution, took their seats.

1. Mr. Rankin presented the petition of Isaac Holbrook and James Simpson, citizens of Owen county, praying to be added to Grant county.

2. Mr. Murphy presented the petition of the trustees of school district No. 54, in Nelson county, praying an appropriation for schools taught in 1858 and 1859 in said district.

3. Mr. Cleveland presented the petition of Meyer Larzarues, of Bracken county, praying an act to authorize the proper officer to grant him a license to peddle without proving two years' residence in the State.

4. Mr. Burnam presented the petition of Thomas H. Embry, praying the passage of an act exempting children attending schools from the payment of tolls.

5. Mr. George M. Thomas presented the petition of the trustees of school district No. 7, in Lewis county, in regard to school taught in 1861.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d and 5th to the Committee on Education; the 3d to the Committee on County Courts, and the 4th to the Committee on Internal Improvement.

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

By Mr. Burnam, from the Committee on Education—
A bill for the benefit of school district No. 54, in Nelson county.

By Mr. Huston, from the Committee on Revised Statutes—
A bill to authorize the sale of the Russell and Cynthiana turnpike road and its franchises, and for other purposes touching the same.

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,

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,

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

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

On motion of Mr. Van B. Young—1. A bill for the benefit of school district No. 5, in Bath county.

On motion of same—2. A bill for the benefit of the mechanics in this Commonwealth.

On motion of Mr. Proctor—3. A bill to provide compensation to officers who have been engaged in raising troops for the State and General Government, who have not yet been mustered into the service of the United States.

On motion of same—4. A bill for the benefit of the late and present sheriffs of Edmonson county, and their securities.

On motion of same—5. A bill prescribing the duties and defining the powers of the judge of the county court of Edmonson county.

On motion of same—6. A bill incorporating the town of Hammersville, in Edmonson county.

On motion of Mr. Poindexter—7. A bill for the benefit of the present and late sheriffs of Christian county, and their securities.

On motion of Mr. Huston—8. A bill to amend the execution laws of this Commonwealth.

On motion of same—9. A bill to amend the law to prevent fraudulent assignments in trust for creditors and other fraudulent conveyances.

On motion of Mr. Yeaman—10. A bill for the benefit of W. T. Samuels, clerk of the Hardin county court.

On motion of same—11. A bill for the benefit of common school districts Nos. 15 and 56, in Daviess county.

On motion of same—12. A bill to amend proceedings against non-residents.

On motion of Mr. Sparks—13. A bill for the benefit of David Fitzgerald.

On motion of same—14. A bill to change the name of the county of Magoffin to Douglas.

On motion of Mr. George M. Thomas—16. A bill incorporating the Kinnikinick Bridge Company.

On motion of same—17. A bill providing for the payment of officers and soldiers before they were mustered into the service of the United States, and while they were in the State service.

On motion of Mr. Cooper—18. A bill to repeal an act, entitled "An act to change the time of holding the Lincoln circuit court."

On motion of Mr. Tevis—19. A bill concerning the administration of the estates of deceased soldiers.

On motion of same—20. A bill for the benefit of the city of Louisville.

On motion of Mr. Burnam—21. A bill to amend the law on the subject of fraudulent sales, transfers, and mortgages, &c.

On motion of Mr. Turner—22. A bill to change the place of voting in the Jeffersonville precinct in Montgomery county.

On motion of same—23. A bill to regulate the fees of commissioners, auditors, and receivers, in equity causes.

On motion of same—24. A bill to regulate the times of holding the courts in the 11th judicial district.

On motion of Mr. John R. Thomas—25. A bill to amend the law in relation to descent and distribution.

On motion of Mr. Brann—26. A bill for the benefit of school district No. 29, in Pendleton county.

On motion of Mr. J. B. Cochran—27. A bill for the benefit of the town of Shelbyville.


On motion of Mr. Kennedy—29. A bill to pay the officers of the 25th Kentucky regiment, volunteers, who were organized as Kentucky volunteers, and now mustered into the United States service.

On motion of Mr. R. J. Browne—30. A bill for the benefit of the executor of Samuel Redding, deceased.


On motion of same—32. A bill to repeal an act, entitled "An act to prevent fraudulent assignments in trust for creditors and other fraudulent conveyances," approved March 10, 1856.
Ordered, That the Committee on Education prepare and bring in the 1st and 26th; the Committee on Agriculture and Manufactures the 2d; the Committee on Military Affairs the 3d, 17th, and 29th; the Committee on Propositions and Grievances the 4th and 14th; the Committee on County Courts the 5th and 10th; the Committee on Incorporated Institutions the 6th, 20th, and 27th; the Committee on Ways and Means the 7th; the Committee on the Judiciary the 8th, 9th, 13th, 25th, 30th, and 32d; Messrs. Yeaman, M. Young, and Griffith the 11th; the Committee on the Codes of Practice the 12th, 23d, and 24th; the Committee on Circuit Courts the 15th and 31st; Messrs. George M. Thomas, Ireland, England, and Kennedy the 16th; the Committee on Revised Statutes the 18th, 19th, and 21st; the Committee on Claims the 28th, and the Committee on Privileges and Elections the 22d.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That Gen. George H. Thomas, Col. J. A. Garfield, and Commodore A. H. Foote, together with the brave officers and men in their respective commands, by their recent victories over the rebels at Mill Spring, Prestonsburg, and Fort Henry, deserve well of their country, and the thanks of Kentucky are due, and are hereby tendered them, for their bravery in battle, and brilliant achievements in defense of the Union and the maintenance of the constitution and laws.

On motion of Mr. Rankin,

Ordered, That the rules of the House requiring joint resolutions to lie one day on the table be dispensed with.

Said resolution was adopted.

Mr. Huston moved the following resolution, viz:

Resolved by the House of Representatives, That the members from Montgomery, Bath, Carter, and Lawrence, be appointed a committee to designate, by days and dates, the times of holding the courts in the 11th judicial district, as now contained in the various acts touching the same, and that they report by bill supplemental to said laws.

Which was adopted.

Mr. J. W. Anderson moved the following resolution, viz:

Resolved by the House of Representatives of Kentucky, That a committee of five be appointed by the Speaker, to prepare a joint resolution, or series of resolutions, expressive of the sense of this Legislature in regard to the issuing of Treasury notes, and make them a legal tender by the Government of the United States of America, and report the same to this House at as early a day as practicable.

Ordered, That said resolution be referred to the Committee on Ways and Means.
Mr. Burnam moved the following resolution, viz:

Resolved, That a committee be named by the Chair, to inform the Governor of our being organized for business, and readiness to receive any communication he may see fit to make.

Which was adopted.

The Speaker appointed Messrs. Burnam, Tevis, and Bush a committee in pursuance of said resolution.

Mr. Burnam, from the committee appointed to wait upon the Governor, reported that the committee had performed the duty assigned them, and that the Governor would communicate to this House on to-morrow at 11 o'clock in writing.

Mr. Underwood moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be instructed to inquire into the legality of the appointment of D. C. Smith as sheriff of Barren county by the county court of said county, and whether any legislation be necessary to legalize his official acts, and that said committee report by bill or otherwise.

Which was adopted.

Mr. Underwood moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be instructed to inquire whether any, and what, provision should be made for the relief of those who have been compelled to pay taxes to the so-called Provisional Government of Kentucky.

Which was adopted.

The Speaker laid before the House the following communication from Anderson Gray, Door-keeper of this House, viz:

GRAYSON SPRINGS, KY.,
February 1st, 1862.

Hon. R. A. Buckner,
Speaker House Representatives:

I hereby tender to you, and through you to the House of Representatives, my resignation as Door-keeper of that body—I having engaged in the military service of the State.

Respectfully,

ANDERSON GRAY.

Mr. ——— moved that the House proceed to the election of Door-keeper, to fill the vacancy occasioned by the resignation of Anderson Gray,

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

Mr. Andrews nominated Mr. John A. Crittenden, as a suitable person to fill the office of Door-keeper; Mr. Shanklin nominated Mr.
James M. Robb; Mr. Proctor nominated Mr. Samuel Ledman; Mr. Ward nominated Mr. George W. Matthews; Mr. Sparks nominated Mr. Thomas Pearce; Mr. J. B. Cochran nominated Mr. Henry Burnett, and Mr. Downing nominated Mr. James R. Duncan.

Mr. Allen moved that after the first ballot, the candidate receiving the lowest number of votes be dropped, and so on, till an election is had.

Which was decided in the affirmative.

And the vote being taken, it stood thus:

- For Mr. Crittenden: 18
- For Mr. Matthews: 12
- For Mr. Robb: 10
- For Mr. Pearce: 6
- For Mr. Burnett: 6
- For Mr. Duncan: 6
- For Mr. Ledman: 5

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

- For Mr. Crittenden: 21
- For Mr. Matthews: 12
- For Mr. Robb: 15
- For Mr. Duncan: 7
- For Mr. Pearce: 5

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

Those who voted for Mr. Duncan, were—

- Brutus J. Clay
- Daniel E. Downing
- John W. Finnell

Those who voted for Mr. Crittenden, were—

- Mr. Speaker (Buckner) Robert Cochran
- Alfred Allen
- Jas. W. Anderson
- R. C. Anderson
- Landaff W. Andrews
- E. B. Bacheller
- Francis L. Cleveland
- John B. Cochran
- Curtis F. Burnam
- Stephen J. England
- Alexander Lusk
- George Poindexter

Those who voted for Mr. Robb, were—

- Hiram S. Powell
- William S. Rankin
- John Ray
- George S. Shanklin
- Geo. H. Yeaman
- Van B. Young—10.
Those who voted for Mr. Matthews, were—

Vincent Ash, J. W. Campbell, F. D. Rigney,
Elisha Beazly, J. W. Campbell, James P. Sparks,
J. W. Boone, Elijah Gabbert, John R. Thomas,
William A. Brann, William Johnson, Zeb. Ward,
R. J. Browne, Felix G. Murphy, Milton Young—17.
W. P. D. Bush, Joseph Ricketts.

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

Those who voted for Mr. Crittenden, were—

Alfred Allen, William L. Conklin, Richard T. Jacob,
Jas. W. Anderson, John C. Cooper, Daniel W. Johns,
R. C. Anderson, Albert A. Curtis, John C. Lindsey,
Landaff W. Andrews, John W. Fennell, Jonas Martin,
E. B. Bacheller, Remus Gibson, P. L. Maxey,
Francis L. Cleveland, Henry Grifith, Joshua Tevis,
John B. Cochran, William J. Hady, George M. Thomas,

Those who voted for Mr. Matthews, were—

Vincent Ash, J. W. Campbell, F. D. Rigney,
Elisha Beazly, Stephen J. England, James P. Sparks,
J. W. Boone, Elijah Gabbert, John R. Thomas,
William A. Brann, William Johnson, Joseph R. Underwood,
R. J. Browne, Felix G. Murphy, Zeb. Ward,
W. P. D. Bush, Larkin J. Proctor, Milton Young,
James Calvert, Joseph Ricketts.

Those who voted for Mr. Robb, were—

Mr Speaker, (Buckner,) James M. C. Lisenby, William S. Rankin,
Curtis F. Burnam, Alexander Lusk, John Ray,
Brutus J. Clay, Thomas Z. Morrow, J. A. Rousseau,
Daniel E. Downing, George Poindexter, George S. Shanklin,

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

Those who voted for Mr. Crittenden, were—

Mr Speaker, (Buckner,) Albert A. Curtis, Alexander Lusk,
Alfred Allen, John W. Finnell, Jonas Martin,
Jas. W. Anderson, Remus Gibson, P. L. Maxey,
R. C. Anderson, Henry Griffith, Wm. S. Rankin,
Landaff W. Andrews, William J. Hady, J. A. Rousseau,
E. B. Bacheller, John B. Huston, Joshua Tevis,
Francis L. Cleveland, Richard T. Jacob, George M. Thomas,
John B. Cochran, Daniel W. Johns, Thomas Turner,
Robert Cochran, John C. Lindsey, Joseph R. Underwood,
John C. Cooper.
Those who voted for Mr. Matthews, were—

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Mr. John A. Crittenden having received a majority of all the votes given, was declared duly elected Door-keeper, in place of Anderson Gray, resigned.

And then the House adjourned.

FRIDAY, FEBRUARY 14, 1862.

Mr. John A. Crittenden, who was elected, on yesterday, Door-keeper of this House, appeared, took the oaths prescribed by the Constitution, and entered upon the discharge of his duties.

1. Mr. Gabbert presented the petition of the citizens of Harrodsburg, praying an amendment to their charter.
2. Mr. Ireland presented the petition of sundry citizens of Greenup county, praying for an additional voting place.
3. Mr. Gabbert presented a petition of sundry citizens of Mercer county, praying a change in the lines of voting districts Nos. 1 and 2.
4. Mr. Wolfe presented the petition of Sophia Biemann, praying the passage of an act allowing her to trade and carry on business as though she were a single woman.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Incorporated Institutions; the 2d to the Committee on County Courts; the 3d to the Committee on Privileges and Elections, and the 4th to the Committee on the Judiciary.
The following bills were reported by the committees appointed to prepare and bring in the same, viz:

By Mr. Huston, from the Committee on the Judiciary—
A bill for the benefit of the executors of Samuel Redding, deceased.

By Mr. George M. Thomas, from the Committee on County Courts—
A bill for the benefit of the clerk of the Greenup circuit and county courts.

By Mr. Yeaman—
A bill for the benefit of common school districts Nos. 15 and 56, in Daviess 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,

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.

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

On motion of Mr. Underwood—1. A bill to amend the laws relating to the sales of property under executions and decrees.

On motion of Mr. Ash—2. A bill for the benefit of school district No. 39, in the county of Anderson.

On motion of Mr. Heady—3. A bill for the relief of the people of the State from its financial embarrassments, resulting from the loss of markets, trade, and currency.

On motion of Mr. Calvert—4. A bill to amend section 19, of article 4, of chapter 63, Revised Statutes.

On motion of same—5. A bill to authorize the sale of a schoolhouse and lot in the town of Verona, in Boone county.

On motion of Mr. Proctor—6. A bill to provide for the appointment of commissioners to take proof, and report the value of property belonging to loyal citizens of this State, which has been taken and destroyed by the rebels.

On motion of Mr. Johns—7. A bill to amend the road law of Boyd county.

On motion of same—8. A bill for the benefit of Robert McCault, late constable of Boyd county.
On motion of Mr. Ireland—9. A bill in relation to judgments and executions.

On motion of same—10. A bill for the benefit of John C. Adams, Judge of the Greenup quarterly court.

On motion of same—11. A bill to amend the act incorporating the town of Catlettsburg, in Boyd county.

On motion of Mr. Milton Young—12. A bill to amend the charter of Uniontown.

On motion of Mr. Sparks—13. A bill to amend the revenue laws.

On motion of Mr. Powell—14. A bill to amend the road law in Harlan county.

On motion of Mr. George M. Thomas—15. A bill for the benefit of Vanceburg school district, in Lewis county.


On motion of Mr. Gibson—17. A bill for the benefit of the jailer of Ohio county.

On motion of Mr. Van Winkle—18. A bill for the benefit of W. M. Worsham, late sheriff of Wayne county, and his securities.

On motion of same—19. A bill for the benefit of common school districts in Wayne county.

On motion of Mr. Curtis—20. A bill for the benefit of J. P. Scholl, of Estill county.


On motion of Mr. J. W. Boone—22. A bill for the benefit of the sheriff of McCracken county.

On motion of Mr. Ward—23. A bill to amend the charter of the town of Versailles.

On motion of Mr. Kennedy—24. A bill for the benefit of James G. Hector, recruiting officer under Colonel Shackelford, for the loss of a horse, saddle, and bridle.

Ordered, That the Committee on Education prepare and bring in the 2d, 15th, and 19th; Messrs. Heady, Wolfe, Johnson, Allen, Van Winkle, J. W. Anderson, and Proctor the 3d; the Committee on Revised Statutes the 4th and 6th; the Committee on Ways and Means the 5th, 13th, 18th, and 22d; the Committee on Internal Improvement the 7th; the Committee on County Courts the 8th, 10th, 11th, and 14th; the Committee on Propositions and Grievances the 12th, 16th, and
24th; the Committee on Claims the 17th; Messrs. Curtis, Burnam, and J. W. Anderson the 20th; Messrs. Ireland, Geo. M. Thomas, and Cleveland the 21st; the Committee on Corporations the 23d.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer, in favor of Robert G. Carter, for the sum of thirty-one dollars and fifty cents, the amount allowed said Carter for mileage and per diem as witness before the Committee on Circuit Courts of the House of Representatives; and that the Treasurer pay the same out of any money in the treasury not otherwise appropriated.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Said resolution was adopted.

Mr. Allen moved the following resolution, viz:

Resolved, That the Committee on Military Affairs be instructed to report resolutions giving the thanks of Kentucky to the Union forces taking part in the recent Union victories in this State; and that the commandants of regiments and parts of regiments be specifically named therein.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and Representatives in Congress be requested, to use their efforts to procure the passage of a law by Congress, making the United States Treasury notes a legal tender in payment of dues to the Government, and debts generally.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

Said resolution was adopted.

Mr. Burnam moved to take up out of the orders of the day a bill, entitled

A bill to amend the law in relation to jury trials and the effect of the same in will cases.

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

On motion of Mr. Burnam,

Ordered, That said bill be made the special order for Monday next at 11 o'clock.
A message was received from the Senate, announcing that they had passed bills, which originated in this House, of the following titles, viz:

An act to authorize the sale of the Russell and Cynthiana turnpike road and its franchises, and for other purposes touching the same.

An act for the benefit of the executors of Sam'l Redding, deceased.

An act for the benefit of the clerk of the Greenup circuit and county courts.

An act for the benefit of common school districts Nos. 15 and 56, in Daviess county.

That they had passed a bill, entitled An act to amend the charter of Bourbon Lodge, I. O. O. F., No. 23, and had concurred in a resolution from this House for the benefit of Robert G. Carter.

The House then took up a bill from the Senate, entitled An act to amend the charter of Bourbon Lodge, I. O. O. F., No. 23, 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 Incorporated Institutions.

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

Said message was taken up and read, as follows, viz:

*Gentlemen of the Senate and House of Representatives:*

Better informed as you are in regard to the wishes of your constituents, in the particular localities from which you come, I have considered it to be my duty, under that provision of the constitution which requires of me, from time to time, to give information to the Legislature, and in compliance with the request of some valued friends of your honorable body, to make a few suggestions in regard to the condition of the State. A revolutionary provisional government has been formed in Southern Kentucky, within the lines of the Confederate armies, embracing nearly one third of the counties in the State. Within this boundary no revenue can be collected, and the laws are set at defiance. Its success must depend upon the triumph or defeat of the vast armies in the field. The law provides amply against such a rebellion, but I have no power to quell it. The constitution designed I should have; but I find myself without arms, without money, without men—without the means and the power to put it down. The Legislature have transferred all the resources of the State, to meet the emergency, into the hands of a Military Board and the Federal army. To them, then, will the people look for the suppression of the rebellion.
There is no disguising the fact that the people are suffering seriously in every quarter of the State for the want of means to meet their engagements. Trade is stopped in a great measure, and even what produce finds its way to market is sold at ruinous sacrifices.

In regions over which the contending armies have passed, large amounts of property have been taken or destroyed, the country has been made desolate, and large numbers of the people who were contented, comfortable, and independent, are suffering for the necessaries of life; their fences have been destroyed, their stock and provisions taken; so that many cannot make a crop this year; add to this, that many persons have been frightened or dragged from their homes and suffering families. The laws are silent or cannot be executed. Universal gloom and distress pervade these regions. Families are divided and broken up, and each has its wrongs or its woes to relate. Starvation stares many in the face. In other and more highly favored districts, no property of any description can be sold at one third of its former value. The people are much in debt. They would gladly pay, if their property would bring any thing like a reasonable price; but owing to the great reduction in the circulation of the banks from thirteen to five millions of dollars within a year or two; owing to the enormous war debt which must be met by an increase of taxation, the destruction of property and of confidence, the withdrawal of the funds by capitalists, and the consequent fall in prices, the great indebtedness of our people, and the opening of the courts, bankruptcy and ruin stare them in the face unless they get relief. I am free to say I think they ought to have it, and I will cheerfully co-operate with you in the passage of such relief measures as may be consistent with the constitution.

To be just to the creditor and relieve the debtor is the difficulty. It is a most perplexing question. As a general thing, the relief laws heretofore passed have proved disastrous to those whom they were intended to benefit. Especially have we a warning from the measures adopted in the old relief and anti-relief times in Kentucky; but the people cannot pay much more than their taxes now, much less their debts, without bankruptcy. I fear the sheriffs will resign if something is not done. I fear even resistance to the laws if the collection of debts is enforced by ruinous sacrifices of property at public sales. The relations between the debtor and creditor have greatly changed since the contracts were entered into by this horrible war. Much indebtedness has been incurred by the purchase of property here which has been sold in the South. Persons are trying to collect their debts there to meet engagements here. Heavy losses will be sustained. Heavy taxes must be met, and great sacrifices of property must be the result, unless something can be done for the sufferers.

What ought to be done—what can be done for this class consistent with reason, humanity, justice, and the constitution? It is the debtor class—the trading class, who incur all the risks of speculation—it is that class who, in a time of peace and prosperity, have been the life of trade—it is that enterprising class of our citizens who have constantly contributed by their industry and liberality to individual, as
well as to national wealth, who have been caught in debt by the revo-
lation, and need assistance. Shall their property, the hard earnings
of years of toil, risk, and honest industry, be swept from them at half its
value, and they, with their helpless families, turned out penniless
upon the world? Are these men who have carried forward the pro-
gress of the country in its rapid advancement to power, to receive pro-
tection, or are they to be sacrificed to the cupidity and avarice of
another class who do not work—who consume, but produce nothing—
who add nothing to the wealth and little to the happiness of the
country—who live by lending money at ten per cent. a year, and gloat
over the ill-gotten gains of two per cent. per month wrung from the
earnings of honest industry? Shall the feast of the capitalist come, in
exorbitant demands of interest submitted to and promised by the
borrower, to save property from being sold at ruinous sacrifices? Shall
the carnival of the miser come, who neither fights nor works, and who
has hoarded up his usurious gains to take advantage of the distresses
of the people at such a time as this? It is contrary to
the spirit
of our institutions for too large a portion of the property of the
country to be owned by a few men. On the other hand, dishonest men are too
apt to seize the opportunity afforded by relief laws to defraud their
creditors.

Numerous as are the difficulties that environ the subject, I had
hoped that this question would have been answered previous to your
last adjournment, in the passage of some constitutional relief mea-
ure, satisfactory to the people; but in this I was sadly disappointed.
And, had it not been, that you were soon to meet again, and wishing
to avoid the expense incurred in the call of another extra session of
the Legislature, at a time when we should most rigidly economise,
diminish our expenditures, and husband all our resources—much as I
am opposed to relief laws under ordinary circumstances in a time
of peace—I would have thought myself justified in calling you back
without delay to legislate upon this subject.

Whether a two-thirds valuation law, applied to personal, as to
real estate, or a further suspension of the courts, or some other mode
of relief, be the remedy, I forbear at this time to suggest, for the reason
that a Treasury note bill is now pending before Congress, making
paper money a legal tender for debts. Unconstitutional as I believe
this bill to be, and much as I depurate its passage, it is confidently
believed by its friends, that it will prove a sovereign panacea for our
financial ills, and afford the debtor all the relief he needs, in the im-
mediate advance in his property, from the excessive issues of a depre-
ciated currency. In any event, I think it fair to conclude that the
creditor is entitled to a lien upon all the property of his debtor for the
payment of his debt, and after that has been honestly surrendered, at
such a time as this, he is entitled to a full discharge from the payment
of the remainder. Every honest man will pay to the utmost far-
thing, if he ever becomes able.

The Secretary of the Treasury of the United States, by an act
approved July 27th, 1861, was directed by Congress, “out of any
money in the treasury, not otherwise appropriated, to pay to the Gov-
error of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State, for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the treasury."

About the middle of last month I addressed a letter to the President of the Military Board, requesting him to furnish me with the amount expended by the Board for the above purpose, with the proper vouchers, with the view of laying them before the proper accounting officers of the treasury, have them passed upon without delay, and demand for the State the sum she has expended, and is entitled to under the act from the Federal Government. In reply, I received a note informing me the Board was not then ready to report, as the vouchers for some of the money expended had not then been obtained; and so soon as they were procured a report would be made. No report having yet been received, I have been unable to apply for the money under this act. I deem it of the utmost importance to the interests of the State that this matter should be attended to as speedily as possible, and have no doubt the Board is using its best efforts to procure the vouchers required. I notified the Secretary of the Treasury, in due time, that Kentucky had assumed her portion of the interest of the public debt incurred by the war, by inclosing a copy of the resolution passed by the Legislature. Paying the whole of it before the first day of July, fifteen per cent. will be deducted. It may be well, therefore, to set off the claim of the Government for taxes by so much of our liquidated claim against the Government, and thus allow the people longer time to meet it by taxation. The balance, I am informed, the banks are willing to receive in Government bonds.

I forbear, at present, to make any allusion to our federal or foreign relations, in the hope that the horrid civil war in which we are engaged will soon be ended; and trusting that Divine Providence will enlighten us by His wisdom, direct us in the pathway of duty, and lead us in the right direction through the troubles which surround us.

B. MAGOFFIN.

Ordered, That the Public Printer forthwith print 150 copies thereof, for the use of the members of the General Assembly; and that the consideration thereof be referred to the Committee on Ways and Means.

On motion of Mr. Burnam,

Ordered, That the Governor's message be referred to the committee of the whole, and made the special order for Wednesday next, at 11 o'clock.

The Speaker appointed Messrs. Shanklin and J. W. Boone on the Committee on Retrenchment and Reform, in place of Messrs. Barlow and Spalding.

On motion of Mr. Heady,
Ordered, That Mr. Rousseau be added to the Committee on Military Affairs.

Mr. Curtis, from the select committee, to whom was referred leave to bring in a bill for the benefit of P. D. Scholl, of Estill county, reported the same.

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 question was taken, "Shall the bill be read a third time?" and it was decided in the negative.

And so said bill was rejected.

And then the House adjourned.

SATURDAY, FEBRUARY 15, 1862.

1. Mr. R. J. Browne presented the petition of sundry citizens of Washington county, praying the passage of some constitutional relief law.

2. Mr. Murphy presented the petition of sundry citizens of Nelson county, praying the passage of relief law.

3. Mr. R. C. Anderson presented the petition of sundry citizens of Franklin county, praying the passage of relief law.

4. Mr. Webster presented the petition of Michael Devany, and Margaret, his wife, praying an act permitting the said Margaret to trade and do business as a single woman.

5. Mr. Wolfe presented the petition of Silas F. Miller & Co., and others, of Louisville, praying a deduction on licenses to billiard saloons.

6. Mr. Murphy presented the petition of sundry citizens of Nelson county, praying the passage of some relief measure.

Which were received, the reading dispensed with, and referred—the 1st, 3d, 4th, and 5th to the Committee on the Judiciary; the 2d and 6th

Mr. Thomas S. Brown, the member elected to fill the vacancy occasioned by the expulsion of John M. Elliott, appeared; and, having taken the oath required by the constitution, took his seat.

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

By Mr. R. Cochran, from the Committee on Propositions and Grievances—
1. A bill to amend an act, entitled “An act to amend the charter of the town of Uniontown,” approved April 1st, 1861.

By Mr. Andrews, from the Committee on the Judiciary—
2. A bill to amend the Revised Statutes in regard to filling vacancies of sheriffs.

By Mr. Huston, from the Committee on the Judiciary—
3. A bill to amend the law concerning executions.

By Mr. J. R. Thomas, from the Committee on the Judiciary—
4. A bill to amend the law of descent and distribution.

By Mr. Geo. M. Thomas, from the Committee on County Courts—
5. A bill for the benefit of W. T. Samuels, clerk Hardin county court.

By same—

By Mr. Huston, from the Committee on Revised Statutes—
7. A bill to repeal an act, entitled “An act to change the time of holding the Lincoln and Pulaski circuit courts,” approved December 20, 1861.

By Mr. Cleveland—
8. A bill for the benefit of P. H. Clayton, late sheriff of Bracken county.

By Mr. Yeaman—

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, 5th, 7th, and 8th were ordered to be engrossed and read a third time; the 9th was referred to the Committee on County Courts; the 2d, 3d, and 4th were sev-
generally ordered to be printed; and the 2d was made the special order for Tuesday next, at 11 o'clock.

The rule of the House, constitutional provision, and third reading of the 1st, 5th, 7th, and 8th having been dispensed with, and the same being engrossed,

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

Mr. Huston, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled "An act to amend an act, entitled "An act to prevent fraudulent assignments in trust for creditors and other fraudulent conveyances," approved March 10, 1856, reported the same.

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. R. J. Browne offered a substitute.

On motion of Mr. Huston,

Ordered, That the Public Printer forthwith print 150 copies of said bill and substitute, and that the same be made the special order for Tuesday next at 11 o'clock.

Mr. Andrews moved a reconsideration of the bill rejected yesterday, entitled

An act for the benefit of Peter D. Scholl.

Mr. Burnam moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms be directed to prepare a list of the names, residences, ages, occupations, and post-office address of the members of this House, and have 150 copies of the said list printed for the use of the members, and that the Clerk append the same to the House journal.

Mr. Andrews moved to strike out the word "age" in said resolution. And the question being taken thereon, it was decided in the negative.

Mr. Milton Young moved to strike out the word "occupation" in said resolution. And the question being taken thereon, it was decided in the negative.

Mr. Sparks moved to add the number of children. And the question being taken thereon, it was decided in the negative.
The question was then taken upon the adoption of the resolution, and it was decided in the affirmative.

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

- An act to amend the charter of the city of Louisville.
- An act to incorporate the Louisville Bridge Company.
- An act to incorporate Germania Lodge, No. 43, I. O. O. F., at Covington.

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

- On motion of Mr. Wolfe—1. A bill to amend the act, entitled "An act to cause writings to be made in the English language."
- On motion of Mr. Heady—2. A bill for the benefit of S. M. May, a minor of Bullitt county.
- On motion of Mr. Cleveland—3. A bill to establish a coal oil inspection.
- On motion of Mr. Proctor—4. A bill providing for the appointment of examiners in each regiment of Kentucky volunteers to take depositions of volunteers.
- On motion of Mr. Johns—5. A bill for the benefit of Armistead Burchett, late jailer of Lawrence county.
- On motion of Mr. Webster—6. A bill to amend the charter of the city of Newport.
- On motion of same—7. A bill to amend the charter of the town of Jamestown.
- On motion of Mr. Curtis—9. A bill for the benefit of certain officers and soldiers who expended money in the military service, &c.
- On motion of Mr. Andrews—10. A bill to amend article 3, of chapter 317, of the Revised Statutes, title "Husband and Wife."
- On motion of Mr. Beazly—11. A bill to vacate all the offices under the State Government that is held by persons who are aiding the present rebellion of the so-called Confederate States, by word or action, and to disfranchise and prohibit them from voting at any election hereafter to be held in this Commonwealth.
- On motion of Mr. Rankin—12. A bill to enlarge the official oath of officers of this Commonwealth, and for other purposes.
On motion of Mr. Finnell—14. A bill for the benefit of James Riggs, of Kenton county.

On motion of same—15. A bill to abolish the quarterly courts of this Commonwealth.

On motion of Mr. J. W. Anderson—16. A bill to suspend the circuit and other courts of this Commonwealth, and for other purposes.

On motion of Mr. Backeller—17. A bill to legalize the proceedings of the Laurel county court at the February term, 1862, and for other purposes.

On motion of Mr. Martin—18. A bill for the benefit of Thomas A. Leeper, jailer of Livingston county.

On motion of Mr. Griff—19. A bill to amend the law establishing Jefferson and Lavi county court.

On motion of Mr. Burnam—20. A bill to amend the limitation laws so far as they apply to actions for the recovery of usurious interest.

On motion of Mr. J. R. Thomas—21. A bill for the benefit of school district No. 26, in Marion county.


On motion of Mr. J. W. Boone—23. A bill to repeal the 5th section of an act, entitled "An act to amend the laws in relation to the city of Paducah."

On motion of Mr. J. W. Campbell—24. A bill for the benefit of John G. Parks, late clerk of the Nicholas county court, and administrator of L. H. Arnold, late clerk of the Nicholas county court.

On motion of Mr. Morrow—25. A bill for the benefit of the county court attorneys for this Commonwealth.

On motion of same—26. A bill suspending the circuit and other courts of this Commonwealth, and for other purposes.

On motion of Mr. Underwood—27. A bill to authorize the temporary election of chancellors or judges, in case of the absence of any of the chancellors or judges of the equity and criminal courts of the Commonwealth at any of the terms of such courts.

On motion of Mr. R. J. Browne—28. A bill providing for semi-annual terms of the courts of justices of the peace, and other courts of jurisdiction inferior to circuit courts.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, 2d, 3d, 10th, 11th, 12th, 15th, 16th, 18th, and 27th; the Committee on Revised Statutes the 4th, 20th, and 25th; the Committee on
Ways and Means the 5th; Messrs. Webster, G. Clay Smith, and Rankin, the 6th; Messrs. Webster, Cyrus Campbell, and Powell, the 7th; the Committee on Education the 8th and 21st; the Committee on Military Affairs the 9th; Messrs. B. R. Young, Heady, and Conklin, the 21st; Messrs. Finnell, Tevis, and Rankin, the 14th; the Committee on County Courts the 17th and 19th; the Committee on Propositions and Grievances the 22d; the Committee on Incorporated Institutions the 23d; Messrs. J. W. Campbell, Andrews, and M. Smith, the 24th; and the Committee on Circuit Courts the 28th.

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

Resolved by the General Assembly of the Commonwealth of Kentucky: That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of J. A. J. Lee, of Bath county, for the sum of eighteen dollars and ten cents, the amount allowed said Lee for mileage and per diem as a witness before the Committee on Circuit Courts of the House of Representatives, and that the Treasurer pay the same out of any money in the treasury not otherwise appropriated.

The rule of the House being dispensed with, said resolution was adopted.

Mr. Van B. Young moved the following resolution, viz:

Resolved, That the Military Board be instructed to report to this House how many regiments Kentucky has in the service of the United States; who are the Colonels; and what counties have furnished companies; and how much money they have expended in raising and outfitting the volunteers in Kentucky; and to whom, if any one, they have furnished money to raise volunteers, and how much have they thus furnished; and whether they have the vouchers for the money thus expended; and if so, how much they have expended for which they have no vouchers; and to whom paid; and how much to each one.

Mr. Van B. Young moved to dispense with the rule of the House requiring a reference to a standing committee.

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

The yeas and nays being required thereon by Messrs. V. B. Young and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Felix G. Murphy,
Alfred Allen, Evan M. Garriott, Thomas W. Owings,
Vincent Ash, Remus Gibson, M. Smith,
Elisha Beazly, Henry Griffith, John R. Thomas,
Those who voted in the negative, were—

Jas. W. Anderson, Robert Cochran, George Poindexter,
R. C. Anderson, William L. Conklin, Hiram S. Powell,
Landaff W. Andrews, Albert A. Curtis, Larkin J. Proctor,
E. B. Bacheller, Daniel E. Downing, William S. Rankin,
John C. Beeman, Stephen J. England, John Ray,
J. W. Boone, Elijah Gabbert, J. A. Reusseu,
William A. Brann, William J. Heady, George S. Shanklin,
R. J. Browne, John B. Huston, James P. Sparks,
Thos. S. Brown, William C. Ireland, Joshua Tevis,
Curtis F. Burnam, Richard T. Jacob, George M. Thomas,
James Calvert, Urban E. Kennedy, Joseph R. Underwood,
Cyrus Campbell, James M. C. Lisenby, Geo. P. Webster,
J. W. Campbell, Jonas Martin, Nathaniel Wolfe,
Brutus J. Clay, P. L. Maxey, Gen. H. Yeaman,
Francis L. Cleveland, Thomas Z. Morrow, Bryan R. Young—45.

Ordered, That said resolution be referred to the Committee on Military Affairs.

Mr. Chambers moved the following resolution, viz:

WHEREAS, This General Assembly has, by solemn declaration, given assurance to the people of the State, that during the progress of the present war “all peaceable citizens and their families are entitled to, and shall receive, the fullest protection of the Government in the enjoyment of their lives, their liberty, and their property;” and whereas, it is requested that citizens of this Commonwealth who have been guilty of no crime, and whilst engaged in their private pursuits, at their own homes, have been arrested and imprisoned, both within and beyond the limits of the State, in disregard both of the forms of law and the pledge before referred to; therefore,

Resolved, That a select committee of five members be raised and instructed to inquire diligently, and to that end have power to send for persons or papers, whether arbitrary and unlawful arrests have been made; whether citizens of this Commonwealth thus arrested, are now confined within this State or elsewhere; and whether the public good requires the continuance of such practices; and if, in their opinion, it does not, what steps ought to be taken to relieve those already improperly confined in prison; and what measures, consistent with the public safety, can be adopted to prevent a repetition of the evils complained of.

Mr. Chambers moved to dispense with the rule of the House requiring a reference to a standing committee.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Chambers and Ash, were as follows, viz:

Those who voted in the affirmative, were—

R. C. Anderson, Evan M. Garriott, Lackin J. Proctor,
Vincent Ash, Henry Griffith, James P. Sparks,
Curtis F. Burnam, William J. Heads, Joseph R. Underwood,
E. F. Burns, John C. Lindsey, John S. Van Winkle,
W. P. D. Bush, Alexander Lusk, George H. Yeaman,
A. B. Chambers, P. L. Maxey, Bryan R. Young,
Francis L. Cleveland, David P. Mears, Milton Young,
John W. Finnell,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John C. Cooper, Hiram S. Powell,
Jas. W. Anderson, Albert A. Curtis, William S. Rankin,
Landaff W. Andrews, Daniel E. Downing, John Ray,
E. B. Bacheller, Stephen J. England, F. D. Rigney,
Elisha Beazly, Elijah Gabbert, J. A. Rosseau,
John C. Beeman, Remus Gibson, George S. Shanklin,
J. W. Boone, William C. Ireland, M. Smith,
William A. Brann, Richard T. Jacob, Joshua Tevis,
R. J. Browne, Daniel W. Johns, George M. Thomas,
Thos. S. Brown, Urban E. Kennedy, John R. Thomas,
James Calvert, James M. C. Lisenby, Thomas Turner,
Cyrus Campbell, Jonas Martin, Zeb. Ward,
J. W. Campbell, Thomas Z. Morrow, George P. Webster,
Brutus J. Clay, Thomas W. Owings, Nathaniel Wolfe—44.
Robert Cochran, Geo. Poindexter,

Ordered, That said resolution be referred to the Committee on Military Affairs.

On motion of Mr. Conklin,

Ordered, That Mr. J. W. Boone be added to the Committee on Claims.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Judiciary Committee report a bill better to protect the rights of voting in this Commonwealth; that any person entertaining or expressing disloyal sentiments to the State of Kentucky or the United States, shall an oath be prescribed to such persons or voters, before voting, to support the laws of the State of Kentucky and the Constitution and laws of the United States and this State.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. J. W. Anderson moved the following resolution, viz:

Whereas, An iniquitous and unjustifiable rebellion is now being waged against the Government of the United States by the so-called
Confederate States, which has caused the United States to expend vast sums of money, and exhaust every source of revenue, in order to feed, clothe, and pay the grand army of over 600,000 men, who are asking only to be led on to victory or death, in order to restore and sustain the Government of the United States; and whereas, the Congress of the United States, looking to the exhausted condition of the treasury, is mooting the question of reducing the pay of the officers and soldiers of this grand army, or taxing their pay to a certain per cent.; and whereas, there is now a high tariff or duty upon the very necessaries of life, such as coffee, sugar, tea, &c., in order to yield a revenue to sustain our government; and whereas, with high taxes, and a civil war upon us, weighing our energies down like an incubus that cannot be shaken off, it behooves every patriot and philanthropist to look well to the financial condition of his country, and especially to his own State, and thus husband her own resources; therefore,

Be it resolved by the House of Representatives of Kentucky, That the Committee on Retrenchment and Reform be instructed and requested to report a bill to this House, at as early a day as practicable, reducing the salary of every officer of this State, that is paid out of the treasury, including the Senators and Representatives, wherever the same can be reduced according to the Constitution of Kentucky.

Resolved, That after the first day of next August the salary of each circuit judge in the State of Kentucky shall only be $1,400, and the Commonwealth's attorneys $300.

Ordered, That said resolution be referred to the Committee on Retrenchment and Reform.

Mr. Ward moved the following resolution, viz:

Resolved, That the Speaker appoint a committee to investigate the circumstances and cause of the arrest of Dr. A. B. Chambers, member of this House from Gallatin county, by the United States troops; and said committee be empowered to send for persons and papers necessary to such investigation, and report by bill or otherwise to this House at as early a day as practicable.

Which was adopted.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution, which originated in this House, of the following titles, viz:

An act to authorize the sale of the Russell and Cynthiana turnpike road and its franchises, and for other purposes touching the same.

An act for the benefit of the executors of Samuel Redding, deceased.

An act for the benefit of the clerk of the Greenup county and circuit courts.

An act for the benefit of common school districts Nos. 15 and 56, in Daviess county.

Resolution for the benefit of Robert G. Carter.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
The House then took up the bill from the Senate, entitled
An act to amend the law in relation to devises, bequests, descent, and distribution.
The question was taken on ordering said bill to be read a third time, and it was decided in the negative.
And so said bill was rejected.
The House took up a bill from the Senate, entitled
An act to incorporate the Germania Lodge, No. 43, I. O. O. F., at Covington.
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 Incorporated Institutions.
The House then took up the bill, entitled
A bill amending the law with regard to billiards.
On motion of Mr. Ireland,
Ordered, That said bill be made the special order for Friday next at 11 o'clock.
And then the House adjourned.

MONDAY, FEBRUARY 17, 1862.

Mr. Joshua F. Bell, the member elected to fill the vacancy occasioned by the death of William C. Anderson, from the county of Boyle; Mr. Leroy Brinkley, the member elected to fill the vacancy occasioned by the expulsion of Daniel Mathewson, from the county of Calloway; and Mr. Richard Neel, the member elected to fill the vacancy occasioned by the expulsion of A. R. Boon, from the county of Graves, appeared, and having severally taken the oaths required by the constitution, took their seats.
The Speaker appointed Messrs. Ward, B. R. Young, Burnam, Point- dexter, and Bush upon the committee to investigate the cause of the arrest of A. B. Chambers.

On motion of Mr. Andrews,
Ordered, That Mr. Bell be added to the Committee on the Judiciary.

On motion of Mr. Huston,
Ordered, That Mr. Bell be added to the Committee on Revised Statutes.

1. Mr. Andrews presented the petition of sundry citizens of Fleming county, praying for a stay law.
2. Mr. Ash presented the petition of sundry citizens of Anderson county, praying for a stay or relief law.
3. Mr. Andrews presented the petition of sundry citizens of Rowan county, praying for a stay law.
4. Mr. Van B. Young presented the petition of sundry citizens of Bath county, in favor of a stay law.
5. Mr. Tevis presented the petition of sundry attorneys of the Louisville bar, in reference to the Jefferson county and levy court.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on the Judiciary; the 2d and 4th to the select committee, styled Relief Committee; and the 5th to the Committee on County Courts.

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

By Mr. Andrews, from the Committee on the Judiciary—
1. A bill to provide for the filling vacancies in the office of sheriff.
2. A bill to legalize the proceedings of the Laurel county court at its February term, 1862, and for other purposes.
3. A bill to incorporate Delaware Lodge, No. 7, I. O. R. M., of the city of Louisville.

By Mr. Beeman, from the Committee on Incorporated Institutions—
4. A bill for the benefit of John C. Parks, former clerk of the Nicholas county court, and administrator of L. H. Arnold, former clerk of the Nicholas 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 reading
of said bills having been dispensed with, the 2d, 3d, and 4th were severally ordered to be engrossed and read a third time; the 1st was ordered to be printed and placed in the orders of the day.

The rule of the House, constitutional provision, and third reading of the 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. Underwood moved the following resolution, viz:

Resolved, That the committee raised to lay off the State into Congressional districts be, and they are hereby, instructed to take the federal population of the several counties as the basis of the apportionment.

Mr. J. W. Anderson moved to strike out the word "Federal," in said resolution, and insert in lieu thereof the word "voting."

Mr. Turner moved that the further consideration of said resolution and amendment be postponed till Wednesday next, and that the same be made the special order for 11 o'clock on said day.

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

A message was received from the Senate, announcing that they had passed bills and a resolution, which originated in this House, of the following titles, viz:

An act to repeal an act, entitled "An act to change the time of holding the Lincoln and Pulaski circuit courts," approved December 20, 1861.

An act to amend an act, entitled "An act to amend the charter of the town of Uniontown," approved April 1, 1861.

An act for the benefit of W. T. Samuels, clerk of the Hardin county court.

An act for the benefit of P. H. Clayton, late sheriff of Bracken county.

Resolution for the benefit of J. A. J. Lee.

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

An act for the benefit of Joel A. McFarlan, pauper idiot of Adair county.

An act to amend the charter of the Bryantsville and Cane Run turnpike road company.

An act to amend an act, entitled "An act to amend an act to pre-
scribe the means and mode of opening roads in Boone county," and to take a vote upon the repeal of said act.

An act to amend the charter of the city of Covington.

The House took up the special order, viz:
A bill to amend the law in regard to jury trials, and their effect in will cases.

Ordered, That the further consideration thereof be postponed till Thursday, and that the same be made the special order for 11 o'clock on said day.

Leave was given to bring in the following bills, viz:
On motion of Mr. Huston—1. A bill to amend the law of last session amending the attachment law.
On motion of Mr. Cleveland—2. A bill to amend the game law, approved December, 1861.
On motion of Mr. Curtis—3. A bill for the benefit of turnpike roads in which the State has an interest.
On motion of same—4. A bill to regulate tolls on slackwater navigation.
On motion of Mr. R. C. Anderson—5. A bill to amend the charter of the Frankfort Commercial College.
On motion of Mr. Ireland—6. A bill for the benefit of James Morton, late sheriff of Greenup county.
On motion of Mr. Mears—8. A bill to amend section 634, of the Code of Practice.
On motion of Mr. Milton Young—9. A bill to prohibit the sale of spirituous liquors by tavern-keepers and others to slaves and free negroes of this Commonwealth.
On motion of Mr. B. R. Young—10. A bill to provide for the taking of votes of Kentucky volunteers absent from home.
On motion of Mr. Sparks—11. A bill to incorporate the town of Guestville, in Henry county.
On motion of Mr. G. Clay Smith—12. A bill for the benefit of the sheriff of Kenton county.
On motion of same—13. A bill to amend the law with regard to divorces in this Commonwealth.
On motion of Mr. Martin—15. A bill for the benefit of Philip D. Yeizer.

On motion of Mr. Burnam—16. A bill for the benefit of the Richmond and Irvine turnpike road company.

On motion of Mr. Taylor—17. A bill to amend the law in relation to the compensation of grand and petit jurors.

On motion of Mr. J. B. Cochran—18. A bill for the benefit of the Kentucky Female College.


On motion of Mr. Conklin—21. A bill to amend the Civil Code of Practice.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; the Committee on Internal Improvement the 3d and 4th; the Committee on Education the 5th; the Committee on County Courts the 6th, 7th, 9th, and 14th; the Committee on the Codes of Practice the 8th and 21st; the Committee on Privileges and Elections the 10th; the Committee on Incorporated Institutions the 11th and 18th; the Committee on Ways and Means the 12th and 20th; the Committee on Circuit Courts the 13th and 17th; the Committee on Military Affairs the 15th; Messrs. Burnam, Curtis, and Bacheller the 16th, and the Committee on Claims the 19th.

Mr. Poindexter moved the following resolution, viz:

Resolved, That the Committee on Ways and Means inquire into the necessity and expediency of giving the assessors of tax in those counties which have been occupied by the rebel forces further time to return their books to their respective county courts; and that said committee report by bill or otherwise.

Ordered, That said resolution be referred to the Committee on Ways and Means.

Mr. Andrews moved the following resolution, viz:

Resolved, That the Committee on Circuit Courts be instructed to make a report in the case of W. H. Burns, circuit court judge, on tomorrow, at 12 o'clock, and that the same be a special order for that hour.

Which was adopted.

Mr. Powell moved the following resolution, viz:

WHEREAS, David May, member elect to this General Assembly, from
the counties of Letcher and Pike, has, and still absents himself from
this General Assembly, and taken refuge in the Confederate or rebel
army, and has been mixing and acting with the marauding bands of
robbers that have been desolating our once happy country; disagreea­
table to the Constitution of the United States and the Constitution of
Kentucky; therefore,

Be it resolved by this House, That the said David May be, and he is,
expelled from this House.

Ordered, That said resolution be referred to the Committee on Privi­
ileges and Elections.

Mr. Rapier read and laid on the table the following joint resolu­
tion, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky,
That when the two Houses of this Legislature adjourn on the 4th of
March next, they will adjourn without day.

On motion of Mr. Robert Cochran,

Ordered, That Messrs. Thomas S. Brown and Cooper be added to
the Committee on Propositions

Bills from the Senate, of the following titles, viz :
1. An act to amend the charter of the city of Louisville.
2. An act to incorporate the Louisville Bridge Company.
3. An act to amend the charter of the city of Covington.
4. An act to amend an act to prescribe the means and mode of
opening roads in Boone county, and to take a vote on the repeal of
said act.
5. An act for the benefit of Joel A. McFarlan, pauper idiot of Adair
county.
6. An act to amend the charter of the Bryantsville and Cane Run
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 ordered
to be read a third time; the 3d was referred to the Committee on
Incorporated Institutions; the 4th and 5th to the Committee on Internal
Improvement, and the 6th to the Committee on Claims.

The rule of the House, constitutional provision, and third reading of
the 1st and 2d bills having been dispensed with,

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

The House took up a bill, entitled

A bill for the benefit of John C. Adams, judge of the Greenup quar­
terly court.
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. Turner moved the following resolutions, viz:

WHEREAS, It has pleased Almighty God to remove, by the hand of death, since the last meeting of this General Assembly, Walter Chiles, Senator from the 35th district; therefore,

Be it resolved, That this body has learned with deep grief of the death of their late companion, associate, and friend; one who combined in himself the qualities of an eminent lawyer, a courteous gentleman, an able statesman, and a loyal Union patriot, and whose loss to the State in this, her time of sore trial, will long be deeply felt.

Resolved, That we cherish the kindest remembrances of the character and useful qualities of the deceased Senator, and of his loyalty and devotion to the interest of this Commonwealth and his whole country.

Resolved, That in token of our respect for his memory, this Hall be draped in mourning, and we will wear the usual badge for thirty days.

Resolved, That as an evidence of our condolence with the bereaved family of the deceased Senator, the Speaker of the House be requested to transmit to them a copy of these resolutions.

Which were unanimously adopted.

On motion of Mr. Turner,

Ordered, That the House do now adjourn.

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TUESDAY, FEBRUARY 18, 1862.

1. Mr. Sparks presented the petition of sundry citizens of Anderson county, praying the passage of relief laws.

2. Mr. J. B. Cochran presented the petition of sundry citizens of Shelby county, favoring the passage of some relief law.

3. Mr. J. B. Cochran also presented the petition of sundry citizens of Shelby county, against any further stay laws.

Which were received, the reading dispensed with, and referred to the select committee appointed under the resolution of Mr. Heady.
Mr. Andrews, from the Committee on the Judiciary, to whom was referred sundry petitions of citizens of Washington and Franklin counties; also, the resolution of Mr. J. W. Anderson, in reference to the suspension of the courts, asked to be discharged from the further consideration thereof.
Which was granted.

Ordered, That said petitions and resolutions be referred to the select committee of which Mr. Underwood is chairman.

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

By Mr. Bell, from the Committee on the Judiciary—
1. A bill to amend an act, entitled "An act to cause writings to be made in the English language."

By Mr. Huston, from the same committee—

By same—
3. A bill for the benefit of S. M. May, of Bullitt county.

By Mr. Van Winkle, from the same committee—
4. A bill to amend the law in regard to sheriffs.

By Mr. Burnam, from the Committee on Education—
5. A bill for the benefit of Vanceburg district, in Lewis county.

By same—
6. A bill for the benefit of school district No. 5, in Bath 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 reading of said bills having been dispensed with,

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,

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

Mr. Huston, from the Committee on the Judiciary, to whom was referred the petitions of Sophia Biermann and Margaret Devany, asked to be discharged from the further consideration thereof.
Which was granted.

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 Laurel county court at its February term, 1862, and for other purposes.

An act for the benefit of John G. Parks, late clerk of the Nicholas county court, and administrator of L. H. Arnold, former clerk of the Nicholas circuit court.

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

An act to amend an act, entitled "An act to punish certain trespassers in Jefferson county."

Resolution in relation to the distribution of public books.

Mr. Burnam, from the Committee on Education, to whom was referred leave to bring in bills for the benefit of school districts No. 57, in Carter county, and No. 29, in Carter county; also, a communication in reference to the publishing of the 4th volume of the Geological Survey, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Underwood, from the Committee on Military Affairs, to whom was referred the resolution of Mr. Rankin, reported the following as a substitute, viz:

The nation has been compelled, by every patriotic motive, to call upon her true sons to arrest rebellion, and preserve the government. Military men must put down rebellious politicians, who have created the existing evils which threaten our destruction. Reason and entreaty having failed, the sword is now to settle our destiny. While we feel sentiments of the highest admiration for all the brave officers and soldiers engaged in the cause of the Union, wherever their field of operations may be, we entertain a peculiar gratitude to those who are driving our invaders from the soil of Kentucky; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That Gen. Geo. H. Thomas, Col. J. A. Garfield, Gen. U.S. Grant, and Commodore A. H. Foote, together with the brave officers and men in their respective commands, deserve the thanks of Kentucky, and the same are hereby most cordially tendered to every man of them, for their brilliant victories achieved at Mill Spring, Prestonsburg, Fort Henry, and Fort Donelson. While we thus offer our heartfelt tribute to the officers and soldiers who have exposed their lives on the field of battle, we cannot withhold the expression of our most grateful thanks to Generals Halleck and Buell, the commanders-in-chief of their respective departments, for their admirable arrangements, which have resulted in these glorious and effective victories.

Mr. Allen moved the following as an amendment, viz:

Resolved, further, That while Kentucky is happy to do justice to all the brave men who have in these battles periled their lives in her defense, she is bound to express the pride she feels in the part taken
therein by her own children; they have proved themselves worthy of the fame of their State and of their ancestry.

Which was adopted.

Mr. Morrow moved to strike out "Mill Spring" and insert "Logan's Fields and Mill Spring."

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

On motion of Mr. J. W. Anderson,

Ordered, That the resolution and amendment be recommitted to the Committee on Military Affairs.

The House then took up the special order, viz:

A bill to amend the Revised Statutes in regard to filling vacancies of sheriffs.

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, according to order, a bill, entitled "An act to amend 'An act to prevent fraudulent assignments in trust for creditors and other fraudulent conveyances,'" approved March 10, 1856," with the amendment.

On motion of Mr. Andrews,

Ordered, That the bill and amendment be recommitted to the Committee on the Judiciary.

A message was received from the Governor, by Mr. Gaither, Secretary of State, transmitting the report of the Adjutant General of the State, which is as follows, viz:

[For Report—See Legislative Documents.]

On motion of Mr. Andrews,

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

Also, transmitting a copy of the bond of James H. Garrard, State Treasurer.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry bills and a resolution, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend an act, entitled "An act to amend the charter of the town of Uniontown," approved April 1st, 1861.
An act for the benefit of W. T. Samuels, clerk Hardin county court.

An act to repeal an act, entitled "An act to change the time of holding the Lincoln and Pulaski circuit courts," approved December 20, 1861.

An act for the benefit of P. H. Clayton, late sheriff of Bracken county.

Resolution for the benefit of J. A. J. Lee.

Also, bills from the Senate of the following titles, viz:

An act to amend the charter of the city of Louisville.

An act to incorporate the Louisville Bridge Company.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred the case of Judge W. H. Burns, made the following report, viz:

The Committee on Circuit Courts, to whom was referred a resolution of the House, instructing them to ascertain whether any of the circuit judges of the Commonwealth of Kentucky had abandoned their office by taking service under the so-called Confederate government, beg leave, by way of supplemental report, to state the following facts that have been proven by the testimony of R. G. Carter and Sam'l J. Filson, who appeared before your committee; also, the depositions of J. Dils, W. S. Kouns, John Wesley Roberson, and Robert McAllister, as well as the sworn affidavits of John Stembo, James Stafford, and Nathan Preston, which said testimony is herewith reported, with the written statement of the Auditor of Public Accounts:

1st. That the Hon. William H. Burns, one of the circuit judges of this Commonwealth, for the last twelve months has failed and neglected to attend to and discharge the duties of his office, notwithstanding he has regularly claimed and received his salary up to the 4th day of February, 1862.

2d. That said Burns has taken office in the so-called Confederate army, and is now, and has been for the last four or five months, engaged in aiding and assisting an armed and rebellious force in waging a war against the Commonwealth of Kentucky and the government of the United States.

3d. That said Burns, by thus failing and neglecting his official duty, and aiding and assisting an armed rebellion, has violated his official oath, and is guilty of false swearing.

4th. That said Burns, whilst holding the office of circuit judge in the 11th judicial district of Kentucky, has committed the crime of treason against the Commonwealth of Kentucky.

5th. That the said Burns has violated his allegiance to the government of the United States, and committed the crime of treason against said government.
Your committee is of opinion that all the above facts and charges against the said Burns are well established and proven, and that the public interest demands that the said Burns should be removed from his office of circuit judge for the 11th judicial district of the Commonwealth of Kentucky.

All of which is most respectfully reported.

B. S. SHANKLIN,
Chairman of Committee on Circuit Courts.

COMMONWEALTH OF KENTUCKY:
To the Sergeant-at-Arms of the House of Representatives:

You are hereby commanded to summons Robert G. Carter, of the county of Carter, to appear before the Committee on Circuit Courts, of the House of Representatives, at the Chamber of House of Representatives, on Thursday, 13th day February, at 9 o'clock, A.M.; then and there to give testimony before said committee, in the case of the Commonwealth against the Hon. William H. Burns, one of the circuit judges of the Commonwealth.

Given under my hand on this, the 12th day of February, 1862.

G. S. SHANKLIN,
Chairman Committee on Circuit Courts.

Executed February 12, 1862, on R. G. Carter.

J. L. SMEDLEY, Sergeant-at-Arms.

THE COMMONWEALTH OF KENTUCKY

against

WILLIAM H. BURNS.

This affiant, Robert G. Carter, being first duly sworn, upon interrogation, states: That he resides in the county of Carter, State of Kentucky; that he has known the Hon. William H. Burns for the last ten years; that he saw the said Burns on Saturday and Sunday previous to the 25th of December, 1861, at Paintsville, in Kentucky, and that he had a conversation with said Burns; that Burns then told him that he was going in the country some three or four miles to pay a Union man for some corn he had purchased for the use of the army, which I inferred was the Confederate army then under the control of Gen. Humphrey Marshall; that he understood from the son of affiant and others, who were in the army of Marshall, that said Burns was a paymaster in the Confederate army. Affiant further states, that at the time he had the above stated conversation with said Burns, that Gen. Humphrey Marshall was at Paintsville with the Confederate troops under his command; that during the time affiant was at Paintsville he saw Burns get off of his horse and go into the quarters of Gen. Marshall; and further this deponent saith not.

R. G. CARTER.

Testimony of S. J. Filson, taken before the Committees on Circuit Courts, February 17, 1862.

The witness being duly sworn, in answer to questions, states: That he resides in West Liberty, Morgan county, Kentucky; that he is well
acquainted with William H. Burns, judge of the 11th judicial district. Burns, when at home, resides at West Liberty. In January last I went to Paintsville; was arrested and taken into the camp of Gen. H. Marshall, commanding the Confederate forces, then near Paintsville. I saw Burns and conversed with him. He informed me that he was in the commissary department, and was getting $1,500 per annum salary; that his son Harry was with him, and getting $600 per year.

I am a practicing attorney in the 11th judicial district. Judge Burns has held no courts in the district since the fall of 1860, except a part of the term of the Bath circuit court, in the spring of 1861, so far as I know, or have been informed. He may have held a court in Montgomery county in the spring of 1861.

SAMUEL J. FILSON.

Samuel J. Filson, in addition to what he has stated before the Committee on Circuit Courts, would make the following by way of correction: Since making my statement in regard to the holding of courts by Judge Wm. H. Burns, I now remember that Burns held the spring term, 1861, of the Morgan circuit court, and am informed that he also held the courts in Montgomery and Bath counties. When interrogated by the committee, my recollection was that the last court held by Burns in Morgan, was the fall term of 1860; but I am now satisfied, upon reflection, that I was mistaken in this, and now make this correction.

February 18, 1862.

The deposition of J. Dils, Jr., taken on the 12th February, 1862, at Broadway Hotel, Cincinnati.

Are you acquainted with William H. Burns, judge of 11th judicial district, Kentucky? What knowledge, if any, have you of his having taken service, either civil or military, under the so-called Confederate States?

Answer—I am personally acquainted with the Judge, and saw him in active service under Williams' command, in Pike county, Kentucky, some time, I think, in October last. He, Burns, was then acting as commissary for that portion of the Confederate army; since which time I have not seen him; but his brother, R. S. Burns, informed me he is still in the service. The said judge was engaged in pressing salt of citizens of Pikeville for the Confederate army; also, I saw him engaged in getting teams, and buying provisions for the same.

JOHN DILS, JR.

I certify that John Dils, Jr, was by me duly sworn, and testified as shown by the within deposition, by him subscribed. His testimony was reduced to writing by himself, February 12, 1862.

W. C. IRELAND,

Of Circuit Court Committee.

STATE OF KENTUCKY; Greenup County:

The deposition of W. S. Kouns, taken at the office of W. C. Ireland, in Greenup burg, Kentucky, on the 6th day of February, 1862.
to be used before the General Assembly of Kentucky, in a proceeding to remove from office, by address, William H. Burns, judge of the 11th judicial district, in the State of Kentucky—

The examination being conducted by W. C. Ireland, the witness being duly sworn, states:

*Question*—Are you acquainted with William H. Burns, (commonly known as “Harry Burns,”) judge of the 11th judicial district? If yea, tell me what you may know touching his connection with the rebellion, both as to acts and conduct, otherwise?

*Answer*—I am acquainted with judge W. H. Burns. I never saw him in the Confederate army until after the fight at West Liberty and that at Ivy Mountain. After that I saw him in the Confederate army. He was acting as quartermaster, doing such business as pertains to that office, and I suppose that he held the office, though he was called Judge Burns, and not by military title. I first saw him, as stated, in Virginia with the army, and afterwards I traveled with him in the Confederate army, he acting in the capacity I have stated. I was then with the Confederate army; left it since and returned home under the proclamation of General Nelson.

W. S. KOUNS.

Also, the deposition of John Wesley Roberson, taken at the same time and place, and for the same purpose:

The witness of lawful age, and first duly sworn, in answer to interrogatories, states: I am acquainted with W. H. Burns, judge of the 11th judicial district, Kentucky. At the time of the fight at West Liberty, in Morgan county, Kentucky, I was at a Mr. Rice’s, who lived on the road from West Liberty to Prestonsburg. After the fight, Judge Burns, in company with a part of the forces of the Confederates, on their retreat from West Liberty, stopped at Rice’s house, where I was, for the purpose of getting something to eat. During their stay, I heard Judge Burns talking of the fight at West Liberty. I learned from Burns that he was in the fight. He said they killed about thirty of the Federal forces, and got none of their men hurt. He also said that his boys done some tall running; that a bomb-shell fell near them and burst, and then that his boys done the prettiest running he ever saw done. Burns called for the dinner for the men. He talked in favor of the Southern Confederacy, and against the Government. I have not seen Burns since that time. I have been acquainted with Judge Burns and have known him well for five or six years.

JOHN W. ROBERSON.

Also, the deposition of Robert H. McAllister, taken at the same time and place, and for the same purpose:

In answer to questions, deposes as follows: I am acquainted with William H. Burns, judge of the 11th judicial district, Kentucky, commonly called “Harry Burns,” and known to me by the latter name. I have been acquainted with him for 10 or 15 years. I was on Big Sandy river last fall, with a store-boat, near Prestonsburg. Had a considerable amount of my goods taken by the rebel army; and they detained me as a prisoner for some time; was guarded, but permitted
to remain in my boat. During the time I was at Prestonsburg, I saw Judge Burns at Prestonsburg, and also saw him at Paintsville. He was with the Confederate forces, though I did not see him take any active part. I heard him in conversation with them; he talked in favor of the Southern Confederacy, and against the proceedings of the Government. I saw him, as I have stated, before the battle at West Liberty, and do not remember to have seen him since that time.

ROBERT McALLISTER.

STATE OF KENTUCKY, Greenup County:

I, Jeremiah Davidson, examiner for Greenup county, do certify that the foregoing depositions of William S. Kouns, John W. Roberson, and Robert McAllister, were taken before me on the 6th day of February, 1862, at the office of W. C. Ireland, Esq., in the town of Greenup, Greenup county, Kentucky, and the same were read and subscribed by them in my presence, the said Kouns, Roberson, and McAllister having been first sworn by me that the evidence they should give in the above and foregoing depositions, should be the truth, the whole truth, and nothing but the truth; and their statements were reduced to writing by Wm. C. Ireland, in the presence of the witness and examiner, no other persons being present at the examinations.

Given under my hand this 6th day of February, A. D. 1862.

JEREMIAH DAVIDSON, Examiner.

STATE OF KENTUCKY, Johnson County:

John Stembo states that he is a resident of Johnson county, Kentucky; that he has lived in said county ever since the county of Johnson was made; that he was in the said county at the time that Gen. Marshall's rebel army was encamped therein; and that he knows Hon. William H. Burns, who is judge of the 11th judicial district of Kentucky, and knows that said Burns was brigade quartermaster under Gen. Humphrey Marshall.

his mark

Sworn to before me on the 21st day of January, 1862.

THOS. S. BROWN, J. J. C. C.

STATE OF KENTUCKY, Johnson County:

James Stafford states that he is a resident of Johnson county, Kentucky; that he has resided in said county ever since said county was formed; that he lived in said county during the time that Gen. Humphrey Marshall's rebel army was encamped there in December, 1861; and that he is well acquainted with Hon. William H. Burns, judge of the 11th judicial district of Kentucky; and that said Burns was brigade quartermaster in the said rebel army of Marshall when here.

Sworn to before me by James Stafford, January 21st, 1862.

THOS. S. BROWN, J. J. C. C.
STATE OF KENTUCKY, Johnson County:

Nathan Preston states that he is a resident of Johnson county, Kentucky; that he has resided in said county ever since the county was formed; that he was living in said county when Gen. Marshall's rebel army was encamped therein in the month of December, 1861; and that he is well acquainted with Hon. Wm. H. Burns, who is judge of the 11th judicial district of Kentucky; and that he knows that said Wm. H. Burns was brigade quartermaster in said Gen. Marshall's rebel army.

Sworn to before me by Nathan Preston, January 21st, 1862.

THOS. S. BROWN, J. C. C.

House of Representatives,
Committee on Circuit Courts,
February 17, 1862.

Grant Green, Auditor: Please inform the Committee on Circuit Courts, of House of Representatives, if Judge W. H. Burns has drawn his salary as one of the circuit judges of this State; and if so, up to what date.

G. S. SHANKLIN, Chairman of Com.

Judge Burns has drawn his salary up to 4th February, 1862.

C. BAILEY, Assistant,
For GRANT GREEN, Auditor.

FEBRUARY 17, 1862.

The House then, according to order, took up the resolution adopted on yesterday.

Mr. Shanklin, from the Committee on Circuit Courts, in compliance with said resolution, made the following report, viz:

The Committee on Circuit Courts, to whom was referred a resolution of the House instructing them to "prepare and report to the House an address, in due form, to remove the Hon. William H. Burns, one of the circuit judges of the Commonwealth of Kentucky, from his said office," have had the same under consideration, and, in obedience to said resolution, report the following joint address:

To His Excellency, Beriah Magoffin, Governor of the Commonwealth of Kentucky:

The General Assembly of the Commonwealth of Kentucky (two thirds of each House concurring therein) request your Excellency to remove the Hon. William H. Burns from the office of circuit judge in the eleventh (11th) judicial district of the Commonwealth of Kentucky; and this General Assembly state, as cause for his removal, the following, to wit:

1st. That the said Burns, for the last twelve months, has generally failed and neglected to discharge his official duties, although he has regularly claimed and received his salary up to the 4th day of February, 1862.

2d. That said Burns has taken service and office in the so-called Confederate army and government, and is now, and for the last four
months has been, aiding and assisting an armed body of men in rebellion and waging war against the State of Kentucky and the government of the United States.

3d. That the said Burns, by thus failing and neglecting his official duty, and aiding and assisting an armed rebellion against the Commonwealth of Kentucky, has violated his official oath, and has committed the crime of false swearing.

4th. That the said Burns, whilst holding the office of circuit judge and receiving the salary of said office, has been guilty of the crime of treason against the Commonwealth of Kentucky.

5th. That said Burns is guilty of the crime of treason against the government of the United States.

Mr. Chambers moved to strike out the third clause for removal.

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

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

Those who voted in the affirmative, were—

Vincent Ash, A. B. Chambers, William Johnson,
E. F. Burns, Evan M. Garriott, Felix G. Murphy,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Hiram S. Powell,
Alfred Allen, Daniel E. Downing, William S. Rankin,
Jas. W. Anderson, Stephen J. England, Nicholas A. Rapier,
R. C. Anderson, John W. Finnell, John Ray,
Landaff W. Andrews, Elijah Gabbert, F. D. Rigney,
E. B. Bacheller, Renuis Gibson, J. A. Rousseau,
John C. Beeman, Henry Griffith, George S. Shanklin,
Joshua F. Bell, John H. Harney, G. Clay Smith,
J. W. Boone, William J. Heady, M. Smith,
William A. Brann, John B. Huston, James P. Sparks,
Leroy Brinkley, William C. Ireland, Harrison Taylor,
R. J. Browne, Daniel W. Johns, Joshua Tevis,
Thos. S. Brown, Urban E. Kennedy, George M. Thomas,
Curtis F. Burnam, John C. Lindsey, John R. Thomas,
James Calvert, James M. C. Lisenby, Joseph R. Underwood,
Cyrus Campbell, Jonas Martin, John S. Van Winkle,
J. W. Campbell, P. L. Maxey, Zeb. Ward,
Brutus J. Clay, David P. Mears, George F. Webster,
Francis L. Cleveland, Odio Miller, Nathaniel Wolfe,
John B. Cochran, Thomas Z. Morrow, Bryan R. Young,
Robert Cochran, Richard Neel, Milton Young,

The question was then taken upon adopting the report, 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, (Buckner,) Albert A. Curtis, William S. Rankin,
Alfred Allen, Daniel E. Downing, Nicholas A. Rapier,
Jas. W. Anderson, Stephen J. England, John Ray,
R. C. Anderson, John W. Finnell, F. D. Rigney,
Landaff W. Andrews, Elijah Gabbert, J. A. Rousseau,
E. B. Bacheller, Remus Gibson, George S. Shanklin,
John C. Beeman, Henry Griffith, G. Clay Smith,
Joshua F. Bell, John H. Harvey, M. Smith,
J. W. Boone, William J. Heady, James P. Sparks,
William A. Brann, John B. Huston, Harrison Taylor,
Leroy Brinkley, William C. Ireland, Joshua Tevis,
R. J. Browne, Daniel W. Johns, John R. Thomas,
Thos. S. Brown, Urban E. Kennedy, Thomas Turner,
Curtis F. Burnam, John C. Lindsey,
James Calvert, James M. C. Lisenby, Joseph R. Underwood,
Cyrus Campbell, Jonas Martin, John S. Van Winkle,
J. W. Campbell, P. L. Maxey, Zeb. Ward,
Brutus J. Clay, David F. Mears, Geo. P. Webster,
Francis L. Cleveland, Otho Miller, Nathaniel Wolfe,
John B. Cochran, Thomas Z. Morrow, Bryan R. Young,
Robert Cochran, Richard Neel, Milton Young,
William L. Conklin, George Poindexter, Van B. Young—68.
John C. Cooper, Hiram S. Powell,

Those who voted in the negative, were—

Vincent Ash, A. B. Chambers, William Johnson,
W. P. D. Bush, George M. Hampton,

Mr. Cleveland moved the following resolution, viz:

Resolved, That the use of this Hall be granted to Charles Anderson,
Esq., on Wednesday evening, the 19th inst., to deliver an address, at
the request of members of the General Assembly and citizens of
Frankfort.

Which was adopted.

Mr. Conklin moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be instructed to
inquire into, and report by bill or otherwise, what legislation, if any,
is necessary to enable the Auditor of Public Accounts to recover, by
suit, the money so improperly drawn from the treasury by Judge
Burns.
Ordered, That said resolution be referred to the Committee on Ways and Means.

The Speaker appointed Messrs. Underwood, Rapier, Harney, James W. Anderson, and Johnson, a committee, in pursuance of the resolution adopted on the 13th instant.

On motion of Mr. Heady,

Ordered, That Mr. Harney be added to the Relief Committee.

On motion,

Messrs. Finley and Desha have leave of absence.

The House then took up a bill, entitled

An act to amend chapter 83, of the Revised Statutes, title “Revenue and Taxation.”

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 the bill, entitled

An act to amend the law of descent and distribution.

Mr. Ireland offered a substitute.

Mr. Turner offered an amendment to the substitute.

Mr. Bell moved the following resolutions, viz:

WHEREAS, It has pleased Almighty God to remove from our midst, by the hand of death, the Hon. Wm. C. Anderson, late Representative from Boyle county; therefore,

Be it resolved by the House of Representatives, That this body experienced deep regret upon learning of the death of their late associate and friend, one who was eminently a man of action, determination, ability, kindness, and patriotism—a patriot without fear and without reproach.

Be it further resolved, That in his death the country has lost a true, faithful, and tried friend, society a genial and brilliant ornament, and this body a member who will long be remembered for his sterling qualities and kind heart.

Be it further resolved, That as a token of respect, this Hall be draped in mourning, and the members of this body wear the usual badge of mourning for thirty days.

Be it further resolved, That as an evidence of our condolence with his family, the Speaker of this House transmit to them a copy of these resolutions.

Resolved, That this House do now adjourn.

Which were unanimously adopted.

And then the House adjourned.
WEDNESDAY, FEBRUARY 19, 1862.

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 Delaware Lodge, No. 7, I. O. R. M., of the city of Louisville.

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

An act to permit the confessing of errors in the circuit courts.
An act for the benefit of school district No. 39, in Ohio county.
An act for the benefit of school district No. 15, in Adair county.
An act for the benefit of the executors of R. R. Revill, deceased.

1. Mr. Gabbert presented the petition of sundry citizens of Mercer county, praying relief, &c.
2. Mr. Griffith presented the petition of A. O. Ayer and R. Phillips, of Daviess county, praying to be added to the county of McLean.
3. Mr. Underwood presented the petition of W. Browne, jr., member Board Internal Improvement, in reference to tolls, &c.
4. Mr. Heady presented the petition of Joseph S. Beatty, of Shelby county, in reference to the passage of some relief measure.
5. Mr. Shanklin presented the petition of the Kentucky Agricultural and Mechanical Association, praying compensation for destruction of their property, &c.

Which were received, the reading dispensed with, and referred—the 1st to the select Relief Committee, upon which Mr. Underwood is chairman; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Ways and Means; the 4th to the select Relief Committee of which Mr. Heady is chairman; and the 5th to Messrs. Shanklin, Bell, Rankin, Burnam, and Johnson.

Mr. Downing moved the following resolution, viz:

Resolved, That the Committee on Military Affairs inquire into the propriety and necessity of raising volunteer military companies in the border counties of this Commonwealth, to protect such counties from unlawful marauding bands, and that they inquire into the condition of the State to furnish said companies with arms, &c., and that they report to this House at the earliest day practicable, by bill or otherwise.

Ordered, That said resolution be referred to the Committee on Military Affairs.
Mr. Sparks moved the following resolution, viz:  
Resolved, That the Auditor of Public Accounts be directed to report to this House the amount of money received from each county in this State since the 1st of June, 1851, from the county judges in their respective counties; and that he report the amount received from each county court clerk and circuit court clerk of all the counties of this State since the 1st of August, 1854, and the amount due in each case, if it can be ascertained; and that the Committee on Ways and Means be instructed to report by bill or otherwise what legislation is necessary, if any, in the above recited cases.

Ordered, That said resolution be referred to the Committee on Ways and Means.

Mr. Conklin moved the following resolution, viz:  
WHEREAS, The country is laboring under serious pecuniary embarrassment, growing out of the war in which we are involved, the circulating medium greatly diminished, causing great depreciation in the value of property, to remedy which, relief laws, such as valuation, stay, or suspension laws, will likely be proposed at the present session, the expediency and constitutionality of which are of doubtful import; to avoid which, and afford relief to the debtor class, 
Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency and propriety of passing a law, by which the banks of the State shall make loans amongst the citizens of each congressional district, in limited amounts, upon the same being well secured, similar to those made under the act, approved March 8th, 1843. That in the meantime the committee open a correspondence with the banks, as to their ability to do so, and that the committee report by bill or otherwise, at their earliest convenience, the result of their deliberations.

Ordered, That said resolution be referred to the Committee on Banks.

Mr. Maxey moved the following resolution, viz:  
Resolved, That the Committee on the Judiciary be directed to inquire into the propriety of excluding the time from the passage of an act to suspend the circuit and other courts in this Commonwealth, and for other purposes, approved May 25, 1861, up to 1st of May, 1862, from computation in all questions of limitation of actions, and all questions of diligence between assignor and assignee; and that said committee report by bill or otherwise.

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. Beeman moved the following resolution, viz:  
Resolved, That the Superintendent of Public Instruction be requested to communicate to this House information as to the number of counties in the Commonwealth from which reports for the year 1861 have been received by him up to this date; the number of counties
yet unreported, and when official reports could probably be received
from the same; the amount of money paid out of the treasury, of
the school fund of 1860 and 1861, in favor of delinquent districts
reported under special acts of the General Assembly; the amount yet
remaining to be paid such districts; and the present amount and con-
dition of the common school fund.

Which was adopted,

Mr. Underwood moved the following resolution, viz:

Resolved, That the Committee on Agriculture be directed to inquire
into the propriety of allowing more toll for grinding at a mill propel-
led by steam than is allowed at water-mills; and that said committee
report by bill or otherwise.

Ordered, That said resolution be referred to the Committee on
Agriculture and Manufactures.

Mr. Jacob asked and obtained unanimous consent to record his vote
in favor of the removal of Judge W. H. Burns as judge of the 11th
judicial district.

On motion of Mr. Bell, Mr. Allen has leave of absence.

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

On motion of Mr. Wolfe—1. A bill to authorize the purchase of the
parcel of ground, in the county of Hart, in which repose the remains
of the gallant dead who fell in the engagement on the 17th December,
1861, under the command of Col. Willich, and to erect a suitable
monument to their memory.

On motion of Mr. Geo. M. Thomas—2. A bill for the benefit of the
sureties of James M. Todd, sheriff of Lewis county.

On motion of same—3. A bill for the benefit of R. A. Garland, deputy
of Seth Parker, sheriff of Lewis county.

On motion of Mr. R. J. Browne—4. A bill to amend an act, enti-
tled “An act to amend the charters of the several banks of issue,”
approved April 4th, 1861.

On motion of same—5. A bill to furnish the Washington circuit
court clerk’s office with certain books.

On motion of Mr. Van B. Young—6. A bill for the relief of the
debtors and creditors of this Commonwealth.

On motion of Mr. Lisenby—7. A bill for the benefit of Patrick
W. Napier, late sheriff of Casey county.

On motion of same—8. A bill for the benefit of Asa Bryan, sheriff
of Casey county.

On motion of Mr. Rankin—9. A bill for the benefit of the sheriff of
Grant county.
Ordered, That the Committee on Federal Relations prepare and bring in the 1st; the Committee on Ways and Means the 2d, 3d, 7th, 8th, and 9th; the Committee on Banks the 4th; the Committee on Circuit Courts the 5th, and the select Relief Committee, of which Mr. Underwood is chairman, the 6th.

Mr. Ireland presented a supplemental statement of Samuel J. Filson, in the case of W. H. Burns.

Ordered, That the Clerk of this House report the same to the Senate with the other testimony in said case.

On motion of Mr. George M. Thomas,

Ordered, That Messrs. Ireland and Cleveland be added to the Committee on County Courts.

On motion of Mr. Heady,

Ordered, That Mr. J. W. Campbell be added to his select Relief Committee.

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

By Mr. George M. Thomas, from the Committee on County Courts—
1. A bill for the benefit of Jonathan McNeill, late surveyor of Laurel county.

By Mr. Huston, from the Committee on Revised Statutes—
2. A bill to amend the law for limitations of actions for usury.
   By same—
3. A bill to incorporate the Tradewater Coal and Transportation Company.

By Mr. J. B. Cochran, from the Committee on Incorporated Institutions—
4. A bill to amend the charter of the town of Shelbyville.
   By same—
5. A bill to amend the charter of the Kentucky Female College.

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

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

The rule of the House, constitutional provision, and third reading of the 1st, 4th, and 5th bills having been dispensed with, and the same being engrossed,
yet unreported, and when official reports could probably be received from the same; the amount of moneys paid out of the treasury, of the school fund of 1860 and 1861, in favor of delinquent districts reported under special acts of the General Assembly; the amount yet remaining to be paid such districts; and the present amount and condition of the common school fund.

Which was adopted.

Mr. Underwood moved the following resolution, viz:

Resolved, That the Committee on Agriculture be directed to inquire into the propriety of allowing more toll for grinding at a mill propelled by steam than is allowed at water-mills; and that said committee report by bill or otherwise.

Ordered, That said resolution be referred to the Committee on Agriculture and Manufactures.

Mr. Jacob asked and obtained unanimous consent to record his vote in favor of the removal of Judge W. H. Burns as judge of the 11th judicial district.

On motion of Mr. Bell, Mr. Allen has leave of absence.

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

On motion of Mr. Wolfe—1. A bill to authorize the purchase of the parcel of ground, in the county of Hart, in which repose the remains of the gallant dead who fell in the engagement on the 17th December, 1861, under the command of Col. Willich, and to erect a suitable monument to their memory.


On motion of same—3. A bill for the benefit of R. A. Garland, deputy of Seth Parker, sheriff of Lewis county.

On motion of Mr. R. J. Browne—4. A bill to amend an act, entitled “An act to amend the charters of the several banks of issue,” approved April 4th, 1861.

On motion of same—5. A bill to furnish the Washington circuit court clerk's office with certain books.

On motion of Mr. Van B. Young—6. A bill for the relief of the debtors and creditors of this Commonwealth.

On motion of Mr. Lisenby—7. A bill for the benefit of Patrick W. Napier, late sheriff of Casey county.


On motion of Mr. Rankin—9. A bill for the benefit of the sheriff of Grant county.
Ordered, That the Committee on Federal Relations prepare and bring in the 1st; the Committee on Ways and Means the 2d, 3d, 7th, 8th, and 9th; the Committee on Banks the 4th; the Committee on Circuit Courts the 5th, and the select Relief Committee, of which Mr. Underwood is chairman, the 6th.

Mr. Ireland presented a supplemental statement of Samuel J. Filson, in the case of W. H. Burns.

Ordered, That the Clerk of this House report the same to the Senate with the other testimony in said case.

On motion of Mr. George M. Thomas,

Ordered, That Messrs. Ireland and Cleveland be added to the Committee on County Courts.

On motion of Mr. Heady,

Ordered, That Mr. J. W. Campbell be added to his select Relief Committee.

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

By Mr. George M. Thomas, from the Committee on County Courts—
1. A bill for the benefit of Jonathan McNeill, late surveyor of Laurel county.

By Mr. Huston, from the Committee on Revised Statutes—
2. A bill to amend the law for limitations of actions for usury.

By same—
3. A bill to incorporate the Tradewater Coal and Transportation Company.

By Mr. J. B. Cochran, from the Committee on Incorporated Institutions—
4. A bill to amend the charter of the town of Shelbyville.

By same—
5. A bill to amend the charter of the Kentucky Female College.

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

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

The rule of the House, constitutional provision, and third reading of the 1st, 4th, and 5th bills having been dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

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

A bill for the benefit of the county court attorneys of this Commonwealth.

A bill to amend section 19, of article 4, of chapter 63, Revised Statutes.

A bill concerning the administration of the estate of deceased soldiers.

A bill to amend the charter of the town of Harrodsburg.

Which were read the first time.

The question was then taken on ordering said bills to be read a second time, and it was decided in the negative.

And so said bills were severally rejected.

Mr. John B. Cochran, from the Committee on Incorporated Institutions, to whom was referred bills from the Senate, of the following titles, viz:

An act to amend the charter of Bourbon Lodge, I. O. O. F., No. 23.

An act to incorporate Germania Lodge, No. 143, I. O. O. F., at Covington.

Reported the same without amendment.

Ordered, That said bills be read a third time.

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

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

The House then took up the special order, being the resolution offered by Mr. Underwood, together with the amendment proposed by Mr. James W. Anderson, viz:

Resolved, That the committee raised to lay off the State into congressional districts be, and they are hereby, instructed to take the Federal population of the several counties as the basis of the apportionment.

Mr. Wolfe moved to lay the resolution 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. Burnam and J. W. Anderson, were as follows, viz:
The question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on adopting the amendment of Mr. Anderson striking out "federal" and inserting "voting," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson,  Stephen J. England,  Hiram S. Powell,
R. C. Anderson,  John W. Finnell,  William S. Rankin,
John C. Beeman,  Romus Gibson,  Nicholas A. Rapier,
Joshua F. Bell,  G. M. Hampton,  F. D. Rigney,
J. W. Boone,  John H. Harney,  J. A. Rousseau,
William A. Brann,  William J. Heady,  G. Clay Smith,
Thomas S. Brown,  John B. Huston,  Joseph R. Underwood,
Curtis F. Burnam,  William C. Ireland,  John S. Van Winkle,
E. F. Burns,  Richard T. Jacob,  Zeb. Ward,
James Calvert,  Daniel W. Johns,  Bryan R. Young,
Cyrus Campbell,  Urban E. Kennedy,  Milton Young—63,
J. W. Campbell,  James M. C. Lisenby,  
A. B. Chambers,  Jonas Martin,  
Bratus J. Clay,  P. L. Maxey,  
Robert Cochran,  David P. Mears,  
William L. Conklin,  
John C. Cooper,  

Mr. Andrews moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Those who voted in the negative, were—

E. B. Bacheller,  John B. Cochran,  George P. Webster,
R. J. Browne,  William Johnson,  Nathaniel Wolfe,
Francis L. Cleveland,  Joshua Tevis,  

Mr. Speaker, (Buckner,) Albert A. Curtis,  Thomas Z. Morrow,
Jas. W. Anderson,  Daniel E. Downing,  Richard Neel,
R. C. Anderson,  Stephen J. England,  George Pindexter,
Landaff W. Andrews,  John W. Finnell,  Hiram S. Powell,
Vincent Ash,  Elijah Gabbert,  Wm. S. Rankin,
Elisha Beazly,  Joseph Gardner,  Nicholas A. Rapier,
John C. Beeman,  Eran M. Garriott,  John Ray,
Joshua F. Bell,  Remus Gibson,  F. D. Rigney,
J. W. Boone,  Henry Griffith,  J. A. Rousseau,
William A. Brann,  Geo. M. Hampton,  George S. Shanklin,
Thomas S. Brown,  John H. Harney,  G. Clay Smith,
Curtis F. Burnam,  William J. Heady,  M. Smith,
E. F. Burns,  John B. Huston,  James P. Sparks,
James Calvert,  William C. Ireland,  George M. Thomas,
Cyrus Campbell,  Richard T. Jacob,  John R. Thomas,
J. W. Campbell,  Daniel W. Johns,  Thomas Turner,
A. B. Chambers,  Urban E. Kennedy,  Joseph R. Underwood,
Bratus J. Clay,  James M. C. Lisenby,  John S. Van Winkle,
Robert Cochran,  Jonas Martin,  Zeb. Ward,
William L. Conklin,  P. L. Maxey,  Bryan R. Young,
John C. Cooper,  David P. Mears,  Milton Young—63.

The yeas and nays being required thereon by Messrs. J. W. Anderson and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson,  Stephen J. England,  Hiram S. Powell,
R. C. Anderson,  John W. Finnell,  William S. Rankin,
John C. Beeman,  Romus Gibson,  Nicholas A. Rapier,
Joshua F. Bell,  G. M. Hampton,  F. D. Rigney,
J. W. Boone,  John H. Harney,  J. A. Rousseau,
William A. Brann,  William J. Heady,  G. Clay Smith,
R. J. Browne,  William C. Ireland,  James P. Sparks,
Thomas S. Brown,  Daniel W. Johns,  George M. Thomas,
W. P. D. Bush,  James M. C. Lisenby,  John R. Thomas,
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<th>Those who voted in the negative, were—</th>
<th>Those who voted in the affirmative, were—</th>
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<td>Mr. Speaker, (Buckner,) William L. Conklin,</td>
<td>Robert Cochran,</td>
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<td>Landaff W. Andrews, John C. Cooper,</td>
<td>William L. Conklin,</td>
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<td>Vincent Ash, Daniel E. Downing,</td>
<td>John C. Cooper,</td>
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<td>E. B. Bacheller, Elijah Gabbert,</td>
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<td>Elisha Beazly, Joseph Gardner,</td>
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<td>Leroy Brinkley, Henry Griffith,</td>
<td>John B. Huston,</td>
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<td>Curtis F. Burnam, John B. Huston,</td>
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<td>E. F. Burns, William Johnson,</td>
<td>Richard T. Jacob,</td>
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<td>A. B. Chambers, Urban E. Kennedy,</td>
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<td>Brutus J. Clay,</td>
<td>Urban E. Kennedy,</td>
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<td>Francis L. Cleveland,</td>
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<td>John B. Cochran, P. L. Maxey,</td>
<td>P. L. Maxey,</td>
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<td>Robert Cochran, Otho Miller,</td>
<td>George Poindexter,</td>
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<td>John S. Van Winkle, Geo. P. Webster—38.</td>
<td>John S. Van Winkle,</td>
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The question was then taken on the adoption of the resolution, and it was decided in the negative.

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

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<th>Those who voted in the affirmative, were—</th>
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<td>Mr. Speaker, (Buckner,) Robert Cochran,</td>
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<td>R. C. Anderson, John C. Cooper,</td>
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<td>Landaff W. Andrews, William L. Conklin,</td>
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<td>Francis L. Cleveland, William Johnson,</td>
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<td>John B. Cochran,</td>
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<th>Those who voted in the negative, were—</th>
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<td>Jas. W. Anderson, Remus Gibson,</td>
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<td>John C. Beehan, George M. Hampton,</td>
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<td>Joshua F. Bell, John H. Harney,</td>
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<td>J. W. Boone, William J. Headly,</td>
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<td>William A. Brunn, Wm. C. Ireland,</td>
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<td>Leroy Brinkley, Daniel W. Johns,</td>
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<td>R. J. Browne, James M. C. Lisney,</td>
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<td>Thos. S. Brown, David P. Mears,</td>
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<td>W. P. D. Bush, Otho Miller,</td>
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<td>James Calvert, Thomas Z. Morrow,</td>
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A message was received from the Senate, announcing their concurrence in the action of this House in the case of Hon. W. H. Burns, judge of the 11th judicial district of this Commonwealth.

On motion of Mr. R. J. Browne,
Ordered, That Mr. Bell be added to the Committee on Banks.

On motion of Mr. J. B. Cochran,
Ordered, That Mr. Neel be added to the Committee on Incorporated Institutions.

And then the House adjourned.

THURSDAY, FEBRUARY 20, 1862.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled
An act for the benefit of the Kentucky soldiers in the Federal and State army.
That they had passed bills from this House, of the following titles, viz:
An act for the benefit of John C. Adams, judge of the Greenup quarterly court.
An act for the benefit of Joaathan McNeill, late surveyor of Laurel county.
An act to amend the charter of the town of Shelbyville.
An act to amend the charter of the Kentucky Female College.
That they had passed bills of the following titles, viz:
An act to amend section 239, of the civil Code of Practice.
An act to amend the common school law.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and an address to the
Governor for the removal of Judge Wm. H. Burns of the 11th judicial district, and had found the same truly enrolled, viz:

An act to legalize the proceedings of the Laurel county court at its February term, 1862, and for other purposes.

An act to incorporate Delaware Lodge No. 7, Improved Order of Red Men, of the city of Louisville.

An act for the benefit of John G. Parks, former clerk of the Nicholas county court, and administrator of L. H. Arnold, former clerk of the Nicholas circuit court.

Address in the case of Judge W. H. Burns, judge of the 11th judicial district.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The Speaker laid before the House the following communication received from the Governor, viz:

AT Home, Barren County, Ky.,
February 7th, 1862.

Hon. B. Magoffin, Governor of Kentucky:

Dear Sir: On account of the very delicate state of my wife's health, together with other causes, it will be impossible for me to attend the next meeting of the Legislature. I therefore most respectfully request you to accept of this as my resignation as a member of the House of Representatives of the General Assembly of Kentucky, from the county of Barren.

Respectfully, your obedient servant and friend,

JOHN S. BARLOW.

1. Mr. R. J. Browne presented the petition of sundry citizens of Washington, in favor of a tax upon dogs.

2. Also, the petition of sundry citizens of Washington county, in favor of some relief measure.

3. Mr. England presented the petition of sundry citizens of Rowan county, in favor of some relief law.

4. Mr. Thomas S. Brown presented the petition of James Ramey, of Johnson county, in relation to common schools.

5. Mr. Ash presented the petition of sundry citizens of Anderson county, praying a change in the time of holding their county court.

6. Mr. Harney presented the petition of Messrs. Webb & Levering, in reference to claim against the State.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d and 3d to Mr. Underwood's select Relief Committee; the 4th to the Commit-
tee on Education; the 5th to the Committee on County Courts, and the 6th to the Committee on Claims.

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

On motion of Mr. Underwood—1. A bill to ascertain the value of the property of loyal citizens seized, burnt, and destroyed by rebels.

On motion of Mr. Ash—2. A bill to change the time of holding the Anderson county court.

Ordered, That Messrs. Underwood, Martin, and Rapier prepare and bring in the 1st, and the Committee on County Courts the 2d.

Mr. George M. Thomas moved the following resolution, viz:

Resolved, That no member should be permitted to occupy a seat upon the floor of this House who openly sympathizes with the rebellion, and desires the success thereof, and the destruction of the Union.

Ordered, That said resolution be referred to the Committee on Federal Relations.

Mr. Andrews moved the reconsideration of a bill rejected by this House, entitled

A bill for the benefit of Peter D. Scholl.

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

Ordered, That said bill be committed to the Committee on County Courts.

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

By Mr. Morrow, from the Committee on Propositions and Grievances—
1. A bill for the benefit of Samuel Sayers.
By Mr. Curtis—
2. A bill to provide for auditing claims against the Commonwealth growing out of the rebellion.
By Mr. Huston—
By Mr. Ward—
4. A bill for the benefit of the widow and heirs of Samuel Scott, deceased.
By Mr. Barnam—
5. A bill for the benefit of the Richmond and Irvine 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 1st, 3d, and 5th were severally ordered to be engrossed and read a third time; the 2d was referred to the Committee on Military Affairs, and the 4th was referred to the Committee on the Judiciary.

The rule of the House, constitutional provision, and second reading of the 1st, 3d, 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. Taylor, from the Committee on Ways and Means, reported a bill, entitled

An act appropriating money to the support of the Eastern Lunatic Asylum.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of twenty-five thousand two hundred and fifty dollars per annum for two years, from the 31st day of December, 1861, be, and is hereby, appropriated, and to be paid out of the public treasury, for the support of the Eastern Lunatic Asylum, for the payment of salaries of officers, expenses of officers and attendants, for the support of patients and transportation of the same, or so much of said sum as may be actually necessary for the purposes aforesaid; payable semi-annually in advance to the treasurer of said asylum, on the order of the board of managers.

§ 2. This act shall take effect from and after its passage.

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 engrossed and read a third time.

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

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Richard Neel,
Jas. W. Anderson, Daniel E. Downing, George Poindexter,
R. C. Anderson, Stephen J. England, Hiram S. Powell,
Mr. Taylor, from the same committee, to whom was referred a bill from the Senate, entitled
An act to amend the revenue laws of this Commonwealth,
Reported the same with amendments.
Which were severally adopted.
Mr. R. J. Browne moved to strike out "1856," and insert "1860" in the bill.
And the question being taken thereon, it was decided in the negative.
Mr. Ireland moved an amendment.
Mr. Tevis moved to add to the amendment of Mr. Ireland, "and justices of the peace for Jefferson county."
Which was adopted.
The amendment of Mr. Ireland, as amended, was then adopted.
Mr. G. Clay Smith moved an amendment.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the special order, entitled
A bill to amend the law in regard to jury trials, and the effect of the same in will cases.

Mr. Huston offered the following amendment, viz:
Strike out the 2d section and insert, “That the provisions of this act shall apply alone to wills presented for probate after its passage.”

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

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

Those who voted in the affirmative, were—

Landaff W. Andrews, Hugh F. Finley, Nicholas A. Rapier,
Joshua F. Bell, John W. Finnell, John Ray,
J. W. Boone, Elijah Gabbert, George S. Shanklin,
Leroy Brinkley, Joseph Gardner, James P. Sparks,
E. J. Browne, William J. Heady, Harrison Taylor,
Thos. S. Brown, John B. Huston, Joshua Tevis,
James Calvert, William C. Ireland, George M. Thomas,
Cyrus Campbell, Richard T. Jacob, John R. Thomas,
J. W. Campbell, Daniel W. Johns, Joseph R. Underwood,
Brutus J. Clay, William Johnson, Zeb. Ward,
Francis L. Cleveland, Urban E. Kennedy, George P. Webster,
John B. Cochran, Jonas Martin, Alex. T. White,
Robert Cochran, Richard Neel, Nathaniel Wolfe,
John C. Cooper, Geo. Poindexter, Bryan R. Young—44,
Albert A. Curtis, William S. Rankin.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Thomas Z. Morrow,
Jas. W. Anderson, Stephen J. England, Hiram S. Powell,
Vincent Ash, Evan M. Carriott, F. D. Rigney,
Elisha Benezly, Remus Gibson, J. A. Rousseau,
William A. Brann, Henry Griffith, G. Clay Smith,
Curtis F. Burnam, George M. Hampton, M. Smith,
E. F. Burns, John H. Harney, Thomas Turner,
W. P. D. Bush, John C. Lindsey, John S. Van Winkle,
A. B. Chambers, James M. C. Lisenby, Milton Young,

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 affirmative.
The yeas and nays being required thereon by Messrs. Burnam and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, Hugh F. Finley, Hiram S. Powell,
Vincent Ash, John W. Finnell, William S. Rankin,
Elisha Beazly, Joseph Gardner, John Ray,
J. W. Boone, Evan M. Garriott, F. D. Rigney,
William A. Brann, George M. Hampton, J. A. Rousseau,
Leroy Brinkley, Henry Griffith, George S. Shanklin,
Thos. S. Brown, John H. Harney, M. Smith,
Curtis F. Burnam, John B. Huston, James P. Sparks,
E. F. Burns, Daniel W. Johns, Harrison Taylor,
W. P. D. Bush, Urban E. Kennedy, John R. Thomas,
Cyrus Campbell, John C. Lindsey, Thomas Turner,
William L. Conklin, Jonas Martin, George P. Webster,
John C. Cooper, Richard Neel, Alexander T. White,
Daniel E. Downing, George Poinitedter, Milton Young—43.

Those who voted in the negative, were—

Mr. Speaker (Buckner), Elijah Gabbert, Nicholas A. Rapier,
Landa Vill. Andrews, Remus Gibson, G. Clay Smith,
Joshua F. Bell, William J. Heady, Joshua Tevis,
R. J. Browne, William C. Ireland, George M. Thomas,
James Calvert, Richard T. Jacob, Joseph R. Underwood,
J. W. Campbell, William Johnson, John S. Van Winkle,
Brutus J. Clay, James M. C. Lisenby, Zeb. Ward,
John B. Cochran, P. L. Maxey, Nathaniel Wolfe,
Robert Cochran, David P. Mears, Bryan R. Young,

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

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

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Stephen J. England, William S. Rankin,
Vincent Ash, Hugh F. Finley, John Ray,
Elisha Beazly, John W. Finnell, F. D. Rigney,
J. W. Boone, Joseph Gardner, J. A. Rousseau,
William A. Brann, Evan M. Garriott, George S. Shanklin,
Leroy Brinkley, Henry Griffith, M. Smith,
Thos. S. Brown, George M. Hampton, James P. Sparks,
Curtis F. Burnam, John H. Harney, Harrison Taylor,
E. F. Burns, John B. Huston, John R. Thomas,
W. P. D. Bush, Daniel W. Johns, Thomas Turner,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all cases where a jury may be empaneled in the probate of a will, as directed by the 36th section of chapter CVI, Revised Statutes, the trial shall take place, and be conducted in the same form and mode, and the jury shall have the same powers, and their verdict the same effect, both in the circuit court and the court of appeals, as obtained under an act passed 24th February, 1797, entitled “An act to reduce into one the several acts concerning wills, &c.”

§ 2. The provisions of this act shall apply alone to wills presented for probate after its passage.

On motion of Mr. Van Winkle,

Ordered, That Messrs. R. J. Browne and Conklin be added to the Committee on the Codes of Practice.

And then the House adjourned.

FRIDAY, FEBRUARY 21, 1862.

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 Revised Statutes in regard to filling vacancies of sheriffs.
An act to amend an act, entitled "An act to cause writings to be made in the English language."
An act for the benefit of Samuel J. Filson.
An act to amend the law in regard to sheriffs.
An act for the benefit of Vanceburg district, in Lewis county.
An act to amend chapter 83, of the Revised Statutes, title "Revenue and Taxation."

That they had passed bills and a resolution of the following titles, viz:
- An act for the benefit of Boyle county.
- An act to amend the charter of the town of Columbia, in Adair county.
- An act for the benefit of the Kentucky Female Orphan School at Midway.
- Resolution in relation to firing a national salute.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:
- An act for the benefit of John C. Adams, judge of the Greenup quarterly court.
- An act for the benefit of Jonathan McNeill, late surveyor of Laurel county.
- An act to amend the charter of the town of Shelbyville.
- An act to amend the charter of the Kentucky Female College.
- Resolution in relation to firing a national salute.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Cleveland moved the following resolution, viz:

Resolved, That his Excellency, the Governor, be requested to order a national salute to be fired on the 22d inst., in honor of the birth-day of Gen. George Washington, the "Father of his Country."

Which was adopted.

On motion of Mr. Poindexter,

Leave of absence was granted to Mr. Ricketts.

Mr. Curtis, from the Committee on Internal Improvement, to whom was referred bills from the Senate, reported thereon without amendment, viz:

An act to amend the charter of the Bryantsville and Cane Run turnpike road company.
An act to amend an act, entitled "An act to prescribe the means and mode of opening roads in Boone county," and to take a vote upon the repeal of said act.

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 Mr. Curtis, from the Committee on Internal Improvement—
1. A bill exempting school children from payment of tolls.
   By same—
2. A bill amending the charter of the Kentucky river turnpike road company.
   By same—
3. A bill for the benefit of the sheriff of Estill county.
   By Mr. Burnam, from the Committee on Education—
4. A bill for the benefit of John W. Reynolds, of Pike county.
   By same—
5. A bill for the benefit of school district No. 39, in Anderson county.
   By Mr. Underwood, from the Committee on Military Affairs—
6. A bill to amend the militia law.
   By Mr. R. J. Browne, from the Committee on Circuit Courts—
7. A bill regulating the times of holding quarterly courts and other courts inferior in jurisdiction to circuit courts.
   By Mr. Ireland, from the Committee on County Courts—
8. A bill for the benefit of George W. Darlinton, late sheriff of Greenup county.
   By same—
9. A bill to incorporate the Greenup Union Presbyterian Church, of Greenup county.
   By Mr. George M. Thomas, from the same committee—
10. A bill to change the time of holding the Anderson county court.
   By Mr. R. J. Browne, from the Committee on the Codes of Practice—
11. A bill to amend section 684 of the Civil Code of Practice
   By Mr. J. B. Cochran, from the Committee on Incorporated Institutions—
12. A bill to amend the laws in relation to the city of Paducah.
By Mr. Heady—13. A bill to regulate the circuit and other courts of this Commonwealth, and for other purposes.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 8th, 9th, 10th, 11th, and 12th were severally ordered to be engrossed; the 6th and 13th were ordered to be printed, and made special orders, the 6th for Tuesday next at 11 o'clock, and the 13th for Wednesday next at 11 o'clock.

On motion of Mr. Huston,

Ordered, That the 7th bill be committed to the Committee on Propositions and Grievances, with instructions to report the same to this House on Monday next at half past 10 o'clock, A. M.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 8th, 9th, 10th, 11th, and 12th bills having been dispensed with, and the same being engrossed,

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

Mr. Underwood, from the Committee on Military Affairs, to whom was referred the resolution of Mr. Chambers in reference to arrest of citizens of Kentucky by military authorities, reported the same back to the House.

On motion of Mr. Huston,

Ordered, That said resolution be recommitted to the Committee on Military Affairs, with instructions to report, by bill or otherwise, in reference thereto.

Mr. Underwood, from the same committee, to whom was referred resolutions of thanks to Federal officers and soldiers, &c., reported the following resolution, viz:

The nation has been compelled, by every patriotic motive, to call upon her true sons to arrest rebellion, and preserve the government. Military men must put down rebellious politicians, who have created the existing evils which threaten our destruction. Reason and entreaty having failed, the sword is now to settle our destiny. While we feel sentiments of the highest admiration for all the brave officers and soldiers engaged in the cause of the Union, wherever their field of operations may be, we entertain a peculiar gratitude to those who are driving our invaders from the soil of Kentucky; therefore,

commands, deserve the thanks of Kentucky, and the same are hereby most cordially tendered to every man of them, for their brilliant victories achieved at Wild Cat, Ivy Mountain, Logan's Fields and Mill Spring, Prestonsburg, Fort Henry, and Fort Donelson. While we thus offer our heartfelt tribute to the officers and soldiers who have exposed their lives on the field of battle, we cannot withhold the expression of our most grateful thanks to Generals Halleck and Buell, the Commanders-in-Chief of their respective departments, for their admirable arrangements, which have resulted in these glorious and effective victories.

Mr. R. J. Browne moved to add the following to said resolution, as an amendment, viz:

Resolved, That a copy of these resolutions be forwarded by the Clerk to each of the officers herein named, with a request that they have the same read to the respective commands.

Which was adopted.

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

The yeas and nays being required thereon by Messrs. J. W. Anderson and John R. Thomas, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, Albert A. Curtis, Wm. S. Rankin,
Jas. W. Anderson, Daniel E. Downing, Nicholas A. Rapier,
Landaff W. Andrews, Stephen J. England, John Ray,
E. B. Bacheller, Hugh F. Finley, F. D. Rigney,
Elisha Beazly, John W. Finnell, J. A. Rousseau,
John C. Beeman, Elijah Gabbert, George S. Shanklin,
Joshua F. Bell, Remus Gibson, G. Clay Smith,
J. W. Boone, Henry Griffith, M. Smith,
William A. Brann, John H. Harney, James P. Sparks,
Leroy Brinkley, William J. Heady, Harrison Taylor,
R. J. Browne, John B. Huston, Joshua Tevis,
Thomas S. Brown, William C. Ireland, George M. Thomas,
Curtis F. Burnam, Richard T. Jacob, John R. Thomas,
James Calvert, Urban E. Kennedy, Thomas Turner,
Cyrus Campbell, James M. C. Lisenby, Joseph R. Underwood,
J. W. Campbell, P. L. Maxey, John S. Van Winkle,
Brutus J. Clay, David P. Mears, Zeb. Ward,
Francis L. Cleveland, Otho Miller, Alex. T. White,
John B. Cochran, Thomas Z. Morrow, Nathaniel Wolfe,
Robert Cochran, Richard Neel, Bryan R. Young,
William L. Conklin, George Poindexter, Milton Young—65.
John C. Cooper, Hiram S. Powell,

Those who voted in the negative, were—

Vincent Ash, Joseph Gardner, William Johnson,
E. F. Burns, Evan M. Garratt, Felix G. Murphy—8,
W. P. D. Bush, Geo. M. Hampton,
Mr. Heady moved the following resolution, viz:

Resolved, That the Committee on the Library be instructed to inquire into and report to this House the expediency of having painted and hung up in this Hall, a full-length portrait of General Andrew Jackson, one of the great heroes of the Union.

Which was adopted.

Mr. G. Clay Smith, from the Committee on Circuit Courts, by consent of the House, reported a bill, entitled

An act for the benefit of the soldiers 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 bill having been dispensed with,

Mr. Burns moved an amendment.

Ordered, That said bill and amendment be referred to the Committee on Religion.

The House took up the special order, entitled

An act amending the law with regard to billiards.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the law requiring the present fee for license for opening billiard saloons be, and the same is, amended; the fee for license shall be, for the first table in one saloon, fifty dollars; and for each table thereafter, twenty-five dollars per annum.

§ 2. 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,

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

The yeas and nays being required thereon by Messrs. G. Clay Smith and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Conklin, from the Committee on the Codes of Practice, to whom was referred leave to bring in a bill to amend the law in regard to absent non-resident defendants, which is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all actions hereafter brought, or now pending, in which the defendants, or any of them, are shown by the affidavit of plaintiff to be voluntarily in the service, either civil or military, of the so-called Confederate States of America, or have voluntarily left the county of his or their residence, and for thirty days has remained so absent and within the military lines of the army of the said Confederate States, or any military body of men in their service, such defendants may be proceeded against, in all respects, as absent and non-resident defendants are now proceeded against, under the same regulations and with the same effect.

§ 2. This act shall take effect from its passage.

Reported the same.

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 engrossed and read a third time.

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

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required thereon by Messrs. Hampton and Garriott, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, William S. Rankin,
Jas. W. Anderson, Daniel E. Downing, Nicholas A. Rapier,
Landaff W. Andrews, Stephen J. England, John Ray,
E. B. Bacheller, Hugh F. Finley, F. D. Rigney,
Elisha Beazly, John W. Finnell, George S. Shanklin,
John C. Beeman, Elijah Gabbert, G. Clay Smith,
Joshua F. Bell, Remus Gibson, M. Smith,
J. W. Boone, Henry Griffith, James P. Sparks,
William A. Brann, John H. Harney, Harrison Taylor,
Leroy Brinkley, William J. Heady, Joshua Tevis,
R. J. Browne, John B. Huston, George M. Thomas,
Thomas S. Brown, William C. Ireland, John R. Thomas,
Curtis F. Burnam, Richard T. Jacob, Thomas Turner,
James Calvert, Urban E. Kennedy, J. R. Underwood,
Cyrus Campbell, John C. Lindsey, John S. Van Winkle,
J. W. Campbell, P. L. Maxey, Zeb. Ward,
Brutus J. Clay, David P. Mears, Alex. T. White,
Francis L. Cleveland, Otho Miller, Nathaniel Wolfe,
John B. Cochran, Thomas Z. Morrow, Bryan R. Young,
Robert Cochran, Richard Noel, Milton Young,
John C. Cooper, Hiram S. Powell,

Those who voted in the negative, were—

Vincent Ash, Evan M. Garriott, William Johnson,
W. P. D. Bush,

Mr. John B. Cochran, from the Committee on Incorporated Institutions, to whom was referred a bill from the Senate, entitled "An act to amend the charter of the city of Covington," reported the same with an amendment.

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,

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

Mr. Turner moved the following resolution, viz:

Resolved, That the Committee on Retrenchment and Reform have power to summon and compel the attendance of witnesses, and to compel the production of such papers as may be necessary to the investigation of any matters before them.

Which was adopted.
The House took up a resolution from the Senate in relation to firing a national salute on 22d instant.

Which was twice read and concurred in.

Mr. Van B. Young, from the Committee on the Library, to whom was referred the resolution of Mr. Burnam, in relation to having painted portrait of Henry Clay, made the following report, viz:

The committee to whom was referred a resolution inquiring and reporting to this House the propriety of having a full-sized portrait of Henry Clay painted, and the cost of the same, beg leave to make the following report:

That directly after the adjournment of the last session of the Legislature, I addressed a letter to Mr. S. W. Price, of Lexington, Kentucky, an artist of considerable reputation, and a native Kentuckian, inclosing the aforesaid resolution; and in reply he wrote me the following letter:

"LEXINGTON, January 4th, 1862.

"DEAR SIR: In answer to your inquiry to know upon what terms I would paint a full-length portrait of Henry Clay for the State Capitol, I will state that one thousand dollars is the lowest that I can afford to execute a portrait of that size for. To do myself credit, it would necessarily take some time to paint it; and for the sake of my reputation, I would be unwilling to accept of such a commission unless I could do it well. Should I be so fortunate to receive the commission from the Legislature, I will assure you that I will spare no pains to endeavor to make it worthy of the great subject. Apart from any pecuniary consideration, I would be stimulated by a consciousness that, should I succeed in securing a fine life-size likeness, that the work would give me a reputation that I could not acquire in any other way.

"Respectfully yours, &c.,

"S. W. PRICE.

"HON. V. B. YOUNG."

I also called to see Mr. Frazier, a gentleman of marked ability in his profession, and also a native of Lexington, Kentucky, and he informed me that he would charge the sum of one thousand dollars ($1,000). I confined my inquiries to artists who were born and reared in the State of Kentucky, believing that we could furnish as good artists as any State in the Union; and that men who were intimately acquainted with Mr. Clay, and saw him in all the relations of life, are more competent to paint a true and life-like likeness of the Sage of Ashland, than could be found in any other State.

We beg leave to call the attention of the Legislature to the importance of having painted, and hung up in this hall, a likeness of a man who was so ardently and devotedly attached to his State and the Union, and whose voice could be always heard in defense, and for the preservation, of the Union and the Constitution, and died at the National Capitol while struggling for the preservation of our Union, and left behind him a name untarnished. His name needs not our pae...
FEB. 21.] HOUSE OF REPRESENTATIVES. 637

gyric; he carved in the counsels of the nation his own name, and with
his own hands he built a monument that will survive the ruins of the
Capitol that he so long and so admirably graced; he was the writer
of his own history; it lives in the memory of true and loyal Kentuck-
ians, and his fame will descend to the last generations; and we trust
that Kentucky will rear a monument in this Hall to the man who de-
voed his talents and his time to the cause of liberty, patriotism, the
Constitution, the Union, and the enforcement of the laws; therefore,
Resolved by the General Assembly of the Commonwealth of Kentucky, That
the sum of $——— is hereby appropriated for the purpose of causing
to be painted a full-length portrait of Henry Clay, and hung up in this
Hall; and the Auditor of Public Accounts is hereby directed to draw
his warrant upon the treasury for the amount above stated, not other-
wise appropriated, in favor of ————, to be paid when the
work shall be completed.

On motion of Mr. Huston,
Ordered, That said subject be recommitted to the Committee on the
Library.

Mr. Heady moved that the committee open correspondence with Mr.
George C. Bingham, a celebrated portrait painter of St. Louis, and
Mr. Bush, of Louisville, and other native artists of Kentucky, and that
said committee advertise for proposals.
Which was adopted.

Mr. Conklin, from the Committee on Claims, to whom was referred
leave to bring in a bill for the benefit of Joseph L. Ray, late sheriff of
Shelby county, reported the same.
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. R. J. Browne moved to amend the bill by adding that the pro-
visions of said act shall apply to Henry Browne, late sheriff of Wash-
ington county.
Which amendment 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,
Resolved, That said bill do pass, and that the title thereof be as
amended.

On motion of Mr. Underwood, he has indefinite leave of absence.
Mr. Burnam moved the following resolution, viz:
Resolved, That the Speaker of this House be directed to issue a writ
of election to supply the vacancy created by the resignation of John S. Barlow, late Representative from Barren county.
Which was adopted.
A message was received from the Senate, asking leave to withdraw from this House a bill reported from the Senate, entitled
An act to amend the common school law.
Which was granted.
Leave was given to bring in the following bills, viz:
On motion of Mr. Powell—1. A bill in relation to the dogs of this Commonwealth.
On motion of Mr. Bell—3. A bill to furnish India rubber capes to the Kentucky volunteer soldiers now in the United States service.
On motion of Mr. Milton Young—4. A bill for the benefit of Isaac Miller, and others, for services in guarding lock No. 2, on Green river.
Ordered, That Messrs. R. J. Browne, White, and Cyrus Campbell prepare and bring in the 1st; Messrs. Burnam, J. W. Anderson, and White the 2d; the Committee on Military Affairs the 3d, and the Committee on Claims the 4th.
Mr. Curtis, from the Committee on Internal Improvement, to whom was referred the petition in relation to keeping roads and highways in Boyd county in repair, asked to be discharged from the further consideration thereof.
Which was granted.
Mr. Brinkley presented the petition of Crawford Anderson, in relation to lands in the Jackson purchase west of Tennessee river.
Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.
On motion of Mr. Finnell,
Ordered, That the House adjourn till Monday next at 10 o'clock.
MONDAY, FEBRUARY 24, 1862.

1. Mr. Andrews presented the petition of sundry citizens of Fleming county, against licensing taverns to sell liquors, &c.
2. Also, the remonstrance of Isaac Kelly against the same.
3. Mr. M. Smith presented the petition of John James Taylor, and others.
4. Mr. Finley presented the petition of sundry citizens of Whitley county, asking changes in time of holding circuit courts in said county.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Ways and Means; the 3d to the Committee on the Judiciary, and the 4th to the Committee on Circuit Courts.

On motion of Mr. Martin, he was permitted to vote in favor of the resolution of thanks to Federal and State soldiers.

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

By Mr. Conklin, from the Committee on Claims—
1. A bill for the benefit of W. C. Ireland.

By Mr. Taylor, from the Committee on Ways and Means—
2. A bill for the benefit of George B. Grundy, sheriff of McCracken county.

By same—
3. A bill for the benefit of Seth Parker, sheriff of Lewis county.

By Mr. George M. Thomas, from the Committee on Education—
4. A bill for the benefit of common school districts Nos. 23 and 26, in Marion county.

By Mr. Turner, from the Committee on the Codes of Practice—
5. A bill to regulate the fees of auditors, commissioners, and receivers in equity.

By Mr. Underwood, from the select committee—
6. A bill to lay off the State into congressional districts.

By Mr. Webster—
7. A bill to amend the charter of Jamestown, in Campbell county.

By Mr. Turner, from the Committee on the Codes of Practice—
8. A bill to amend the 440th section of the Code of Practice.
By Mr. Ireland, from the Committee on Privileges and Elections—
9. A bill to change the lines between magistrate's districts Nos. 1
and 2, in Mercer county.

By Mr. R. J. Browne, from the Committee on the Codes of Prac-
tice—
10. A bill to change the place of voting in Jeffersonville precinct,
in Montgomery 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, 7th, 9th,
and 10th were ordered to be engrossed and read a third time; the 5th
and 6th were ordered to be printed; and the 5th and 8th were made
special orders for Thursday next at 11 o'clock.

The rule of the House, constitutional provision, and third reading
of the 1st, 2d, 3d, 4th, 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. Conklin, from the Committee on Claims, to whom was referred
a bill from the Senate, entitled
An act for the benefit of Joel A. McFarlan, pauper idiot of Adair
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.

The Committee on Claims, to whom was referred leave to bring in
a bill for the benefit of W. M. Cargill, of Graves county, asked to be
discharged from the further consideration thereof.

Which was granted.

Mr. Taylor, from the Committee on Ways and Means, to whom was
referred leave to bring in a bill for the benefit of Armistead Burchett,
late jailer of Lawrence county, asked to be discharged from the
further consideration thereof.

Ordered, That the same be referred to the Committee on Claims.

Mr. Wolfe, from the Committee on Federal Relations, to whom was
referred the resolution in reference to purchasing the spot of ground in Hart county in which repose those who fell in the engagement on 17th December, under Col. Willich, made the following report, viz:

The Committee on Federal Relations, to whom was referred the resolution respecting the purchase of a parcel of ground in the county of Hart, in which are the graves of the brave soldiers who fell in the engagement at Rowlett's Station, on the 17th December, 1861, respectfully advise the purchase of the parcel of ground indicated in the resolution.

Your committee advise that an appropriation of a sum of money be made not only to purchase the ground, but large enough to purchase suitable monuments, to be placed near each grave, denoting the name of the soldier that was buried there, and a sum sufficient to build a substantial brick wall around the grounds. The amount of money necessary for these purposes will be small, and were it large, Kentucky would freely expend it as a partial return for the sacrifice which the heroic and lamented dead made in her behalf. The blood that stained that battle-field was shed by patriotic Germans, who, true to the oath of allegiance that bound them to their adopted country; true to the beneficent Government which upheld their dearest rights; true to the noble impulses of freedom, which prompted them to leave the royal governments of their fatherland, rallied to the assistance of Kentucky when the footsteps of the rebel invader first pressed upon her soil. The heart of Kentucky is filled with gratitude towards her sister State, Indiana, whose sons, under the command of the brave Willich, came to assist her in an hour of great peril—gratitude mingled with sadness, that her redemption has been accomplished by a sacrifice of so much precious blood. Kentucky will teach her children to cherish the memory of the brave soldiers who fell in her defense with the assiduous care with which they will be taught to maintain the honor of the State.

Your committee recommend the passage of an act providing for the appropriation of money sufficient to carry out the purposes of the resolution.

Mr. Wolfe, from the same committee, reported a bill, entitled

An act to authorize the purchase of ground for a grave-yard, and for other purposes.

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. Heady moved an amendment.

Mr. R. J. Browne moved to commit the bill and amendment to the Committee on Ways and Means.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Wolfe and Tevis, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, Daniel E. Downing, David P. Mears,
R. C. Anderson, Hugh F. Finley, Otho Miller,
Vincent Ash, Joseph Gardner, Felix G. Murphy,
J. W. Boone, Evan M. Garriott, F. D. Rigney,
Leroy Brinkley, Henry Griffith, J. A. Rousseau,
R. J. Browne, George M. Hampton, Joshua Tevis,
Thos. S. Brown, William J. Heady, Thomas Turner,
E. F. Burns, John E. Huston, Joseph R. Underwood,
James Calvert, Daniel W. Johns, Zeb. Ward,
A. B. Chambers, William Johnson, Geo. P. Webster,
Francis L. Cleveland, John C. Lindsey, Alex. T. White,
John B. Cochran, James M. C. Lisenby, Milton Young,
Albert A. Curtis, Jonas Martin, Van B. Young—39.

Those who voted in the negative, were—

Alfred Allen, Remus Gibson, Nicholas A. Rapier,
Landaff W. Andrews, John H. Harney, John Ray,
Elisha Beazly, William C. Ireland, M. Smith,
William A. Brann, Urban E. Kennedy, James P. Sparks,
Cyrus Campbell, P. L. Maxey, Harrison Taylor,
J. W. Campbell, Thomas Z. Morrow, George M. Thomas,
Brutus J. Clay, Richard Neel, John R. Thomas,
William L. Conklin, Thomas W. Owings, John S. Van Winkle,
Stephen J. England, George Poindexter, Nathaniel Wolfe,
John W. Finnell, Hiram S. Powell, Bryan R. Young—32.

Mr. Morrow, from the Committee on Propositions and Grievances, to whom was referred a bill, entitled

An act regulating the times of holding quarterly courts and other courts inferior in jurisdiction to the circuit courts,

Reported the same with an amendment.

Which amendment was rejected.

Mr. Ireland moved an amendment.

Which was adopted.

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

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the courts held by county judges, called quarterly courts, and of justices of the peace, and all other courts having jurisdiction inferior to the circuit courts, for the trial of civil suits, shall only be held in the months of June and December, in each year, for the trial of civil suits: Provided, That when the circuit courts are
held in any counties in June and December, in such counties the quarterly and justices’ courts shall be held in the months of January
and July. This provision shall not affect the power of said courts to
make any orders out of their term time in any such case as by law
they are now authorized to make; nor does it apply to the monthly
county courts, nor to the power of said courts to try any criminal or
penal case, as now provided by law.

§ 2. The county courts shall, in March or April, 1862, designate, by
an order of said court, the days in June and December upon which
the county judge and justices of the peace shall hold their respective
courts—copies of which shall be furnished the sheriffs by the clerk of
said court; and he shall post one of them at the court-house door, and
each place of voting in the respective counties. The other courts
shall make similar orders, and post them up in the several towns,
cities, or districts, at some prominent point. The courts, when held
under this act, may continue the same number of days that by law
they are now authorized to do.

§ 3. This act shall take effect from and after its passage.

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

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

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

Those who voted in the affirmative, were—

Alfred Allen, Stephen J. England, Richard Neel,
Jas. W. Anderson, Hugh F. Finley, Thomas W. Owings,
R. C. Anderson, John W. Finney, George Poindexter,
Landaff W. Andrews, Elijah Gabbert, Hiram A. Powell,
Vincent Ash, Joseph Gardner, William S. Raaka,
Blisha Beazly, Evan M. Garrett, Nicholas A. Rapier,
J. W. Boone, Remus Gibson, J. A. Rousseau,
Leroy Brinkley, Henry Griffith, M. Smith,
R. J. Browne, George M. Hampton, James P. Sparks,
Thos. S. Brown, John H. Harney, Harrison Taylor,
E. F. Burns, William J. Head, George M. Thomas,
James Calvert, John B. Huth, John R. Thomas,
Cyrus Campbell, William C. Ireland, Thomas Turner,
J. W. Campbell, Daniel W. Johns, John S. Van Winkle,
A. B. Chambers, William Johnson, Zeb. Ward,
Joseph H. Chandler, John C. Lindsey, George P. Webster,
John B. Cochran, Jonas Martin, Nathaniel Wolfe,
William L. Conklin, Thomas Z. Morrow, Bryan R. Young,
Albert A. Curtis, Felix G. Murphy, Van B. Young—57.

Those who voted in the negative, were—

William A. Braun, James M. C. Lisenby, F. D. Rigney,
Brutus J. Clay, P. L. Maxey, Joshua Tervis,
Mr. Heady asked leave to withdraw from the Senate a bill which passed this House on Thursday last, entitled An act to amend the law with regard to billiards. Which was granted.

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

Those who voted in the affirmative, were—

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<td>J. W. Anderson</td>
<td>Hugh F. Finley</td>
<td>Hiram S. Powell</td>
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<td>R. C. Anderson</td>
<td>Joseph Gardner</td>
<td>William S. Rankin</td>
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<td>Vincent Ash</td>
<td>Henry Griffith</td>
<td>Nicholas A. Rapier</td>
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<td>J. W. Boone</td>
<td>George M. Hampton</td>
<td>F. D. Rigney</td>
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<td>William A. Brann</td>
<td>William J. Heady</td>
<td>James P. Sparks</td>
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<td>R. J. Browne</td>
<td>William Johnson</td>
<td>Harrison Taylor</td>
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<td>Thos. S. Brown</td>
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<td>Cyrus Campbell</td>
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<td>A. B. Chambers</td>
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<td>Brutus J. Clay</td>
<td>Richard Neel</td>
<td>Milton Young-38</td>
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<td>Francis L. Cleveland</td>
<td>Geo. Poindexter</td>
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Those who voted in the negative, were—

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<td>Alfred Allen</td>
<td>John W. Finnell</td>
<td>Thomas W. Owings</td>
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<td>Landaff W. Andrews</td>
<td>Elijah Gabbert</td>
<td>John Ray</td>
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<td>Elisha Beazly</td>
<td>Evan M. Garriott</td>
<td>J. A. Rousseau</td>
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<td>Leroy Brinkley</td>
<td>Remus Gibson</td>
<td>M. Smith</td>
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<td>E. F. Burns</td>
<td>John H. Harney</td>
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<td>James Calvert</td>
<td>John B. Huston</td>
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<td>John B. Cochran</td>
<td>William C. Ireland</td>
<td>Thomas Turner</td>
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<td>Albert A. Curtis</td>
<td>David P. Mears</td>
<td>Nathaniel Wolfe</td>
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<td>Daniel E. Downing</td>
<td>Otho Miller</td>
<td>Van B. Young-32</td>
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<tr>
<td>Stephen J. England</td>
<td>Thomas Z. Morrow</td>
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Mr. Heady moved a reconsideration of the vote passing the bill, entitled An act to amend the law with regard to billiards. Mr. Wolfe moved that the further consideration of the same be postponed till Wednesday next. And the question being taken thereon, it was decided in the affirmative. Ordered, That the same be made special order for Wednesday next at 11 o'clock.
A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled 
An act to amend the law in relation to jury trials, and the effect of the same in will cases.

That they had passed bills from this House, of the following titles, viz:
An act to amend an act, entitled "An act to establish a police court in the town of Winchester," and an act amendatory thereto.
An act to change the time of holding the Anderson county court.
Resolution of thanks to Federal and State soldiers.
That they had passed bills of the following titles, viz:
An act for the benefit of A. B. Patrick, of Breathitt county.
An act for the benefit of Cager Creel, late sheriff of Adair county.
Mr. Finnell asked and obtained leave to withdraw from the Senate the amendments proposed by this House to a bill from the Senate, entitled
An act to amend the charter of the city of Covington.
Mr. Finnell moved a reconsideration of the vote adopting the amendment.
And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be recommitted to the Committee on Incorporated Institutions.

The House took up a bill, entitled "An act to amend the law of descent and distribution," with the amendment, by way of substitute, of Mr. Ireland.

Which amendment was adopted.
Mr. Sparks offered an amendment.
Mr. Allen moved an amendment.
Mr. Wolfe moved a reconsideration of the vote adopting the substitute.
And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill and amendments be recommitted to the Committee on Circuit Courts.

The House then took up the resolution from the Senate in relation to the distribution of the public books.
Which was twice read and concurred in.
Leave was given to bring in the following bills, viz:
On motion of Mr. Heady—1. A bill to amend section 755 of the Code of Practice.
On motion of Mr. England—2. A bill to change the county line of Greenup and Carter counties.

On motion of same—3. A bill to suspend the courts in Carter and Rowan counties.

On motion of Mr. White—4. A bill for the benefit of school district No. 11, in Clay county.

On motion of Mr. R. C. Anderson—5. A bill for the benefit of J. L. McCann.

On motion of Mr. Thos. S. Brown—6. A bill to suspend the courts in the counties of Johnson, Pike, Floyd, and Magoffin.

On motion of Mr. Ireland—7. A bill to regulate the compensation of judges of quarterly courts, and county courts, and county attorneys.

On motion of Mr. Neel—8. A bill for the benefit of Crawford Anderson.

On motion of Mr. Rankin—9. A bill to change the county lines between the counties of Grant and Owen.

On motion of Mr. Conklin—10. A bill to amend the law in proceedings for the division of lands in county courts.

On motion of Mr. Milton Young—11. A bill to regulate and fix the time for the return of executions issued on judgments rendered by county judges since the 1st day of January, 1862.

On motion of Mr. B. R. Young—12. A bill authorizing the purchase of burial places of soldiers who fell in battles in Kentucky, &c.

On motion of Mr. Sparks—13. A bill to amend the law in relation to quarterly courts.


On motion of Mr. Powell—15. A bill to change sections 204 and 205 of the Criminal Code of Practice.


On motion of same—17. A bill to amend the general election laws.

On motion of Mr. Martin—18. A bill for the benefit of R. S. Boyd, sheriff of Livingston county.

On motion of Mr. Wolfe—19. A bill to allow watchmen of the city of Louisville certain fees.

On motion of Mr. J. R. Thomas—20. A bill for the benefit of school district No. 15, in Marion county.
On motion of Mr. Griffith—21. A bill for the benefit of common school districts of McLean county.

On motion of Mr. J. W. Campbell—22. A bill concerning partition walls and fences.

On motion of Mr. Burns—23. A bill to amend the law in relation to the distribution of the public school fund.


On motion of Mr. Brann—25. A bill for the benefit of school districts Nos. 14 and 50, in Pendleton county.

On motion of same—26. A bill for the benefit of the personal representative of R. McCarty, deceased, former clerk of the Pendleton county and circuit courts.

On motion of Mr. J. B. Cochran—27. A bill for the benefit of school district No. 37, in Shelby county.

On motion of same—28. A bill to repeal an act regulating the fees of jailers, approved February, 1856.

On motion of Mr. Chandler—29. A bill for the benefit of the marshal of the town of Campbellsville.

On motion of Mr. Van Winkle—30. A bill to appropriate money to defray certain expenses incurred by Home Guards and other forces under command of Col. W. A. Hoskins, at Albany, Clinton county, Kentucky.

On motion of Mr. Finley—31. A bill to amend the law in relation to the assessment of property in this Commonwealth.

On motion of same—32. A bill for the benefit of H. L. Tye, former sheriff of Whitley county.

On motion of same—33. A bill to prohibit the summoning of any person engaged in the defense of any person charged with a felony or a high misdemeanor as a guard, and defining the duties of guards.

On motion of same—34. A bill to amend the law prohibiting the sale or gift of intoxicating liquors to officers and soldiers, approved October 3, 1861.

On motion of Mr. R. J. Browne—35. A bill for the benefit of common school district No. 16, in Washington county.

On motion of Mr. Andrews—36. A bill for the benefit of Wallace Hamel, and others, of Carter county.

On motion of Mr. Milton Young—37. A bill for the benefit of the trustees of the Union Seminary.
On motion of Mr. Webster—38. A bill to charter the Newport and Jamestown Bridge Company.

Ordered, That the Committee on the Codes of Practice prepare and bring in the 1st and 15th; the Committee on Propositions and Grievances the 2d, 5th, 14th, and 28th; the Committee on County Courts the 3d, 6th, 7th, 10th, 13th, 26th, 28th, and 33d; the Committee on Education the 4th, 20th, 21st, 23d, 24th, 25th, 27th, and 35th; the Committee on the Judiciary the 8th, 11th, 18th, and 19th; Messrs. Bankin, Burns, and Shanklin the 9th; the Committee on Ways and Means the 12th, 16th, 30th, and 36th; Messrs. J. W. Anderson, White, and Curtis the 17th; the Committee on Agriculture and Manufactures the 22d; the Committee on Retrenchment and Reform the 31st; Messrs. Finley, J. W. Anderson, and Bacheller the 32d; the Committee on Military Affairs the 34th; the Committee on Circuit Courts the 37th, and Messrs. Webster, Cyrus Campbell, and Cleveland the 38th.

Mr. Taylor, from the Committee on Ways and Means, to whom was referred the resolution of Mr. Ireland in relation to making the United States treasury notes a legal tender, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Curtis moved the following resolution, viz:

Resolved, That the Committee on the Penitentiary be instructed to report to this House, at 11 o'clock to-morrow, whatever action they may deem proper in relation to said institution; and that no further delay be indulged in regard to that matter.

Which was adopted.

Mr. Curtis moved the following resolution, viz:

Resolved, That the Committee on Military Affairs be instructed to inquire what legislation is necessary to provide for the relief and comfort of the sick soldiers now in hospitals and camps in Kentucky, and that they report by bill or otherwise.

Which was adopted.

Mr. Sparks moved the following resolution, viz:

Resolved, That a committee of three members of this House be appointed by the Speaker to inform the Governor of this State that the rebels and Jeff. Davis are whipped and cleaned out in the lower counties of this State, who have been under the direction of John Cataline Breckinridge, and commanded by Simon Bolivar Buckner; that said Governor has power now to enforce the laws of the State, and see that the same are faithfully executed.
Ordered, That said resolution be referred to the Committee on Military Affairs.

Mr. J. W. Anderson moved the following resolution, viz:

Resolved, That the Committee on Military Affairs take into consideration the propriety of reducing the Military Board to one, and increasing his salary to $1,500 per annum.

Ordered, That said resolution be referred to the Committee on Military Affairs.

Mr. George M. Thomas moved the following resolution, viz:

WHEREAS, Certain members of this House voted against a resolution, as follows, viz:

"Resolved by the General Assembly of the Commonwealth of Kentucky, That Gen. Albin Schoepf, Gen. William Nelson, Gen. George H. Thomas, Col. J. A. Garfield, Gen. U. S. Grant, and Commodore A. H. Foote, together with the brave officers and men in their respective commands, deserve the thanks of Kentucky, and the same are hereby most cordially tendered to every man of them, for the brilliant victories achieved at Wild Cat, Ivy Mountain, Logan's Fields and Mill Spring, Prestonsburg, Fort Henry, and Fort Donelson. While we thus offer our heartfelt tribute to the officers and soldiers who have exposed themselves on the field of battle, we cannot withhold the expression of our most grateful thanks to Generals Halleck and Buell, the Commanders-in-Chief of their respective departments, for the admirable arrangements which have resulted in these glorious and effective victories."

And whereas, said members did heretofore vote against a resolution thanking the brave and loyal men of Kentucky who had volunteered to aid and assist in expelling the invaders from the soil of our State, thereby showing that they sympathize with the rebellion and desire the success thereof; therefore,

Resolved, That the Committee on Privileges and Elections be required to inquire into the propriety of expelling said members from this House.

Ordered, That said resolution be referred to the Committee on Privileges and Elections.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the county judge in each of the counties of Morgan and Wolfe are hereby authorized and directed to appoint three loyal commissioners in their respective counties, two of which are authorized to transact business in the absence of the third one. After being first duly qualified to discharge their duties, without favor or affection, are hereby authorized to appraise the value of the property that has been despoiled and taken by the Confederate and Federal armies in their respective counties, keeping a separate list of the property so taken by each.
army without remuneration, together with the names of the persons from whom despoiled and taken, and the amount; and said commissioners are directed to return their appraisements to the county judges of their respective counties; and when either of said judges is satisfied that the damages the citizens have sustained by the Confederate armies, as above designated, have been paid off in full, then, and not till then, said judge is hereby directed to draw his draft or drafts on the Treasurer for the amount of damages as ascertained by said commissioners, that have occurred by the Federal army, each judge drawing for the amount due his own county, and shall distribute the same to each person, as they are severally entitled. The judges and commissioners each aforesaid shall be allowed three dollars per day for their services, while engaged in actual service, to be paid in pro rata by the persons receiving the benefit of this act whenever the money is collected.

The rule of the House requiring joint resolutions to lie one day on the table having been dispensed with,

Ordered, That said resolution be referred to the committee of which Mr. Underwood is chairman.

Mr. R. J. Browne moved the following resolution, viz:

Resolved, That the Committee on Retrenchment and Reform inquire into the propriety of dispensing with the publication of the private acts of the General Assembly, as now prescribed by law. Also, into the propriety of limiting the number of reports of the Auditor of Public Accounts and the Superintendent of Public Instruction that should be published.

Ordered, That said resolution be referred to the Committee on Retrenchment and Reform.

Bills from the Senate of the following titles, viz:
1. An act permitting the confessing of errors in the circuit court.
2. An act for the benefit of school district No. 30, in Ohio county.
3. An act for the benefit of school district No. 15, in Adair county.
5. An act to amend section 239, of the Civil Code of Practice.
6. An act for the benefit of Boyle county.
7. An act to amend the charter of the town of Columbia, in Adair county.
8. An act for the benefit of the Kentucky Female Orphan School, at Midway.
10. An act for the benefit of Cager Creel, late sheriff of 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 4th and 7th were ordered to be read a third time; the 1st was referred to the Committee on the Judiciary; the 2d and 3d were referred to the Committee on Education; the 5th was referred to the Committee on the Codes of Practice; the 6th to the Committee on County Courts; the 8th to the Committee on Incorporated Institutions, and the 9th and 10th to the Committee on Ways and Means.

The rule of the House, constitutional provision, and third reading of the 4th and 7th bills having been dispensed with,

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

And then the House adjourned.

TUESDAY, FEBRUARY 25, 1862.

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 S. M. May, of Bullitt county.
An act for the benefit of John W. Reynolds, of Pike county.
And had passed bills from this House of the following titles, viz:
An act for the benefit of the Richmond and Irvine turnpike road company.
An act exempting school children from the payment of tolls.
An act for the benefit of the sheriff of Estill county.
An act for the benefit of George W. Darlington, late sheriff of Greenup county.
An act for the benefit of Joseph L. Ray, late sheriff of Shelby county.
And had concurred in amendments, proposed by this House, to a bill from the Senate, entitled
An act to amend the revenue laws of this Commonwealth,
That they had passed bills and a resolution of the following titles, viz:

An act to regulate proceedings in civil cases.

An act to regulate navigation on the Kentucky river.

An act to incorporate the city of Paris.

An act to change the place of voting in the 5th district, Whitley county.

An act to amend the charter of the town of Carrollton.

An act for the benefit of the Bullitt Academy.

An act to enforce payment of taxes and revenue collected by certain officers of this Commonwealth.

Resolution in relation to the adjournment of the present General Assembly.

And had received official information from the Governor that he had signed and approved sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the city of Louisville.

An act to incorporate the Louisville Bridge Company.

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

An act for the benefit of the clerk of the Greenup circuit and county courts.

An act for the benefit of the executors of Sam'l Redding, deceased.

An act to authorize the sale of the Russell and Cynthiana turnpike road and its franchises, and for other purposes touching the same.

An act to repeal an act, entitled "An act to change the times of holding the Lincoln and Pulaski circuit courts," approved December 20, 1861.

An act for the benefit of P. H. Clayton, late sheriff of Bracken county.

An act for the benefit of W. T. Samuels, clerk Hardin county court.

An act to amend an act, entitled "An act to amend the charter of Uniontown," approved April 1st, 1861.

An act for the benefit of common school districts Nos. 15 and 56, in Daviess county.

Resolution for the benefit of Robert G. Carter.

Resolution for the benefit of J. A. J. Lee, of Bath county.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend chapter 83, of the Revised Statutes, title "Revenue and Taxation."

An act to amend the Revised Statutes in regard to filling vacancies of sheriffs.

An act to amend an act, entitled "An act to cause writings to be made in the English language."

An act for the benefit of Samuel J. Filson.

An act to amend the law in regard to sheriffs.

An act for the benefit of Vanceburg district, in Lewis county.

Also, bills from the Senate of the following titles, viz:

An act to amend the revenue laws of this State.

An act to amend the charter of the Bryantsville and Cane Run turnpike road company.

An act to amend an act, entitled "An act to prescribe the means and mode of opening roads in Boone county," and to take a vote upon the repeal of said act.

1. Mr. Andrews presented the petition of sundry citizens of Carter, praying time for sheriff of Carter to collect and pay in the public revenue for 1861.

2. Also, the petition of Jacob Rice, surety and deputy sheriff of Carter, praying indulgence in the collection of the public revenue for 1861.

3. Mr. G. Clay Smith presented the petition of James H. Horseford, of Floyd county, praying indemnity for damages committed by the Federal army.

4. Mr. Bacheller presented the petition of Samuel Black and Isaac I. Black, praying compensation for arresting William Foster, charged with felony.

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

Mr. Ireland, from the Committee on Privileges and Elections, to whom was referred leave to bring in a bill to provide for taking the votes of Kentucky volunteers absent from home, asked to be discharged from the further consideration thereof.

Which was granted.
Mr. Andrews, from the Committee on the Judiciary, to whom was referred the petition of John James Taylor, and others, asked to be discharged from the further consideration thereof. Which was granted.

Mr. B. R. Young, from the Committee on the Penitentiary, reported, according to order, a bill, entitled

An act to provide for the government and discipline of the Kentucky penitentiary, and to repeal all and parts of laws inconsistent herewith.

Ordered, That the further consideration thereof be postponed till to-morrow, and that the same be made the special order for 11 o'clock.

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

On motion of Mr. Wolfe—1. A bill for the benefit of Robt. Brazier, and others.

On motion of Mr. G. Clay Smith—2. A bill to amend the law with regard to change of venue in criminal and penal cases.

On motion of Mr. Sparks—3. A bill to incorporate the Henderson Coal Iron Ore Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Circuit Courts the 2d, and the Committee on Incorporated Institutions the 3d.

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

WHEREAS, Kentucky has, since the brand of civil war was first hurled by the seceding cotton States into the midst of the peaceful repose of our happy country, been unfauling in her devotion to the Union, and exerted her every energy to preserve our National Government, now and hereafter, for our own enjoyment and protection, and for the political and civil welfare of our children's children; and whereas, our State used every effort to preserve peace; but when they were found ineffectual, she determined to unite her arms with the Government for the suppression of this atrocious rebellion, and in furtherance of that determination, has sent over thirty thousand of her sons to the field, and voluntarily assumed the payment of her quota of the national tax imposed by Congress to carry on the war against the monstrous heresy of secession, and is determined to be constant in her zeal and loyalty until the Constitution is restored throughout the length and breadth of the Union; and whereas, Kentucky fully agrees with the spirit of the resolution of Congress, passed last July, that the war is not for the subjugation of the South nor the destruction of the rights of private property, but for the restoration of the power of the Constitution and the supremacy of the laws; and when these are effected, that the war ought to cease; and believing, too, that the dearest interests of humanity, and of our beloved country, can be best
subscribed by perpetuating the Union unimpaired as it existed when our difficulties were originated, we have heard with great satisfaction the noble expression of the sentiments of the people of Rhode Island, at a convention lately held by them; therefore, reaffirming these glorious catholic and patriotic utterances of Rhode Island as the true sentiments of Kentucky, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, that the effort now being made to divert this war from its original purpose, as proclaimed by the President and Congress of the United States seven months ago—the maintenance of the Federal Constitution and the preservation of the Union's integrity—and to turn it into a war for the emancipation of slaves and the subjugation of the Southern States, or their return to a territorial condition, is an effort against the Union, against the Constitution, against justice, and against humanity, and should be promptly frowned upon by all the friends of Democratic institutions. It is unworthy of loyal citizens, and can find support only in the sectional fanatics who have no love for the Union or desire for its restoration, and whose highest patriotism is an unnatural and unrighteous hatred of the citizens of sister States.

And whereas, We perceive gratifying indications that President Lincoln is resisting, and will continue to resist, this treasonable effort, it is

Further resolved, That in such patriotic resistance he is entitled to, and does, and shall continue to, receive our cordial sympathy and unflinching support.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

Ordered, That said resolution be referred to the Committee on Federal Relations, and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

Mr. Allen moved the following resolution, viz:

Resolved, That the Committee on Ways and Means be directed to inquire into the propriety of a law requiring tax-payers of the Commonwealth to furnish assessors sworn-to schedules of their property, and its value, to be filed in the county clerk's office; and if deemed advisable, to present a bill for the purpose.

Ordered, That said resolution be referred to the Committee on Ways and Means.

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

Whereas, It is reported that a great number of prisoners have been taken at Fort Donelson, and are distributed at various points in the United States for safe-keeping; and whereas, many of these men are citizens of Kentucky, and have relatives and friends living in this State, who, if their location was known, might afford them the com-
forts of life during their imprisonment; and for the sake of humanity, and for the love and regard their friends and relatives cherish for them in their unfortunate situation, we believe it is eminently proper that their friends should have the privilege of bestowing them kindness and private charities, to render them comfortable during their incarceration; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of War be requested to have published in at least three newspapers in Kentucky, a list of the names and location of the Confederate prisoners, whose residence heretofore has been in the State of Kentucky; and that the Governor be requested to forward a copy of this preamble and resolution to the Secretary of War, the President of the United States, and each of our Senators and members of Congress.

The Speaker laid before the House the response of Robert Richardson, Superintendent of Public Instruction, to the resolution adopted by this House, as follows, viz:

DEPARTMENT OF COMMON SCHOOLS,
FRANKFORT, February 20, 1862.

Hon. Richard A. Buckner, Speaker of the House of Representatives:

I have this day received a copy of the following resolution, which passed the House yesterday:

"Resolved, That the Superintendent of Public Instruction be requested to communicate to this House information as to the number of counties in the Commonwealth, from which reports for the year 1861, have been received by him up to this date; the number of counties yet unreported, and when official reports could probably be received from the same; the amount of moneys paid out of the treasury, of the school fund of 1860 and 1861, in favor of delinquent districts reported under special acts of the General Assembly; the amount yet remaining to be paid such districts; and the present amount and condition of the common school fund."

Of the one hundred and ten counties in the State, reports were received from eighty-seven, up to the 15th day of February—the time prescribed by existing laws on or before which all schools, in order to secure an allowance out of the public funds, must be reported to this department. The counties reporting in time are—Adair, Anderson, Ballard, Barren, Bath, Boone, Bourbon, Boyd, Boyle, Bracken, Breathitt, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Campbell, Carroll, Carter, Casey, Clar, Clay, Clinton, Cumberland, Daviess, Fayette, Fleming, Franklin, Garrard, Grant, Grayson, Green, Greenup, Harnett, Harlan, Harrison, Hart, Henderson, Henry, Jackson, Jessamine, Jefferson, Kenton, Knox, Larue, Laurel, Lewis, Lincoln, Livingston, Lyon, Madison, Magoffin, Marion, Mason, Me-

The whole number of children reported from the above eighty-seven counties, up to February 15, 1862, is 194,816.

Since February 15th, reports have been received from the counties of Lawrence and Muhlenburg. A very meagre and informal report has also been received from the county of Johnson: the school commissioner of which, it appears, has left the county; and a few of the district trustees have reported direct to the Superintendent.

From twenty counties no report has been as yet received at this department. These are—Allen, Christian, Crittenden, Edmonson, Estill, Floyd, Fulton, Graves, Hickman, Hopkins, Letcher, Logan, Marshall, McLean, Pike, Simpson, Todd, Trigg, Warren, and Wayne.

With but few exceptions, the counties last above named have been, until very recently, occupied by the forces of the so-called Southern Confederacy. The repulse of those forces throughout Kentucky, and the prompt measures which have been taken to re-establish postal connection with those counties which have been debarred from communication by mail with the seat of government, will, it is confidently believed, enable every school commissioner in the State to report to this department by the 1st day of May next. Under the act to amend the common school laws, approved March 10, 1856, the Auditor has invariably apportioned the income of the school fund among the several counties reporting; as directed by law, by the 1st of March of each and every year. With the exception of about sixty days' delay in the distribution of school moneys among those counties which have already reported, an extension of time until May 1st, in favor of the non-reported counties, would not materially derange the operations of our common school system.

A suggestion has been made, and a bill is now pending before the General Assembly to the effect that time shall be given, until December 1st, 1862, to all counties in the State which have not reported, to make their reports respectively to the Superintendent, and receive their pay. Well meant as such a plan of relief doubtless is, still the consequences which would flow from the adoption of it, would put in jeopardy, for one year at least, the cause of popular education throughout Kentucky. According to law, the Auditor shall, each year, on or about the 1st day of March, apportion the revenue from the school fund among the several counties of the State, in proportion to the
number of free white children in each between the ages of six and eighteen years, as shown by the returns of the common school commissioners and of the assessors of taxes in his office. The annual allowances pro rata to each scholar are based on those returns. They can be ascertained and fixed in no other way. Should time be given to the remaining counties to make their several reports between this date and December 1st next, it might become impossible to ascertain the whole number of children reported to this department, and the allowance to each child, before December 1st; and the proposition in question, should it be adopted, would virtually inhibit an allowance to 104,316 children, now duly and officially reported from eighty-seven counties, until the latter end of this year.

It will be observed that of those eighty-seven counties which are reported in time, several have been for months within the lines of the enemy. The reports from these exhibit a great falling off from their annual reports of former years; but it is believed that many districts in such counties might be enabled to report, should the same privilege be extended to them, which it is proposed to confer on the counties that have hitherto made no reports. The county of Barren, which for 1860, reported sixty-seven school districts, for 1861 reports but twenty-three. The school report from Ballard, for 1860, embraced thirty-six districts; that for 1861, contains but twelve. Information has been received at this department, that in places recently occupied by the armies of the so-called Southern Confederacy, and under the pretended jurisdiction of the Provisional Government, attempts have been made to overawe school commissioners and trustees, and prevent them from making such reports as are authorized and required by law. That such attempts have in more than one instance succeeded, is more than probable; and it is earnestly hoped that the General Assembly will provide adequate means of relief for counties imperfectly reported, in common with those which are not reported.

Other difficulties have arisen which require immediate action on the part of the Legislature. In several instances, county commissioners have abandoned their respective offices, and gone into the service of the so-called Southern Confederacy, taking with them all the books, blanks, and documents which should go to their successors in office; and the county courts have, either by reason of the short time allowed them, or on account of other embarrassments, been unable to fill such vacancies, so as to enable reports to be transmitted in time to the Superintendent. A law of 1859-60, prescribes that the affidavits of two district school trustees shall be necessary to authenticate every report from a school district; but, in many cases, trustees have left the
county and gone into the service of the enemy, so as to render impos-
ible a compliance with the terms of this law. There is no legislation
on our statute books which will meet either of the difficulties above
indicated. An authority given by the General Assembly to the county
judges to make appointments immediately, in case of vacancy in the
office of commissioner; and a power granted to any two citizens of a
district to make the required affidavits, in case the trustees have left
their post, will remedy both.

An additional enactment directing that in all cases where, owing to
the invasion of the State or other causes, schools have been taught for
a period less than three months, the same may be taught out and duly
reported during the present year, is also recommended. It is believed
that most of such schools can be taught out and reported by the 1st
day of May next. A rapid change for the better in the condition of
our State has already enabled the teachers of many such schools to
resume their duties.

It is of vital importance to the interests of education that every dis-
trict school report should, if possible, be regularly made, and embodied
in the statistical tables appended to the annual reports of the Super-
intendent. These exhibit, from year to year, the ordinary and official-
ly reported working of the entire school system, the number of scholar-
s regularly reported, and the amount of public money annually paid,
and do not and cannot embrace "delinquent reports," many of which
are of schools taught four or five years before, and most of which
result from sheer inattention or indifference to the requirements of the
law. It was evidently the intention of those who founded our com-
mon school system to regard all such cases as anomalous; to grant
relief only where some unavoidable delay or accident justified it, in
the trust and belief that when the system should become thoroughly
established and well understood throughout the State, there would be
no further need of special legislation on the subject. But several
hundred local and private acts on our statute books for the relief of
common school districts not regularly reported, attest that these anti-
cipations have not been verified. As the various sums paid out of the
treasury, in favor of delinquent districts, have never been officially
reported, those interested in popular education have not been apprised
of the aggregate amount disbursed under this head. The following
tables exhibit the amount paid out of the school fund of 1860 and
1861, to irregularly reported districts in which schools were taught
during the years 1854, '55, '56, '57, '58, '59, and '60.
Statement showing the amounts drawn by each County per special reports for 1860 and 1861.

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<th>No. children</th>
<th>Amount paid</th>
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Amount ........................................... $4,235.50
It is impossible to ascertain the exact amount to be paid out of the treasury in favor of "delinquent districts," authorized to report to this department by special legislation, but to which no public moneys have as yet been paid. Reports from such districts are being received daily; and the aggregate amount of appropriations to them must depend
upon the whole number of scholars reported. From the number already received, and the number likely to be received hereafter, it is estimated that $2,500 will be required to defray the claims of these districts. This amount will, of course, have to be drawn from the school funds of the current year; and the annual dividend among all those schools which were duly taught and officially reported cannot but be materially affected by such an allowance. In other words, the amount to be disbursed among the schools taught in 1861 must be lessened by about $2,500, appropriated to delinquent districts, in all of which schools were taught before that period.

The estimated amount of receipts into the treasury, from all sources, for the benefit of common schools, up to March 1st, 1862, is $170,722 60. This sum does not include the July dividends of interest on the bonds held by the Board of Education, or the second semi-annual installment of tax on the capital stock and surplus of the Farmer's Bank, Commercial Bank, and Bank of Ashland, which are to be disbursed for the benefit of schools taught during the past year. The annual revenue of the school fund, and the allowance per scholar, will therefore vary but little from that of 1860.

Respectfully submitted,

R. RICHARDSON,
Supt. Public Instruction.

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

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

By Mr. Rankin, from the Committee on the Judiciary—
1. A bill to enlarge the official oaths of officers of this Commonwealth, and for other purposes.

By Mr. Ward, from the Committee on Ways and Means—
2. A bill for the benefit of Thomas Badgett, jailer of Washington county.

By Mr. Taylor, from the same committee—
3. A bill to amend chapter 82, of the Revised Statutes, title "Revenue and Taxation."

By Mr. Cleveland, from the Committee on County Courts—
4. A bill to amend an act, entitled "An act to establish the levy and county court of Jefferson county."

By same—
5. A bill to prevent the summoning of certain persons for guards.
By Mr. George M. Thomas, from the same committee—
6. A bill to change the place of voting in the Kinnikinnick election precinct in Lewis county.

By same—
7. A bill to amend the road law in Harlan county.

By same—
8. A bill for the benefit of the personal representative of R. McCarthey, deceased, late clerk of the Pendleton county and circuit courts.

By Mr. Ward—
9. A bill to amend an act, entitled "An act to establish an Institution for the Education of Idiots and Feeble-minded Children."

By Mr. Heady—
10. A bill for the benefit of S. M. May, of Bullitt county.

By Mr. Allen—
11. A bill for the benefit of common school district No. 6, in Daviess county.

By Mr. Huston, from the Committee on Revised Statutes—

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, 7th, 8th, 10th, and 12th were severally ordered to be engrossed and read a third time, and the 11th was referred to the Committee on Education.

The rule of the House, constitutional provision, and third reading of said 2d, 4th, 5th, 6th, 7th, 8th, 10th, and 12th bills having been dispensed with, and the same being engrossed,

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

Ordered, That the Public Printer print 150 copies of 1st and 9th bills for the use of the members of this General Assembly.

Mr. Huston, from the Committee on the Judiciary, to whom was referred leave, reported a bill to amend section 9 of chapter 47 of the Revised Statutes, title "Husband and Wife."

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter no minister of the gospel, or priest of any denomination, shall solemnize marriage until, in addition to the present requirements of law, he shall file in the county court's office
of the county of his residence a written affidavit, subscribed by him and sworn to before some person legally authorized to administer oaths, of the following purport and effect, to-wit: "I do solemnly swear, (or affirm, as the case may be,) that I will support the Constitution of the United States and the Constitution of this State, and be faithful and true to the Commonwealth of Kentucky, and the laws and government thereof, so long as I continue a citizen thereof; and I do further solemnly swear, (or affirm,) that I have not joined in, aided, or abetted the so-called Confederate States, or either of them, in their rebellion against the United States, or in their invasion of this State, and that I will not so aid, assist, abet, or comfort them therein, directly or indirectly, so long as I continue a citizen of this State, so help me God."

§ 2. That any minister of the gospel, or priest of any denomination, who shall, after this act takes effect, solemnize marriage, without first complying with the provisions of the first section of this act, shall be guilty of a misdemeanor, and shall be subject to a fine for every such offense, upon the presentment of a grand jury, of not less than fifty or more than five hundred dollars.

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 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. Bush and Hampton, were as follows, viz.:

Those who voted in the affirmative, were—

Francis L. Cleveland, P. L. Maxey, Zeb. Ward,
John B. Cochran, Otho Miller, George P. Webster,
William L. Conklin, Thomas Z. Morrow, Alexander T. White,
John C. Cooper, Richard Neel, Nathaniel Wolfe,
Albert A. Curtis, Thomas W. Owings, Bryan R. Young,
Daniel E. Downing, George Poindexter, Milton Young—65.
Stephen J. England, Hiram S. Powell,
Those who voted in the negative, were—
Vincent Ash, A. B. Chambers, William Johnson,
J. W. Boone, Joseph Gardner, John C. Lindsey,
R. J. Browne, Evan M. Garriott, Felix G. Murphy,
W. P. D. Bush,

Mr. Andrews, from the Committee on the Judiciary, to whom was
referred a bill for the benefit of the widow and heirs of Samuel Scott,
deceased,
Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading
of said bill having been dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.

On motion of Mr. Allen,
Ordered, That A. B. Chambers have leave of absence from and after
to-morrow.

Mr. Milton Young, from the Committee on Ways and Means, to
whom was referred leave, reported a bill for the benefit of Ben. W.
Blincoe, of Fayette county.

Which was read the first time, and ordered to be read a second
time.
The rule of the House, constitutional provision, and second reading
of said bill having been dispensed with,

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 on the passage of said bill by the
constitution, were as follows, viz:—
Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) Albert A. Curtis, Thomas Z. Morrow,
Alfred Allen, Stephen J. England, Felix G. Murphy,
84
JOURNAL OF THE

R. C. Anderson,  Hugh F. Finley,  Richard Neel,
Landaff W. Andrews,  John W. Finnell,  Thomas W. Owings,
Vincent Ash,  Elijah Gabbert,  George Poindexter,
Elisha Beazly,  Joseph Gardner,  Wm. S. Raukin,
John C. Beeman,  Evan M. Garriott,  Nicholas A. Rapier,
J. W. Boone,  Remus Gibson,  John Ray,
William A. Brann,  Henry Griffith,  F. D. Rigney,
Leroy Brinkley,  Geo. M. Hampton,  George S. Shanklin,
R. J. Browne,  John H. Harney,  G. Clay Smith,
Thomas S. Brown,  William J. Head,  M. Smith,
E. F. Burns,  John B. Huston,  Harrison Taylor,
W. P. D. Bash,  William C. Ireland,  Joshua Tevis,
James Calvert,  Richard T. Jacob,  George M. Thomas,
Cyrus Campbell,  Daniel W. Johns,  Joseph R. Underwood,
J. W. Campbell,  William Johnson,  John S. Van Winkle,
A. B. Chambers,  Urban E. Kennedy,  Zeb. Ward,
Joseph H. Chandler,  John C. Lindsey,  George P. Webster,
Brutus J. Clay,  James M. C. Liseuby,  Nathaniel Wolfe,
Francis L. Cleveland,  Jonas Martin,  Bryan R. Young,
John B. Cochran,  P. L. Maxey,  Milton Young,
William L. Conklin,  Otho Miller,  Van B. Young—70.
John C. Cooper,

Those who voted in the negative, were—

Jas. W. Anderson,  Hiram S. Powell,  Thomas Turner,
Daniel E. Downing,  James P. Sparks,  Alex. T. White—8,
Alexander Lusk,  John R. Thomas,

Said bill reads as follows, viz:—

WHEREAS, It has been represented to this General Assembly that Benj. W. Blincoe and — Wyatt, in the name of Blincoe & Wyatt, in the year 1861, obtained a license to set up three billiard tables in the city of Lexington, upon which the sum of one hundred and seventy-five dollars was paid into the treasury, and the note of said Blincoe & Wyatt executed to the Commonwealth and placed in the hands of the clerk of the Fayette county court for one hundred and seventy-five dollars more, the balance due upon said license; and whereas, it is represented that said billiard tables were run under said license not exceeding one month; were then sold, and not again set up under said license; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said Benjamin W. Blincoe be, and he is hereby, released from the payment of said note.

§ 2. This act shall take effect from and after its passage.

Mr. Clay, from the Committee on Agriculture and Manufactures, to whom was referred leave, reported a bill to amend the law in regard to mills.

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. Hampton moved an amendment.
Which was adopted.
Mr. Ward offered an amendment, exempting Woodford and other counties from the provisions of the bill.
Which amendment was rejected.
Mr. Finnell moved to lay the bill and amendment on the table.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required on the passage of said bill, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, Richard Neel,
Alfred Allen, John C. Cooper, Thomas W. Owinges,
R. C. Anderson, Daniel E. Downing, George Poindexter,
Landaff W. Andrews, Stephen J. England, Hiram S. Powell,
Vincent Ash, John W. Finnell, Nicholas A. Rapier,
Elisha Bently, Elijah Gabbert, John Ray,
John C. Beeman, Joseph Gardner, F. D. Rigney,
William A. Brann, Evan M. Garriott, George S. Shanklin,
Leroy Brinkley, Henry Griffith, G. Clay Smith,
R. J. Browne, George M. Hampton, M. Smith,
Thos. S. Brown, John H. Harrey, Joshua Tevis,
J. W. Campbell, Urban E. Kennedy, George M. Thomas,
Joseph H. Chandler, John C. Lindsey, Joseph R. Underwood,
Brutus J. Clay, Alexander Lusk, Nathaniel Wolfe,

Those who voted in the negative, were—

Jas. W. Anderson, William J. Heady, Harrison Taylor,
J. W. Boone, Richard T. Jacob, John R. Thomas,
E. F. Burns, Daniel W. Johns, Thomas Turner,
W. P. D. Bush, William Johnson, John S. Van Winkle,
James Calvert, Jonas Martin, Zeb. Ward,
Cyrus Campbell, P. L. Maxey, George P. Webster,
A. B. Chambers, Otho Miller, Alex T. White,
Albert A. Curtis, William S. Rankin, Milton Young,
Hugh F. Finley, James P. Sparks, Van B. Young—28.
Remus Gibson,
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That every owner or occupier of a mill grinding for toll, propelled by steam or other power, except water, (the party owning the mill furnishing the power,) shall grind all grain brought thereto in due time, and in the order in which it shall be brought, giving preference only for such as he may want for his own use. He may take for toll one sixth part, and no more, of all grain, of which the remaining part shall be ground into meal or flour, as the case may be, for the person bringing or sending the same: Provided, however, He shall be subject to all laws now in force in regard to the foregoing rules, or of taking illegal tolls: And provided further, That all millers may grind for whom they please after night.

§ 2. This act to take effect from its passage.

Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred leave to bring in a bill to regulate compensation to grand and petit jurors, reported the same.

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 question was taken, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John C. Cooper,
John C. Beeman,
J. W. Boone,
Leroy Brinkley,
R. J. Browne,
W. P. D. Bush,
James Calvert,
A. B. Chambers,
Brutus J. Clay,
John B. Cochran,
John C. Cooper,
Albert A. Curtis,
John W. Fin nell,
Elijah Gabbert,
John H. Harney,
William J. Headly,
John B. Huston,
John C. Lindsey,
James M. C. Lisenby,
Milton Young—28.

Those who voted in the negative, were—

Alfred Allen,
Jas. W. Anderson,
R. C. Anderson,
Landaff W. Andrews,
Vincent Ash,
Elisha Beazly,
William A. Brann,
Thomas S. Brown,
Hugh F. Finley,
Joseph Gardner,
Evan M. Garriott,
Remus Gibson,
Henry Griffith,
G. M. Hampton,
Richard T. Jacob,
Daniel W. Johns,
George Poin dexter,
Hiram S. Powell,
William S. Rankin,
Nicholas A. Rapier,
F. D. Rigney,
G. Clay Smith,
M. Smith,
James P. Sparks,
§1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled "An act to amend section 11, article 5, chapter 55, Revised Statutes," approved March 9th, 1854: also an act, entitled "An act in relation to jurors," approved March 3d, 1860, be, and the same are hereby, repealed; that the law in force prior to the passage of the acts aforesaid, fixing the compensation of petit jurors and grand jurors, be, and the same is, revived, and shall be in force from the passage of this act.

§2. This act shall take effect from its passage.

Mr. Cleveland, from the Committee on County Courts, to whom was referred the petition of Meyer Lazarus, reported a bill for the benefit of Meyer Lazarus.

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. Ward moved an amendment.

Which was rejected.

The question was taken, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

And so said bill was rejected.

Mr. George M. Thomas, from the Committee on County Courts, to whom was referred a bill for the benefit of Boyle 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.

The same committee, to whom was referred leave to bring in a bill to repeal an act, entitled "An act to increase the fees of jailers," approved February 15th, 1856, reported the same.

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 W. Anderson moved to strike out "forty cents" in said bill.

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,

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

Mr. Ireland, from the Committee on Circuit Courts, to whom was referred a bill and amendments, entitled "An act to amend the law of descent and distribution," reported the same with amendments, which were 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,

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

On motion of Mr. Underwood,

Ordered, That Mr. Hampton be added to his select Relief Committee.

Mr. Martin moved the following resolution, viz:

Resolved, That this House meet after to-day at 9 o'clock, instead of 10 o'clock.

Ordered, That said resolution be referred to the Committee on Religion.

And then the House adjourned.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution which originated in this House, and had found the same truly enrolled, viz:

An act to amend an act, entitled "An act to establish a police court in the town of Winchester," and an act amendatory thereto.

An act exempting school children from the payment of tolls.
An act for the benefit of the sheriff of Estill county.
An act for the benefit of George W. Darlington, late sheriff of Greenup county.
An act to change the time of holding the Anderson county court.
An act for the benefit of Joseph L. Ray, late sheriff of Shelby county.

Resolution of thanks to Federal and State soldiers.
Also bills and a resolution which originated in the Senate, of the following titles, viz:

An act for the benefit of Joel A. McFarlan, pauper idiot of Adair county.
An act for the benefit of the executors of R. R. Revill, deceased.
An act for the benefit of Boyle county.
An act to amend the charter of the town of Columbia, in Adair county.

Resolution in relation to the distribution of public books.

A message was received from the Senate, asking leave to withdraw from this House their disagreement to a bill from this House, entitled

An act for the benefit of John W. Reynolds, of Pike county.

Which was granted, and the bill was withdrawn.

That they had disagreed to a bill from this House, entitled,
An act to amend the law with regard to billiards.

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

An act regulating the times of holding quarterly courts and other courts inferior in jurisdiction to circuit courts,
An act to amend the charter of the Kentucky river turnpike road company.
An act to amend section 684, of the Civil Code of Practice.
An act for the benefit of George B. Grundy, sheriff of McCracken county.
An act to amend the charter of the town of Jamestown, in Campbell county.
That they had passed bills of the following titles, viz:
An act to amend chapter 13 of the Revised Statutes, title "Citizens, Expatriation, and Aliens."
An act to exempt tavern-keepers in the town of Crab Orchard from paying coffee-house license.
An act legalizing the appointment of Wm. C. Gillis as administrator.
An act to repeal an act for the benefit of James D. Ballard, and to revive a former act for his benefit.
An act to suspend the forfeiture of penal bonds against soldiers in the army of the United States.
On motion of Mr. Burnam, he was permitted to record his vote in favor of the bill passed on yesterday requiring ministers of the Gospel to take certain oaths before celebrating the rites of matrimony.
Mr. Underwood presented the petition of P. J. Potter, sheriff of Warren county, praying relief for damages sustained by him in the action of the so-called Confederate States and Provisional Government of Kentucky.
Which was received and read.
Ordered, That said petition and papers accompanying the same be referred to the Committee on Ways and Means, and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:
By Mr. Robert Cochran, from the Committee on Propositions and Grievances—
1. A bill to change the boundary line between Daviess and McLean.
By Mr. Conklin, from the Committee on Claims—
2. A bill for the benefit of Webb & Levering, of the city of Louisville.
By Mr. Andrews, from the Committee on the Judiciary—
3. A bill for the benefit of Robert Brazier and wife and Henry Weysham, guardian of Mary E. Kramer.
By Mr. Ireland—
4. A bill in relation to judgments and executions.
By Mr. Allen—
5. A bill to amend the execution laws.
Which were read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, and 3d were severally ordered to be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of the 1st, 2d, and 3d bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
The 4th and 5th bills were made special orders for Friday next at 11 o'clock, and ordered to be printed.
Mr. Conklin, from the Committee on Claims, to whom was referred a claim of Oliver P. Beard, asked to be discharged from the further consideration thereof.
Which was granted.
Mr. Andrews, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled “An act to permit the confessing of errors in the circuit court,” reported the same without amendment.
On motion of Mr. Johnson,
Ordered, That the Public Printer print 150 copies of said bill for the use of the members of this General Assembly.
Mr. Poindexter moved the following resolution, viz:
Resolved, That the Committee on Ways and Means inquire and report what legislation, if any, is necessary for the relief of the sheriff of Christian county by reason of interference of the so-called provisional government of Kentucky in the discharge of his legal duties.
Which was adopted.
Mr. Maxey moved the following resolution, viz:
Resolved, That the Committee on Military Affairs is instructed to inquire into and report to this House, if any slaves have escaped from their owners in the section of State where the Federal forces have been located; and if so, what number, and to whom they belong; and that said committee make such suggestions as will insure a return of the slaves to the owners from whom they escaped.
Ordered, That said resolution be referred to the Committee on Military Affairs.
Mr. Turner moved the following resolution, viz:
Resolved, That the Judiciary Committee be instructed to inquire into
the propriety of legislation, holding the officers and soldiers of the
Confederate Army, and of the Provisional Government of Kentucky,
civilly responsible to the State and to individuals for any injury or loss
occasioned to the State or individuals by reason of the illegal conduct
and acts of said officers and soldiers, and that they report by bill or
otherwise.

Ordered, That said resolution be referred to the Committee on the
Judiciary.

Mr. Burnam read and laid on the table the following joint resolu-
tion, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That
all such public books as by law are now authorized to be distributed
to justices of the peace of this Commonwealth, shall be distributed
to the police judges of the cities and towns thereof.

The House took up, according to order, a bill, entitled
An act to amend the law with regard to billiards.

The question was taken on reconsidering the vote by which the bill
passed, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Hugh F. Finley, George Poindexter,
William A. Brann, Joseph Gardner, Hiram S. Powell,
R. J. Browne, Henry Griffith, William S. Rankin,
Thos. S. Brown, George M. Hampton, Nicholas A. Rapier,
W. P. D. Bush, John H. Harney, F. D. Rigley,
James Calvert, William J. Head, James P. Sparks,
Cyrus Campbell, Richard T. Jacob, Harrison Taylor,
J. W. Campbell, William Johnson, John R. Thomas,
Brutus J. Clay, Urban E. Kennedy, John S. Van Winkle,
Francis L. Cleveland, John C. Lindsey, George P. Webster,
John C. Cooper, Felix G. Murphy, Bryan R. Young,
Lucius Desha, Richard Necl, Milton Young—37.

Those who voted in the negative, were—

Mr Speaker, (Buckner,) Albert A. Curtis, Thomas W. Owings,
Alfred Allen, Stephen J. England, John Ray,
R. C. Anderson, John W. Finnell, J. A. Rousseau,
Landaff W. Andrews, Elijah Gabbett, George S. Shanklin,
Vincent Ash, Evan M. Garriott, G. Clay Smith,
E. B. Bacheller, Remus Gibson, M. Smith,
Elisha Beazly, John B. Huston, Joshua Tevis,
John C. Beeman, Wm. C. Ireland, George M. Thomas,
J. W. Boone, Daniel W. Johns, Thomas Turner,
Leroy Brinkley, Alexander Lusk, Joseph R. Underwood,
E. F. Burns, P. L. Maxey, Alex. T. White,
John B. Cochran, Otho Miller, Nathaniel Wolfe,
Robert Cochran, Thomas Z. Morrow, Van B. Young—43.
William L. Conklin,

The House then took up a bill, entitled
An act to regulate the circuit and other courts of this Commonwealth, and for other purposes.

Mr. Allen moved to commit the bill to the Committee on the Judiciary, with the following instructions, viz:

Prepare a bill in lieu of the one under consideration, providing that, for the relief of the country, creditors may, in the various courts in this Commonwealth, bring suits and obtain judgments, as usual, on their claims. Such judgments shall operate as a lien on the property of the defendant; that on these judgments executions may issue, returnable twelve months from date: that this lien may be destroyed by the defendant in executions entering into a replevin bond, with good security, that he shall, every three months, pay to the sheriff one fourth of the debt, interest, and costs, or in default, that the sheriff shall sell property to make so much of the debt.

Mr. Conklin moved to postpone the further consideration of said bill till Friday next at 11 o'clock, and the same be made the special order for that time.

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

The House, according to order, took up a bill, entitled
An act to provide for the government and discipline of the Kentucky penitentiary, and to repeal all acts and parts of laws inconsistent herewith.

Mr. Andrews moved to lay the 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. Andrews and Rankin, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Albert A. Curtis, Urban E. Kennedy,
Jas. W. Anderson, Stephen J. England, Alexander Lusk,
R. C. Anderson, Hugh F. Finley, P. L. Maxey,
Landaff W. Andrews, John W. Finnell, Hiram S. Powell,
William A. Brann, Elijah Gabbert, William S. Rankin,
Thos. S. Brann, Joseph Gardner, F. D. Rigney,
E. F. Burns, Henry Griffith, J. A. Rousseau,
W. P. D. Bush, John H. Harney, George S. Shanklin,
Mr. Taylor moved to recommit the bill to the Committee on Penitentiary, with instructions to report a bill providing for the election of a keeper of the penitentiary for the succeeding four years next after the expiration of the term of the present keeper, prescribing his duties, the amount to be paid annually into the public treasury by such keeper, &c., upon the plan indicated by the act approved February 1, 1858. (Stanton's Revised Statutes, page 211.)

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 yeas and nays being required on the resolution to recommit by Messrs. Wolfe and Huston, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Those who voted in the affirmative, were—

Those who voted in the negative, were—


Daniel W. Johns, William Johnson, John C. Lindsey, P. L. Maxey, Otho Miller, Felix G. Murphy, Richard Neel, Thomas W. Owings,


Mr. Heady presented the petition of sundry citizens of Bullitt county, in behalf of a stay law.

Which was received, the reading dispensed with, and referred to Mr. Underwoods' Relief Committee.

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

On motion of Mr. Heady—A bill for the benefit of George B. Dickin.

On motion of same—A bill for the benefit of T. Jones and Taylor D. Ellis.

Ordered, That the Committee on Military Affairs prepare and bring in said bills.

And then the House adjourned.

THURSDAY, FEBRUARY 27, 1862.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the Richmond and Irvine turnpike road company.

An act amending the charter of the Kentucky river turnpike road company.
An act regulating the times of holding quarterly courts and other courts inferior in jurisdiction to circuit courts.

An act to amend section 684, of the Civil Code of Practice.

An act for the benefit of George B. Grundy, sheriff of McCracken county.

An act to amend the charter of the town of Jamestown, in Campbell county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled

An act for the benefit of Samuel Sayres.

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

An act for the benefit of John W. Reynolds, of Pike county.

An act for the benefit of school district No. 54, in Nelson county.

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

An act for the benefit of William Simpson, clerk of the Wayne circuit and county courts.

An act for the benefit of Jonathan Horsefall, jailer of the city of Newport.

An act for the benefit of the sheriff of Butler county.

An act for the benefit of Elisha B. Treadway, sheriff of Owsley county.

An act to repeal an act, entitled "An act to amend the charter of the town of Lagrange," approved March 3d, 1860.

An act for the benefit of the sureties of T. G. Edwards, deceased, late sheriff of Green county.

An act for the benefit of common school districts.

An act to amend section 17, of chapter 54, of the Revised Statutes.

Resolutions in relation to national affairs.

Resolution in relation to public books.

Resolutions in relation to the construction of a railroad.

1. Mr. Jacob presented the petition of sundry citizens of Trimble county, praying to be attached to Oldham county.

2. Mr. Allen presented the petition of Hon. James Stuart, judge, and other members of the legal profession, &c., praying an appropriation be made to Minor E. Pate, W. S. Stone, James A. Dean, and Jesse Moreman, for arresting Morris Schwartz, &c.
3. Mr. Sparks presented the petition of sundry citizens of Anderson county, praying the passage of some relief law, &c.

4. Mr. Wolfe presented the petition of Susan Berche, executrix of Ignatius Berche, deceased, praying that she may be permitted to make sale of certain lands, &c.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Claims; the 3d to Mr. Heady's select Relief Committee, and the 4th to the Committee on the Judiciary.

The House took up the special order, entitled
An act to regulate the fees of auditors, commissioners, and receivers in equity.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the fees of, and allowances to auditors, receivers, and commissioners in equity, shall be as follows, and no greater: for making sales, not exceeding five per cent. upon the first $100; not exceeding two per cent. upon the next $400; not exceeding one per cent. upon the next $500; and not exceeding one half per cent. upon the next $4,000 of the amount of the sale; and where the aggregate of the sale exceeds $5,000, not exceeding one fourth per cent. upon the excess above that amount, in addition to the above.

§ 2. The allowances to receivers, for receiving and disbursing money under the orders of a court, shall be the same, for the same amounts, as is given to commissioners for making sales under the first section, and no greater.

§ 3. That no auditor in equity shall be allowed exceeding $5 per day for his services; nor shall any allowance be made to any auditor in equity until he shall, under oath, file in the cause in which the order is made, a written statement of the number of days he was engaged in rendering the services, and the length of time he was engaged each day; and where it does not appear that he was engaged at least three hours of any day, it shall be computed as only a half day, and the allowance made accordingly.

§ 4. All allowances exceeding those named in this bill shall be absolutely void, unless the record shall state that both of the parties, or their counsel, assented to the order; and in case of an auditor unless the record also shows the filing of the statement required by the 3d section hereof, or that it was dispensed with by consent of the parties or their counsel.

§ 5. That in all cases the parties or their counsel may select their own auditor, receiver, and commissioner, and it shall be the duty of the court to appoint the person so selected; and it shall be a misdemeanor in office for the circuit judge to refuse to do so, and in such, all orders compensating any commissioner, receiver, or auditor, other than one the parties have chosen and agreed upon, shall be absolutely void.
680

JOURNAL OF THE

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§ 6. This act shall take effect from its passage.

The question was taken upon the adoption of the amendment proposed by Mr. Tevis, and it was rejected.

Mr. Burnam moved an amendment.

Mr. Bush moved to lay the 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. Turner and G. Clay Smith, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Cleveland 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 upon adopting the amendment offered by Mr. Burnam, excluding the counties of Madison, Clarke, Fayette, Hancock, &c., and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Burnam and Allen, were as follows, viz:  

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Ireland moved that the bill be made the special order for 10½ o'clock to-morrow.  

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

Mr. Andrews moved that the bill have its third reading now.  

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

Said bill was then read a third time.  

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

The yeas and nays being required on the passage of said bill, were as follows, viz:  

Those who voted in the affirmative, were—

Jas. W. Anderson, Evan M. Garriott, George Poindexter, Landaff W. Andrews, Remus Gibson, Hiram S. Powell,  

86
Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay, Thomas Z. Morrow, William S. Rankin, John Bay, John A. Rousseau.


Elisha Beazly, Hugh F. Finley, John A. Rousseau, George S. Shanklin, G. Clay Smith, Alex. T. White.


The House then took up the bill, entitled

An act to amend the 440th section of the Civil Code of Practice.

Mr. Turner moved to strike out "ten dollars," and insert "five dollars."

Mr. Huston proposed to insert "two dollars and fifty cents."

Which amendment 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, "Shall the bill pass?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

Vincent Ash, Remus Gibson, John R. Thomas, Thomas Turner.


John B. Cochran, Richard Neel, Alex. T. White.

Robert Cochran, Hiram S. Powell, Alex. T. White.
Stephen J. England, F. D. Rigney, Milton Young,
Elijah Gabbert, George M. Thomas,
Those who voted in the negative, were—
Mr. Speaker, (Buckner,) Francis L. Cleveland, P. L. Maxey,
Alfred Allen, William L. Conklin, Otho Miller,
Jas. W. Anderson, John C. Cooper, Thomas Z. Morrow,
R. C. Anderson, Daniel E. Downing, Felix G. Murphy,
Landaff W. Andrews, Hugh F. Finley, Geo. Poinitexer,
E. B. Bacheller, Evan M. Garriott, William S. Rankin,
Elisha Beazly, Henry Griffith, John Ray,
John C. Beeman, George M. Hampton, J. A. Ronesau,
William A. Brann, John H. Harney, George S. Shanklin,
Leroy Brinkley, William J. Head, C. Clay Smith,
R. J. Browne, William C. Ireland, James P. Sparks,
Thos. S. Brown, William Johnson, Harrison Taylor,
Curtis F. Barnam, Urban E. Kennedy, Joshua Tevis,
E. F. Burns, John C. Lindsey, J. R. Underwood,
W. P. D. Bush, James M. C. Lisenby, Nathaniel Wolfe,
James Calvert, Alexander Lusk, Bryan R. Young—49.
Cyrus Campbell,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken­
tucky, That the 1st sub-division of the 440th section of the Civil Code
be, and is hereby, amended by adding to the end of said sub-division
the following words: "That it shall be the duty of the attorney so
appointed to make diligent inquiry for the non-resident defendant, and
ascertain his address, advise him of the pendency of the suit, and
inclose him a copy of the petition, and no more; and for this service
the attorney shall, in no case, be allowed exceeding two dollars and
fifty cents."

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

By Mr. George M. Thomas—
1. A bill incorporating the Kinnikinnick Bridge Company, in Lewis
county.

By Mr. Andrews, from the Committee on the Judiciary—
2. A bill for the relief of Crawford Anderson.

By same—
3. A bill to allow watchmen in the city of Louisville fees in certain
cases.

By Mr. Rankin, from the same committee—
4. A bill to create the office of treasurer for Grant county.

By Mr. J. R. Thomas, from the same committee—
5. A bill to provide for the return of reissuing and issuing of execu-
tions on judgments rendered by county judges since the 1st day of January, 1862.

By Mr. Finnell, from the Committee on Banks—

6. A bill concerning the banks of issue of Kentucky.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, and 4th bills were severally ordered to be engrossed and read a third time; the 3d was referred to the Committee on Retrenchment and Reform; the 5th was placed in the orders of the day; the 6th was made the special order for quarter past 10 o'clock to-morrow.

Ordered, That the Public Printer print 150 copies of said 6th bill for the use of the members of this General Assembly.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Senate of the United States be, and they are hereby, requested to expel Lazarus W. Powell from their honorable body.

Resolved, That a copy of the above resolution be sent by the Speaker of the House to the Hon. Garrett Davis, and that he cause the same to be read by the clerk of the Senate whilst it is in session.

The House then took up from the orders of the day a bill, entitled
An act to amend the militia law.

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 a bill, entitled
An act to amend the law of limitation of actions for usury.

The question was taken, "Shall the bill be read a third time?" and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen, Francis L. Cleveland, Otho Miller,
Landaff W. Andrews, John B. Cochran, George Poindexter,
E. B. Bacheller, Robert Cochran, Hiram S. Powell,
Elisha Beazly, John C. Cooper, William S. Rankin,
John C. Beeman, Albert A. Curtis, John Ray,
FEB., 27. ] HOUSE OF REPRESENTATIVES. 685

J. W. Boone,    Lucius Desha,    Geo. S. Shanklin,
William A. Brann,    John W. Finnell,    G. Clay Smith,
Leroy Brinkley,    Elijah Gabbett,    M. Smith,
R. J. Browne,    Joseph Gardner,    James P. Sparks,
Curtis F. Burnam,    Evan M. Garriott,    Joshua Tevis,
E. F. Burns,    Remus Gibson,    George M. Thomas,
W. P. D. Bush,    John H. Harney,    John R. Thomas,
James Calvert,    John B. Huston,    Thomas Turner,
Brutus J. Clay,    John C. Lindsey,    Milton Young—42.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) William C. Ireland,    Felix G. Murphy,
James W. Anderson,    Richard T. Jacob,    Richard Neel,
Vincent Ash,    Daniel W. Johns,    F. D. Rigney,
Cyrus Campbell,    William Johnson,    J. A. Rousseau,
William L. Conklin,    Urban E. Kennedy,    Joseph R. Underwood,
Daniel E. Downing,    James M. C. Lisenby,    John S. Van Winkle,
Stephen J. England,    Alexander Lusk,    Zeb. Ward,
Henry Griffith,    Jonas Martin,    George P. Webster,
George M. Hampton,    P. L. Maxey,    Nathaniel Wolfe,

Said bill was read a third time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That no action shall be hereafter prosecuted, in any of the courts of equity or law in this Commonwealth, for the recovery of excess of interest theretofore paid for the loan or forbearance of money or other thing by the borrower against the loaner or forbearer, or the assignee of either, unless the same shall have been instituted within one year after the payment of such excess of interest; and this limitation shall apply to all payments made on all demands, whether evidenced by writing or existing in parol.

§ 2. This act to be of force from its passage:

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

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

Those who voted in the affirmative, were—

Alfred Allen, Francis L. Cleveland, Otho Miller,
Landaff W. Andrews, John B. Cochran, George Poindexter,
E. B. Bacheller, John C. Cooper, Hiram S. Powell,
Elisha Beazly, Albert A. Curtis, William S. Rankin,
William A. Brann, Lucius Desha, John Ray,
Leroy Brinkley, Stephen J. England, George S. Shanklin,
R. J. Browne, Elijah Gabbett, G. Clay Smith,
Thomas S. Brown, Joseph Gardner, James P. Sparks,
Curtis F. Burnam, Evan M. Garriott, Joshua Tevis,
E. F. Burns, Remus Gibson, George M. Thomas,
W. P. D. Bush, John H. Harney, Thomas Turner,
Mr. Burnam moved a reconsideration of the vote by which the bill aforesaid, to-wit: "An act to amend the law of limitation of actions for usury," passed.

Mr. Burnam also moved to lay the 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. Wolfe and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—

Mr Speaker, (Buckner,)Francis L. Cleveland, John C. Lindsey, Otho Miller, George Poindexter, George S. Shanklin, James P. Sparks, Thomas Turner, Milton Young—40.


The House then took up a bill, entitled
An act to lay off the State into congressional districts.

On motion of Mr. Huston,
Ordered, That said bill be recommitted to the Committee on Congressional Districts.

Bills from the Senate viz:
1. An act to amend an act, entitled "An act to punish certain trespassers in Jefferson county.
2. An act to regulate proceedings in civil cases.
3. An act to amend chapter 15 of the Revised Statutes, title "Citizens Expatriation, and Aliens."
4. An act to regulate navigation on the Kentucky river.
5. An act to incorporate the city of Paris.
6. An act to change the place of voting in the 5th district of Whitley county.
7. An act to amend the charter of the town of Carrollton.
8. An act for the benefit of the Bullitt Academy.
9. An act to enforce payment of taxes and revenue collected by certain officers of the Commonwealth.
10. An act to exempt tavern-keepers in the town of Crab Orchard from paying coffee-house license.
11. An act legalizing the appointment of Wm. C. Gillis as administrator.
12. An act to repeal an act for the benefit of James D. Ballard, and to revive a former act for his benefit.
13. An act to suspend the forfeiture of penal bonds against soldiers in the army of the United States.
15. An act for the benefit of Jonathan Horsefall, jailer of the city of Newport.
16. An act for the benefit of the sheriff of Butler county.
17. An act for the benefit of Elisha B. Treadway, sheriff of Owosley county.
19. An act for the benefit of the sureties of T. C. Edwards, deceased, late sheriff of Green county.
20. An act for the benefit of common school districts.
21. An act to amend section 17 of chapter 54, of the Revised Statutes.

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, 12th, and 21st were referred to the Committee on Revised Statutes; the 2d and 13th were referred to the Committee on the Codes of Practice; the 3d and 11th to the Committee on the Judiciary; the 4th to the Committee on Internal Improvement; the 5th, 7th, and 18th to the Committee on Incorporated Institutions; the 6th to the Committee on Privileges and Elections; the 8th and 20th to the Committee on Education; the 9th, 16th, 17th, and 19th to the Committee on Ways and Means; the 10th and 14th to the Committee on County Courts, and the 15th to the Committee on Claims.

Mr. Burnam moved to strike out "thirty days" in 3d section of the 3d bill.

The House then took up the Senate resolution in relation to the adjournment of the present General Assembly.

Ordered, That the consideration thereof be postponed, and made the special order for to-morrow, at 11 o'clock.

Resolutions from the Senate, entitled
Resolution in relation to public books.
Resolution in relation to national affairs.
Resolution in relation to the construction of a railroad.

Were taken up, twice read, and concurred in.

The yeas and nays being required on the passage of the last resolution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, George Poindexter,
Alfred Allen, Daniel E. Downing, Hiram S. Powell,
Jas. W. Anderson, Stephen J. England, William S. Rankin,
Landaff W. Andrews, Hugh F. Finley, Nicholas A. Rapier,
Vincent Ash, John W. Pinnell, John Ray,
E. B. Bacheller, Elijah Gabbert, F. D. Rigney,
Elisha Beazly, Remus Gibson, George S. Shanklin,
Resolved by the General Assembly of the Commonwealth of Kentucky, That this body has learned with regret that the House of Representatives of the Congress of the United States have taken steps to repeal a late act of Congress, authorizing the President, among other things, to repair and extend railroads for military use, with a view to prevent the extension of one of our railroad lines from Central Kentucky to an intersection with the southern system of railways in East Tennessee.

Resolved, That the contemplated road was, and is, of the highest importance to the Government of the United States for military purposes, and of the greatest moment to the States of Kentucky and Tennessee immediately, and more or less so to all the States of the Mississippi valley, supplying a means of rapid, safe, and certain communication between sections of the country closely allied in commercial interest and political sympathy now separated for more than half the year by almost impassable roads and rivers.

Resolved, That Kentucky will look with interest to the final disposition of the enterprise so wisely and generously engaged in by the President for the construction of such road; and we pledge to the General Government the rights of way free of charge, through the State, from end to end such points as may be selected, and we will hail the prosecution of the great projected work as a most gratifying indication of the purpose of the Government to further bind together and cement into one, by indissoluble bonds, the two great sections of the Union.

Mr. B. R. Young read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Committee on the Penitentiary be instructed and directed to adver-
tise the State prison to be leased for four years from the 1st of March, 1863, to the highest bidder; these advertisements to be placed in two daily papers in Louisville, one in Lexington, and one in Frankfort, for one week; and this Legislature will give the contract to any responsible bidder who offers the highest price; and that the committee are authorized to draw upon the Treasurer for the amount of said advertisements.

On motion of Mr. Ireland, he has leave of absence from and after the 28th instant.

Mr. Turner moved a reconsideration of the vote of the 25th instant, by which was rejected the bill, entitled

An act to regulate compensation to grand and petit jurors.

And then the House adjourned.

FRIDAY, FEBRUARY 28, 1862

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 the widow and heirs of Samuel Scott, deceased.

An act to incorporate the Greenup Union Presbyterian Church, of Greenup county.

An act to change the lines between magistrates' districts Nos. 1 and 2, in Mercer county.

An act to change the place of voting in the Jeffersonville precinct, Montgomery county.

An act to amend section 9, chapter 47, of the Revised Statutes, title "Husband and Wife."

An act to amend an act, entitled "An act to establish the levy and county court of Jefferson county."

An act to change the place of voting in the Kinnikianick election precinct, in Lewis county.
An act to repeal an act, entitled "An act to increase the fees of jailers," approved February 15, 1856.

An act to amend the road law in Harlan county.

An act for the benefit of the personal representative of R. McCarty, deceased, late clerk of the Pendleton county and circuit courts.

An act for the benefit of S. M. May, of Bullitt county.

An act to amend an act, entitled "An act to amend 3d article of 86th chapter, Revised Statutes," approved 30th September, 1861.

An act to change the boundary line between Daviess and McLean.

An act for the benefit of Robert Brazier and wife, and Henry Weysham, guardian of Mary E. Kramer.

An act to amend the laws in relation to the city of Paducah.

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 the law in regard to absent non-resident defendants.

An act to amend the law of descent and distribution.

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

An act for the benefit of Elisha Smith, of Rockcastle county.

An act to amend the act to create the office of county treasurer in Whitley county.

An act for the benefit of school district No. 42, in Owsley county.

An act to amend an act to incorporate Winchester College, approved February 15, 1860.

An act to amend section 25, chapter 93, of Revised Statutes.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of school district No. 54, in Nelson county.

An act for the benefit of John W. Reynolds, of Pike county.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

On motion of Mr. Cleveland, he was permitted to record his vote in favor of a railroad in Kentucky, to be erected by the general government.

1. Mr. Ash presented the petition of sundry citizens of Anderson county, in favor of a stay law.
2. Mr. Wolfe presented the petition of Har Moziah Lodge, No. 14, Independent Order Brai Birth, praying amendment to their charter.

3. Mr. Rankin presented the petition of trustees of school district No. 13, in Grant county, praying appropriation of money. Which were received, the reading dispensed with, and referred—the 1st to Mr. Underwood's select Relief Committee; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Education.

Mr. Turner, from the Committee on Retrenchment and Reform, made the following report, viz:

The Committee upon Retrenchment and Reform have had under consideration the various resolutions and bills referred to them, and the suggestions made by the heads of the departments and the members of the General Assembly which contemplated a reduction of the expenses of the State, and beg leave to submit the following report:

Early in their investigations the vast increase in the expenditures for public printing and binding attracted the attention of your committee, and they caused the Public Printer, and other practical printers, to appear before them, and also the heads of several of the departments, to learn whether the public interest required this vast increase of expenditure, and soon became convinced that large retrenchment could be made at this point without detriment to the public interest. By the documents accompanying this report, it will be seen that the cost of the public printing has, since 1849, increased from $8,236 26, to the large amount of $21,200 in the year 1861, and of $24,600 in 1862. The cost of paper for the Public Printer in 1849 was $2,517; in 1869 it reached $10,970 37; and in 1861 $12,954 74. The public binding, in 1849, cost $1,440 80; in 1860, $7,983 70; in 1861, $13,460 67. The total cost of public printing, binding, and paper for Public Printer, for 1849, was $12,194 08. The total cost of the same for 1850 was $15,273 25; for 1851, $25,222 21; for 1852, $29,348 14; for 1853, $7,038 44; for 1854, $26,646 00; for 1855, $33,172 68; for 1856, $27,280 23; for 1857, $23,696 10; for 1858, $34,237 11; for 1859, $13,718 14; for 1860, $43,607 19; for 1861, $47,614 81. It will thus be seen that the aggregate cost of the public printing, binding, and paper has almost quadrupled in thirteen years.

Upon investigation, your committee found that this increased cost was not attributable to any increased pay to the Public Printer or to the Binder, or in the cost of the paper, but in the large and unnecessary amount of public printing and binding which was done. Vast numbers of the reports of the heads of departments, and the heads of public institutions, have been printed and bound that have never been distributed, and have been used, as your committee know, from personal observation, for waste and wrapping paper.

There have been printed for the last year or two 5,000 copies of the Auditor's report, 25,000 copies of the report of the Superintendent of Public Instruction, from 15,000 to 25,000 copies of the Governor's annual message, 1,000 copies of the Treasurer's report, and 2,400
copies of the private acts. Your committee would recommend that in future there be printed but 1,000 copies of the Auditor's report, in addition to legislative documents, but 6,000 copies of the report of the Superintendent of Public Instruction, but 1,000 copies of the Governor's annual message, but 300 copies of the Treasurer's report, and but 500 copies of the private acts; and to that end your committee have originated a bill regulating the number to be printed of each of said reports, and of other public documents, and recommend its passage. Should it be passed as reported, the aggregate saving to the State, for paper, binding, and press-work, will amount to near $20,000 per annum.

Your committee then proceeded to the consideration of the question of the reduction of salaries; and to this subject they endeavored to bring at once an enlightened judgment, which appreciated the importance of paying public functionaries liberally, in order to obtain the best talent, and make them independent of temptation to corruption, and at the same time in an appreciative heart that sympathized with the distressed condition and pecuniary embarrassment of the people, brought upon them by the present wicked and waning rebellion; and a majority of them have determined not to recommend a reduction of the salaries of the circuit judges, the laborers and districts of whom are large. They recommend a repeal of the act of 1858 increasing the salaries of the appellate judges, and that the salaries of attorneys for the Commonwealth be reduced to $250 per annum. This recommendation cannot be made fully operative at present because of a constitutional restriction.

If our recommendations upon this subject be adopted, when they shall be fully in force they will save the State $5,500 per year. We have prepared and present herewith a bill carrying out these recommendations.

We learn, upon inquiry, that the duties of the Secretary of State are not greater than can be well discharged by one industrious and attentive man, and that the perquisites of that office amount to about $700 per year. We also learn that the perquisites of the Auditor's office amount to about $1,000 per year, in addition to his salary of $2,000.

We have, from personal observation, seen that the duties of the Sergeant-at-Arms of the appellate court are almost nominal, and the tipstaff could well and easily discharge the duties of that office in addition to those of his own; and we would recommend the reduction of the salary of Assistant Secretary of State to $500, and the abolition of the office of Sergeant-at-Arms of the appellate court, and that his duties be discharged by the tipstaff.

We also recommend that the Secretary of State and Auditor be required to pay the fees and perquisites of their offices into the treasury. This is now required of the Register, and we see no reason for the distinction; and, indeed, we think the best plan is to require all the heads of the departments to pay all fees and perquisites into the treasury; and if their pay is not sufficient, to raise their salaries. By this course there is left no temptation to charge illegal and improper fees upon strained implications of the law.
By following the course indicated above, the saving to the State annually from it will amount to $2,280.

Your committee also recommend that the pay of petit jurors be reduced to one dollar per day. This reduction alone will save the State annually, $28,070. The whole amount paid to petit jurors for 1860, was $86,913 34. They also recommend that grand jurors be paid one dollar per day for the first three days of their service at each term, and nothing after they shall have served three days. They are informed by the Auditor that the average sittings of the grand jurors is about five days at each term. The whole cost of grand juries to the State, in 1860, was $18,635; and if the Auditor be correct in his estimate of the average length of their sittings, the adoption of their recommendation upon this subject would save annually to the State $7,424. They have prepared and submit a bill designed to carry out their recommendation upon this subject.

Your committee have learned, that under the 22d section of chapter 5, of the Revised Statutes, title "Auditor," the Auditor of the State has made a contract with Mr. Overton, his brother-in-law, to purchase stationery for the use of the public offices, and has agreed to give Overton twenty per cent. advance upon the stationery so purchased; the State furnishing the money with which to pay for it. Although your committee have a high personal regard for the Auditor, and do not impute his motives, they cannot approve his course in this matter. Mr. Overton, the young gentleman employed, has no experience as a stationer, and brought to the purchase of the articles no skill that authorizes his employment at extravagant terms. The cost of the public stationery for 1861 was about $8,000, and under this contract, Mr. Overton receives near $1,600, when the services of a competent and experienced stationer could have been obtained for one fourth of the cost. Besides, Overton has purchased the stationery in Cincinnati, when it could have been bought five or ten per cent. cheaper in New York; and competent professional stationers could have been obtained to buy it there for five per cent.

They file herewith the testimony of S. C. Bull, an experienced stationer, who states the stationery can be bought in the East from five to ten per cent. cheaper than in Cincinnati, and that five per cent. is a fair commission for buying it. We have drafted and present a bill designed to remedy this evil; and if adopted, it will save the State annually, about $1,500. Justice to the present Auditor prompts them to say, that when they inquired of him touching this matter, he promptly admitted the facts as reported; and in justification of his course stated, and truly, as they are informed, that it had been the practice of his predecessors to purchase stationery at twenty per cent. advance upon cost; but your committee are of opinion that there is a material difference between purchasing of a regular stationer who has laid in his stock with his own money and credit, and employing an agent and paying him twenty per cent. to make purchases with money furnished him.

Your committee have been informed that some years since acts were procured making an appropriation of $3,000 per year, for three
years, to the Kentucky Institution for the Education of the Deaf and Dumb, and of the same amount for the Kentucky Institution for the Education of the Blind; and afterwards the parts of the acts limiting the appropriation to three years were repealed, so as to continue the appropriations. They are informed by the Auditor and Treasurer that these appropriations are no longer needed, and were designed as temporary when made, and that the necessity for them no longer exists. Indeed, it is alleged that it was intended to repeal the acts, instead of the parts of them limiting their effect to three years, and that many of the members of the Legislature so understood it at the time of the passage of the acts continuing the appropriations. They, upon the faith of the representations of the heads of the department, and without having examined into the necessity for the appropriations, would recommend the repeal thereof; and to this end have prepared a bill, which they submit herewith.

The attention of your committee has been called to the vast increase, within a few years, of allowances made to guard jails and prisoners. They have steadily increased, until the aggregate allowances for these claims, during the fiscal year ending the 10th of October, 1860, amounted to $14,658 58; and during that year the single county of Harlan drew from the treasury, on this account, the large sum of $3,822 85, and Whitley drew for the same account, $1,154 68, and McCracken, $1,348 20.

The amount thus drawn from the treasury in a single year is far more than the whole revenue of some of the counties who drew it. It seems just that the whole State should pay such claims; and it is not without some hesitation that your committee recommend that each county be, by law, compelled to pay its own bills for guarding jails; and to that end have prepared, and present herewith, a bill to that effect. They would not make this recommendation but for the abuses that exist upon the subject; and they hope, by placing this burden upon the counties thus, the immediate interests of the tax-payers of the county will stimulate them to see if there is waste or extravagance, and doubt not it will not be one fourth as much as it now is, and will save $10,000 to the tax-payers.

The attention of your committee has been drawn to the vast increase in the cost of stationery for the use of the public offices and Legislature. The total cost of public stationery for the year ending 10th October, 1858, was $1,325; for 1859, $696 85; for 1860, $2,628 86; and in 1861 this item of expense reached the large sum of $8,777 22; of which sum $3,711 57 was used, or is reported as used, by the members of the Senate and House of Representatives, which would make the stationery used by each member of the Legislature during the year ending 10th of October, 1861, amount to $26 80.

It seems to your committee that there must be extravagance or corruption in this matter; but they have not as yet fully investigated the subject, and forbear to make any recommendation concerning it, and content themselves with reporting the facts and figures. They have had under consideration the proposition of the honorable member from Washington, and have thought it expedient to continue to print the
private acts of the Legislature. They have also had under consider-
ation the resolutions of the honorable gentleman from Knox, touching
a reduction of the pay of all salaried officers and of the members of
the Legislature, and have carried out, in many respects, the spirit of
his resolutions; but a majority of the committee are of opinion that
the pay of the members of the Legislature should not be decreased,
as it now barely pays the expenses of the most economical. Upon
this subject, no charge of selfishness can be brought against them, as
any action upon this subject would only affect their successors. It
will be seen that your committee, though tardy in reporting, has not
been idle. Your committee had also intended to have recommended
a reduction of jailers' fees from 50 cents per day to 40 cents per day;
but in this the House have anticipated them. The various recommen-
dations of your committee, including the act reducing jailers' fees for
confining criminals, will, if adopted, in the aggregate, save the State
annually the large sum of about $85,000 or $90,000, which is no mean
consideration in these times of pecuniary distress, and which will be
sufficient to alleviate, materially, the burdens of the increased debt of
the State, made necessary by the assumption of the direct tax and the
creation of a war debt, and will, they hope, render it unnecessary to
largely increase our taxes in this hour of popular distress, produced
by the late wicked rebellion.

Your committee have had their attention called to the necessity of
reducing the number of the Military Board, and the pay of some of
the military officers, but have not, as yet, fully investigated these and
other subjects, but will proceed to do so.

The Senate Committee upon Retrenchment and Reform have met
several times with, and acted in concert with us, and request us to
say that they concur in all the reforms proposed. The papers and
evidence upon which this report is based are herewith returned.

THOS. TURNER, Chairman Com. R. and R.

The following bills were, by consent, reported, viz:

By Mr. Turner, from the Committee on Retrenchment and Re-
form—

1. A bill to regulate the amount of public printing and binding.
   By same—

2. A bill to authorize the employ of an agent to purchase public
   stationery.
   By same—

3. A bill to regulate the compensation of grand and petit jurors.
   By same—

4. A bill to regulate the salaries of certain officers of this Common-
   wealth.
   By same—

5. A bill to repeal certain acts for the benefit of the Institutions for
   the Education of the Blind and the Deaf and Dumb.
By same—
6. A bill to provide for the payment of guards out of the county levies of the county.

By same—
7. A bill to prohibit certain partnerships between attorneys for the Commonwealth and other attorneys.

By same—
8. A bill to abolish certain offices.

By Mr. Johnson—
9. A bill to amend the charter of the Bethel turnpike road company.

By Mr. Curtis, from the Committee on Internal Improvement—
10. A bill in relation to turnpike roads in which the State has an interest.

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 7th was referred to the Committee on the Codes of Practice; the 9th was ordered to be engrossed and read a third time; and the 10th was referred to the Committee on the Judiciary. The 1st, 2d, 3d, 4th, 5th, 6th, and 8th were made special orders for Monday next at 11 o'clock.

The rule of the House, constitutional provision, and third reading of the 9th bill having been dispensed with, and the same being engrossed,

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

Ordered, That the Public Printer print 150 copies of the 4th bill for the use of the members of the General Assembly.

The House then took up, according to special order, a bill, entitled
An act concerning the banks of issue of Kentucky.
Mr. Bush moved to strike out the 3d section.
Mr. Shanklin moved amendments.
Mr. Heady moved amendments.
On motion of Mr. Huston,
Ordered, That the bill and all amendments be recommitted to the Committee on Banks, with instructions to report thereon to-morrow, at quarter-past 10 o'clock.
The House took up, according to order, the bill, entitled, "A bill to regulate the circuit and other courts of this Commonwealth, and for other purposes;" and after some time spent thereon,

On motion of Mr. Underwood,

*Ordered, That the House adjourn.*

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**SATURDAY, MARCH 1, 1862.**

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 Seth Parker, sheriff of Lewis county.
- An act to regulate the fees of auditors, commissioners, and receivers in equity.
- An act for the benefit of Ben. W. Blincoe, of Fayette county.
- An act to prevent the summoning of certain persons as guards.

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

- An act for the benefit of W. C. Ireland.
- An act for the benefit of Thomas Badgett, jailer of Washington county.
- An act for the benefit of Webb & Levering, of the city of Louisville.

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

- An act to amend an act, entitled "An act to amend the Code of Practice in civil cases," approved December 23, 1861.
- An act to amend the jury laws of this Commonwealth.
- An act to amend the Code of Practice, 6th sub-division of chapter 221.
- An act to change the time of holding the Trimble circuit court.
- An act for the benefit of William N. Guyton, of McLean county.
- Resolution relating to Federal courts.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to change the place of voting in Jeffersonville precinct, in Montgomery county.

An act to amend section 9, chapter 47, of the Revised Statutes, title "Husband and Wife."

An act to amend an act, entitled "An act to establish the levy and county court of Jefferson county."

An act to change the place of voting in the Kinnikinnick election precinct, in Lewis county.

An act to repeal an act, entitled "An act to increase the fees of jailers," approved February 15, 1856.

An act to amend the road law in Harlan county.

An act for the benefit of the personal representative of R. McCarty, late clerk of the Pendleton circuit and county courts.

An act to amend an act, entitled "An act to amend 3d article of 86th chapter, Revised Statutes," approved 30th September, 1861.

An act changing the boundary line between Daviess and McLean.

An act for the benefit of Robert Brazier and wife, and Henry Weysham, guardian of Mary E. Kramer.

Also, resolutions from the Senate, viz:
Resolution in relation to public books.

Resolutions in relation to the construction of a railroad.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

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

An act for the benefit of Samuel J. Filson.

An act to amend the law in regard to sheriffs.

An act to amend an act, entitled "An act to cause writings to be made in the English language."

An act for the benefit of John G. Parks, former clerk of the Nicholas county court, and administrator of L. H. Arnold, former clerk of the Nicholas circuit court.

An act to legalize the proceedings of the Laurel county court at its February term, 1862, and for other purposes.
An act for the benefit of John C. Adams, judge of the Greenup quarterly court.
An act for the benefit of Jonathan McNeill, late surveyor of Laurel county.
An act to amend the charter of the Kentucky Female College.
An act to amend the charter of the town of Shelbyville.
An act for the benefit of Vanceburg district, in Lewis county.
An act to incorporate Delaware Tribe, No. 7, Improved Order of Red Men, of the city of Louisville.
An act to amend an act, entitled "An act to establish a police court in the town of Winchester," and an act amendatory thereto.
An act for the benefit of Joseph L. Ray, late sheriff of Shelby county, and Henry Brown, late sheriff of Washington county.
An act to change the time of holding the Anderson county court.
An act exempting school children from the payment of tolls.
An act for the benefit of George W. Darlington, late sheriff of Greenup county.
An act for the benefit of the sheriff of Estill county.
An act to amend the Revised Statutes in regard to filling vacancies in the office of sheriff.
An act for the benefit of George B. Grundy, sheriff of McCracken county.
An act for the benefit of the Richmond and Irvine turnpike road company.
An act to amend section 684, of the Civil Code of Practice.
An act amending the charter of the Kentucky River turnpike road company.
An act regulating the times of holding quarterly courts and other courts inferior in jurisdiction to circuit courts.
An act to amend the charter of the town of Jamestown, in Campbell county.
An act for the benefit of John W. Reynolds, of Pike county.
An act for the benefit of school district No. 54, in Nelson county.
A resolution relating to the distribution of public books.
A resolution of thanks to Federal soldiers.
Resolution in relation to firing a national salute.

The Speaker laid before the House a communication from James W. Tate, Treasurer of the Institution for the Education and Training of Feeble-minded Children.
Said communication reads as follows, viz:

Frankfort, February 28th, 1862.

Hon. R. A. Buckner, Speaker of the House of Representatives:

In the report of the committee appointed to examine into the accounts, &c., of the Institution for the Education of Feebleminded Children, made to the House of Representatives the 25th inst., there are some apparent discrepancies mentioned which need an explanation.

The committee say:

"Your committee find discrepancies in the accompanying report (A,) which the attention of the President and Treasurer has been called to. By examination, it will be found that the Treasurer reports the Institution to have drawn from the State treasury for the year ending December, 1860, the sum of $3,402 58, and to have received from pay patient $20, making the amount received for the year $3,422 58; this amount was drawn from the 10th of May to December 31, 1860. Then by the same report it will be seen that there was paid out by the Treasurer, for the same time, the sum of $3,609 50, being an excess of $206 92. Now, as the Institution drew all the money allowed by the charter and no explanation given by the President or Treasurer, your committee are unable to say from what source that excess was derived. Again, for the year 1861, the accompanying report (A) shows that the Institution received from the treasury of the State $4,437 56, and from pay patients $70, which is included in the report of the Treasurer, making in all for 1861 $4,507 56; the same report shows that the sum of $4,317 13 was expended during said year to date of report, which should leave a balance in the hands of the Treasurer, as will be seen, of $210 43; yet his report shows only a balance of $351."

The receipts for the year 1860, including $20 from a pay patient, were $3,422 58; the expenditures for same year were $3,699 50, making an excess of expenditures over receipts of $186 92, which amount was paid by money advanced by the Treasurer. For the year 1861, the receipts, including $70 from pay patients, were $4,507 56; the expenditures for same year were $4,317 13, leaving balance on hand of $190 43, from which the amount ($186 92) short for the year 1860, taken, leaves a balance of $351, as per Treasurer's report.

The committee say:

"It will be seen, by examining said report, that the entire appropriation was drawn as follows: July 21st, 1860, $8,000; January 16th, 1861, $12,000; making $20,000; it also appears by examination that, up to September 26th, 1861, there had been only $11,043 75 of that appropriation expended; leaving a balance on hand of $8,956 25 at that date, at which time, as the journal of this House will show, the additional appropriation of $2,500 was asked for and given for the purpose of inclosing and protecting the building for the Education and Training of Feebleminded Children. Your committee find, by examination of the contract with Cook & Brawner, who built said house, that their contract required them to put roof on same, and
consequently this money was not needed for that purpose, as was stated to this House at the passage of said bill. The windows and doors to said building is all the work or improvement that could be done by this appropriation by its terms."

Whatever may have been the amount of money on hand at the date of the last appropriation, the further sum of $2,500 was at that time thought necessary for the purpose set forth in the bill making the appropriation. Of the $20,000 appropriation, made February 11th, 1860, it has been repeatedly stated that $6,500 of this was paid for the farm occupied by the Institution, leaving a balance of $13,500 in our hands. The sum of $13,500 was still further reduced by amounts paid Mr. Sloan for plans of building, and for sinking a well on the premises, to $13,100. Although the contract with Cook & Brawner contemplates a roof on the building, yet they are to be paid, according to agreement, $14,650 upon its completion. As stated in a report from the President, Mr. Scott, the building was altered to some extent, making its cost about $14,000; in addition to this, a cistern on the premises was dug by Mr. Brawner, at a cost of about $375. The contract complete, left us with a debt to these parties of $1,275, to be paid from the above mentioned appropriation, and this indebtedness was incurred by roofing the house. Perfectly aware of the provisions that prevent the creation of a debt upon the part of the State, there is no provision preventing a corporation from so doing; and when the roof was placed upon the house, it left us in debt the sum above mentioned, $1,275. The windows, outside doors, with their painting, glazing, &c., carpenters' work, locks, hinges, screws, &c., lightning-rods, of which there are four, thirty or forty perches of masonry still needed, all of which go far to absorb the remainder. The small sum left has been expended upon the inside work. $2,500 was the sum suggested by Mr. Cook, the builder, as that we should probably need to carry out all contemplated by the act appropriating the money.

Again your committee say:

"Your committee find, by comparing the accompanying report (B) of the Treasurer, and the one made November last, which gave the receipts and disbursements up to the 11th of November, 1861, that there is a discrepancy in the report made then and now of money paid out for purchase of land, &c. In the report of November last, we find the amount reported as paid out, up to that date, November 11th, to be $15,693 75; balance on hand, $5,136 25, making $20,830. The Treasurer did not show where the $800 in his report came from, but now says that it was the first installment of the $2,500 appropriated in September last. The accompanying report (B) shows that the sum of $12,758 75 to have been expended up to the 11th of November, 1861; and there should have been on hand, at that time, the sum of $8,036 25, instead of $5,136 25."

The principal fact in this connection is, that all the money that has been drawn from the treasury has been scrupulously accounted for—not a dollar expended but there is a voucher to show for it.

The want of harmony arises from this cause: the Treasurer has been in the habit of placing his vouchers for money paid in a pocket-
book kept for that purpose, and charging them at his convenience, dating his book at the time of entry, and not at the time the money was paid. In making up the two accounts, one was drawn from his books, and the other from his vouchers, the sum total agreeing in the accounts and with the books of the Auditor and Treasurer to a cent.

Respectfully,

JAS. W. TATE, Treasurer Ky. I. F. M. C.

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

On motion,
Messrs. Curtis, Andrews, and John B. Cochran, have indefinite leave of absence; and Mr. Neel has leave of absence till Tuesday next, and Mr. Hampton till Monday evening.

Mr. Willie Waller, the member elected to fill the vacancy occasioned by the expulsion of Mr. Gilbert, from the county of Marshall, appeared, and having taken the oaths prescribed by the Constitution, took his seat.

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

On motion of Mr. Sparks—1. A bill for the benefit of E. P. Thomas, clerk of the Henry county and circuit courts.

On motion of Mr. Cooper—2. A bill for the benefit of school district No. 28, in Lincoln county.

Ordered, That the Committee on County Courts prepare and bring in the 1st, and the Committee on Education the 2d.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer, (under the direction of the Committee on Printing,) be directed to print a sufficient quantity of blank warrants and executions for all of the justices for this State, the same to be distributed with the public acts to the several county court clerks of this State, and to be distributed by said clerks to the justices of the peace of their counties.

The following bills were reported by consent of the House, viz:

By Mr. Miller—
1. A bill in relation to the duties of trustees of the jury fund.

By Mr. Neel—
2. A bill to establish an additional magistrates' and constables' district in Graves county.

By Mr. Owings—
3. A bill to confine convicts in the penitentiary within its walls.
Which were read the first time, and ordered to be read a second time.

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

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

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

Mr. Taylor, from the Committee on Ways and Means, reported a bill appropriating money toward the completion of the Western Lunatic Asylum.

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 thirty thousand dollars be paid to the Managers of the Western Lunatic Asylum, out of any moneys in the treasury not otherwise appropriated, in quarterly installments, the first of which shall be paid on the first day of June next; and which the said managers shall apply toward the completion of a portion of the Asylum buildings, for the reception of patients, at as early a day as practicable.

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,

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,

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,)Daniel E. Downie, Richard Neel,
Alfred Allen, Hugh F. Finley, Thomas W. Owings,
Vincent Ash, Joseph Gardner, George Poindexter,
E. B. Bacheller, Evan M. Garriott, William S. Rankin,
Elisha Beazly, Remus Gibson, John Ray,
Joshua F. Bell, Henry Griffith, J. A. Rousseau,
J. W. Boone, G. M. Hampton, George S. Shanklin,
William A. Brann, John H. Harney, G. Clay Smith,
MARCH 1, 1862  HOUSE OF REPRESENTATIVES.

Leroy Brinkley, William J. Heady, M. Smith,
Thomas S. Brown, John B. Huston, Harrison Taylor,
Curtis F. Burnam, Richard T. Jacob, Joshua Tevis,
E. F. Burns, Daniel W. Johns, George M. Thomas,
W. P. D. Bush, William Johnson, Thomas Turner,
James Calvert, Urban E. Keaney, J. R. Underwood,
Cyrus Campbell, John C. Lindsey, John S. Van Winkle,
J. W. Campbell, James M. C. Lisenby, Willie Waller,
Brutus J. Clay, Jonas Martin, Zeb. Ward,
Robert Cochran, P. L. Maxey, Geo. P. Webster,
William L. Conklin, Otho Miller, Bryan R. Young,
John C. Cooper, Thomas Z. Morrow, Milton Young—62.
Lucius Desha,

Those who voted in the negative, were—

Jas. W. Anderson, Alexander Lusk, James P. Sparks,
R. J. Browne, Hiram S. Powell, John R. Thomas,
John B. Cochran, Nicholas A. Rapier, Alex. T. White,

Mr. R. J. Browne, from the Committee on Banks, according to order, to whom was recommitted a bill, entitled “An act concerning the Banks of issue of Kentucky,” with sundry amendments, reported the same, with a substitute for the 3d section.

Which substitute was adopted.

Mr. Heady moved to recommit the bill to the Committee on Banks.

Mr. Harney moved the previous question.

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

The yea and nay being required thereon, were as follows, viz:

Those who voted in the affirmative, were—

Vincent Ash, George M. Hampton, Richard Neel,
J. W. Boone, William J. Heady, Hiram S. Powell,
Thos. S. Brown, William Johnson, Nicholas A. Rapier,
Curtis F. Burnam, Urban E. Kennedy, F. D. Rigney,
W. P. D. Bush, James M. C. Lisenby, Harrison Taylor,
Lucius Desha, Alexander Lusk, Thomas Turner,
Daniel E. Downing, P. L. Maxey, Willie Waller,
Henry Griffith,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John C. Cooper, William S. Rankin,
Alfred Allen, Stephen J. England, John Ray,
Jas. W. Anderson, Hugh F. Finley, J. A. Rousseau,
Elisha Beazly, John W. Finney, George S. Shanklin,
John C. Beeman, Evan M. Garrett, G. Clay Smith,
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 on the passage of said bill by Messrs. Underwood and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John C. Cooper, George P. Paindexter, Hiram S. Powell, Jordan P. Sparks, Joshua Tevis.
Elisha Beaazly, John W. Finnells, John Ray, John S. Vas Winkle.
John C. Beeman, Joseph Gardner, E. D. Riggs, Alex. T. White.
Joshua F. Bell, Evan M. Garriott, Jonas Martin, Bryan R. Young.
Remus Gibson, Remus Gibson, Felix G. Murphy, Milton Young—40.
Henry Griffith, George M. Hampton, Thomas W. Owings, Milton Young—63.
E. F. Burns, Joseph Gardner, Richard T. Jacob,.
John H. Harney, Richard T. Jacob,.
John B. Huston, Daniel W. Johns,
John C. Lindsey, Urban E. Kennedy,.
Curtis F. Burnam, John C. Lindsey,.
W. P. D. Bush, Alexander Lusk,.
James Calvert, Otho Miller,.
Cyrus Campbell, Thomas Z. Morrow,.
J. W. Campbell, Felix G. Murphy,.
Bratus J. Clay, Richard Neel,.
John B. Cochran, Thomas W. Owings,.
Robert Cochran,.
William L. Conklin,.

Those who voted in the negative, were—

Lucius Desha, James M. C. Lisenby, Willie Waller.
Daniel E. Downing, Jonas Martin, Van B. Young—11.
Said bill reads as follows, viz:

WHEREAS, The banks of issue of Kentucky have, through their representatives assembled at the Capital, at the solicitation of the joint Committee on Banks, consented to loan to the citizens of the State the sum of one million of dollars, in sums of not exceeding one thousand dollars, the loans and calls to be governed by the provisions of the 15th and 21st sections of an act, entitled "An act to amend the charters of the banks of Kentucky," approved March 8, 1843; now, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the banks of issue of the State of Kentucky, within three months from the passage of this act, to loan to the citizens of each of the ten congressional districts of this Commonwealth, upon new accommodations, in sums of not more than one thousand dollars to each individual applicant or firm, to be repaid in calls of not more than ten per cent. upon the original amount loaned for the two first one hundred and twenty days the said loan shall run, and not more than twenty per cent. for each one hundred and twenty days it may afterwards run; an amount of not less than one hundred thousand dollars to each congressional district, as said districts are now fixed by law: Provided, That if there should not be suitable and satisfactory applications for the amount to which any district may be entitled, on or before the first day of June next, then said banks may lend in larger sums than one thousand dollars: Provided further, That if said banks shall have not loaned the amount stipulated within the time stated, for want of proper and satisfactory applications therefor, then the said banks shall continue the offering of such loans, upon the terms stated, for and during the year 1862, unless the full amount shall have been sooner taken.

§ 2. It shall be the duty of said banks, in making the loans herein provided for, to divide the sum going to each congressional district among the several counties composing such district, in proportion to the number of voters in each county respectively, as near as may be: Provided, That if there be not good and satisfactory applications from any county for the full amount to which said county may be entitled within ninety days from the passage of this act, then the said banks may lend the remainder of the share of such county to the citizens of other counties of the same district.

§ 3. That the banks of issue which shall accept the first and second sections of this act shall be, and they are hereby, released from all penalties and forfeitures denounced by law and by their charters respectively, for failing to pay their liabilities in gold and silver on demand; and it shall be lawful for said banks to pay out at their counters, deal in, and lend, at par value, the notes of the United States Government, payable on demand at such places as may be designated by law: Provided, That such banks as accept the provisions of this act, shall, within thirty days after the passage thereof, notify the Secretary of State of the fact of such acceptance; and said banks, so accepting, shall, with reasonable dispatch, apportion the amount, and
indicate the district within which the loans are to be made by them respectively. *Provided further*, That the provisions of this section of this act shall remain in force during the term of three years from and after its passage.

§ 4. This act shall take effect from its passage.

Mr. Burnam moved a reconsideration of the vote by which the foregoing bank bill was passed.

Mr. Huston moved to lay the motion of Mr. Burnam's to reconsider on the table.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Burnam withdrew his motion to reconsider.

Mr. Murphy renewed the motion to reconsider the vote passing the bill.

On motion of Mr. Underwood,
Ordered, That the further consideration of the question be postponed till Tuesday next, at 11 o'clock; and that same be made the special order for that hour.

The House then proceeded to the consideration of the unfinished business, being

An act to regulate the circuit and other courts of this Commonwealth.

Mr. Wolfe moved an amendment.

Mr. Rankin moved an amendment, by way of substitute for the bill and amendment.

And then the House adjourned.

MONDAY, MARCH 3, 1862.

On motion of Mr. Hampton,

Ordered, That Mr. Gardner have leave of absence for three days.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of the widow and heirs of Samuel Scott, deceased.

An act to incorporate the Greenup Union Presbyterian Church, of Greenup county.

An act to change the line between magistrates' districts Nos. 1 and 2, in Mercer county.

An act for the benefit of W. C. Ireland.

An act for the benefit of Thomas Badgett, jailer of Washington county.

An act for the benefit of S. M. May, of Bullitt county.

An act for the benefit of Webb & Levering, of the city of Louisville.

1. Mr. Underwood presented the petition of Thomas B. Harrison, sheriff of Logan county, praying relief.
2. Mr. Tevis presented the petition of John DeHart and others, praying a repayment of money.

3. Mr. J. R. Thomas presented the petition of sundry citizens of Marion county, against stay laws, &c.

4. Mr. White presented the petition of R. May, asking payment by the Military Board to certain soldiers before they were mustered regularly into service.

5. Mr. Gibson presented the petition of sundry citizens of district No. 3, Ohio county, in favor of stay law.

Which were received—the 1st and 3d were read, and the reading of the others being dispensed with, the 1st and 2d were referred to the Committee on Ways and Means; the 3d and 5th were referred to Mr. Underwood's select Relief Committee, and the 4th to the Committee on Military Affairs.

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

Resolved, That Dr. Henry Miller, of Louisville, be requested to examine the condition of Bowling-Green and its environs, and especially into the manner in which the dead soldiers of the rebel army have been buried.

Resolved, That if, on such examination, said Miller is of opinion there is danger of pestilence, or much disease likely to result from the late occupation of Bowling-Green by the rebel army, that he shall have power to prescribe such sanitary regulations as he may deem most effectual to arrest the apprehended evil, and to employ such force and materials as may be necessary to execute them.

Resolved, That Dr. Miller be allowed for his services in going to, for making the examinations aforesaid, giving directions what shall be done, and in returning from Bowling Green, $— per day, for the time he is thus necessarily employed. His account shall be settled by the Auditor when presented, verified by his own oath, and paid out of any money in the treasury not otherwise appropriated. The accounts for labor and materials shall be settled by the police judge of the city of Bowling-Green, as to the number of days any laborer or superintendent has been employed, after Dr. Miller shall have fixed the rate of compensation per day, and paid by the Auditor drawing his warrant on the treasury in favor of each claimant, upon his presenting the certificate of the police judge, showing the amount he is entitled to.

Resolved, That in case Dr. Miller should decline to perform the duties herein indicated, then some other eminent physician shall be appointed by the Governor for that purpose, who, when so appointed, shall be vested with all the powers conferred upon the said Miller.

Mr. Miller moved to add Lebanon and Columbia.

Mr. Poindexter moved to add Hopkinsville.
Ordered, That the further consideration of said resolutions and amendments be postponed till Wednesday next.

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

WHEREAS, We have seen, with surprise, that a bill has been passed by the House of Representatives of the Congress of the United States, "prohibiting any person in the army or navy from returning fugitive slaves to their masters;" which bill, in effect, repeals the fugitive slave law, and violates that provision of our Federal Constitution which provides for the rendition of fugitive slaves, and gives protection to slave property in the States. The indirect effect of said bill is to make the army and navy of the United States the grand instruments to effect the abolition of slavery in the slaveholding States, in violation, not only of the Constitution and laws of the United States, but the solemn declaration of Congress and the President, "that this war was for the preservation of the Constitution and the Union;" therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky condemns the action of the House of Representatives in Congress in the passage of this bill; and any action by Congress, or any other department of the Federal Government, either directly or indirectly, tending to convert the present war into a war upon slavery, or to effect its abolition in the slaveholding States, or any attempt by the Federal Government, or any branch thereof, to interfere with, or interrupt the existing relations between master and slave, will receive the unanimous and unqualified condemnation of the people of Kentucky, and, if necessary, will be resisted by her own strong arm.

2. Resolved, That the Governor be requested to forward a copy of this resolution to the President and each of our Senators and members in Congress.

Mr. Owings moved the following resolution, viz:

Resolved, That the Committee on Privileges and Elections be instructed to report a bill to prevent interference at elections and punish the same.

Ordered, That said resolution be referred to the Committee on Privileges and Elections.

Mr. R. C. Anderson, by unanimous consent, reported a bill for the benefit of Walter C. Chiles.

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 Ways and Means.
Mr. Ward, from the select committee appointed to investigate the management and condition of the Institution for the Education and Training of Feeble-minded Children, made the following report, viz:

The committee appointed to examine into the reports of the President and Treasurer of the Institution for Feeble-Minded Children would, in response to the explanations made in writing by the Treasurer to this House, make the following additional report:

With reference to the explanation of the Treasurer, (or Superintendent, as it should be,) as will be seen by response of the Treasurer in writing, the accounts, as stated by the President and Treasurer of said Institution, should stand thus:

| Institution for Education and Training of Feeble-Minded Children, to State treasury, Dr. |
|---------------------------------------------|------------------|------------------|
| To amount of appropriation, approved February 11, 1860 | $20,000 00 |
| To amount made by interest | 217 87 |
| To amount made by insurance on account of the burning last fall | 948 00 |
| Total | $21,392 87 |

Credit by amount paid Lloyd's heirs, admitting all to be paid, which is not the fact, as will be seen by report of the President... $5,500 00
Amount of contract with Cook & Brawner... 14,000 00
Amount paid architect... 200 00
Amount paid for sinking well... 375 00
Amount paid for building cistern... |

Which leaves a balance in the hands of the Treasurer of... $27 87
Debt to amount of payment due on land... 1,675 00

Which should be on hand at this date, without the appropriation of $2,500 made in September last.

The committee find, by examination of the report of the Treasurer of November 30, 1861, that instead of $10,588 75 having been paid Cook & Brawner to the 11th of November, 1861, there had only been $7,488 75 paid. The committee ask to have these statements printed with the explanations of the Treasurer; also the response of the Treasurer to some interrogatories.

ZEB. WARD, Chairman Committee.

MARCH 1, 1862.

Mr. Zeb. Ward, Chairman House Committee:

Sir: In answer to your inquiry as to what amount was paid Cook & Brawner in money, and what part in notes of other persons, I would say, it was all in money except $1,200, viz: R. C. Steele’s note, $1,000, and M. A. Gay’s note, $200. Said notes became due to the Board by money loaned by their order.

State what proportion of $2,700 reported to be in notes has been paid since your report of same?

I would state $1,000 of the note of Brown & Brannin’s for $1,500 had been paid by transfer of same to Alexander Ellis & Co. for lumber.

Please state whether or not Dr. Jas. Rodman, Superintendent, aided you in your explanations to my report?
In answer, I would state, that I did consult the Superintendent in my explanation. Please state whether the explanation in regard to the appropriation made September 26th, 1861, of $2,500, is your explanation, or is it the explanation of the Superintendent? I would state, that it is the explanation of the Superintendent, as furnished me.

JAS. W. TATE,
T. K. J. E. T. F. C.

MARCH 1, 1862.

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

Mr. Bell, from the Committee on the Judiciary, to whom was referred a bill and amendments, entitled "An act to amend an act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances," approved March 10, 1856, reported a substitute therefor.

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,

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

Mr. Bell, from the same committee, to whom was referred Senate bill, entitled

An act legalizing the appointment of W. C. Gillis as administrator,

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. Bell, from the same committee, to whom was referred a bill from the Senate, entitled "An act to amend chapter 15, of the Revised Statutes, title "Citizens, Expatriation, and Aliens," together with the amendment proposed by Mr. Burnam, to strike out "thirty days," in the last or 3d section,

Reported the same without amendment.

Mr. Bell 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 adopting the amendment proposed by Mr. Burnam, and it was decided in the negative.

Mr. Johnson moved that the bill have its third reading to-morrow at 10 o'clock.

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

The bill was then read a third time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any citizen of this State who shall enter into the service of the so-called Confederate States, in either a civil or military capacity, or into the service of the so-called Provisional Government of Kentucky, in either a civil or military capacity, or having heretofore entered such service of either the Confederate States or Provisional Government, shall continue in such service after the passage of this act, or shall take up or continue in arms against the military forces of the United States or State of Kentucky, or shall give voluntarily aid and assistance to those in arms against said forces, shall be deemed to have expatriated himself, and shall no longer be a citizen of Kentucky, nor shall he again be a citizen, except by permission of the Legislature, by a general or special statute.

§ 2. That whenever a person attempts to exercise any of the constitutional or legal rights and privileges only belonging to citizens of Kentucky, he may be required to negative on oath the expatriation provided in the first section of this act; and upon his failure or refusal to do so, shall not be permitted to exercise any such right.

§ 3. This act to be of force in thirty days from and after its passage.

Mr. Huston moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

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

The yeas and nays being required thereon by Messrs. Jas. W. Anderson and John R. Thomas, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Nicholas A. Rapier,
Alfred Allen, Stephen J. England, J. A. Rousseau,
Jas. W. Anderson, Hugh F. Finley, G. Clay Smith,
R. C. Anderson, John W. Funnell, M. Smith,
E. B. Bacheller, Remus Gibson, James P. Sparks,
Elisha Bensly, John B. Huston, Harrison Taylor,
Joshua F. Bell, Daniel W. Johns, Joshua Tevis,
Leroy Brinkley, Urban E. Kennedy, George M. Thomas,
Thos. S. Brown, James M. C. Lisenby, John R. Thomas,
Curtis F. Burnam, Jonas Martin, Thomas Turner,
James Calvert, Otho Miller, Willie Waller,
TUESDAY, MARCH 4, 1862.

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

An act to create the office of treasurer for Grant county.

An act to amend the law of limitations of actions for usury.

An act incorporating the Kinnikinnick Bridge Company, in Lewis county.

That they had passed a bill of the following title, viz:

An act to incorporate the Merchants' Mechanics' and the Marine Insurance Company, of Louisville.

And had received official information from the Governor that he had signed and approved sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to prescribe the means and mode of opening roads in Boone county," and to take a vote upon the repeal of said act.

An act to amend the charter of the Bryantsville and Cane Run turnpike road company.
An act to amend the charter of Bourbon Lodge, I. O. O. F., No. 23.
An act to incorporate Germania Lodge, No. 143, I. O. O. F., at Covington.
An act for the benefit of the executors of R. R. Revill, deceased.
An act for the benefit of Joel A. McFarland, pauper idiot of Adair county.
An act to amend the charter of the town of Columbia, in Adair county.
An act for the benefit of Boyle county.
An act to amend the revenue laws of this State.
Also, asking leave to withdraw from this House their disagreement to bills, which originated in this House, of the following titles, viz:
An act for the benefit of Seth Parker, sheriff of Lewis county.
An act for the benefit of Ben. W. Blincoe, of Fayette county.
Which leave was granted, and the bills accordingly withdrawn.
1. Mr. Desha presented the petition of Samuel F. January and wife, praying an act adopting Samuel Robinson as their child, &c.
2. Mr. Bell presented the petition of Mrs. America H. Chandler, of Boyle county, praying authority to manage and control her own affairs, &c.
Which were received, the reading dispensed with, and referred to the Committee on the Judiciary.
Mr. Milton Young, from the Committee on Ways and Means, to whom was referred leave, reported the following bills, with the expression of opinion that they ought not to pass, viz:
An act for the benefit of Asa Bryant, sheriff of Casey county.
An act for the benefit of Josiah Veech, late deputy sheriff of Daviess county.
An act for the benefit of the sheriff of Grant county.
Which were read the first time.
The question was taken on ordering said bills to be read a second time, and it was decided in the negative.
And so said bills were rejected.
The following bills were reported by the Committee on Ways and Means, viz:
1. An act to supply missing commissioners' books to sheriffs and county clerks' offices.
2. An act authorizing proceedings against the Governor and members of the Council, and other officers of the so-called Provisional
Government, for the recovery of the public revenue seized by them, and for other purposes.

3. An act authorizing the purchase of the grave-yard in Hart county, Kentucky, in which are buried the remains of the Union soldiers killed in battle 17th December, 1861, near Rowlett's Station.

4. An act for the benefit of Wallace Hamel, and others, of the county of Carter.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st and 4th bills were ordered to be engrossed and read a third time; the 2d was made the special order for to-morrow at 10½ o'clock, and ordered to be printed.

The rule of the House, constitutional provision, and third reading of the 1st 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. Milton Young, from the Committee on Ways and Means, to whom was referred Senate bill, entitled
An act for the benefit of Cager Creeel, late sheriff of Adair county, Reported the same without amendment.

Mr. Huston moved an amendment.

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,

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

Mr. Taylor, from the Committee on Ways and Means, reported a bill repealing all laws permitting Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected.

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. Burnam moved an amendment.

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,

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

Mr. Taylor, from the Committee on Ways and Means, to whom was referred resolutions in reference to buying the place in Hart county upon which are buried the remains of those gallant dead who fell in the engagement under Col. Willich, on 17th December, 1861, and similar resolutions in reference to others killed in Kentucky, made the following report, viz:

The Committee on Ways and Means, to whom was referred the bill authorizing the State of Kentucky to purchase the grave-yard, in the county of Hart, in which are buried the remains of the brave German soldiers killed in the engagement with the rebels 17th December, 1861, near Rowlett's Station; also, the resolution presented by the member from the county of Bullitt, instructing the committee "to inquire into the cost of inclosing the graves and erecting suitable monuments to the loyal Union men who have fallen in battle in Kentucky;" and likewise the leave obtained by the member from the county of Hardin, to bring in a bill "authorizing the State to become the purchaser of the burial places of the loyal and brave who have fallen, or may fall, in the various battles and skirmishes in Kentucky, &c," would respectfully report:

That they have ascertained that the soldiers of Col. Willich's 32d (German) Indiana regiment, killed in the engagement with the rebels on the 17th December, 1861, near Rowlett's Station, were buried by their comrades near the field of battle; that their graves have been carefully inclosed with a neat plank fence, inside of which has been placed a large stone tablet, inscribed with the name of each, and pointing to the spot where his remains may be found.

The farm upon which this grave-yard is situated, as your committee is informed, is shortly to be sold. It is fitting, in the opinion of your committee, that the ground in which repose the remains of those whose lives have been so nobly sacrificed in the cause of the country, should be the property of the people of the State; and to that end your committee beg leave to report a bill providing for the purchase of half an acre of said farm, embracing the grave-yard.

In relation to the other subjects referred to them, your committee are reminded that the State of Kentucky, in the beautiful cemetery grounds near her capital, has provided a resting place for those who have rendered great services to the State, civil or military. Many of those who have or may fall in defense of the country during this war, will doubtlessly be taken to that place for final interment; whilst the bodies of others will be sought after and deposited in local cemeteries and family burial places. Under these circumstances, your committee
have thought it inexpedient, at this time, to recommend any general appropriations for the object alluded to.

No monuments of stone are necessary to keep in sacred remembrance the names or heroism of those who have already fallen, or may fall, fighting the battles of a grateful country. When, however, the contest shall be over, and the blessings of peace again pervade the land, Kentucky, with a proud but saddened heart, will turn to every spot within her borders immortalized by the valor or consecrated by the blood of her gallant defenders, and plant there some token of her high regard. She, too, will build monuments to those who may have fallen, lofty as their own glorious deeds, and eternal as her own gratitude.

The committee would respectfully ask to be discharged from the further consideration of the subject for the present.

H. TAYLOR, Chairman.

The House, according to special order, took up the motion to reconsider the vote passing the bill, entitled

An act concerning the banks of issue in Kentucky.

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

Mr. Huston moved to reconsider the vote by which said bill was ordered to be read a third time.

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

Mr. Finnell moved an amendment.

Mr. George M. Thomas 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 amendment offered by Mr. Finnell, 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, Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required thereon by Messrs. Van B. Young and Heady, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said bill reads as follows, viz:

WHEREAS, The banks of issue of Kentucky have, through their representatives assembled at the Capital, at the solicitation of the joint Committee on Banks, consented to loan to the citizens of the State the sum of one million of dollars, in sums of not exceeding one thousand dollars, the loans and calls to be governed by the provisions of the 15th and 21st sections of an act, entitled "An act to amend the charters of the banks of Kentucky," approved March 8, 1843; now, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the banks of issue of the State of Kentucky, within three months from the passage of this act, to loan to the citizens of each of the ten congressional districts of this Commonwealth, upon new accommodations, in sums of not more than one thousand dollars to each individual applicant or firm, to be repaid in calls of not more than ten per cent. upon the original amount loaned for the two first one hundred and twenty days the said loan shall run,
and not more than twenty per cent. for each one hundred and twenty days it may afterwards run, an amount of not less than one hundred thousand dollars to each congressional district, as said districts are now fixed by law: Provided, That if there should not be suitable and satisfactory applications for the amount to which any district may be entitled, on or before the first day of June next, then said banks may lend in larger sums than one thousand dollars: Provided further, That if said banks shall not have loaned the amount stipulated within the time stated, for want of proper and satisfactory applications therefor, then the said banks shall continue the offering of such loans, upon the terms stated, for and during the year 1862, unless the full amount shall have been sooner taken.

§ 2. It shall be the duty of said banks, in making the loans herein provided for, to divide the sum going to each congressional district among the several counties composing such district, in proportion to the number of voters in each county respectively, as near as may be: Provided, That if there be not good and satisfactory applications from any county for the full amount to which said county may be entitled within ninety days from the passage of this act, then the said banks may lend the remainder of the share of such county to the citizens of other counties of the same district.

§ 3. That the banks of issue which shall accept the provisions of the first and second sections of this act shall be, and they are hereby, released from all penalties and forfeitures denounced by law and by their charters respectively, for failing to pay their liabilities in gold and silver on demand; and it shall be lawful for said banks to pay out at their counters, deal in, and lend, at par value, the notes of the United States Government, payable on demand at such places as may be designated by law: Provided, That the banks shall receive at par said demand notes in payment of any and all debts and demands due and owing to them created under the provisions of this act: Provided further, That such banks as accept the provisions of this act, shall, within thirty days after the passage thereof, notify the Secretary of State of the fact of such acceptance; and said banks, so accepting, shall, with reasonable dispatch, apportion the amount, and indicate the district within which the loans are to be made by them respectively: Provided further, That the provisions of this section of this act shall remain in force for and during the term of three years from and after its passage.

§ 4. This act shall take effect from its passage.

Mr. Taylor, from the Committee on Ways and Means, to whom was referred bill, entitled

An act in relation to the duties of the trustees of the jury fund,

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. Taylor, from the same committee, to whom was referred leave, reported a bill for the benefit of the sureties of James M. Todd, late sheriff of Lewis county.

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

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

Mr. Hampton moved an amendment.

Which amendment was rejected.

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. Taylor, from the same committee, to whom was referred the petition of sundry citizens of Mt. Carmel, Fleming county, Kentucky, asked to be discharged from the further consideration thereof.

Which was granted.

On motion of Mr. Turner,

Ordered, That the bill in the orders of the day, entitled "An act to regulate the salaries and fees of certain officers of this Commonwealth," be referred to the Committee on Ways and Means.

The House then proceeded to the consideration of the unfinished business, being the Heady relief bill, entitled

An act to regulate the circuit and other courts of this Commonwealth, and for other purposes.

And after some time spent therein,

On motion of Mr. Jacob,

Ordered, That the House adjourn.
WEDNESDAY, MARCH 5, 1862.

A message was received from the Senate, announcing that they had disagreed to bills which originated in this House, of the following titles, viz:

An act for the benefit of Ben. W. Blincoe, of Fayette county.
An act to amend the law in regard to mills.
That they had passed bills of the following titles, viz:
An act for the benefit of the executors of John Berry and of John W. Berry, deceased.
An act allowing further time to return delinquent lists of revenue for 1861, in Green county.
An act to incorporate the Hebrew Benefit and Burial Society.
An act for the benefit of the clerks of this Commonwealth.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:
An act incorporating the Kinnikinnick Bridge Company, in Lewis county.
An act to amend the law of limitations of actions for usury.
An act to create the office of treasurer for Grant county.
Also, a Senate resolution in relation to national affairs.
Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The Speaker laid before the House the following communication from the Governor, viz:

TRigg Countv, Ky., January 20th, 1862.

Hon. B. Magoffin:
Dear Sir: Some month since I addressed a letter to you resigning my seat in the Legislature, as Representative from this county; but having reasons for believing my letter failed to reach you, I herewith tender my resignation as Representative from the county of Trigg.
Very respectfully, yours,
JOHN W. GAINES.

1. Mr. Jacob presented the petition of the trustees of school district No. 2, in Oldham county.
2. Mr. R. C. Anderson presented the petition of sundry citizens of Franklin county, in relation to sheep-killing dogs.

3. Mr. G. Clay Smith presented the petitions of H. Preston, Martin Sloan, and Hiram Sloan, praying indemnity for injuries sustained by the Federal army.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education; the 2d to the Committee on Agriculture and Manufactures, and the 3d to the Committee on Claims.

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

Resolved, That this House shall, on this day, proceed to vote on the various pending relief propositions; that it shall begin to vote at 10 o'clock, and proceed without interruption, except for very short explanations, till all are voted on.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly do take a recess on Monday, the 10th of March, at 12 o'clock M., and meet again on the 1st Monday in December, 1862.

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

By Mr. England—
1. A bill to change the county lines between Greenup and Carter counties.

By Mr. Ward, from the Committee on Ways and Means—
2. A bill providing for the collection of the public revenue in the county of Carter for the year 1861.

By same—
3. A bill for the benefit of P. W. Napier, late sheriff of Casey county.

By Mr. Burnam, from the Committee on Education—
4. A bill for the benefit of the trustees of Stanford Seminary.

By same—
5. A bill for the benefit of common schools.

By Mr. Lusk, from the same committee—
6. A bill for the benefit of school district No. 16, in Washington county.

By same—
7. A bill for the benefit of common school district No. 6, in Daviess county.
By same—
8. A bill for the benefit of school district No. —, in Nelson county.
By same—
9. A bill for the benefit of school districts Nos. 15 and 26, in Marion county.
By Mr. Underwood, from the Committee on Military Affairs—
10. A bill to provide for taking proof to establish claims against the United States or this State, for property destroyed or injured, or taken for military purposes.
By same—
11. A bill to provide for taking proof to establish claims against the United States or this State for personal services.
By Mr. B. R. Young, from the Committee on the Penitentiary—
12. A bill concerning the penitentiary.
By Mr. Clay, from the Committee on Agriculture and Manufactures—
13. A bill providing additional duties to assessors of tax.
By same—
14. A bill to amend chapter 50, Revised Statutes, title "Inclosures and certain Trespassers."
By Mr. Shanklin, from the Committee on Circuit Courts—
15. A bill to amend the charter of the Pleasant Hill and Jessamine County turnpike road company.
By same—
By same—
17. A bill amendatory of an act, entitled "An act for the benefit of Union Academy, in Union county," approved May 19, 1814.
By same—
18. A bill for the benefit of J. S. Berry, assessor of Madison county.
By Mr. G. Clay Smith, from the same committee—
19. A bill to legalize certain proceedings in the Franklin circuit court.
By Mr. Geo. M. Thomas, from the Committee on County Courts—
20. A bill for the benefit of the personal representative of John H. Allison, deceased, late clerk of the Lawrence circuit and county courts.
By same—
By same—
22. A bill to amend an act, entitled, "An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers.

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 Privileges and Elections; the 14th to the Committee on Revised Statutes; the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 13th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, and 22d were ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 13th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, and 22d 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 10th, 11th, and 12th bills were placed in the orders of the day, and severally ordered to be printed.

Mr. Finnell moved to make the 12th bill the special order for Friday next, at 11 o'clock.

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

Mr. Conklin, from the Committee on Claims, reported a bill, entitled An act to amend the registration laws, fixing the fees of assessors and county court clerks.

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 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 the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Hiram S. Powell,
Alfred Allen, Stephen J. England, Larkin J. Proctor,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the fifth section of an act to amend "An act requiring the registration of births, marriages, and deaths," approved March 3d, 1860, as allows assessors ten cents a list for each birth, marriage, and death, be, and the same is hereby, repealed, and in lieu thereof, their fees shall be two cents for each of said lists; and such assessors as have not been paid, shall be paid two cents for each of said lists taken in by them for the years 1860 and 1861.

§ 2. That such of the county court clerks as have not been paid, shall be paid the same fees allowed them by said fifth section, for their services for the years 1860 and 1861.

§ 3. That this act shall take effect from its passage.

Mr. Ward, from the Committee on Ways and Means, to whom was referred a bill, entitled

An act providing for the payment of the funeral expenses of the Hon. Walter Chiles and the Hon. W. C. Anderson, late members of the General Assembly,

Reported the same without amendment.

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 engrossed and read a third time.

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

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Hugh F. Finley, Elijah Gabbert, Larkin J. Proctor,
Alfred Allen, Evan M. Garriott, William S. Rankin,
Jas. W. Anderson, Remus Gibson, Nicholas A. Rapier,
R. C. Anderson, Henry Griffith, John Ray,
Vincent Ash, George M. Hampton, F. D. Rigney,
E. B. Bacheller, John H. Harney, J. A. Rousseau,
Elisha Beazly, William J. Head, George S. Shanklin,
John C. Beeman, John B. Huston, G. Clay Smith,
Leroy Brinkley, Richard T. Jacob, M. Smith,
R. J. Browne, Daniel W. Johns, James P. Sparks,
Thos. S. Brown, William Johnson, Harrison Taylor,
Curtis F. Burnam, Urban E. Kennedy, Joshua Tevis,
E. F. Burns, James M. C. Lisenby, George M. Thomas,
W. P. D. Bush, Alexander Luek, John R. Thomas,
James Calvert, Jonas Martin, Thomas Turner,
Cyrus Campbell, P. L. Maxey, J. R. Underwood,
J. W. Campbell, David Maxey, John S. Van Winkle,
Joseph H. Chandler, David P. Mears, Willie Weller,
Brutus J. Clay, Otho Miller, Zeb. Ward,
Robert Cochran, Thomas Z. Morrow, George P. Webster,
William L. Conklin, Felix G. Murphy, Alex. T. White,
John C. Cooper, Richard Neel, Nathaniel Wolfe,
Lucius Desha, Thomas W. Owings, Bryan R. Young,
Daniel E. Downing, Hiram S. Powell, Milton Young,

In the negative—

William A. Brann—1.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one hundred and seventy-five dollars and fifty cents be, and the same is hereby, appropriated out of the public treasury to A. G. Cammack, the undertaker, to defray the funeral expenses of the late Walter Chiles, Senator from the county of Montgomery, and the late William C. Anderson, Representative from the county of Boyle, both of whom died at the capital of the State, whilst in attend-
Mr. Ward, from the Committee on Ways and Means, to whom was referred the petition of H. G. Poston, asked to be discharged from the further consideration thereof. Which was granted.

Mr. Ward, from the same committee, to whom was referred a bill from the Senate, entitled
An act for the benefit of A. B. Patrick, of Breathitt county, Reported the same, with the expression of opinion that it ought not to pass.
The question was taken on ordering said bill to be read a third time, and it was decided in the negative. And so said bill was rejected.

Mr. Ward, from the same committee, to whom was referred a bill from the Senate, entitled
An act for the benefit of the sheriff of Butler county, Reported the same without amendment. Which bill was placed in the orders of the day.

Mr. Ward, from the same committee, to whom was referred a bill from the Senate, entitled
An act for the benefit of Elisha B. Treadway, sheriff of Owsley 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,
Mr. G. Clay Smith moved a reconsideration of the vote ordering said bill to be read a third time.
And the question being taken thereon, it was decided in the affirmative.

Mr. Ward moved to amend the bill, making the provisions applicable to all sheriffs in this Commonwealth.
Which amendment was adopted.
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 rejected.
Mr. Burnam, from the Committee on Education, to whom was referred Senate bills, viz:

An act for the benefit of the Bullitt County Academy.
An act for the benefit of common school districts.
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. Burnam, from same committee, reported
A bill providing an office for the Commissioners of Internal Improvement, and for other purposes.
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 being dispensed with,
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

WHEREAS, It is represented to the present General Assembly that the books, papers, &c., belonging to the Board of Internal Improvement, are placed in three different rooms; and in order that said books, papers, &c., may be kept together, and convenient of access and reference; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of Internal Improvement be authorized and empowered to use and occupy one of the rooms in the building occupied by the Auditor of Public Accounts, as an office, for the safe keeping of books, papers, &c., belonging to said Commissioners; and the Auditor is hereby directed to furnish one of said rooms for that purpose.

§ 2. Said Commissioners are hereby authorized to draw from the Auditor such stationery as may be required by them, as well as record books, &c.; and they are authorized to obtain from the State Library a copy of Stanton's Revised Statutes and Codes of Practice, together with such other public acts and journals as the Board of Internal Improvement was heretofore entitled to.

§ 3. This act to be in force from its passage.

Mr. Burnam, from the same committee, to whom was referred leave, reported a bill, entitled

An act to amend the law in relation to the distribution of the school fund.

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. Rankin moved to lay the 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. Burns and Burnam, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Hiram S. Powell, Alfred Allen, Stephen J. England, Larkin J. Proctor,
Those who voted in the negative, were—

E. F. Burns, Evan M. Garriott, James P. Sparks—5.

Cyrus Campbell, George M. Hampton,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in the distribution of the public school fund for the present year, and at each distribution of the same thereafter, the Auditor is hereby directed to draw his warrant upon the Treasurer in favor of those counties that have paid in the public revenue due the State in full, for the full amount of the public school fund to which they are entitled respectively; and those counties not having paid into the treasury the amount of public revenue due the State, shall draw in proportion to the amount of public revenue they have paid into the treasury.

§ 2. This act to take effect from its passage.

Mr. Burnam, from the same committee, reported a bill from the Senate, entitled

An act to regulate navigation on the Kentucky river.

Mr. White moved to strike out “fifteen feet,” and insert “twelve feet” in the bill.

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,

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

The following bills from the Senate were reported by the committees to whom they were referred, viz:

By Mr. Lusk, from the Committee on Education—
1. An act for the benefit of school district No. 15, in Adair county.
   By same—
2. An act for the benefit of school district No. 39, in Ohio county.
   By Mr. George M. Thomas, from the Committee on County Courts—
3. An act to exempt tavern-keepers, in the town of Crab Orchard, from paying coffee-house license.
   By same—

The 3d bill was placed in the orders of the day.

Ordered, That the 1st, 2d, and 4th 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 yeas and nays being required on the passage of the 2d bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, John W. Finnell, William S. Rankin,
Jas. W. Anderson, Elijah Gabbert, Nicholas A. Rapier,
E. B. Bacheller, Remus Gibson, John Ray,
Elisha Beazly, Henry Griffith, F. D. Rigney,
John C. Beeman, George M. Hampton, J. A. Rousseau,
Joshua F. Bell, John H. Harney, George S. Shanklin,
J. W. Boone, William J. Heady, G. Clay Smith,
Leroy Brinkley, Richard T. Jacob, James P. Sparks,
R. J. Browne, Daniel W. Johns, Harrison Taylor,
Thos. S. Brown, William Johnson, Joshua Tevis,
Curtis F. Burnam, Urban E. Kennedy, George M. Thomas,
W. P. D. Bush, James M. C. Lisenby, John R. Thomas,
James Calvert, Alexander Lusk, Thomas Turner,
Cyrus Campbell, Jonas Martin, John S. Van Winkle,
Robert Cochran, Otho Miller, Zeb. Ward,
William L. Conklin, Thomas Z. Morrow, George P. Webster,
John C. Cooper, Felix G. Murphy, Nathaniel Wolfe,
Lucius Deshe, Richard Neel, Bryan R. Young,
Mr. Speaker, (Buckner,) Joseph H. Chandler, David May,  
R. C. Anderson, John B. Cochran, Thomas W. Owings,  
Vincent Ash, W. H. Edmunds, Joseph R. Underwood,  
William A. Brann, Evan M. Garrett, Willie Waller,  
E. F. Burns, John B. Huston, Alex. T. White—17.  
J. W. Campbell, P. L. Maxey,  

Said bill reads as follows, viz:  

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Superintendent of Public Instruction be authorized and directed to draw his order on the Auditor, in favor of H. D. Taylor, Common School Commissioner of Ohio county, for one hundred and two dollars, and that the Auditor thereupon draw his warrant on the treasury for the amount aforesaid; and the same is to be paid by said H. D. Taylor, on receipt thereof, to the trustees of school district No. 39, in Ohio county, in which district a common school was duly taught in 1856, but not regularly reported by the trustees thereof, in consequence of unavoidable accident.  

§ 2. This act shall take effect from and after its passage.  

Mr. Lusk, from the Committee on Education, to whom was referred leave, reported a bill for the benefit of school districts Nos. 14 and 50, in Pendleton county.  

Which was read the first time.  

Mr. Burnam moved to lay the bill on the table.  

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

And so said bill was rejected.  

Mr. Underwood, from the Committee on Military Affairs, read and laid on the table the following joint resolution, viz:  

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Military Board be, and they are hereby, directed to report to this General Assembly in what manner the $1,345,680 53 in their hands have been expended, to whom they have furnished money to raise volunteers, and how much to each individual, and to what extent such individuals have settled their accounts, and furnished proper vouchers, showing how the money has been expended, and to what extent such vouchers have been furnished, and the accounts settled in each case.  

Which was adopted.  

Mr. B. R. Young, from the Committee on Penitentiary, read and laid on the table the following joint resolution, viz:  

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Committees of the two Houses upon the Penitentiary be
directed to advertise to lease, for a term of four years from the 1st of March, 1863, the penitentiary to the highest bidder, and that they have authority to draw upon the treasury for the sum necessary to pay for said advertisements; such bids to be passed upon by the Legislature, and such bidders be governed by the laws now in force.

Mr. Finnell moved the following amendment, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That we will proceed to the election of a Keeper of the Penitentiary on Friday next, at 11 o'clock, A. M.

On motion of Mr. Burnam,
Ordered, That the further consideration of said resolution and amendment be postponed.

Mr. R. J. Browne, from the Committee on Circuit Courts, to whom was referred leave, reported a bill to furnish the clerk's office of the Washington circuit court with certain books.

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. J. W. Anderson moved to amend by including Knox and sundry other counties within the provisions of the bill.

Mr. Burnam moved to lay the bill and amendments on the table.

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

And so said bill was rejected.

Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred the amendment proposed by the Senate to a bill from this House, entitled
An act for the benefit of John B. Powell,
Reported the same.

Which amendment was adopted.

Mr. George M. Thomas, from the Committee on County Courts, to whom was referred leave, reported a bill to regulate the compensation of county judges and county attorneys.

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. Burnam moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirmative.

And so said bill was rejected.

Mr. George M. Thomas, from the Committee on County Courts, to whom was referred leave, reported a bill concerning presiding judges of quarterly courts.

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

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

Resolved, That said bill be rejected.

And then the House adjourned.

THURSDAY, MARCH 6, 1862.

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 Seth Parker, sheriff of Lewis county.

An act for the relief of Crawford Anderson.

That they had passed a bill of the following title, which originated in this House, viz:

An act to amend the registration laws, fixing the fees of assessors and county court clerks.

That they had concurred in an amendment proposed by this House to a bill from the Senate, entitled

An act for the benefit of Cager Creel, late sheriff of Adair county.

That they had passed a bill of the following title, viz:

An act to amend an act, entitled "An act to amend the charter of the Banks of Kentucky," approved March 8, 1843.

1. Mr. Shanklin presented the petition of sundry citizens of Jessamine county, praying the repeal of the act to protect sheep in Jessamine county.
2. Mr. Burnam presented the petition of B. N. Webster, in relation to selling goods by sample.

3. Mr. Bell presented the petition of sundry citizens of Boyle county, in relation to the Hart school fund.

4. Mr. Van Winkle presented the petition of sundry citizens of Wayne county, praying the passage of some relief law.

5. Mr. Bell also presented the petition of Dr. C. Graham, in relation to his title to fifty acres of land.

Which were received, the reading dispensed with, and referred—the first to a select committee composed of Messrs. Shanklin, Rankin, and Huston; the 2d and 5th to the committee on Ways and Means; the 3d to the Committee on Education; and the 4th to Mr. Underwood's select Relief Committee.

On motion of Mr. Hampton, leave was granted to bring in a bill for the benefit of the sureties of W. W. Cox, late sheriff of Morgan county.

Ordered, That the Committee on Ways and Means prepare and bring in the same.

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

By Mr. Shanklin—
1. A bill to repeal an act, entitled "An act to protect sheep in Jessamine county."

By Mr. Harney—
2. A bill to amend the charter of the Farmers' Mutual Insurance Company.

By Mr. Huston, from the Committee on Revised Statutes—
3. A bill for the benefit of John Davis' administrator, of Hopkins county.

By Mr. Bush, from the same committee—
4. A bill for the benefit of Clark Barton's administrator, of Grayson county.

By same—
5. A bill in relation to police judges and town marshals of Lawrenceburg.

By same—
6. A bill to incorporate Yelvington Lodge, No. 293, of Free and Accepted Masons.
By same—
7. A bill for the benefit of James E. Stone, clerk of the Hancock circuit and county courts.
   By Mr. Huston, from the same committee—
8. A bill authorizing the coroners of Nicholas and Ohio counties to collect fee bills.
   By Mr. George M. Thomas, from the Committee on County Courts—
   By Mr. R. J. Browne, from the Committee on the Codes of Practice—
10. A bill to change the place of voting in district No. 6, in Washington, and No. 4, in Jessamine county.
   By Mr. Bush, from the Committee on Revised Statutes—
11. A bill concerning limitations upon merchants' accounts for goods, wares, and merchandise sold and delivered.
Which were read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, and 10th were severally ordered to be engrossed and read a third time; the 2d was referred to the Committee on Incorporated Institutions; the 11th was placed in the orders of the day.

The rule of the House, constitutional provision, and third reading of the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, and 10th bills having been dispensed with, and the same being engrossed,

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

Mr. Huston, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled

An act to amend section 17, of chapter 54, 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,

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

Mr. Bush, from same committee, to whom was referred Senate bill, entitled

An act to amend an act, entitled "An act to punish certain trespassers in Jefferson and other counties,"
Reported the same with an amendment.
Which amendment 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,

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

Mr. R. J. Browne, from the Committee on the Codes of Practice, to whom was referred a bill from the Senate, entitled
An act to amend section 239, of the civil Code of Practice,
Reported the same with an amendment.
Which amendment 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,

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

Mr. Van Winkle, from the same committee, to whom was referred a Senate bill, entitled
An act to suspend the forfeiture of penal bonds against soldiers in the army of the United States,
Reported the same with amendments.

Ordered, That said bill and amendments be recommitted to the Committee on the Codes of Practice.

Mr. Ward moved a reconsideration of the vote on yesterday rejecting a bill from the Senate, entitled
An act for the benefit of Elisha B. Treadway, sheriff of Owsley county.

Mr. Burnam asked and obtained leave to withdraw the disagreement of this House to a bill from the Senate, entitled
An act for the benefit of A. B. Patrick, of Breathitt county.

Mr. Morrow, from the Committee on the Codes of Practice, to whom was referred a bill from the Senate, entitled
An act to regulate certain proceedings 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 being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required on the passage of said bill by Messrs. Bush and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,  Stephen J. England,  Hiram S. Powell,  
Jas. W. Anderson,  Hugh F. Finley,  Larkin J. Proctor,  
R. C. Anderson,  John W. Fimmell,  William S. Rankin,  
E. B. Bacheller,  Elijah Gabbert,  Nicholas A. Rapier,  
John C. Beeman,  Remus Gibson,  John Ray,  
Joshua F. Bell,  Henry Griffith,  F. D. Rigney,  
J. W. Boone,  John H. Harney,  J. A. Rousseau,  
William A. Brann,  William J. Heady,  George S. Shanklin,  
Leroy Brunkley,  Richard T. Jacob,  G. Clay Smith,  
R. J. Browne,  Daniel W. Johns,  M. Smith,  
Thos. S. Brown,  Urban E. Kennedy,  James P. Sparks,  
James Calvert,  James M. C. Lisenby,  George M. Thomas,  
Cyrus Campbell,  Alexander Lusk,  John R. Thomas,  
J. W. Campbell,  Jonas Martin,  Thomas Turner,  
Joseph H. Chandler,  P. L. Maxey,  John S. Van Winkle,  
Robert Cochran,  David P. Mears,  George P. Webster,  
William L. Conklin,  Thomas Z. Morrow,  Nathaniel Wolfe,  
John C. Cooper,  Richard Neel,  Bryan R. Young,  
Lucius Desha,  Thomas W. Owings,  Milton Young—50.  
Daniel E. Downing,  George Poindexter,  

Those who voted in the negative, were—

Mr. Speaker, (Buckner,)  W. H. Edmunds,  Felix G. Murphy,  
W. H. Edmunds,  Felix G. Murphy,  
Elisha Beazly,  Evan M. Carrico,  Harrison Taylor,  
Curtis F. Burnam,  George M. Hampton,  Joshua Tevis,  
E. F. Burns,  John B. Histon,  J. R. Underwood,  
W. P. D. Bush,  William Johnson,  Willie Waller,  
Brutus J. Clay,  David May,  Zeb. Ward,  
Otho Miller,  Van B. Young—21.  

The House then proceeded to the consideration of the bill, entitled

An act to regulate the circuit and other courts of this Commonwealth, and for other purposes.

Mr. Jacob 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 taken on the adoption of the substitute of Mr. Rankin, which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all executions that shall issue whilst this act is in force upon replevy bonds or sale bonds, taken after its passage, shall be returnable to the first Monday in March, 1863.

§ 2. The officer to whom any execution mentioned in the foregoing section of this act shall be delivered to be executed, shall not be required to levy the same until within seventy days of the return day
thereof; and for failing to levy such execution until within that time
shall incur no liability; but all such executions shall bind the estate of
the defendants from the time of their delivery to the proper officer to
execute as now provided by law: Provided, however, That if any
plaintiff, in any such execution, shall file with said officer his or her
affidavit, in writing, stating that any defendant in such execution
is disposing of his or her property with the intent to defraud the cred-
itors, and avoid the payment of the debts of such defendant, said offi-
cer, from the time of the filing of said affidavit with him, shall be lia-
table for any neglect or failure to levy said execution upon the property
of such defendant, as though this (the second) section of this act had
not passed.
§ 3. The affidavit mentioned in the second section of this act shall
be returned and remain with the execution.
§ 4. This act to take effect from its passage, and expire on the first
day of December, 1862.

Which substitute was rejected.

The yeas and nays being required thereon by Messrs. Harney and
Van B. Young, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) J. W. Campbell, Alfred Allen, R. C. Anderson,
John C. Beeman, Joshua F. Bell, William A. Brann,
Leroy Brinkley, R. J. Brown, Curtis F. Burnam,
E. F. Burns, James Calvert, Cyrus Campbell,
Jas. W. Anderson, Vincent Ash, Elisha Beazly,
J. W. Boone, Thomas S. Brown, W. P. D. Bush,
Joseph H. Chandler, Robert Cochran, Lucius Desha,
Daniel E. Downing, W. H. Edmunds, Stephen J. England,
John W. Finnell, Elijah Gabbert, Remus Gibson,
Henry Griffith, George M. Hampton, John H. Harney,
Wm. J. Heady, Richard T. Jacob, Daniel W. Johns,
William Johnson, Urban E. Kennedy, James M. C. Lisenby,
Alexander Lusk, Joans Martin, P. L. Maxey,
David May, David P. Mears,
J. A. Rousseau, George S. Shanklin, G. Clay Smith,
M. Smith, Harrison Taylor, Joshua Teris,
George M. Thomas, John S. Van Winkle,
Zeb. Ward, George P. Webster, Milton Young—35.

Those who voted in the negative, were—

Thomas Z. Morrow, Felix G. Murphy, Richard Neel,
George Poindexter, Nicholas A. Rapier, John Ray,
F. D. Rigney, James P. Sparks, John R. Thomas,
Joseph R. Underwood, Willie Waller, Nathaniel Wolfe,
Bryan R. Young, Van B. Young—43.
The question was then taken on adopting the amendment of Mr. Wolfe, 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,

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

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

Those who voted in the affirmative, were—

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<td>Stephen J. England</td>
<td>Jonas Martin</td>
<td>Van B. Young—41</td>
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<td>John W. Finnell</td>
<td>P. L. Maxey</td>
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Those who voted in the negative, were—

| Mr. Speaker, (Buckner,) | William L. Coulkin | Geo. S. Shanklin |
| Alfred Allen           | John C. Cooper    | G. Clay Smith |
| R. C. Anderson         | Hugh F. Finley    | M. Smith |
| John C. Besman         | Evan M. Garriott  | James P. Sparks |
| Joshua F. Bell         | John B. Huston    | Harrison Taylor |
| William A. Braun       | Otho Miller       | Joshua Tevis |
| R. J. Browne           | Thomas W. Owings  | Thomas Turner |
| Curtis F. Burnam       | Hiram S. Powell   | Willie Waller |
| James Culvert          | Larkin J. Proctor | George P. Webster |
| Cyrus Campbell         | William S. Rankin | Milton Young—32 |
| Brutus J. Clay         | John Ray          |           |

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws requiring circuit courts, equity and criminal courts, quarterly courts, justices' courts, and all police, town, and city courts, except for the trial of criminal and penal causes in this Commonwealth, be, and they are hereby, repealed, until the first day of November, 1862: Provided, That after the expiration of that time, said courts shall be held and governed by all the laws now in force: And provided
further, That all civil process of every kind returnable to courts previous to the first of November, 1862, shall be continued until the next regular terms of said courts, after the first day of November, 1862; and nothing herein contained shall be construed so as to interfere in any manner with the trial of criminal and penal cases in said courts at their regular terms, as though this act had not taken effect: And further provided, That the several judges of the equity and circuit courts shall hold the terms of their several courts at the times now fixed by law, for the trial of criminal and penal prosecutions, for the purpose of the assignment of dower, for the trial of cases of divorce, for the probate of wills, for making the partition of land, for ordering the distribution of estates, for the trial of actions of tort, actions of forcible entry and detainer, and forcible detainer, or cases in which the title to land or other property is in dispute, or in which the boundary of land is involved, or a party is seeking to establish or complete, by judgment or order of court, title to land, and all cases between principal and agent, between trustees and cestui que trusts, and for all other cases in law or equity where a decree or judgment for money is not to be rendered, and for the taking of all proper steps for the preparation of cases in said courts.

§ 2. That all executions in this Commonwealth which have been issued since the first day of January, 1862, or which may be issued up to the time this act takes effect, shall be returned as soon as practicable after this act takes effect to the office from which the same issued, and forthwith re-issued, and made returnable on the first day of January, 1863; and all executions hereafter issued upon judgments rendered previous to the passage of this act, shall be made returnable on the first day of January, 1863.

§ 3. That distress warrants for rent, which may have been issued since the first January, 1862, and distress warrants which shall hereafter issue, shall be returned to the office from which they issued, and shall be re-issued, returnable to the first January, 1863; but the property distrained upon shall be subject to the first distress warrant that was levied upon the same, and the warrant shall operate as a lien on said property.

§ 4. Any lien which may have been acquired or created by the issuing of an execution, shall not be released or impaired by the return of said execution, but shall continue in full force on any subsequent execution that may be issued; and after the first day of November, 1862, executions shall be issued and regulated according to the laws now in force: Provided, That this act shall not release the liability or responsibility of any assignor or assigns to his or their assignor or assignees, on any assignment or transfer on any note, bond, or contract, or any surety on any note or contract on which suit has not been instituted, or on which judgment has been rendered.

§ 5. That this act shall not be so construed as to prohibit any person from bringing suits, in any of the courts, to obtain any provisional remedy under existing laws; nor shall the law, as it now stands, authorizing the trial of attachments and other provisional remedies, be in anywise obstructed by the provisions of this act; and judges and justices of
the peace shall have power, under existing laws, to make any necessary order for the sale or preservation of attached property, or enter any order authorized by the present laws for the distribution of any money among the parties entitled to receive the same, in any case pending in any of said courts.

§ 6. That in all cases where replevin bond or bonds have heretofore been executed, the obligors to such replevin bonds shall not have the benefit of this act until they give their consent, in writing, that they accept the benefit of the extension of time given them by the issuing of any execution on any replevin bond, and that this consent shall be filed in the office where the replevin bond is filed or whence the execution issued.

§ 7. Nothing contained in this act shall be so construed as to impair or repeal the laws now in force for the collection of the revenues of the State.

§ 8. No sales of personal property shall be made under the provisions of this act until an appraisement is made, as now required by law in the case of real estate; and a sale for less than two thirds of the appraised value, as aforesaid, shall be void, conferring no title.

§ 9. All contracts made after the passage of this act shall be enforced according to the laws now in force; and judgments shall be rendered in such cases, and executions issued and satisfied as if this law had not passed.

§ 10. This act shall take effect from its passage.

Mr. Burns, from the Committee on Enrollments, reported that the committee had examined an enrolled bill which originated in the Senate, entitled

An act to amend chapter 15, of the Revised Statutes, entitled "Citizens, Expatriation, and Aliens."

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Burns inform the Senate thereof.

And then the House adjourned.
FRIDAY, MARCH 7, 1862.

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, entitled "An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances," approved March 10, 1856.

An act for the benefit of Samuel Sayres.

An act appropriating money to the support of the Eastern Lunatic Asylum.

An act to amend the charter of the Bethel turnpike road company.

An act to establish an additional magistrate's and constables' district in Graves county.

An act to confine convicts in the penitentiary within its walls.

An act appropriating money towards the completion of the Western Lunatic Asylum.

An act to supply missing commissioner's books to sheriffs and county clerk's offices.

An act for the benefit of the trustees of the Stanford Seminary.

An act for the benefit of school district No. 16, in Washington county.

An act for the benefit of common school district No. 6, in Daviess county.

An act for the benefit of common school districts Nos. 15 and 26, in Marion county.

An act to amend the charter of the Pleasant Hill and Jessamine County turnpike road company.

An act amendatory of an act, entitled "An act for the benefit of Union Academy, in Union county," approved January 19th, 1814.

An act providing for the payment of the funeral expenses of the Hon. Walter Chiles and the Hon. Wm. C. Anderson, late members of the General Assembly.

With an amendment to the last named bill.

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

An act in relation to the salaries of the city judges of Lexington and Louisville.

94
An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue."
An act to incorporate the Dix River and Lancaster turnpike road company.
An act to incorporate Odd Fellows' Hall Company of Lexington.
An act to incorporate the Eminence Female Academy.
An act to incorporate the St. Joseph's Benevolent Society of Newport.
An act for the benefit of the sheriff of Wayne county.
Resolution to elect Keeper of the Penitentiary.

Mr. Jacob, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, and had found the same truly enrolled, viz:
An act for the benefit of the trustees of Stanford Seminary.
An act appropriating money towards the completion of the Western Lunatic Asylum.

Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Jacob inform the Senate thereof.

On motion of Mr. Bush,

Ordered, That Mr. Lindsey have leave of absence.

On motion of Mr. White, he was permitted to vote against the passage of the bill, entitled
An act to regulate the circuit and other courts of this Commonwealth, and for other purposes.

Mr. John R. Thomas, from the Committee on Incorporated Institutions, to whom was referred bills from the Senate of the following titles, viz:
An act to repeal an act, entitled "An act to amend the charter of the town of LaGrange," approved March 3d, 1869.
An act to amend the charter of the town of Carrollton.
An act for the benefit of the Kentucky Female Orphan School, at Midway.
An act to incorporate the city of Paris.

Reported the same, with an amendment to the last named bill.
Which amendment was adopted.

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 Committee on Incorporated Institutions, to whom was referred bills of the following titles, viz.:

An act to incorporate the Tradewater Coal and Transportation Company.

An act to amend the charter of the Farmers Mutual Insurance Company.

Reported the same without amendment.

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

The rule of the House, constitutional provision, and third reading of said bills having been dispensed with, and the same being engrossed, Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Owings, from the Committee on Privileges and Elections, to whom was referred a bill from the Senate, entitled

An act to change the place of voting in the 5th district, Whitley 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. Robert Cochran, from the Committee on Propositions and Grievances, to whom was referred the bill, entitled

An act to change the county lines between Greenup and Carter,

Reported the same.

Mr. England moved an amendment.

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,

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

Mr. Conklin, from the Committee on Claims, to whom was referred a bill from the Senate, entitled
An act for the benefit of Jonathan Horsefall, jailer of the city of Newport,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

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

By Mr. John R. Thomas, from the Committee on Incorporated Institutions—
1. A bill to incorporate the Linden Grove Cemetery Company, of Covington.

By same—
2. A bill to amend an act, entitled "An act to incorporate the Commercial Insurance Company."

By same—
3. A bill to incorporate the Coal and Iron Manufacturing Company.

By same—
4. A bill to incorporate the Eagle Insurance Company, of Louisville.

By Mr. Proctor, from the same committee—
5. A bill to incorporate the town of Guestville, in Henry county.

By same—
6. A bill to repeal the 4th article of 1st section of an act to incorporate the town of Paducah.

By same—
7. A bill to incorporate the Hemp Ridge Farmers' Association.

By Mr. Rankin, from the Committee on the Judiciary—
8. A bill to amend article 2, of chapter 52, of the Revised Statutes, title "Inspection."

By Mr. Owings, from the Committee on Privileges and Elections—
9. A bill to prevent interference at elections, and to punish the same.

By Mr. Underwood—
10. A bill to provide suitable remedies for the collection of debts and demands heretofore contracted, and judgments for torts hereafter recovered.
By same——

11. A bill to provide for transcribing the defaced and to supply the lost books in the office of the surveyor of Barren county.

By Mr. Sparks, from the Committee on Internal Improvement——

12. A bill for the benefit of the Newcastle and Eminence turnpike road company.

By Mr. Robert Cochran, from the Committee on Propositions and Grievances——

13. A bill for the benefit of the marshal of the town of Campbellsville.

By same——


By Mr. Cooper, from the same committee——

15. A bill to amend an act, entitled “An act for the benefit of school district No. 6, in Lincoln county.”

By Mr. Finley——

16. A bill for the benefit of H. L. Tye, late sheriff of Whitley county.

By Mr. Burnam——

17. A bill regulating tolls on the Kentucky river.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 11th, 12th, 13th, 14th, 15th, and 16th were severally ordered to be engrossed and read a third time; the 9th was referred to the Committee on Revised Statutes; the 16th was placed in the orders of the day, and the 17th was referred to the Committee on Internal Improvement.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 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.

Ordered, That the Public Printer print 150 copies of the 10th bill for the use of the members of this General Assembly.
Mr. Shanklin, from the select committee, to whom the subject was referred, reported the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Military Board be, and they are hereby, authorized and directed to audit and settle the claim of the Kentucky Agricultural and Mechanical Association at Lexington, for the injury and damage sustained by said Association by the occupation of their grounds and improvements by the soldiers and troops of this Commonwealth, under and by virtue of orders of said Military Board.

Mr. Rankin, from the select committee, reported a bill to change the county lines between the counties of Grant and Owen.

Which was read the first time.

The question was taken, "Shall said bill be read a second time?" and it was decided in the negative.

And so said bill was rejected.

Mr. Rankin moved a reconsideration of the vote by which the bill was rejected.

Mr. Burns moved to lay the motion on the table.

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

1. Mr. Underwood presented a communication from Mr. W. F. Evans, of Barren county, in relation to marriages in Kentucky while in the southern lines of the so-called Provisional Government.

2. Mr. Rigney presented the petition of sundry citizens of Columbia, Adair county, praying for an amendment of the charter of the town of Columbia, granting coffee-house licenses, &c.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on Incorporated Institutions.

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

On motion of Mr. Ash—1. A bill for the benefit of school districts Nos. 5, 14, 18, 19, 20, 21, 22, 31, 35, 16, 37, in Anderson county.

On motion of Mr. White—2. A bill for the benefit of Ed. Robertson, of the county of Clay.

On motion of Mr. Beazly—3. A bill for the benefit of the sheriff of Ballard county.

On motion of Mr. Rankin—4. A bill to amend the charter of the Deposit Bank of Cynthiana.

On motion of same—5. A bill to legalize conventional interest for forbearance on existing debts and liabilities.
Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Ways and Means the 2d and 3d; the Committee on Banks the 4th, and the Committee on the Judiciary the 5th.

Mr. Conklin, from the Committee on Claims, to whom was referred the petition of Hon. James Stuart, and others, reported a bill for the benefit of Minor E. Pate, and others.

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

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—


Robert Cochran, Thomas W. Owings, Thomas W. Owings,

Those who voted in the negative, were—


George M. Hampton, Hiram S. Powell, George M. Hampton,

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the officer collecting the bail bond of Henry Swartz shall,
as soon as the same is collected, pay over to Minor E. Pate, William S. Stone, James A. Dean, and Jesse Moorman, the sum of five hundred dollars of the amount expended by them in pursuing and bringing said Swartz before the courts of this Commonwealth, to answer charges of larceny and receiving property under false pretences.

Mr. John R. Thomas moved a reconsideration of the vote rejecting the above bill.

Mr. Huston moved the following resolution, viz:

Resolved, That the Committee on the Sinking Fund report to this House, at its very earliest convenience, the statistical condition of said fund, in condensed form, and its capacity to have any further burthens cast upon it, if any.

Ordered, That said resolution be referred to the Committee on the Sinking Fund.

The House then took up from the orders of the day a bill, entitled

An act authorizing proceedings against the governor, members of the council, and other officers of the so-called Provisional Government, for the recovery of the public revenue seized by them, and for other purposes.

Mr. Burns moved an amendment, by way of substitute, for the 6th section.

Mr. Huston moved an amendment to the substitute of Mr. Burns. Which was adopted.

Mr. Taylor moved an amendment. Which was adopted.

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

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Nicholas A. Rapier,
Alfred Allen, Elijah Gabbert, John Ray,
Jas. W. Anderson, Joseph Gardner, F. D. Rigney,
R. C. Anderson, Remus Gibson, J. A. Rousseau,
Vincent Ash, Henry Griffith, George S. Shanklin,
Elisha Beazly, John H. Harney, G. Clay Smith,
John C. Beeman, William J. Heady, M. Smith,
Joshua F. Bell, John B. Huston, James P. Sparks,
Leroy Brinkley, Richard T. Jacob, Harrison Taylor,
R. J. Browne, Daniel W. Johns, Joshua Tevis,
WHEREAS, It satisfactorily appears to this General Assembly that certain persons, styling themselves "Governor and members of the Council of the Provisional Government of Kentucky," have attempted to usurp the powers of the lawfully constituted authorities of the State, and, together with others, acting under the pretended authority of the said Provisional Government, have, in some of the counties of this State, seized upon, and appropriated to themselves, or to the use of the said Provisional Government, the public revenues belonging to the Commonwealth; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said Governor and Council be, and they are hereby, directed, jointly and severally, to refund and pay into the treasury of this Commonwealth all the public revenues belonging to the State, seized upon, collected, or in anywise appropriated to their use; and the said Governor and Council shall be bound to answer personally, out of their own estate, for said revenue.

§ 2. That all persons claiming to act as sheriffs, auditors, commissioners, treasurers, or other inferior officers or agents, and their sureties, if any, under the pretended authority of the said Provisional Government, shall, and they are hereby, declared to be liable for all the public revenues of the State which at any time may have been in their hands or under their control as such officer or agent; and they shall respectively be bound to answer, personally, out of their own estate, for such revenue.

§ 3. For the recovery of these demands, and to enforce the liabilities mentioned in the first and second sections of this act, full power and jurisdiction is hereby conferred upon the Franklin circuit court. The proceeding shall be in the name of the Commonwealth of Ken-
tucky, by petition, in one or more actions against all the persons composing the said Provisional Government, and their officers and agents, or against any one or more of them. The action shall be conducted according to the rules prescribed by the Civil Code of Practice, except in such particulars as may be otherwise directed by this act.

§ 4. Upon the filing of the petition in the Franklin circuit court, the clerk of that court shall issue a summons against the defendant or defendants, to answer; and also an attachment against the estate of the defendant or defendants, for the sum or sums claimed in the petition, and the additional sum of five hundred dollars, to cover the costs of the action.

§ 5. It shall be sufficient to state in the petition that the defendant or defendants, without lawful authority, seized upon, collected, appropriated, or had in his custody, the public revenue of the Commonwealth, and the amount sought to be recovered. Affidavit to the petition shall not be required.

§ 6. The summons and attachment may be sent to any county, or to the several counties in the State; but a return that the defendant or defendants could not be found, upon a summons issued to the county of Warren, where it is represented said Provisional Government is, or was located, shall be deemed sufficient service on the defendant or defendants for the purposes of the action: Provided, That publication, for at least thirty days of the pendency of the action, shall be made in the Louisville Journal and Democrat before said action, when a return of "not found" is made, shall stand for trial.

§ 7. The summons and attachment may be directed to and served by the sheriff, coroner, or jailer of any county in the State; or they may be served by any agent whom the Auditor of Public Accounts may appoint for the purpose.

§ 8. No motion to vacate or modify the attachment shall be allowed, except on the final trial of the action.

§ 9. The Commonwealth, from the time this act takes effect, shall have a lien upon all the estate of each and all defendants, against whom judgments may be recovered under this act, for the satisfaction of such judgment, interest, and costs.

§ 10. It shall be the duty of the Auditor, Treasurer, and Attorney General, to set on foot and prosecute the actions authorized by this act; and it shall be the duty of all county judges, sheriffs, clerks, and other civil officers in this Commonwealth, to furnish the Auditor with such information as they may possess in relation to the seizure, collection, or appropriation of the public revenue in their respective counties by the said Provisional Government, or by those acting under its pretended authority.

§ 11. Nothing in this act shall be construed to release any sheriff, or other officer intrusted with the custody or collection of the public revenue, or the tax-payer, from responsibility, in consequence of their having paid such revenue to the said Provisional Government, or to any of its pretended officers or agents.

§ 12. This act shall take effect from and after its passage.
The House then took up a resolution from the Senate in relation to an adjournment of the present General Assembly.

Mr. Taylor offered the following substitute, viz:

Resolved, That this General Assembly will adjourn on Wednesday, the 12th day of March, 1862, until the 1st Wednesday in September, 1862, at which time it will again assemble at the Capitol, in the city of Frankfort, to transact the unfinished business of this session, and such other as may be deemed necessary.

Mr. Burnam moved to insert first Monday in November.

Mr. Heady moved to postpone the further consideration of the subject till Monday next.

Which motion was rejected.

Mr. Burnam moved the previous question.

Mr. Heady moved to lay the resolution 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. Burnam and Wolfe, 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, entitled
A bill further to provide for the filling vacancies in the office of
sheriffs.

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 the bill, entitled
An act to enlarge the official oaths of officers of this Common-
wealth, and for other purposes.

Ordered, That said bill be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of
said bill having been dispensed with, and the same being engrossed,

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

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

Those who voted in the affirmative, were—

Alfred Allen,    Stephen J. England,    William S. Rankin,
Jas. W. Anderson,  Hugh P. Finney,    Nicholas A. Rapier,
R. C. Anderson,    John W. Finnell,    John Ray,
Elisha Beazly,    Elijah Gahbert,    F. D. Rigney,
John C. Beeman,    Remus Gibson,    J. A. Rousseau,
Joshua F. Bell,    Henry Griffith,    George S. Shanklin,
William A. Brann,    Richard T. Jacob,    G. Clay Smith,
Leroy Brinkley,    Daniel W. Johns,    M. Smith,
Thomas S. Brown,    Urban E. Kennedy,    James P. Sparks,
Curtis F. Barnam,    James M. C. Lisenby,    Harrison Taylor,
James Calvert,    Jonas Martin,    George M. Thomas,
Cyrus Campbell,    David P. Mears,    John R. Thomas,
J. W. Campbell,    Otho Miller,    John S. Van Winkle,
Joseph H. Chandler,    Thomas Z. Morrow,    Willie Waller,
Brutus J. Clay,    Richard Neil,    Geo. P. Webster,
Robert Cochran,    Thomas W. Owings,    Alex. T. White,
John C. Cooper,    Hiram S. Powell,    Bryan K. Young—52.
Daniel E. Downing.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Evan M. Garriott,    Larkin J. Proctor,
Vincent Ash,    G. M. Hampton,    Thomas Turner,
MAR. 7.]  HOUSE OF REPRESENTATIVES.  757

J. W. Boone,  John H. Harney,  J. R. Underwood,  
R. J. Browne,  William J. Headly,  Zeb. Ward,  
E. F. Burns,  William Johnson,  Nathaniel Wolfe,  
W. P. D. Bush,  P. L. Maxey,  Milton Young,  
Joseph Gardner,  Felix G. Murphy,  

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That all persons who shall hereafter be elected or appointed to
any office in this Commonwealth, shall, before entering upon the
duties of said office, in addition to the oaths now prescribed by law,
take the following oath: "I do further swear that I have not, directly
nor indirectly, engaged or been in the service of the so-called Confed-
erate States, or either of them, nor any State in rebellion against the
United States, nor of the so-called Provisional Government of Ken-
tucky, in either a civil or military capacity; that I have not, directly
nor indirectly, engaged in, counseled, advised, aided, or abetted any
rebellion or insurrection whatever against the United States, nor this
State; and that I will not, during my continuance in office, so engage
in, counsel, advise, aid, or abet any such rebellion or insurrection, so
help me God."

§ 2. Any person who shall swear falsely in taking the foregoing
oath, or who shall in any particular willfully violate the same, shall
be held and deemed guilty of the offense of false swearing, and upon
indictment and conviction thereof, shall be punished therefore as said
offense is now punished by law; and shall, in addition thereto, forfeit
said office, and the emoluments thereof, and be wholly disqualified to
hold or fill any office of honor, trust, or profit in this Commonwealth
thereafter.

§ 3. Failure to take said oath, as herein required, shall forfeit and
vacate the office to which the person so failing shall have been elected
or appointed.

§ 4. This act to take effect from its passage, and remain in force for
five years thereafter.

Mr. Burnam moved a reconsideration of the vote by which the
above bill passed.

The House then took up a bill, entitled

An act to amend chapter 83, of the Revised Statutes, title "Revenue
and Taxation."

Mr. Taylor moved to fill the blank by adding the word "five."

Mr. V. B. Young moved to postpone the further consideration of
the bill for the present.

Mr. Heady moved to postpone until Monday next, at 11 o'clock.
Which motions were rejected.

A message was received from the Senate, asking to withdraw from
this House a Senate bill, entitled
An act to amend the jury laws of this Commonwealth.
Which was granted.
And then the House adjourned.

SATURDAY, MARCH 8, 1862.

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 amend section 239 of the Civil Code of Practice.
An act to amend an act, entitled "An act to punish certain trespassers in Jefferson and other counties."
An act to incorporate the city of Paris.
That they had disagreed to a bill from this House, entitled
An act for the benefit of school district No. —, in Nelson county.
That they had passed bills from this House of the following titles, viz:
An act providing for the collection of the public revenue in the county of Carter for the year 1861.
An act for the benefit of P. W. Napier, late sheriff of Casey county.
An act for the benefit of C. B. Farris, clerk of the Laurel circuit and county courts.
An act for the benefit of J. T. Berry, assessor of Madison county.
An act for the benefit of the personal representative of John H. Allison, deceased, late clerk of the Lawrence circuit and county courts.
An act to repeal an act, entitled "An act to protect sheep in Jessamine county."
An act for the benefit of John Davis' administrator, of Hopkins county.
An act for the benefit of Clark Barton's administrator, of Grayson county.
Mar. 8.]    HOUSE OF REPRESENTATIVES. 759

An act for the benefit of James E. Stone, clerk of the Hancock circuit and county courts.
An act for the benefit of E. P. Thomas, sr.
An act to change the voting places in district No. 6, in Washington, and No. 4, in Jessamine counties.
An act to incorporate the Linden Grove Cemetery Company, of Covington.

That they had passed bills of the following titles, viz:
An act for the benefit of E. P. Thomas, of Henry county.
An act to incorporate the Benedictine Order of Covington, consisting of Catholic priests and lay brothers.
An act to fix the return day of executions.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of John B. Powell.
An act to amend an act, entitled "An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances," approved March 10, 1856.
An act appropriating money for the support of the Eastern Lunatic Asylum.
An act to amend the charter of the Bethel turnpike company.
An act to establish an additional magistrates' and constables' district in Graves county.
An act to confine convicts in the penitentiary within its walls.
An act to supply missing commissioners' books to sheriffs and county court clerks.
An act to amend the registration laws fixing the fees of assessors and county court clerks.
An act for the benefit of school district No. 16, in Washington county.
An act for the benefit of common school district No. 6, in Daviess county.
An act for the benefit of Samuel Sayres.
An act for the benefit of school districts Nos. 15 and 26, in Marion county.
An act to amend the charter of the Pleasant Hill and Jessamine County turnpike company.
An act amendatory of an act for the benefit of Union Academy, in Union county, approved January 19, 1814.

Also, bills which originated in the Senate of the following titles, viz:
- An act to amend section 239, of the Civil Code of Practice.
- An act to amend an act, entitled "An act to punish certain trespassers in Jefferson and other counties."
- An act for the benefit of school district No. 39, in Ohio county.
- An act for the benefit of school district No. 15, in Adair county.
- An act to regulate proceedings in civil cases.
- An act for the benefit of Cager Creel, late sheriff of Adair county.
- An act to regulate navigation on the Kentucky river.
- An act to incorporate the city of Paris.
- An act for the benefit of the Bullitt County Academy.
- An act legalizing the appointment of W. C. Gillis as administrator.
- An act for the benefit of William Simpson, clerk of the Wayne circuit and county courts.
- An act for the benefit of common school districts.
- An act to amend section 17, of chapter 54, of the Revised Statutes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

On motion, Messrs. Murphy and Cooper have indefinite leave of absence, and Messrs. Heady and Van. B. Young till Monday next.

1. Mr. J. W. Campbell presented the petition of sundry citizens of Nicholas county, praying the formation of an additional voting district.

2. Mr. Underwood presented a petition in relation to marriages in Kentucky under the so-called Provisional Government of Kentucky.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Privileges and Elections, and the 2d to the Committee on Religion.

Leave was given to bring in the following bills, viz:
- On motion of Mr. Allen—1. A bill for the benefit of the sheriff of Henderson county.
- On motion of Mr. J. W. Boone—2. A bill to amend the law in relation to peddling.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st, and the Committee on Circuit Courts the 2d.
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Morrow, from the Committee on Propositions and Grievances—

1. A bill to promote the improvement of the State road from Somerset to London, by way of Sublimity.

By Mr. Conklin, from the Committee on Claims—

2. A bill for the benefit of Samuel Black and Isaac J. Black.

By Mr. Bell, from the Committee on the Judiciary—

3. A bill for the benefit of America H. Chandler.

By same—


By Mr. J. R. Thomas, from the same committee—

5. A bill to incorporate the Moriah Lodge, No. 14, of Independent Order of Bnai Briths.

By Mr. Taylor, from the Committee on Ways and Means—

6. A bill providing for the collection of the public revenue for the county of Barren for the year 1861.

By same—

7. A bill providing for the collection of the public revenue for the county of Morgan for the years 1861 and 1862.

By same—

8. A bill for the benefit of the Fayette county court.

By same—

9. A bill for the benefit of John J. Miller, late sheriff of Boone county.

By Mr. Lusk, from the Committee on Education—

10. A bill for the benefit of common school districts in McLean county.

By Mr. Burnam, from the same committee—

11. A bill for the benefit of district schools in Harlan, Perry, and Letcher counties.

By same—


By Mr. Geo. M. Thomas, from the Committee on County Courts—

By same—
14. A bill to allow George M. Jamison, constable of Pendleton county, to appoint a deputy.

By Mr. J. R. Thomas, from the Committee on Incorporated Institutions—
15. A bill to authorize the trustees of the Baptist church, in Shelbyville, to sell certain property.

By Mr. Harney—
A bill to change the voting place in the Boston precinct, in Jefferson county, and to change the boundary.

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, 10th, 11th, 13th, and 15th, were severally ordered to be engrossed and read a third time; the 12th was referred to the Committee on Education; the 14th to the Committee on County Courts, and the 16th to the Committee on Privileges and Elections.

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

Mr. John R. Thomas, from the Committee on the Judiciary, to whom was referred a bill, entitled
An act in relation to turnpike roads in which the State has an interest,
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,

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

Mr. Taylor, from the Committee on Ways and Means, reported a bill to provide for inclosing the graves of Daniel Boone and wife with an iron fence.

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 being dispensed with,

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,

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

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—


Mr. Taylor, from the same committee, to whom was referred Senate bill, entitled

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor be directed to have the graves of Daniel Boone and wife, in the Capitol Cemetery grounds, inclosed within a suitable iron fence; and that the sum of two hundred dollars, out of the public treasury, be, and the same is hereby, appropriated for that object.

§ 2. This act shall take effect from and after its passage.
An act for the benefit of the sureties of T. C. Edwards, deceased, late sheriff of Green county,
Reported a substitute therefor.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Taylor, from the same committee, to whom was referred leave, reported a bill providing for the payment of a judgment of Martin Looker & Co. against the 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,
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Alfred Allen,  Daniel E. Downing,  Richard Neel,
Jas. W. Anderson,  W. H. Edmunds,  George Poinverter,
Vincent Ash,  Stephen J. England,  Hiram S. Powell,
E. B. Bacheller,  John W. Finchel,  Larkin J. Proctor,
John C. Breeman,  Elijah Gabbert,  William S. Rankin,
Joshua F. Bell,  Joseph Gardner,  Nicholas A. Rapier,
John W. Blue,  Evan M. Garriott,  John Ray,
J. W. Boone,  Remus Gibson,  F. D. Rigney,
Leroy Brinkley,  Henry Griffith,  J. A. Rousseau,
R. J. Browne,  George M. Hampton,  George S. Shanklin,
Thos. S. Brown,  John H. Harney,  G. Clay Smith,
Curtis F. Barnam,  John B. Huston,  M. Smith,
E. F. Barns,  Richard T. Jacob,  James P. Sparks,
W. P. D. Bush,  Daniel W. Johns,  Harrison Taylor,
James Calvert,  William Johnson,  Joshua Tevis,
J. W. Campbell,  James M. C. Lisenby,  George M. Thomas,
Cyrus Campbell,  Alexander Lusk,  Joseph R. Underwood,
Joseph H. Chandler,  Jonas Martin,  Willie Walker,
Brutus J. Clay,  P. L. Maxey,  Zeb. Ward,
Mar. 8.]  House of Representatives.

Francis L. Cleveland,  David May,  George P. Webster,
Robert Cochran,  David P. Mears,  Alex. T. White,
William L. Conklin,  Otho Miller,  Bryan R. Young—68.
Ducius Desha,  Thomas Z. Morrow,

Those who voted in the negative, were—
Hugh F. Finley,  John R. Thomas—2.

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,*

That the sum of three hundred dollars be paid to the administrator or surviving partners of Martin Looker, late of the city of Louisville, in full satisfaction of a judgment recovered by them against the Commonwealth in the Louisville chancery court, for over-payment of tax on billiard license, out of any money in the treasury not otherwise appropriated.

Mr. Sparks, from the Committee on Internal Improvement, to whom was referred leave, reported a bill for the benefit of stockholders in turnpike road companies in Franklin county.

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

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

Said bill was placed in the orders of the day.

Mr. Sparks, from the same committee, to whom was referred a bill regulating tolls on the Kentucky river,

Reported the same without amendment.

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

And so said bill was rejected.

Mr. Huston, from the Committee on the Revised Statutes, to whom was referred a bill to prevent interference at elections, and to punish the same, reported a substitute therefor, entitled

*An act to amend section 13, chapter 32, Revised Statutes, article 12, concerning elections.*

Which was adopted.

*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,

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

Mr. Bush, from the same committee, to whom was referred a bill, entitled
An act to amend chapter 50, Revised Statutes, title "Inclosures and Certain Trespassers,"

Reported a substitute therefor.

Which substitute was rejected.

Mr. Bush moved to strike out "twelve months," and insert "six months," from the original bill.

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,

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

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Backner,) Daniel E. Downing, W. H. Edmunds, W. E. Rankin, Daniel Ray.
E. B. Bacheller, Elijah Gabbert, F. D. Rigney, J. H. Roussea.
John C. Beam, Remus Gibson, G. Clay Smith, Elisha Beazley.
J. W. Boone, George M. Hampton, John C. Beam, Elijah Gabbert.
Leroy Brinkley, John H. Harney, James P. Sparks, Henry Griffith.
Curtis F. Burnam, James M. C. Lisenby, George M. Thomas, John R. Thomas.
James Calvert, Jonas Martin, James P. Sparks, George S. Shanklin.
Francis L. Cleveland, Hiram S. Powell, John H. Harney, John H. Harney.

Those who voted in the negative, were—

Jas. W. Anderson, Hugh F. Finley, David May.
John W. Blue, John W. Finnell, Otho Miller.
Robert Cochran, John B. Huston, Nicholas A. Rapier,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That every strong and sound fence of rails or plank, five feet high, and the cracks so small that stock cannot creep through, or a
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter no minister of the gospel, or priest of any denomination, shall solemnize marriage until, in addition to the present requirements of law, he shall file in the county court’s office of the county of his residence, a written affidavit subscribed by him, and sworn to before some person legally authorized to administer an oath, of the following purport and effect: ‘I do solemnly swear, (or affirm, as the case may be,) that I will support the Constitution of the United States, and the Constitution of this State, and be faithful and true to the Commonwealth of Kentucky, and the laws and government thereof, so long as I continue a citizen thereof; and I do further solemnly swear, (or affirm,) that I have not joined in, aided, or abetted the so-called Confederate States, or either of them, in their rebellion against the United States, or in their invasion of this State, and that I will not so aid, assist, abet, or comfort them therein, directly or indirectly, so long as I continue a citizen of this State, so help me God.’

§ 2. That any minister of the gospel, or priest of any denomination, who shall, after this act takes effect, solemnize marriage without first complying with the provisions of the first section of this act, shall be guilty of a misdemeanor, and shall be subject to fine for every such offense, upon the presentment of a grand jury, of not less than fifty or more than five hundred dollars.”

A message was received from the Governor by Mr. Gaither, Secretary of State, which reads as follows, viz:

Executive Department, Frankfort, March 8, 1862.

Gentlemen of the House of Representatives:

The following bill, entitled “An act to amend section 9, of chapter 47, Revised Statutes, title ‘Husband and Wife.’

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter no minister of the gospel, or priest of any denomination, shall solemnize marriage until, in addition to the present requirements of law, he shall file in the county court’s office of the county of his residence, a written affidavit subscribed by him, and sworn to before some person legally authorized to administer an oath, of the following purport and effect: ‘I do solemnly swear, (or affirm, as the case may be,) that I will support the Constitution of the United States, and the Constitution of this State, and be faithful and true to the Commonwealth of Kentucky, and the laws and government thereof, so long as I continue a citizen thereof; and I do further solemnly swear, (or affirm,) that I have not joined in, aided, or abetted the so-called Confederate States, or either of them, in their rebellion against the United States, or in their invasion of this State, and that I will not so aid, assist, abet, or comfort them therein, directly or indirectly, so long as I continue a citizen of this State, so help me God.’

§ 2. That any minister of the gospel, or priest of any denomination, who shall, after this act takes effect, solemnize marriage without first complying with the provisions of the first section of this act, shall be guilty of a misdemeanor, and shall be subject to fine for every such offense, upon the presentment of a grand jury, of not less than fifty or more than five hundred dollars.”

stone or brick wall, four and one half feet high, shall be held and deemed to be a lawful fence.

§ 2. Where a partition fence has existed, or may hereafter exist, by agreement or acquiescence between two or more persons, neither party shall remove the same without the consent of the other, except between the first day of January and the first day of April, of the same year.

§ 3. No such change shall be made, as mentioned in the preceding section, unless twelve months previous notice in writing shall be given to the opposite party by the person desiring to make the same.

§ 4. That all persons having division fences, as contemplated in this act, who shall neglect or fail to keep the same a lawful fence, over which stock of any kind shall trespass upon his neighbor, or keep stock of any description, which shall throw down or break over a lawful fence, the person so offending shall be liable for all damage done by said stock of every description; and the party suffering the injury may bring his suit and recover the same in like manner as is now provided for by law in cases of trespass.

§ 5. All laws and parts of laws coming in conflict with this act, are hereby repealed.
Has been presented to me for my signature, and I herewith respectfully return it with the reasons I cannot sign it.

The Federal and State constitutions were designed to operate equally, uniformly, and impartially upon all citizens, no matter what may be their political opinions, condition, or calling in life; no classes are preferred; no unjust or invidious distinctions are made. These positions are sustained by section 1, article 13, title "Bill of Rights," in the constitution of Kentucky, which is as follows: "That all freemen, when they form a social compact, are equal, and that no man, or set of men, are entitled to exclusive separate public emoluments or privileges from the community, but in consideration of public services." And also by section 6, same title and article, in which it is declared: "That the civil rights, privileges, or capacities of any citizen shall in no wise be diminished or enlarged on account of his religion." It was the design of the framers of those instruments to prevent a union of church and State; to prevent the interference of politics with religion, or religion with politics; to define and separate secular from spiritual duties; and, in my judgment, to ignore and discountenance all test oaths in the performance of religious ceremonies. The ministers of the gospel, remembering all our fathers had suffered from this, memorialized the convention which framed our constitution upon this subject, and it was this very grievance, to-wit: a test oath as a condition precedent to solemnizing marriage, which called forth the ever to be remembered complaints and protests of the clergy in Virginia, especially from the old Baptists and Presbyterians, about eighty years ago, to the Virginia House of Delegates, which gave birth to Mr. Jefferson's immortal bill for religious freedom.

It seems to me the bill is framed upon the fallacious assumption that, because the civil government sees fit to make use of ministers of the gospel to accommodate and protect itself from frauds in the superintendence of the civil contract of marriage, therefore they are civil officers, and ought to be required to take the above oath to support the constitution, with the supererogatory addition, not to commit treason. A man cannot support the constitution and at the same time commit treason. Solemnizing marriage is a religious duty; so held by all the ministers who perform it. The Catholics hold the rite of matrimony a sacrament (others so hold baptism) instituted by Christ, and by him invested with all the sacredness in its order that belongs to the others. It is regarded by them, as by all other denominations, as a religious act; and as citizens of the Commonwealth, their rights under the constitution ought not to be diminished or interfered with by unnecessary and annoying requirements. In this abridgement of their rights the clergy may justly become alarmed, believing that this test oath may become the entering wedge to others that may be enacted with as much reason, restricting them in the full and free exercise of all other religious rights. By this dangerous precedent all others may be swept away from them. Cannot the Legislature, following the same policy, with as much propriety require a similar oath before any other religious rite can be performed—the rite of baptism, the burial service, the holy communion, or any other religious duty enjoined in
their different systems and modes of worship? Why not, with the same propriety, require them to take the oath before they can be permitted to preach from the pulpit? Why not, with the same propriety, discriminate between Catholics and Protestants? For, not many years ago, the spirit of intolerance and religious persecution was so rife in our country that a powerful party was formed upon the idea that their faith was inconsistent with our institutions, and which threatened for a time the destruction of their church, and, as I believe, of the constitution.

If the right exists, and it be good policy to administer these oaths to all the clergy as a class, precedent to the performance of this duty, may it not, with equal propriety, be claimed that you can discriminate between the various denominations of Christians, and may not the Protestants impose test oaths on Catholics, or the Catholics upon the Protestants, if they happen to have political power, or the Protestants, as they widely differ in their public opinions, impose them upon each other, under the caprice or prejudice of the hour? I think the principle and policy all wrong, and dangerous in the extreme. I therefore object to the bill—

First. Because it strikes a class of our citizens, and that the best and most self-sacrificing of our citizens, as a class, whose duties have no connection with politics, and who are the ministers of God, to attend to our spiritual welfare. I would not make this a political question. If the bill becomes a law, it can not be avoided; and while I do not believe it will do any good in any view I can take of it, I fear it will produce additional bitterness and strife, especially at this time, when all our efforts should be directed to soothe and allay the terrible excitement now raging throughout the land. Let us render to Caesar the things that are Caesar's, and unto God the things that are God's, and keep church and State divided in the spirit of our institutions.

Second. It is partial and unequal; an imputation upon the clergy, proceeding upon the erroneous idea, I believe, that the clergy, as a class, are disloyal—no such test being required of other civil officers who have the right to solemnize marriage.

Third. I object to it because the solemnization of marriage by a minister is purely a religious ordinance, so far as the minister has any relation to it. He is not, in any real sense, a civil officer in the transaction; the civil government makes use of him merely as a convenience in effecting and proving a civil contract already made by the parties interested through the clerk of the county court, and, therefore, has not heretofore required of him the oath administered to civil officers. What he does in solemnizing marriage is purely an ordinance of worship as administering baptism, or burial of the dead, or the Eucharist, or conducting any religious service. In proof of this we need only appeal to the fact that in the Roman Catholic Church the solemnizing marriage is a sacrament, just as much as baptism in other churches. In Protestant churches the order for the solemnizing of marriage, while not a sacrament, is yet a part of the ritual of worship. In the Presbyterian Church, it is found in their church government, as you will find it in that of the other church ordinances, as the communion, baptism, confirm-
tion, and burial of the dead. It seems to me, therefore, to be just as proper to enact that ministers of the gospel shall not administer baptism, or confirmation, or bury the dead, except on first taking a test oath to the civil government, as not to solemnize marriage.

Fourth. If it be insisted that marriage be also a civil contract, and the minister a civil officer in effecting the contract, the answer is obvious. The State cannot know ministers of the gospel as such, but only as a class of citizens, to whom, as a matter of convenience, and out of respect to popular feeling and usage, the State very properly intrusts the public evidencing of the contract. The recognition of them as civil public officers is the very essence of church and State, and evidently, heretofore, our laws have not intended this, as they have required no oath of office, but simply a license from the county court to protect against imposition. If I am correct in this statement of the case, the proposed enactment is clearly contrary to the spirit of our constitution and of the great American principle of the entire separation between the civil and spiritual government. The very term "solemnize," suggests the origin of the marriage ceremony as religious, and not civil.

Fifth. The whole matter of test oaths is specially odious to every American freeman acquainted with the history of the struggle against tyranny which won our free system. It was the test oath on account of which the martyrs of English liberty cheerfully suffered. There it was against the religious test as a condition precedent to civil rights. This act simply adopts the converse proposition, in my judgment, to-wit: a civil test oath as a condition precedent to the exercise of purely religious functions. While I condemn, in the most unqualified terms, the practice resorted to by some dangerous, some indiscreet, and I am reluctantly compelled to say, bad men, of preaching politics from the pulpit, or otherwise desecrating their sacred calling in their newspaper effusions, I am free to say, it is as much contrary, in my judgment, to the American doctrine of religious liberty, to require a civil test oath in order to perform a religious office, as to require a religious test oath in order to exercise civil privileges.

Sixth. The enactment, if intended to protect society against treasonable preachers, is altogether needless, since ministers and priests are not privileged classes, but simply private citizens, and amenable to penalties far more terrible than the loss of a marriage fee, for doing any of the things which this oath binds them not to do.

Seventh. If the enactment be intended to catch anti-Lincolnite ministers, or force them up to the fanaticism of a malignant religious loyalty, it is utterly ineffective. The operation of the law will be most likely this, with all except the most fanatical and avaricious of the ministers, to-wit: the minister called on to discharge this pleasant office of religion for any of his flock, will advise them with the license to secure the services of the neighboring justice of the peace, or some brother who is not a non-juror like himself. He will let them perform the civil part of the duty in witnessing and certifying the contract, and then proceed himself with the usual religious exercises. Then we will see whether the grand jury will indict him for the crime of praying. I do not believe that one preacher in four will take the oath, and
if I am not greatly mistaken, some of the most ardent Union men will be the first to refuse it.

Eighth. The inevitable effect of the enactment, as I believe, will be to stir up intense feeling for and against ministers, and add fuel to the present bitterness. Its effect, as I think, will be to confirm the present tendency of our religious people to adopt and ape the miserable mixing up of civil and religious ideas in reference to the ministry, which have heretofore distinguished New England, and out of which has grown the clerical leadership in civil things, and consequently abolition preaching, out of which has grown our present troubles.

Believing, as I do, after much reflection, that the law can do no good, especially as the danger to Kentucky has passed, and that it will be an unnecessary annoyance to the clergy, who do not need such a test of loyalty, I respectfully return it to you for reconsideration, with these, my reasons, for withholding my signature.

B. MAGOFFIN.

Ordered, That the Public Printer forthwith print 150 copies thereof for the use of the General Assembly; and that the same be made the special order for Monday next, at 11 o'clock.

Mr. Huston, from the Committee on Revised Statutes, reported a bill; entitled

An act to amend an act, entitled “An act to amend section 1, article 3, chapter 32, Revised Statutes, title ‘Elections,’” approved February 11, 1858.

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 engrossed and 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.

The yeas and nays being required on the passage of said bill by Messrs. Burns and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Vincent Ash, W. H. Edmonds, George M. Hampton,
J. W. Boone, Joseph Gardner, William Johnson,
W. P. D. Bush,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in construing the act approved February 11th, 1858, to which this is an amendment, those who have engaged in the rebellion for the overthrow of the government, or who have in any way aided, counseled, or advised the same, or who have in any way aided, counseled, or advised the separation of Kentucky from the Federal Union by force of arms, or adhered to those engaged in the effort to separate her from the Federal Union by force of arms, shall not be deemed one of the political parties in this Commonwealth within the purview of the act to which this is an amendment.

§ 2. This act to take effect from and after its passage.

Mr. Van Winkle, from the Committee on the Codes of Practice, to whom was referred a bill from the Senate, together with sundry amendments, entitled

An act to suspend the forfeiture of penal bonds against soldiers in the army of the United States,

Reported a substitute therefor.
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,

Resolved, That said bill do pass, and that the title thereof be as reported.
The yeas and nays being required thereon by Messrs. Bush and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Hugh F. Finley, Nicholas A. Rapier,
Jas. W. Anderson, John W. Finnell, F. D. Rigney,
R. C. Anderson, Elijah Gabbert, J. A. Rousseau,
E. B. Bacheller, Remus Gibson, George S. Shanklin,
Elisha Beazly, John H. Harney, G. Clay Smith,
John C. Beeman, Richard T. Jacob, M. Smith,
Joshua F. Bell, Daniel W. Johns, James P. Sparks,
John W. Blue, Urban E. Kennedy, Joshua Tevis,
Leroy Brinkley, James M. C. Lisenby, George M. Thomas,
R. J. Browne, Alexander Lusk, John R. Thomas,
Tbos. S. Brown, Jonas Martin, John S. Van Winkle,
James Calvert, Thomas Z. Morrow, Willie Waller,
Cyrus Campbell, Richard Neel, Zeb. Ward,
J. W. Campbell, George Peindexter, George P. Webster,
Brutus J. Clay, Hiram S. Powell, Alex. T. White,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) William L. Conklin, P. L. Maxey,
Vincent Ash, W. H. Edmunds, David May,
J. W. Boone, Joseph Gardner, David P. Mears,
Curtis F. Burnam, Evan M. Garriott, Othy Miller,
E. F. Barns, George M. Hampton, John Ray,
W. P. D. Bush, John B. Ruston, Harrison Taylor,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be good cause for continuance in all cases of prosecutions for crimes and misdemeanors pending in the courts of this Commonwealth, where the person or persons charged by indictment or otherwise in such proceedings have, since the commencement of the same, volunteered and entered the military service, either of the State of Kentucky or of the United States, and who shall, at the calling of the prosecution, be in the army either of the State or United States, and absent from the county where the prosecution is pending.

§ 2. That in all such prosecutions where the person charged has, since the commencement of the same, entered, and at the calling of the case is engaged, as aforesaid, in the service of the State or of the United States, and has given a bail bond or recognizance for his appearance, no forfeiture of such bond or recognizance, nor judgment thereon, shall be ordered or entered until the second term after such person shall have been discharged from such service, or shall be shown by competent proof to have abandoned such service: Provided, That where the surety or sureties in such bail bond or recognizance live in
the same county where the prosecution is pending, and are not in the service aforesaid, or where the surety or sureties aforesaid are actually in such county at the calling of the cause, they shall, by writing, or in open court, accept the provisions of this act.

§ 3. Where another person or persons are charged in the same proceedings mentioned in the first and second sections of this act, he or they shall not be entitled to the benefits of this act.

§ 4. This act shall take effect from and after its passage.

Amend the title so as to read as follows:

An act for the benefit of soldiers in the armies of the State of Kentucky and the United States.

The House then took up bills from the Senate of the following titles, viz:

1. A bill to incorporate the Benedictine Order of Covington, consisting of Catholic priests and lay brothers.

2. An act to fix the return day of executions.

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 ordered to be read a third time; the 2d was referred to Mr. Heady’s select Relief Committee, and made a special order for Monday next, at 12 o’clock, A. M.

Mr. Ward, Mr. J. W. Anderson, and Mr. Gibson, each offered substitutes for the 2d bill.

The rule of the House, constitutional provision, and third reading of the 1st bill having been dispensed with,

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

Ordered, That the Public Printer forthwith print 150 copies of the 2d bill and substitute, for the use of the members of this General Assembly.

And then the House adjourned.
MONDAY, MARCH 10, 1862.

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

An act repealing all laws permitting the Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected.

An act prescribing additional duties to assessors of tax.

An act for the benefit of the Newcastle and Eminence turnpike road company.

An act to repeal the first section of an act to incorporate the town of Paducah.

An act to incorporate the Tradewater Coal and Transportation Company.

An act authorizing proceedings against the governor, members of the council, and other officers of the so-called Provisional Government, for the recovery of the public revenue seized by them, and for other purposes.

An act to incorporate Yelvington Lodge, No. 293, Free and Accepted Masons.

An act authorizing the coroner of Nicholas and Ohio counties to collect fee bills.

An act to incorporate the Hemp Ridge Farmers' Association.

An act to incorporate the town of Guestville, in Henry county.

An act to amend the charter of the Farmers' Mutual Association.

An act to incorporate the Eagle Insurance Company of Louisville.

An act to incorporate the Coal and Iron Manufacturing Company of Louisville.

An act to amend an act, entitled "An act to incorporate the Commercial Insurance Company.

An act for the benefit of Wallace Hamil and others, of Carter 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 regulate the circuit and other courts in this Commonwealth, and for other purposes.
An act to authorize the purchase of a lot of ground adjoining the State magazine belonging to Sandford Goins.

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

An act for the benefit of the sheriffs of Whitley, Laurel, and Knox counties.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Owensboro," approved February 26, 1850.

An act to amend chapter 63 of the Revised Statutes, entitled "Limitations of Actions and Suits."

An act to repeal in part an act, entitled "An act to regulate the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts," approved February 28, 1862.

An act to amend an act, entitled "An act to amend an act for the regulation of the militia, and to provide for arming the State," approved May 24, 1861; and an act, entitled "An act to provide for the public defense," approved September 25, 1861.

An act for the benefit of Frank Fraize, sheriff of Breckinridge county.

An act allowing the tolls of the Versailles and Anderson turnpike road company to be appropriated to the completion of said road.

An act concerning the jurisdiction of the Bourbon quarterly court.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act for the benefit of C. B. Farris, clerk of the Laurel circuit and county courts.

An act for the benefit of J. T. Berry, assessor of Madison county.

An act for the benefit of the personal representative of John H. Allison, deceased, late clerk of the Lawrence circuit and county courts.

An act to repeal an act, entitled "An act to protect sheep in Jessamine county."

An act for the benefit of John Davis' administrator, of Hopkins county.

An act for the benefit of Clark Barton's administrator, of Grayson county.
An act for the benefit of James E. Stone, late clerk of the Hancock county and circuit courts.

An act for the benefit of E. P. Thomas.

An act to change the voting places in district No. 6, in Washington county, and No. 4, in Jessamine county.

The Speaker laid before the House a communication from the Auditor of Public Accounts and F. H. Overton, in relation to stationery, which is as follows, viz:

This agreement, made the 4th day of November, 1861, between Grant Green, as Auditor of Public Accounts, in behalf of the Commonwealth of Kentucky, of the first part, and F. H. Overton of the second part, witnesseth: that the party of the first part, pursuant to the provisions of chapter 5, of the Revised Statutes, section 22, has agreed with, and does hereby employ said Overton, to furnish stationery to the State for two years from and after this date, and up to and including the time to the 1st day of January, 1864, at and for the price of twenty per cent. upon the wholesale Cincinnati cost prices. All purchases to be of the best quality, and subject to inspection by the proper authority, and to be returned if not of the quality and kind agreed upon. The articles furnished to the State to be paid for when delivered to the Auditor in good order. In testimony whereof, the said Grant Green, Auditor as aforesaid, and the said F. H. Overton, have hereunto set their hands.

GRANT GREEN, Aud. of P ub. Acc'ts.

FRED. H. OVERTON.

A true copy—attest: GRANT GREEN, Auditor.

Ordered, That said communication be referred to the Committee on Retrenchment and Reform.

Also, a communication from Brigadier General George H. Thomas, United States Army, which reads as follows, viz:

HEADQUARTERS FIRST DIVISION, DEPARTMENT OF THE OHIO,
NASHVILLE, TENNESSEE, March 7, 1862.

Mr. W. T. Samuels, Clerk House of Representatives
Kentucky Legislature, Frankfort, Ky.:

Dear Sir: I have the honor to acknowledge the receipt of the complimentary resolutions of the Kentucky Legislature to myself and command, for the results of the battle of Mill Spring, and will take pleasure in having the same read to the troops composing my division.

I am, very respectfully, your obedient servant,

GEORGE H. THOMAS,
Brigadier General United States Army.

Mr. Allen moved the following resolution, viz:
To expedite the business of this House, it is
Resolved, That for the remainder of this session, this House shall hold two sittings each day; the morning sitting to commence at 9
o'clock, and the evening at 3 o'clock; and that every speech shall be limited to fifteen minutes.
Which was adopted.

Leave was given Mr. Turner to bring in the following bills, viz:
1. A bill for the benefit of M. J. Amyx.
2. A bill for the benefit of Hiram Arnett.
3. A bill for the benefit of James Howard, late clerk of the Montgomery circuit and county courts.

Ordered, That the Committee on the Codes of Practice prepare and bring in said bills.

Mr. Turner moved the following resolution, viz:

Resolved, That the Committee on Military Affairs be directed to inquire into the power and propriety of appropriating $1,000,000 of the unexpended loan borrowed of the banks for war purposes, to the indemnity of loyal citizens who have been injured in their property by the Federal or Confederate armies; and whether, if we advance the same to our loyal citizens upon said claims, the United States government will not be bound to refund it to us; and that they report to this House, in writing, by bill or otherwise, on to-morrow, at 10½ o'clock, A. M.

Ordered, That said resolution be referred to the Committee on Military Affairs.

Mr. Turner, from the Committee on Retrenchment and Reform, reported a bill to regulate the amount of stationery used by the General Assembly.
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. Huston moved an amendment.
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,

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

The following bills were reported by unanimous consent, viz:
On motion of Mr. Underwood—1. A bill authorizing the county court of Warren county to hold a court of claims, and fix the county levy.

On motion of same, from the select congressional committee—3. A bill to lay off the State into nine congressional districts.

On motion of Mr. Allen—4. A bill to amend the charter of the Harbinsburg and Cloverport turnpike road company.

On motion of Mr. G. Clay Smith—5. A bill to amend the charter of the Taylor Mill turnpike road company, in Kenton county.

On motion of Mr. R. C. Anderson—6. A bill to allow ice to be brought up the Kentucky and Green rivers free of tolls.

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.

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 having been 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 House then proceeded to the consideration of a Senate bill, entitled

An act to permit the confessing of errors in the circuit court.

Mr. R. J. Browne moved an amendment.

Which was adopted.

Mr. J. W. Anderson moved to lay the 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. J. W. Anderson and May, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, William J. Heady, Thomas Z. Morrow,
R. C. Anderson, Daniel W. Johns, Richard Neel,
Vincent Ash, William Johnson, F. D. Rigney,
J. W. Boone, Urban E. Kennedy, J. A. Rousseau,
Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay, Hiram S. Powell,
Alfred Allen, Francis L. Cleveland, Larkin J. Proctor,
E. B. Bacheller, John B. Cochran, William S. Rankin,
Elisha Beazly, Robert Cochran, John Ray,
John C. Beeman, William L. Conklein, George S. Shanklin,
Joshua F. Bell, W. H. Edmunds, G. Clay Smith,
John W. Blue, Stephen J. England, M. Smith,
Leroy Brinkley, John W. Fennell, Joshua Tevis,
R. J. Browne, Elijah Gabbert, George M. Thomas,
Curtis F. Burnam, Evan M. Garrett, John R. Thomas,
D. F. Burns, Remus Gibson, Thomas Turner,
James Calvert, Henry Griffith, Geo. P. Webster,
Cyrus Campbell, Joseph H. Chandler, Alex. T. White—41.

Said bill read as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for any party to any suit in any of the circuit courts of this Commonwealth, hereafter decided, within one year from the rendition of the judgment, to confess in such court any error committed in the progress or decision of such suit, in his or her favor, in the following manner, viz:

§ 2. Such confession of error may be made, and signed by such party, his attorney at law or in fact, by writing, designating the suit, and distinctly setting forth the error or errors admitted and confessed; which writing, so made, shall be filed with the clerk of such county, and by him shall be preserved and filed with the papers of such suit.

§ 3. If such confession of error shall be made and filed in a suit which is not pending, the party making the same shall give notice thereof, in writing, to all the parties in such suit as may be affected thereby, or to their agent or attorney at law.

§ 4. The circuit court in which such confession of error shall be made as aforesaid, (reasonable notice having been given in the cases in which it is required, as herein directed,) shall, by all proper orders or judgments, correct such error or errors confessed, and make such further orders or judgments as, under the facts, may be legal and proper, to render full justice to all parties.

§ 5. No appeal or other proceeding shall be had or taken by any party to reverse or correct any error or errors so confessed, after the filing the same with the clerk of the court, as herein required in cases then pending, and after such filing and notice thereof given in cases not then pending.
§ 6. But nothing herein shall prevent any party prejudiced thereby from revising and correcting, by appeal, any error committed by any court in any order made or judgment rendered under and by virtue of the provisions of this act, subject to the same rules, rights, and limitations as appeals in other cases from the circuit court to the court of appeals.

§ 7. The circuit court correcting such errors shall adjudge such costs, in whole or in part, against the party confessing, as, under the facts, may be just, including any legal cost that the party against whom such error was committed, may have incurred before notice of confession of errors, in preparing his case for court of appeals.

§ 8. That if, before the notice of confession of errors, the party against whom such error or errors have been committed, shall have filed a copy of the record of the case in the court of appeals, proceedings in the court of appeals shall not be arrested on account of the notice herein provided, or confession of errors in the circuit court.

Mr. Turner moved an amendment.

Which was adopted.

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 House then took up a bill from the Senate, entitled

An act for the benefit of W. N. Guyton, of McLean county.

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

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

Ordered, That said bill be read a third time.

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

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

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, David May,
Alfred Allen, Lucius Desha, David P. Mears,
Jas. W. Anderson, Daniel E. Downing, Thomas Z. Morrow,
R. C. Anderson, W. H. Edmunds, Richard Neel,
Vincent Ash, Stephen J. England, George Poindexter,
E. B. Bacheller, Hugh F. Finley, Hiram S. Powell,
Elisha Beazly, John W. Fin nell, Larkin J. Proctor,
Joshua F. Bell, Elijah Gabbert, Nicholas A. Rapier,
John W. Blue, Joseph Gardner, F. D. Rigney,
The House then took up a resolution from the Senate in relation to the Federal courts.

Mr. Turner moved an amendment.

Mr. Harney moved to lay the resolution and amendment on the table, and it was decided in the affirmative.

The House then took up a bill from the Senate, entitled

An act for the benefit of the sheriff of Butler county,

Mr. J. W. Anderson moved an amendment.

Ordered, That the bill and amendment be referred to the Committee on Ways and Means.

The House then took up the Senate resolution in relation to the election of Keeper of the Penitentiary.

Mr. Burnam moved to strike out "Saturday" and insert "Wednesday next, at 12 o'clock."

Which motion was adopted.

The resolution, as amended, was thereupon adopted.

The House then took up a Senate bill, entitled

An act for the benefit of E. P. Thomas.

On motion of Mr. Sparks,

Ordered, That said bill be rejected.

Bills from the Senate viz:

1. An act to amend the act to create the office of county treasurer in Whitley county.

2. An act for the benefit of school district No. 42, in Owsley county.

3. An act to amend an act to incorporate Winchester College, approved February 15, 1860.
4. An act to amend section 25, chapter 93, Revised Statutes.
5. An act for the benefit of Elisha Smith, sheriff of Rockcastle county.
6. An act to amend an act, entitled "An act to amend the Code of Practice in civil cases," approved December 23, 1861.
7. An act to amend the Code of Practice, 6th sub-division of chapter 221.
8. An act to change the time of holding the Trimble circuit court.
9. An act to incorporate the Merchants' and Mechanics' and Marine Insurance Company, of the city of Louisville.
10. An act for the benefit of the executors of John Berry and of John W. Berry, deceased.
11. An act allowing further time to return delinquent lists of revenue for 1861, in Green county.
12. An act to incorporate the Owensboro Hebrew Benefit and Burial Society.
13. An act for the benefit of the clerks of this Commonwealth.
14. An act to exempt tavern-keepers in the town of Crab Orchard from paying coffee-house license.
15. An act in relation to the salaries of the city judges of Lexington and Louisville.
16. An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue."
17. An act to incorporate the Dix River and Lancaster turnpike road company.
18. An act to incorporate Odd Fellows' Hall Company of Lexington.
19. An act to incorporate the Eminence Female Academy.
20. An act to incorporate the St. Joseph's Benevolent Society of Newport.
21. An act for the benefit of the sheriff of Wayne county.
22. An act for the benefit of the sheriffs of Whitley, Laurel, and Knox counties.
23. An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Owensboro," approved February 25, 1859.
24. An act to amend chapter 63 of the Revised Statutes, entitled "Limitations of Actions and Suits."
25. An act to repeal in part an act, entitled "An act to regulate the
time of holding quarterly and other courts inferior in jurisdiction to the circuit courts," approved February 28, 1862.

26. An act to amend an act, entitled "An act to amend an act for the regulation of the militia, and to provide for arming the State," approved May 24, 1861; and an act, entitled "An act to provide for the public defense," approved September 25, 1861.

27. An act for the benefit of Frank Fraize, sheriff of Breckinridge county.

28. An act allowing the tolls of the Versailles and Anderson turnpike road company to be appropriated to the completion of said road.


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, 8th, 10th, 11th, 12th, 14th, 17th, 18th, 19th, 20th, and 29th were severally ordered to be read a third time; the 4th, 15th, and 24th were referred to the Committee on Revised Statutes; the 6th and 7th were referred to the Committee on the Codes of Practice; the 9th and 23d were referred to the Committee on Incorporated Institutions; the 13th to the Committee on Circuit Courts; the 16th to the Committee on the Judiciary; the 21st, 22d, and 27th to the Committee on Ways and Means; the 25th to the Committee on County Courts; the 26th to the Committee on Military Affairs; and the 28th to the Committee on Internal Improvement.

The House then took up a bill, entitled

An act to amend chapter 83, of the Revised Statutes, title "Revenue and Taxation,"

The question was taken on Mr. Taylor's amendment to fill the blank in the bill with "five," 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,

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

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, Hiram S. Powell,
Alfred Allen, Lucius Desha, Larkin J. Proctor,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, commencing with the assessment of the year 1862, an additional annual tax of five cents upon each one hundred dollars of value of the real and personal estate, subject to taxation for revenue purposes, in this Commonwealth, shall be paid by the persons assessed, to be applied to the ordinary expenses of the government.

§ 2. This act shall take effect from and after its passage.

The House then took up a bill, entitled
An act to amend an act, entitled "An act to establish an Institution for the Education of Idiots and Feeble-minded Children."

Mr. Ward moved an amendment.

Mr. Van Winkle moved an amendment.

On motion of Mr. Bell,
Ordered, That the bill and amendments be recommitted to the Committee on Education, together with the report of the select committee connected therewith,

The House then took up the resolution offered by Mr. Garriott, on 25th February last, in relation to rebel prisoners, viz:

WHEREAS, It is reported that a great number of prisoners have been taken at Fort Donelson, and are distributed at various points in the United States, for safe-keeping; and whereas, many of these men are
citizens of Kentucky, and have relations and friends living in this State, who, if their location was known, might afford them the comforts of life during their imprisonment; and for the sake of humanity, and for the love and regard their friends and relations cherish for them in their unfortunate situation, we believe it to be eminently proper that their friends should have the privilege of bestowing their kindness and private charities, to render them comfortable during their incarceration; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Secretary of War be requested to have published, in at least three newspapers in Kentucky, a list of the names and location of the Confederate prisoners whose residence heretofore has been in the State of Kentucky, and that the Governor be requested to forward a copy of this preamble and resolution to the Secretary of War, President of the United States, and each of our Senators and members in Congress.

Mr. Burns moved to dispense with the rule of the House requiring a reference of said resolution to a standing committee.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, Albert A. Curtis, P. L. Maxey,
Vincent Ash, Lucius Desha, David May,
E. B. Bacheller, Daniel E. Downing, David P. Mears,
Elisha Beazly, W. H. Edmunds, Felix G. Murphy,
Joshua F. Bell, Joseph Gardner, Richard Neel,
John W. Blue, Evan M. Garriott, George Poindexter,
J. W. Boone, Henry Griffith, Larkin J. Proctor,
William A. Brann, George M. Hampton, George S. Shanklin,
Leroy Brinkley, William J. Heady, G. Clay Smith,
R. J. Browne, John B. Huston, Thomas Turner,
Curtis F. Burnam, William Johnson, Joseph R. Underwood,
E. F. Burns, Urban E. Kennedy, Willie Waller,
W. P. D. Bush, Zeb. Ward,
Joseph H. Chandler, Van B. Young—42.

Those who voted in the negative, were—

Alfred Allen, John W. Finnell, John Ray,
Jas. W. Anderson, Elijah Gabbit, F. D. Rigney,
R. C. Anderson, Remus Gibson, M. Smith,
John C. Beeman, John H. Harney, James P. Sparks,
Thos. S. Brown, Daniel W. Johns, Harrison Taylor,
James Calvert, James M. C. Lisenby, George M. Thomas,
Cyrus Campbell, Alexander Lusk, John R. Thomas,
J. W. Campbell, Thomas Z. Morrow, John S. Van Winkle,
Brutus J. Clay, Hiram S. Powell, George P. Webster,
Robert Cochran, William S. Rankin, Alex. T. White,
Stephen J. England, Nicholas A. Rapier, Nathaniel Wolfe—34.
Ordered, That said resolution be referred to the Committee on Military Affairs.

The House then took up the resolution of Mr. Burnam, in relation to the distribution of public books to police judges.

Which was twice read and adopted.

The House then took up the resolution offered by Mr. B. R. Young, which reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Committee on the Penitentiary be instructed and directed to advertise the State prison to be leased for four years from the 1st day of March, 1863, to the highest bidder. These advertisements to be placed in two daily papers in Louisville, one in Lexington, and one in Frankfort, for one week; and this Legislature will give the contract to any responsible bidder who offers the highest price, and that the committee are authorized to draw upon the Treasurer for said advertisements.

The question was taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and White, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Jas. W. Anderson, Stephen J. England, Hiram S. Powell, Vincent Ash, Joseph Gardner, Nicholas A. Rapier, John W. Blue, Evan M. Garrett, James P. Sparks,
On motion of Mr. Underwood,
Ordered, That the House adjourn till 10 o'clock to-morrow.

TUESDAY, MARCH 11, 1862.

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

An act further to provide for the filling of vacancies in the office of sheriff.
An act in relation to turnpike roads in which the State has an interest.
An act to change the county lines between Greenup and Carter counties.
An act to legalize certain proceedings in the Franklin circuit court.
An act for the benefit of James H. Holliday, clerk of the Nicholas circuit court.
An act to amend article 2, chapter 52, of the Revised Statutes, title "Inspections."
An act to provide for transcribing the defaced and to supply the lost books in the office of the surveyor of Barren county.
An act to amend an act, entitled "An act for the benefit of school district No. 6, in Lincoln county," approved April 3d, 1861.
An act for the benefit of H. L. Tye, late sheriff of Whitley county.
An act providing for the collection of the public revenue in the county of Barren for the year 1861.
An act providing for the collection of the public revenue in Morgan county for the years 1861 and 1862.
An act for the benefit of John J. Miller, late sheriff of Boone county.
An act for the benefit of W. D. Vertrees.
An act to authorize the trustees of the Baptist Church in Shelbyville to sell certain property.
An act to authorize the county court of Warren county to hold a court of claims and to fix the county levy.

An act to amend the charter of the Hardinsburg and Cloverport turnpike road company.

An act to amend the charter of the Taylor Mill turnpike road company, of Kenton county.

An act providing an office for the Commissioners of Internal Improvement, and for other purpose.

With an amendment to the last named bill.

That they had concurred in an amendment of the House to the resolution of the Senate, in relation to the election of a keeper of the penitentiary.

That they had concurred in the amendment proposed by this House, to a bill from the Senate, entitled
An act to suspend the forfeiture of penal bonds against soldiers in the army of the United States.

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

An act to amend the law governing the registration of births, deaths, and marriages, and to reduce into one the several acts in relation thereto.

An act to amend the penal laws.

An act to fix the salaries of the Adjutant General and Quartermaster General.

Resolution in relation to the adjournment of the present General Assembly.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills, which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Tradewater Coal and Transportation Company.

An act regulating all laws permitting Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected.

An act providing for the collection of the public revenue in the county of Carter, for the year 1861.

An act for the benefit of P. W. Napier, late sheriff of Casey county.

An act prescribing additional duties to assessors of tax.
An act to incorporate Yevington Lodge, No. 203, of Free and Accepted Masons.
An act authorizing the coroners of Nicholas and Ohio counties to collect fee bills.
An act to incorporate the Linden Grove Cemetery of Covington.
An act to amend an act, entitled "An act to incorporate the Commercial Insurance Company."
An act to incorporate the Coal and Iron Manufacturing Company of Louisville.
An act to incorporate the Eagle Insurance Company of Louisville.
An act to incorporate the town of Guestville, in Henry county.
An act to repeal the first section of an act to incorporate the town of Paducah.
An act to incorporate the Hemp Ridge Farmers’ Association.
An act for the benefit of the Newcastle and Eminence turnpike road company
Also bills and a resolution which originated in the Senate, of the following titles, viz:
An act for the benefit of the Kentucky Female Orphan School, at Midway.
An act to change the place of voting in the 5th district, Whitley county.
An act to amend the charter of the town of Carrollton.
An act to exempt tavern-keepers, in the town of Crab Orchard, from paying coffee-house license.
An act for the benefit of Elisha Smith, of Rockcastle county.
An act to suspend the forfeiture of penal bonds against soldiers in the army of the United States,
An act for the benefit of Jonathan Horsefall, jailer of the city of Newport,
An act to repeal an act, entitled "An act to amend the charter of the town of LaGrange," approved March 30, 1860.
An act to amend the act to create the office of county treasurer, in Whitley county.
An act for the benefit of school district No. 42, in Owsley county.
An act to incorporate the Winchester College, approved February 15, 1860.
An act changing the time of holding the Trimble circuit court.
An act for the benefit of Wm. N. Guyton, of McLean county.
An act allowing further time to return delinquent list of revenue for 1861, in Graves county.

An act to incorporate the Dix River and Lancaster turnpike road company.

An act to incorporate the Odd Fellows' Hall, of Lexington.

An act to incorporate the Benedictine Order of Covington, consisting of Catholic priests and lay brothers.

An act concerning the jurisdiction of the Bourbon quarterly court.

Resolution in relation to the election of a Keeper of the Penitentiary.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

The Speaker laid before the House the response of the Military Board to the resolution of Mr. Underwood, which is as follows, viz:

OFFICE OF THE MILITARY BOARD,
FRANKFORT, March 11, 1862.

To Hon. R. A: Buckner, Speaker of the House of Representatives:

Dear Sir: In response to a resolution of the House of Representatives, adopted on the 5th inst., but not received by the Board until the 8th, asking information in regard to the expenditures of the Board, I have the honor to submit the accompanying statements, which, with explanatory notes attached, will, it is believed, give all the information required by the resolution.

I am instructed to say that the Board will be glad to impart any information of a more specific nature which the Legislature may desire, and would be particularly gratified, if a committee was appointed to examine and pass upon all the accounts and other business of the Board and co-ordinate departments.

I am, very respectfully,

Your obedient servant,

J. B. TEMPLE, President.

Statement No. 1—General Accounts.

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<th>Description</th>
<th>Amount</th>
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Amount carried forward........ $156,351.53
The items, expense, and incidental expenses, include traveling and other expenses of agents transacting business with regiments, and costs of attending the meetings of the Board incurred by members residing at a distance, &c., &c.

Home Guards is charged with pay of such companies called into active service by military authorities.

Pay of field and staff includes salaries of Gen. Crittenden while in State service, and the salaries of Adjutant and Quartermaster Generals.

Camps embrace costs of lumber, labor, &c., in establishing different camps of rendezvous.

Recruiting service embraces expenses of officers in traveling, transporting, and subsisting volunteers, &c.

Transportation includes cost of moving troops from one point to another while in State service.

Other accounts, it is believed, will be understood without further explanation.
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<th>To whom paid</th>
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<td>G. M. Clark, Quartermaster, Covington</td>
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Amounts carried forward: $1,006,557.61

$597,777.42 - $1,015,174.59

$591,383.02

$597,777.42 - $1,015,174.59

$1,015,174.59
Statement No. 2—Continued.

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<td>$1,735,718 36</td>
<td>$693,563 41</td>
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These statements are brought down to the close of February, since which time no money has been placed in the hands of individuals, and embraces all the money expended by the Board, both before and after its present organization.

The following persons have returned vouchers for the whole or larger portion of the funds in their hands: E. B. Bacheller, A. A. Curtis, Wm. Woodcock, L. J. Proctor, J. H. Reno, A. G. Hobson, R. K. Williams, R. A. Athey, J. J. Landram, and Wm. Starling; but they are not yet fully audited, and therefore not entered to their credit.

The Quartermaster General, Robt. Floyd, Assistant Quartermaster at Louisville, G. M. Clark, Assistant Quartermaster at Covington, and R. W. Cook, Assistant Quartermaster at Lexington, have returned vouchers for amounts standing against them, and their vouchers are in the hands of the agent of the State at Washington for settlement with the Federal Government.
John H. Morton returned vouchers for a large amount; but being informal, were withdrawn to be perfected.

Most of the balance in John Felan's hands he has been instructed to deposit in bank, vouchers for part having been returned.

Col. L. B. Grigsby has returned receipts for enough to cover the balance to his debit, but they are not in conformity with the requirements of the army regulations, and therefore not entered to his credit.

The sum of five thousand dollars charged to G. T. Wood, was to have been transferred by him to a distant regimental officer for the expenses of the troops, but was never drawn from the bank, and has now been passed to the military fund.

Col. D. W. Lindsey has advised the Board that he has pay rolls and vouchers for the funds in his hands, which he has been prevented from returning by the distant field of service to which he has been ordered.

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

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer do, as early as possible, print a sufficient number of copies of the general laws passed at the September, November, and February sittings of this General Assembly to furnish one copy each to all officers who are now entitled by law to the Acts of Assembly; to each member of the Senate and House of Representatives, and officers of the same; the same to be bound by the Public Binder in pamphlet form; index and side notes to be made by the Attorney General, as now directed by law.

Resolved, That the Public Printer mail to each officer and person entitled a copy of said acts, and upon his producing his account of postage paid thereon to the Auditor of Public Accounts, he draw his warrant on the Treasurer for said amount. This resolution to take effect from its passage.

Which was twice read and adopted.

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

By Mr. Taylor, from the Committee on Ways and Means—

1. A bill concerning the collection of the public revenue and county levy for the years 1861 and 1862, in certain counties of this Commonwealth.

By Mr. Curtis, from the Committee on Internal Improvement—

2. A bill for the benefit of Weber Harris, of Estill county.

By same—

3. A bill to incorporate Bibb Lodge, No. 368, Free and Accepted Masons, of Estill county.
By Mr. Burnam, from the Committee on Education—
4. A bill for the benefit of certain school districts in Anderson county.

By Mr. R. J. Browne, from the Committee on Banks—
5. A bill to amend the charter of the Deposit Bank of Springfield.

By same—
6. A bill to amend the charter of the Deposit Bank of Cynthiana.

By Mr. Conklin, from the Committee on Claims—
7. A bill for the appropriation of money.

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

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

Ordered, That the Public Printer forthwith print 150 copies of the 7th bill for the use of the members of the General Assembly.

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.

The following Senate bills were reported by the committees to whom the same had been referred, viz:

By Mr. Conklin, from the Committee on Claims—
1. An act for the benefit of Frank Fraize, sheriff of Breckinridge county.

By Mr. Curtis, from the Committee on Internal Improvement—
2. An act allowing the tolls of the Versailles and Anderson turnpike road company to be appropriated to the completion of said road.

Mr. Poindexter, from the Committee on Religion, to whom was referred the petition of W. F. Evans, and others, reported a bill, entitled

An act to legalize certain marriages in 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. Conklin moved an amendment.
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,

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

The yeas and nays being required on the passage of said bill by Messrs. M. Smith and Hampton, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Hugh F. Finley,

Said bill reads as follows, viz:

WHEREAS, It is represented to this General Assembly that doubts are entertained as to the legality of certain marriages in this Commonwealth, under license obtained recently from persons claiming to be county clerks, but were not in fact, and had no legal right to issue such license; and whereas, it is represented that the persons thus married, entered into that relation in good faith, and with the intention of living in all the ties and obligations to each other of husband and wife; therefore, for remedy,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all marriages in this Commonwealth, under such spurious license, from the 1st day of December, 1861, to the passage of this act, be, and the same are hereby, made legal and valid: Provided, This act shall not be construed so as to exempt ministers or other persons who have solemnized the rite of marriage in such cases from returning the certificate of marriage as now required by law.

§ 2. This act shall take effect from its passage.

Mr. Burnam, from the Committee on Education, to whom was referred a bill, entitled

An act for the benefit of common schools in the counties of Johnson, Floyd, Crittenden, Pike, Magoffin, Breathitt, Morgan, Wolfe, Lyon, Livingston, and Christian,

Reported a substitute therefor.

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 being dispensed with,

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

1. Mr. Burnam presented the petition of Saml. G. Mullins, praying an amendment to the charter of the Madison Female School.

2. Mr. Burnam also presented the petition of Allen Hanks, school commissioner of Carroll county, in relation to common schools in said county.

3. Mr. Burnam also presented the petition of Wm. Davis, of Madison county, praying the passage of an act allowing James Agee to build a fish dam across the Kentucky river at or near the mouth of Silver creek.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Education, and the 3d to the Committee on Internal Improvement.

Mr. Underwood, from the Committee on Military Affairs, to whom was referred a Senate bill, entitled

An act to amend an act, entitled "An act to amend an act for the regulation of the militia, and to provide for arming the State," approved May 24th, 1861; and an act, entitled "An act to provide for the public defense."

Reported a substitute therefor.
Mr. Heady moved to postpone the further consideration of said bill till Thursday next.

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

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

Those who voted in the affirmative, were—

Jas. W. Anderson, W. H. Edmunds, Jonas Martin,
Vincent Ash, Evan M. Garriott, Felix G. Powell,
E. B. Bacheller, George M. Hampton, Hiram S. Powell,
Thos. S. Brown, William J. Heady, James P. Sparks,
E. F. Burns, Daniel W. Johns, Van B. Young—17.
W. P. D. Bush, 

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Lucius Desha,
Alfred Allen, Daniel E. Downing, George Poindexter,
R. C. Anderson, Stephen J. England, Larkin J. Proctor,
Elisha Beazly, Hugh F. Finley, William S. Rankin,
John C. Beeman, John W. Finnell, John Ray,
Joshua F. Bell, Elijah Gabbet, F. D. Rigney,
John W. Blue, Remus Gibson, J. A. Rousseau,
J. W. Boone, Henry Griffith, George S. Shanklin,
William A. Brann, John H. Harney, G. Clay Smith,
Leroy Brinkley, John B. Huston, M. Smith,
R. J. Browne, Richard T. Jacob, Harrison Taylor,
Curtis F. Burnam, William Johnson, Joshua Tevis,
James Calvert, Urban E. Kennedy, George M. Thomas,
Cyrus Campbell, James M. C. Lisenby, John R. Thomas,
J. W. Campbell, Alexander Lusk, Joseph R. Underwood,
Joseph H. Chandler, P. L. Maxey, John S. Van Winkle,
Bruus J. Clay, Otho Miller, Willie Waller,
Francis L. Cleveland, Thomas Z. Morrow, Zeb. Ward,
Robert Cochran, Richard Neel, George P. Webster,
William L. Conklin, Thomas W. Owings, Alex. T. White,
Albert A. Curtis, Nathaniel Wolfe—61.

Mr. Finley offered an amendment.

Which was adopted.

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

The yeas and nays being required thereon by Messrs. Finnell and R. J. Browne, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Stephen J. England, Hiram S. Powell,
Alfred Allen, Hugh F. Finley, Larkin J. Proctor,
Jas. W. Anderson, John W. Finnell, William S. Rankin,
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 yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Geo. Poindexter, Nicholas A. Rapier, John Ray,
Alfred Allen, Stephen J. England, Hiram S. Powell, Larkin J. Proctor,
Jas. W. Anderson, Hugh F. Finley, William S. Rankin, Nicholas A. Rapier,
R. C. Anderson, John W. Finnell, John Ray, F. D. Rigney,
E. B. Bacheller, Elijah Gabbert, J. A. Rousseau, George S. Shanklin,
Elisha Beazly, Joseph Gardner, George M. Thomas, John R. Thomas,
Joshua F. Bell, Remus Gibson, Thomas Turner,
John W. Blue, Henry Griffith, Joseph K. Underwood,
E. B. Bacheller, John H. Harney, Richard T. Jacob,
Elisha Beazly, John B. Huston, Daniel W. Johns,
Joshua F. Bell, Richard T. Jacob, William Johnson,
John W. Blue, John H. Harney, William Johnson,
E. B. Bacheller, John B. Huston, Leryn Brinkley,
Elisha Beazly, William Johnson, R. J. Browne,
Joshua F. Bell, Leryn Brinkley, Curtis F. Burnam,
John W. Blue, James Calvert, James M. C. Lisenby,
J. W. Boone, Cyrus Campbell, Alexander Lask,
William A. Brann, J. W. Campbell, Jonas Martin,
Leroy Brinkley, Joseph H. Chandler, P. L. Maxey,
R. J. Browne, Brutus J. Clay, David May,
Curtis F. Burnam, Francis L. Cleveland, David P. Mears,
James Calvert, J. W. Campbell, Otho Miller,
Cyrus Campbell, Joseph H. Chandler, Thomas Z. Morrow,
J. W. Campbell, Brutus J. Clay, Felix G. Murphy,
Joseph H. Chandler, Francis L. Cleveland, Richard Neel,
Brutus J. Clay, Francis L. Cleveland, Thomas W. Owings,
Francis L. Cleveland, Robert Cochran, George Poindexter,
Robert Cochran, William L. Conklin, Otho Miller,
William L. Conklin, Albert A. Curtis, Thomas Z. Morrow,
Albert A. Curtis, Lucius Desha, Felix G. Murphy,
Lucius Desha, Daniel E. Downing, Richard Neel,
Daniel E. Downing, W. H. Edmunds, Thomas W. Owings,
W. H. Edmunds, Those who voted in the negative, were—

Vincent Ash, Evan M. Garriott, William J. Headly,
E. F. Burns, George M. Hampton, Van B. Young—7.
W. P. D. Bush,

Those who voted in the affirmative, were—
Those who voted in the negative, were—

Vincent Ash, 
E. F. Burns, 
W. P. D. Bush, 
Joshua Tevis, 
George M. Tevis, 
John R. Thomas, 
Thomas Turner, 
John S. Van Winkle, 
Willy Waller, 
Zeb. Ward, 
Geo. P. Webster, 
Alex. T. White, 
Nathaniel Wolfe, 
Bryan R. Young—73.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the fifth section of the act to which this is an amendment shall be, and the same is hereby, repealed; and it is declared that the Military Board shall hereafter consist of two persons, and shall be constituted as follows: John B. Temple, President, and George T. Wood, associate, by whom all the duties of the Board may be performed; and in the event of the death or resignation of either of them, the other shall discharge all the duties of the Board until the next meeting of the General Assembly.

§ 2. That said Board shall have power to appoint such agents as are necessary to carry out the objects of its creation, and shall fix the compensation of such agents; that the Board shall have power to appoint a book-keeper, and, if necessary, an assistant book-keeper, the former of whom shall be ex-officio secretary of the Board, to be paid such salaries as may be from time to time fixed by the Board.

§ 3. That the Board shall have power, and it shall be their duty, to make such provision as shall be necessary for the preservation and comfort of the sick and disabled soldiers and officers of the several regiments, battalions, and batteries of Kentucky volunteers, as have been or may hereafter be mustered into the service of the State of Kentucky not fully provided for and cared for by the United States; and to that end said Board shall have power to employ such sanitary agents, physicians, nurses, &c., and to establish and maintain such hospitals, and to use and employ such other means and agencies as may be necessary for the purposes before named.

§ 4. The Military Board is charged with the duty of making, by themselves or agents, all settlements with the General Government for sums expended by the State of Kentucky, through the Military Board, Adjutant-General, Quartermaster-General, or other accounting or disbursing officer or agent of the State, for and on account of the United States; and said Board is directed to proceed with such settle-
ments with all convenient dispatch; and they are authorized to receive and receipt for, to the General Government, all sums paid on account of such expenditure.

§ 5. The salary of the President shall be hereafter twelve hundred and fifty dollars, and that of his associate one thousand dollars per annum, and traveling expenses to and from his residence to the Capitol, and board while here when on official business, until otherwise ordered by the General Assembly, to be paid monthly out of the military fund.

§ 6. This act to take effect from its passage.

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

An act to amend an act, entitled "An act to amend 3d article of 86th chapter, Revised Statutes," approved 30th September, 1861.

An act to change the place of voting in the Kinnikinnick election precinct, in Lewis county.

An act changing the boundary line between the counties of Daviess and McLean.

An act to amend an act, entitled "An act to establish the levy and county court of Jefferson county."

An act to repeal an act, entitled "An act to increase the fees of jailers," approved February 15, 1856.

An act for the benefit of Robert Brazier and wife, and Henry Weysham, guardian of Mary E. Kramer.

An act to amend the road law in Harlan county.

An act for the benefit of the personal representative of R. McCarty, late clerk of Pendleton county.

An act for the benefit of S. M. May, of Bullitt county.

An act to change the lines between magistrates' districts Nos. 1 and 2, in Mercer county.

An act for the benefit of Webb & Levering, of the city of Louisville.

An act for the benefit of the widow and heirs of Samuel Scott, deceased.

An act for the benefit of W. C. Ireland.

An act for the benefit of Thomas Badgett, jailer of Washington county.

An act to incorporate the Greenup Union Presbyterian Church, of Greenup county.
Mar. 11.]

An act to change the place of voting in the Jeffersonville precinct, Montgomery county.

An act appropriating money towards the completion of the Western Lunatic Asylum.

An act for the benefit of the trustees of Stanford Seminary.

An act to create the office of county treasurer for Grant county.

An act incorporating the Kinnikinnick Bridge Company, in Lewis county.

An act to amend the registration laws, fixing the fees of assessors and county court clerks.

An act for the benefit of John B. Powell, jailer of Estill county, and John T. Cotton, of Woodford county.

An act to establish an additional magistrates' and constables' district in Graves county.

An act for the benefit of Samuel Sayres.

An act to amend an act, entitled "An act to prevent fraudulent assignments in trust for creditors, and other fraudulent conveyances," approved March 10, 1856.

An act for the benefit of common school districts Nos. 15 and 26, in Marion county.

An act to supply missing commissioners' books to sheriffs and county court clerks.

An act to amend the charter of the Bethel turnpike company.

An act appropriating money to the support of the Eastern Lunatic Asylum.

An act to amend the charter of the Pleasant Hill and Jessamine County turnpike company.

An act amendatory of an act, entitled "An act for the benefit of Union Academy, in Union county," approved January 19th, 1814.

An act for the benefit of common school district No. 6, in Daviess county.

An act for the benefit of school district No. 16, in Washington county.

Mr. Heady, from the select relief committee to whom was referred Senate bill, entitled

An act to fix the return day of executions,

Reported a substitute therefor.

Mr. Rankin moved an amendment.

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,

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

On motion of Mr. R. J. Browne,

The House took up a bill from the Senate, entitled

An act to amend an act, entitled “An act to amend the charters of the banks of Kentucky.”

Mr. R. J. Browne moved an amendment.

Which was adopted.

Mr. Bush moved to strike out “$1,000,000” and insert “$2,000,000” to be loaned.

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

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

Those who voted in the affirmative, were—

Vincent Ash, George M. Hampton, P. L. Maxey,
W. P. D. Bush, William J. Heady, David May,
W. H. Edmunds, Daniel W. Johns, Thomas Z. Morrow,
Joseph Gardner, James M. C. Lisenby, Felix G. Murphy,
Evan M. Garriott, Alexander Lusk, John R. Thomas,
Remus Gibson, Jonas Martin, Van B. Young—18.

Those who voted in the negative, were—

Alfred Allen, George L. Conklin, Nicholas A. Rapier,
Jas. W. Anderson, Albert A. Curvis, John Ray,
R. C. Anderson, Lucius Desha, F. D. Rigney,
E. B. Bacheller, Daniel E. Downing, J. A. Rousseau,
Elisha Beazly, Stephen J. England, George S. Shanklin,
Joshua F. Bell, Hugh F. Finley, G. Clay Smith,
John W. Blue, John W. Pinnell, M. Smith,
J. W. Boone, Elijah Gabbert, James P. Sparks,
William A. Brann, Henry Griffith, Harrison Taylor,
Leroy Brinkley, John H. Harney, Joshua Tevis,
R. J. Browne, John B. Huston, George M. Thomas,
Thos. S. Brown, Richard T. Jacob, Thomas Turner,
Curtis F. Burnam, William Johnson, J. R. Underwood,
E. F. Burns, Urban E. Kennedy, John S. Van Winkle,
James Culvert, Otho Miller, Willie Waller,
Cyrus Campbell, Richard Neel, Zeb. Ward,
J. W. Campbell, Thomas W. Owings, George P. Webster,
Joseph H. Chandler, George Poindexter, Alex. T. White,
Brutus J. Clay, Hiram S. Powell, Nathaniel Wolfe,
Robert Cochran, William S. Rankin,
Ordered, That said bill be read a third time.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, George Poindexter,
Alfred Allen, Albert A. Curtis, Hiram S. Powell,
Jas. W. Anderson, Lucius Desha, Larkin J. Proctor,
R. C. Anderson, Daniel E. Downing, William S. Rankin,
E. B. Bacheller, Stephen J. England, Nicholas A. Rapier,
Elisha Beazley, Hugh F. Finley, F. D. Rigney,
Joshua F. Bell, John W. Finnell, J. A. Rousseau,
John W. Blue, Elijah Gabbert, George S. Shanklin,
J. W. Boone, Remus Gibson, M. Smith,
William A. Brann, Henry Griffith, Harrison Taylor,
R. J. Browne, John H. Harney, Joshua Tevis,
Thomas S. Brown, John B. Huston, Nicholas A. Rapier,
Curtis F. Burnam, Richard T. Jacob, E. B. Bacheller,
W. P. D. Bush, Daniel W. Johns, Stephen J. England,
James Calvert, Urban E. Kennedy, Nicholas A. Rapier,
Cyrus Campbell, Alexander Lusk, E. B. Bacheller,
J. W. Campbell, Jonas Martin, Thomas S. Brown,
Joseph H. Chandler, Otho Miller, John B. Huston,
Brutus J. Clay, Thomas Z. Morrow, Richard Neel,
Francis L. Cleveland, Thomas W. Owings, Thomas W. Owings,
Robert Cochran, Richard Neel, Thomas W. Owings,

Those who voted in the negative, were—

Vincent Ash, George M. Hampton, Felix G. Murphy,
Leroy Brinkley, William J. Heady, John Ray,
E. F. Burns, William Johnson, G. Clay Smith,
W. H. Edmunds, James M. C. Lisenby, James P. Sparks,
Joseph Gardner, P. L. Maxey, Willie Waller,
Evan M. Garrett, David May, Van B. Young—18.

The House then took up the resolution offered by Mr. Burns, which reads as follows, viz:

WHEREAS, We have seen, with surprise, that a bill has been passed by the House of Representatives of the Congress of the United States, "prohibiting any person in the army or navy from returning fugitive slaves to their masters," which bill, in effect, repeals the fugitive slave law, and violates that provision of our Federal Constitution which provides for the rendition of fugitive slaves, and gives protection to slave property in the States. The indirect effect of said bill is to make the army and navy of the United States the grand instruments to effect
the abolition of slavery in the slaveholding States, in violation, not only of the Constitution and laws of the United States, but the solemn declaration of Congress and the President, "that this war was for the preservation of the Constitution and the Union," therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky condemns the action of the House of Representatives in Congress in the passage of this bill; and any action by Congress, or any other department of the Federal Government, either directly or indirectly, tending to convert the present war into a war upon slavery, or to effect its abolition in the slaveholding States, or any attempt by the Federal Government, or any branch thereof, to interfere with, or interrupt the existing relations between master and slave, will receive the unanimous and unqualified condemnation of the people of Kentucky, and, if necessary, will be resisted by her own strong arm.

Resolved, That the Governor be requested to forward a copy of this resolution to the President and each of our Senators and members in Congress.

Mr. Burns moved to dispense with the rule requiring the reference of resolutions to a standing committee.

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

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

Those who voted in the affirmative, were—

Vincent Ash, W. H. Edmonds, Jonas Martin,
William A. Brann, Joseph Gardner, David May,
E. F. Burns, Evan M. Garriott, Felix G. Murphy,
W. P. D. Bush, George M. Hampton, C. Clay Smith,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Hiram S. Powell,
James W. Anderson, Stephen J. England, Larkin J. Proctor,
R. C. Anderson, Hugh F. Finley, William S. Rankin,
E. B. Bacheller, John W. Finnell, F. D. Rigney,
Elisha Beazley, Elijah Gabbert, J. A. Rousseau,
Joshua F. Ball, Henry Griffith, Geo. S. Shanklin,
John W. Blue, John H. Harvey, James P. Sparks,
Leroy Brinkley, William J. Head, Joshua Tevis,
R. J. Browne, John B. Huston, George M. Thomas,
Thomas S. Brown, Richard T. Jacob, John R. Thomas,
Curtis F. Burnam, Daniel W. Johns, Thomas Turner,
James Calvert, Alexander Lusk, Joseph R. Underwood,
Cyrus Campbell, P. L. Maxey, John S. Van Winkle,
J. W. Campbell, David P. Mears, Alex. T. White,
Joseph H. Chandler, Richard Neil, Nathaniel Wolfe,
Robert Cochran, Thomas W. Owings, Bryan R. Young—50,
William L. Cocklin, George Poindexter,
Ordered, That said resolution be referred to the Committee on Federal Relations.

The House then took up the amendment proposed by the Senate to a bill from this House, entitled
An act to amend the laws in relation to the city of Paducah.
Which was concurred in.

The House took up a bill, entitled
An act to regulate the amount of public printing and binding.

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,

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

The House then took up a bill, entitled
An act to authorize the employ of an agent to purchase public stationery.

Mr. Burnam moved an amendment.
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,

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

A message was received from the Senate, announcing that they had disagreed to the amendments adopted by this House to a bill from the Senate, entitled
An act to fix the return day of executions.

That they had passed a bill, originating in the Senate, entitled
An act to amend chapter 15, of the Revised Statutes, title "Citizens Expatriation, and Aliens," with the objections of the Governor to the contrary notwithstanding.

On motion of Mr. Huston,
The House immediately proceeded to the consideration of the veto message reported from the Senate, aforesaid.

Mr. Finnell moved a call of the House.

And the question being taken thereon, it was decided in the affirmative.
The roll being called, the following members appeared, viz:

Mr. Speaker, (Buckner,) Daniel E. Downing, Richard Neel, Thomas W. Owings,
Alfred Allen, W. H. Edmunds, Thomas W. Owings,
Jas. W. Anderson, Stephen J. England, George Pouindexter,
R. C. Anderson, Hugh E. Finley, Hiram S. Powell,
Vincent Ash, John W. Finnell, Larkin J. Proctor,
E. B. Bacheller, Elijah Gabbert, William S. Rankin,
Elisha Beazly, Joseph Gardner, Nicholas A. Rapier,
Joshua F. Bell, Evan M. Garriott, F. D. Rigney,
John W. Blue, Remas Gibson, J. A. Rousseau,
J. W. Boone, Henry Griffin, George S. Shanklin,
William A. Brann, George M. Hampton, G. Clay Smith,
Leroy Brinkley, John H. Barney, M. Smith,
R. J. Browne, William J. Heady, James P. Sparks,
Thos. S. Brown, John B. Huston, Harrison Taylor,
Curtis F. Burnam, Richard T. Jacob, Joshua Tevis,
E. F. Burns, Daniel W. Johns, George M. Thomas,
W. P. D. Bush, William Johnson, John R. Thomas,
James Calvert, Urban E. Kennedy, Thomas Turner,
James M. C. Lisenby, James P. Sparks,
Cyrus Campbell, Alexander Lusk, James P. Sparks,
J. W. Campbell, Jonas Martin, Harrison Taylor,
Joseph H. Chandler, P. L. Maxey, Joshua Tevis,
Brutus J. Clay, David May, George M. Thomas,
Francis L. Cleveland, David P. Mears, John R. Thomas,
Robert Cochran, Otho Miller, Thomas Turner,
William L. Conklin, Thomas Z. Morrow, George M. Thomas,
Albert A. Curtis, Felix G. Murphy, John R. Thomas,
Lucius Desha, Thomas Z. Morrow, Van B. Young.

Mr. Rankin moved to suspend the further call.

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

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" 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, (Buckner,) Daniel E. Downing, F. D. Rigney,
Alfred Allen, Stephen J. England, J. A. Rousseau,
Jas. W. Anderson, Hugh E. Finley, George S. Shanklin,
R. C. Anderson, John W. Finnell, G. Clay Smith,
E. B. Bacheller, Elijah Gabbert, M. Smith,
Elisha Beazly, Remas Gibson, James P. Sparks,
Joshua F. Bell, John B. Huston, Harrison Taylor,
John C. Beeman, Richard T. Jacob, Joshua Tevis,
John W. Blue, Daniel W. Johns, George M. Thomas,
Leroy Brinkley, Urban E. Kennedy, John R. Thomas.
Those who voted in the negative, were—


On motion of Mr. Jacob,
Ordered, That the House adjourn till 10 o'clock to-morrow.

WEDNESDAY, MARCH 12, 1862.

A message was received from the Senate, announcing that they had disagreed to bills which originated in this House, of the following titles, viz:

An act to regulate the amount of stationery used by the General Assembly,
An act in relation to the duties of trustees of the jury fund,
An act in relation to the police judge and town marshal of Lawrenceburg.

That they had concurred in the amendments to bills from the Senate, entitled
An act to amend an act, entitled "An act to amend the charters of the Banks of Kentucky," approved March 8, 1843.
An act for the benefit of the sureties of T. C. Edwards, deceased, late sheriff of Green county.

That they had concurred in resolutions adopted by this House, viz:
Resolution giving public books to police judges.
Resolution directing the printing and distribution of the general laws.

With an amendment to the last named resolution.

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

An act to amend the militia law.
An act to amend chapter 83, of the Revised Statutes, title "Revenue and Taxation."
An act for the relief of the sureties of James M. Todd, late sheriff of Lewis county.
An act to amend section 13, chapter 32, article 12, Revised Statutes, concerning elections.
An act for the benefit of F. J. Huston, marshal of the town of Campbellsville.
An act for the benefit of John S. McCann.
An act to promote the improvement of the State road leading from Somerset to London, by the way of Sublimity.
An act for the benefit of Samuel Black and Isaac J. Black.
An act for the benefit of America H. Chandler.
An act to incorporate the Independent Order of Briai Briths.
An act to incorporate Moriah Lodge, No. 14, of Independent Order of Briai Briths.
An act for the benefit of the common school districts in McLean county.
An act for the benefit of district schools in Harlan, Perry, and Letcher counties.
An act to amend an act, entitled "An act to amend section 1, article 3, chapter 32, of the Revised Statutes, title 'Elections,'" approved February 11th, 1858.
An act to amend the charter of the Hardinsburg and Cloverport turnpike road company.
An act for the benefit of Webber & Harris, of Estill county.
An act to incorporate Bibb Lodge, No. 368, of Free and Accepted Masons, in Estill county.
An act to amend the charter of the Deposit Bank of Springfield.
That they had passed bills of the following titles, viz:
An act to facilitate proceedings in circuit courts, &c.
An act to incorporate the Newport and Jamestown Bridge Company.
An act adopting rules and regulations for the government of the military forces of the State of Kentucky, and for the punishment of deserters, &c.

That they had received official information from the Governor, announcing that he had signed and approved sundry enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:
An act to amend an act, entitled “An act to punish certain trespassers in Jefferson and other counties.”
An act to amend section 239, of the Civil Code of Practice.
An act to incorporate the city of Paris.
An act legalizing the appointment of Wm. C. Gillis as administrator.
An act to regulate navigation on the Kentucky river.
An act to amend section 17 of chapter 54, of the Revised Statutes.
An act to regulate certain proceedings in civil cases.
Resolution relating to public books.
Resolutions in relation to the construction of a railroad.
Resolution in relation to national affairs.
Resolution to elect a Keeper of the Penitentiary.

1. Mr. Waller presented the petition of J. W. Dycus, clerk Marshall county, in relation to taxes paid Provisional Government.
2. Mr. Underwood presented the petition of Wm. G. Wade, sheriff of Simpson county, praying relief, &c.
3. Mr. Underwood presented the petition of sundry citizens of Allen county, praying a repeal of an act changing the county lines and adding them to Barren county.

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 County Courts.

A message was received from the Governor by Mr. Gaither, Secretary of State, transmitting a communication from Confederate prisoners at Camp Chase, Ohio, which was read as follows, viz:

CAMP CHASE PRISON, COLUMBUS, O., March 7, 1862.
To His Excellency the Governor, the chairmen and members of the General Assembly of the Commonwealth of Kentucky, greeting:
GENTLEMEN: The undersigned residents of the Commonwealth of
Kentucky, now "prisoners of State" and "prisoners of war," having heard with delight of a bill or resolution to relieve persons who have severed their allegiance to the Federal and State Government by committing acts sounding in tort to the Government of the United States, take this method of expressing their infinite satisfaction and gratification, as well as gratitude, for the power that promises to bring back to the State many who have strayed off from the paths of loyalty. We would respectfully represent to your dignified body that we desire to avail ourselves of the benefits of the law to return to our homes and allegiance to the Constitution of the Federal Government and the Constitution of Kentucky.

That all constitutional measures may be resorted to by your honorable body for our restoration to our homes, families, and loyalty, and for full and complete relief, we would ever pray.

Very truly and respectfully,

Your humble servants to command,

WILLIAM JONES, WILLIAM J. CARTER,
W. H. MASON, TANDY F. JONES,
P. B. FAILOR, THOMAS MURPHY,
L. H. McCLUNG, LEMUEL GREEN,
JAMES E STEWERT, LUTHER GREEN,
JAMES W. OSBURN, CYRUS CRAIG,
JOHN D. JONES, NELSON JONES,
P. L. JONES, JOSEPH FIELDS,
FRANK LITTLE, THOMAS FIELDS,
DAVID J. LINN, JOHN W. FIELDS,
O. H. PATTON, DUDLEY ROBINSON,
E. L. KIGHTLY, WM. H. McCABE,
B. A. JONES, JOSHUA COURTNEY,
JARVIS HAYDON, NEWTON J. COURTNEY,
W. R. KARRNER, GEORGE B. JACKSON,
THORNTON LAFFERTY, W. M. C. JACOBS,
JESSE BARKER, JOHN L. BERRY,
JESSE SPARKES, MASHACK WEBSTER,
WILLIAM GRAVES, WM. S. CALHOUN,
M. L. MILLER, WM. W. McCLURE,
GREEN ADKINS, JOHN LAMN,
J. T. ROSE, THOMAS J. WEBSTER.

Ordered, That said communication be referred to the Committee on Military Affairs.

Mr. Taylor, from the Committee on Ways and Means, to whom was referred a bill, entitled

An act concerning the collection of the public revenue and county levy for the years 1861 and 1862, in certain counties in this Commonwealth,

Reported the same with an amendment.

Which amendment 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 being dispensed with,

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

Mr. R. J. Browne moved the following resolution, viz:

Resolved, That the Governor be requested to inform this House what steps, if any, he has taken to remove W. H. Burns from his office of judge of 11th judicial district, in pursuance of the address of the General Assembly directing the same.

Which was adopted.

Mr. Jonas Martin moved to dispense with the rules of the House, to enable him to report a bill, which reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person or persons who have or may advocate the doctrine of the abolition or emancipation of slavery in the State of Kentucky, either directly or indirectly, or who sympathizes with the same, be, and are hereby, disfranchised for life.

§ 2. That all persons so offending shall take no part in elections either as judges, clerks, or sheriffs of the same, and be requested to leave the State within ten days.

§ 3. This act shall take effect ten days from its passage.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Cleveland, from the Committee on County Courts, to whom was referred Senate bill, entitled
An act to repeal in part an act, entitled “An act to regulate the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts,” approved February 28, 1862,
Reported the same without amendment.

Mr. Clay moved to add Bourbon county to the provisions of the bill.
Which amendment 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,

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

The yeas and nays being required on the passage of said bill by Messrs. Edmunds and May, were as follows, viz:
Those who voted in the affirmative, were—


Hugh F. Finley,  John W. Fin nell,  Elijah Gabbert,  Remus Gibson,  David P. Mears,  Richard Neel,  Hiram S. Powell,


Those who voted in the negative, were—

Alfred Allen,  Jas. W. Anderson,  R. C. Anderson,  Vincent Ash,  R. J. Browne,  Thos. S. Brown,

Hugh F. Finley,  Elijah Gabbert,  Joseph Gardner,  Remus Gibson,  George M. Hampton,  William J. Heady,

Alexander Lusk,  P. L. Maxey,  David May,  David P. Mears,  Thomas Z. Morrow,  J. A. Rousseau,
The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. Taylor, from the Committee on Ways and Means—
1. An act to provide for the laying and collecting the county levy and holding the court of claims in certain counties of this Commonwealth.

By Mr. Huston, from the Committee on Revised Statutes—
2. A bill for the benefit of James H. Walker, late sheriff of Crittenden county.

By same—
3. A bill for the benefit of the sheriff of Crittenden county.

By Mr. Turner, from the Committee on the Codes of Practice—
4. A bill for the benefit of James Howard, of Montgomery county.

By same—
5. A bill for the benefit of George S. Jones, of Montgomery county.

By same—
6. A bill to legalize certain patents and the surveys upon which they are based.

By Mr. G. Clay Smith—
7. A bill to amend the law with regard to commissioners' sales.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with, the 1st, 2d, 3d, 4th, and 5th were severally ordered to be engrossed and read a third time; the 6th was referred to the Committee on the Judiciary, and the 7th to the Committee on Circuit Courts, together with an amendment offered by Mr. R. J. Browne.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, and 6th bills having been dispensed with, and the same having been engrossed,

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

Mr. Bush, from the Committee on Revised Statutes, to whom was referred a Senate bill, entitled
An act in relation to the salaries of the city judges of Lexington and Louisville,

Reported a substitute therefor.

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,

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

Bills from the Senate viz:

By Mr. Bush, from the Committee on the Revised Statutes—
1. An act to amend chapter 02 of the Revised Statutes, entitled “Limitations of Actions and Suits.”

By Mr. R. J. Browne, from the Committee on Codes of Practice—
2. An act to amend the Code of Practice, 6th sub-division of chapter 221.

Were reported 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. Huston, from the Committee on Revised Statutes, to whom was referred Senate bill, entitled An act to amend section 25, chapter 93, Revised Statutes. Reported the same, with the expression of opinion that it ought not to pass.

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

And so said bill was rejected.

The House then took up the resolution from the Senate in relation to the adjournment and recess of the General Assembly.

Mr. Allen moved to strike out “2d Wednesday,” and insert “24th November, 1862.”

Mr. Bush moved an amendment.

The question was taken on the time of adjournment, viz: next Monday, the 17th March, and it was decided in the affirmative.

The question was then taken on adopting the amendment of Mr.
Bush, providing for an adjournment sine die, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Vincent Ash, W. H. Edmunds, William Johnson,
E. F. Burns, Joseph Gardner, David May,
W. P. D. Bush, Evan M. Garriott, Felix G. Murphy,
Lucius Desha, George M. Hampton, Alex. T. White—12.

Those who voted in the negative, were—

Alfred Allen, Daniel E. Downing, Thomas W. Owings,
Jas. W. Anderson, Stephen J. England, George Poidexter,
R. C. Anderson, Hugh F. Finley, Hiram S. Powell,
E. B. Bacheller, John W. Finnell, Larkin J. Proctor,
Elisha Beazly, Elijah Gabbert, William S. Rankin,
Joshua F. Bell, Remus Gibson, F. D. Rigney,
John W. Blue, Henry Griffith, J. A. Ross, eau,
J. W. Boone, John H. Harney, George S. Shankam,
William A. Brann, William J. Ready, G. Clay Smith,
Leroy Brinkley, John B. Huston, James P. Sparks,
R. J. Browne, Richard T. Jacob, Harrison Taylor,
Thomas S. Brown, Daniel W. Johns, Joshua Tevis,
Curtis F. Burnam, Urban E. Kennedy, George M. Thomas,
James Calvert, James M. C. Lisenby, John R. Thomas,
Cyrus Campbell, Alexander Lask, Thomas Turner,
J. W. Campbell, Joans Maran, Joseph R. Underwood,
Brutus J. Clay, P. L. Maxey, John S. Van Winkle,
Francis L. Cleveland, David P. Mears, Willie Waller,
John B. Cochran, Otho Miller, George P. Webster,
Robert Cochran, Thomas Z. Morrow, Nathaniel Wolfe,
William L. Conklin, Richard Neel, Bryan R. Young—64.

The question was then taken on adopting the amendment of Mr. Allen, as amended, and it was decided in the affirmative.

Said resolution, as amended, was then twice read and adopted.

Mr. R. J. Browne, from the Committee on the Codes of Practice, to whom was referred a Senate bill, entitled

An act to amend an act, entitled “An act to amend the Code of Practice in civil cases,” approved December 23, 1861,

Reported the same with an amendment, by way of a substitute for the 1st section.

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

Mr. R. J. Browne, from the same committee, to whom was referred a bill, entitled
An act to prohibit certain partnerships between attorneys for the Commonwealth and other attorneys.
Reported a substitute therefor.
Which was adopted.
Mr. G. Clay Smith moved to lay the 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. Turner and G. Clay Smith, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Joseph Gardner, Thomas Z. Morrow,
R. C. Anderson, Evan M. Garriott, Thomas W. Owings,
Elisha Beazley, Remus Gibson, Hiram S. Powell,
William A. Brann, John H. Harney, J. A. Rousseau,
Thos. S. Brown, William J. Head, George S. Shanklin,
E. F. Burns, Richard T. Jacob, G. Clay Smith,
James Calvert, Daniel W. Johns, Joshua Tevis,
John B. Cochran, James M. C. Lisenby, George M. Thomas,
Hugh F. Finley, Alexander Lusk, Nathaniel Wolfe,
Elijah Gabbert, Elijah Gabbert,

Those who voted in the negative, were—

Jas. W. Anderson, Robert Cochran, Larkin J. Proctor,
Vincent Ash, William L. Conklin, William S. Rankin,
E. B. Bacheller, Albert A. Curtis, Nicholas A. Rapier,
John C. Beeman, Daniel E. Downing, F. D. Rigney,
Joshua F. Bell, W. H. Edmunds, M. Smith,
John W. Blue, Stephen J. England, James P. Sparks,
J. W. Boone, Henry Griffith, Harrison Taylor,
Leroy Brinkley, George M. Hampton, John R. Thomas,
R. J. Browne, William Johnson, Thomas Turner,
Curtis F. Burnam, Jonas Martin, J. R. Underwood,
W. P. D. Bush, P. L. Maxey, John S. Van Winkle,
Cyrus Campbell, David May, Willie Waller,
J. W. Campbell, Felix G. Murphy, George F. Webster,
Joseph H. Chandler, Richard Neel, Alex. T. White,
Brutus J. Clay, George Poindexter, Van B. Young—46.
Francis L. Cleveland,

On motion of Mr. Turner,

Ordered, That said bill have its third reading to-morrow at 10½ o'clock.
Mr. Heady moved to take up the bill from the Senate, entitled "An act to fix the return day of executions," and the amendments adopted by the House, and the disagreement of the Senate to said amendments of this House.

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

The question was then taken, "Shall the House recede from their amendments?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay, Hiram S. Powell,
Alfred Allen, Francis L. Cleveland, Larkin J. Proctor,
R. C. Anderson, Robert Cochran, William S. Rankin,
E. B. Batchelor, William L. Conklin, J. A. Rousseau,
Joshua F. Bell, Albert A. Curtis, G. Clay Smith,
J. W. Boone, Stephen J. England, Harrison Taylor,
William A. Brann, Hugh F. Finley, Thomas Turner,
R. J. Browne, Henry Griffith, John S. Van Winkle,
Curtis F. Burnam, Otho Miller, George P. Webster,
James Calvert, Thomas W. Owings, Alex. T. White—31.

Those who voted in the negative, were—

Jas. W. Anderson, Evan M. Garriott, Felix G. Murphy,
Vincent Ash, Remus Gibson, Richard Neel,
Elisha Beazly, George M. Hampton, George Poindexter,
John C. Beeman, John H. Harney, Nicholas A. Rapier,
John W. Blue, William J. Heady, F. B. Rigney,
Thomas S. Brown, Richard T. Jacob, George S. Shanklin,
E. F. Burns, Daniel W. Johns, James P. Sparks,
W. P. D. Bush, William Johnson, Joshua Tevis,
Cyrus Campbell, Urban E. Kennedy, George M. Thomas,
Joseph H. Chandler, James M. C. Lisenby, John R. Thomas,
Lucius Desha, Alexander Lusk, Joseph R. Underwood,
Daniel E. Downing, Jonas Martin, Willie Waller,
W. H. Edmunds, P. L. Maxey, Nathaniel Wolfe,
Elijah Gabbert, David May, Bryan R. Young,

On motion of Mr. Heady,
The Speaker appointed Messrs. Heady, Wolfe, and Underwood a committee on the part of this House, to act in connection with a similar committee on the part of the Senate, as a committee on conference upon said disagreement, with instructions to report their joint action.
The House proceeded, according to order, to the election of a Keeper of the Penitentiary.

Mr. Finnell nominated Mr. Harry I. Todd as a suitable person to fill said office.

Mr. B. R. Young nominated Mr. W. P. D. Bush.

After interchanging nominations with the Senate, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Todd, were—


Those who voted for Mr. Bush, were—


Messrs. Finnell and B. R. Young were appointed a committee on the part of this House, to meet a similar committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Finnell reported that the joint vote stood thus:

For Mr. Todd, - - - - - - - - - - - 89
For Mr. Bush, - - - - - - - - - - - 11
For Mr. South, - - - - - - - - - - 4
Whereupon, Mr. Harry I. Todd was declared duly elected Keeper of the Penitentiary for four years from and after the 1st day of March, 1863.

A message was received from the Senate, announcing that they had concurred in amendments of this House to a bill, entitled

An act to repeal in part an act, entitled "An act regulating the time of holding quarterly courts and other courts inferior in jurisdiction to circuit courts," approved February 28th, 1862.

Also, in amendments proposed by this House to the resolution from the Senate in relation to the adjournment and recess of the General Assembly.

And had concurred in resolutions from this House, of the following titles, viz:

Resolution giving public books to police judges.
Resolution directing the printing and distributing the general laws.

Mr. Underwood moved the following joint resolution, viz:

WHEREAS, The Congressional Committee on Ways and Means have reported a bill to raise internal revenue for the support of government, and the payment of interest on public debt, in which leaf tobacco is taxed three cents per pound, and all its manufactures five cents, which bill is to go into effect on the 1st day of May next; and whereas, it is computed that at least seventy millions of pounds of tobacco are held in this State which would be subject to taxation to the amount of $2,100,000, falling with great severity upon portions of our State which have suffered from the rebellion, and discriminating most prejudicially against the agricultural interests of the State; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That a tax of five cents upon manufactured tobacco, and of three cents upon strips, leaving leaf untaxed, would, in our estimation, produce a sufficient revenue as the quota of one staple of our State towards the support of government, and the payment of interest on the public debt.

Mr. Allen moved an amendment, viz:

Resolved further, That any tax on the article of tobacco, other than an ad valorem one, would be unfair, and operate unjustly on the tobacco interest of Kentucky.

Ordered, That the same be referred to the Committee on Agriculture and Manufactures.

The House took up a bill, entitled

An act to regulate the compensation of grand and petit jurors.

Mr. Sparks moved to insert two dollars.

Mr. Bush 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. Turner and Bush, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter petit jurors shall be paid for their services but one dollar per day, and grand jurors shall be paid one dollar per day for the first three days of their services at any term of a court, and nothing for any further service at the same term of the court.

§ 2. This act shall take effect from and after its passage, and shall be in force for two years, at the expiration of which time the laws now in force are hereby revived.

The House took up a bill, entitled

An act to repeal certain acts for the benefit of the Institutions for the Education of the Blind and the Deaf and Dumb.

On motion of Mr. Tevis,

Ordered, That said bill be laid on the table.

And so said bill was rejected.
The House took up a bill, entitled
An act to provide for the payment of guards out of the county levies
of the counties.
Mr. J. W. Anderson moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirm­

ative.
The yeas and nays being required thereon by Messrs. George M.
Thomas and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, John W. Finnei!, Richard Neel,
Jas. W. Anderson, Elijah Gabbert, Thomas W. Owings,
Vincent Ash, Joseph Gardner, Hiram S. Powell,
E. B. Bacheller, Evan M. Garriott, William S. Rankin,
Joshua F. Bell, Remus Gibson, F. D. Rigney,
John W. Blue, Henry Griffith, J. A. Rousseau,
William A. Brann, G. M. Hampton, G. Clay Smith,
Leroy Brinkley, John H. Harney, George M. Thomas,
R. J. Browne, William J. Heady, John S. Van Winkle,
Curtis F. Burnett, Richard T. Jacob, Geo. P. Webster,
E. F. Burns, Daniel W. Johns, Alex. T. White,
Albert A. Curtis, James M. C. Lisenby, Nathaniel Wolfe,
W. H. Edmunds, Otho Miler, Bryan R. Young,
Hugh F. Finley, Felix G. Murphy,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Francis L. Cleveland, George S. Shanklin,
R. C. Anderson, Robert Cochran, James P. Sparks,
Elisha Beazly, Lucius Desha, Harrison Taylor,
J. W. Boone, Daniel E. Downing, Joshua Tevis,
W. P. D. Bush, John B. Hutton, John R. Thomas,
James Calvert, Alexander Lusk, Thomas Turner,
Cyrus Campbell, Jonas Martin, Jos. R. Underwood,
Brutus J. Clay, David May,

Said bill reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken­
tucky, That hereafter all guards who are summoned and serve under
the provisions of the 1st section, of the 44th chapter of the Revised
Statutes, title "Guards, Public," shall be paid the compensation now
allowed them by law out of the county levy of the county in which
they are summoned and act.
§ 2. The claims of such guards shall be approved and certified, as
now required by law, and it shall be the duty of the county courts of
the several counties, at their respective courts of claims, to levy the
amount of all guard claims so certified and presented to them in behalf
of the persons who respectively hold them.
§ 3. This act shall take effect from and after its passage.
The House took up a bill to abolish certain offices.

Ordered, That said bill be referred to the Committee on the Court of Appeals.

On motion of Mr. White, the House took up the motion to reconsider the vote rejecting the bill, entitled

An act for the benefit of Elisha B. Treadway, sheriff of Owsley county.

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

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.

On motion of Mr. Allen, the House took up the motion to reconsider the vote by which the bill was rejected, entitled

An act for the benefit of Minor E. Pate, and others.

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,

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

The yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Francis L. Cleveland, Otho Miller,
Alfred Allen, John B. Cochran, Felix G. Murphy,
R. C. Anderson, Lucius Deska, Richard Neil,
Vincent Ask, Daniel E. Downing, Thomaas W. Owings,
E. B. Bacheller, W. H. Edmunds, Wm. S. Rankin,
Elisha Beazly, Stephen J. England, F. D. Rigney,
Joshua F. Bell, John W. Finnell, George S. Shanklin,
John W. Blue, Elijah Gabbert, G. Clay Smith,
J. W. Boone, Joseph Gardner, Joshua Tevis,
R. J. Browne, Evan M. Garriott, George M. Thomas,
Curtis F. Burnam, Remus Gibson, John R. Thomas,
E. F. Burns, Henry Griffith, Thomas Turner,
W. P. D. Bush, Geo. M. Hampton, Willie Waller,
James Calvert, John E. Hünstorf, George P. Webster,
Cyrus Campbell, Urban E. Kennedy, Alexander T. White,
J. W. Campbell, Alexander Lusk, Bryan R. Young—50,
Bratus J. Clay, Jonas Martin,
Those who voted in the negative, were—

Jas. W. Anderson, William J. Heady, Hiram S. Powell,
William A. Brann, Richard T. Jacob, James P. Sparks,
Leroy Brinkley, Daniel W. Johns, Harrison Taylor,
Joseph H. Chandler, James M. C. Lisenby, Joseph R. Underwood,
Robert Cochran, P. L. Maxey, Nathaniel Wolfe,
Albert A. Curtis, David May, Van B. Young—29.
Hugh F. Finley, Thomas Z. Morrow,

Said bill is heretofore copied in the Journal on the 7th March, 1862.

On motion of Mr. Rankin,
The House took up the motion to reconsider the vote by which the House refused to order the bill to be read a third time, entitled
An act to change the county lines between the counties of Grant and Owen.
And the question being taken thereon, it was decided in the affirmative.
The House took up a bill from the Senate, entitled
An act adopting rules and regulations for the government of the military forces of the State of Kentucky, and for the punishment of deserters, &c.

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 Military Affairs.
The House then took up the amendment proposed by the Senate to a bill from this House, entitled
An act providing an office for the Commissioners of Internal Improvement, and for other purposes.
Which amendment was concurred in.
On motion, Messrs. Poindexter, Mears, Conklin, and Proctor have indefinite leave of absence.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant upon the treasury for the sum of twelve dollars, in favor of the Sergeant-at-Arms of the Senate, to be paid by him to the widow of the late William C. Anderson, on account of

104
expenses incurred by him in visiting Louisville on the Committee on
Banks.

Which was twice read and adopted.

Mr. Bacheller, from the Committee on Enrollments, reported that
the committee had examined sundry enrolled bills, which originated in
this House, of the following titles, and had found the same truly
enrolled, viz:

An act further to provide for the filling vacancies in the office of
sheriff:

An act to amend the laws in relation to the city of Paducah.

An act in relation to turnpike roads in which the State has an
interest.

An act authorizing proceedings against the Governor, members
of the Council, and other officers of the so-called Provisional Gov­
ernment, for the recovery of the public revenue seized by them, and
for other purposes.

An act to change the county lines between Greenup and Carter
counties.

An act to legalize certain proceedings in the Franklin circuit
court.

An act for the benefit of James H. Holliday, clerk of the Nicholas
circuit court.

An act to amend the charter of the Farmers' Mutual Insurance
Company.

An act to amend article 2, chapter 52, of the Revised Statutes, title
"Inspection."

An act to provide for the transcribing the defaced and to supply the
lost books in the office of surveyor of Barren county.

An act to amend an act, entitled "An act for the benefit of school
district No. 6, in Lincoln county."

An act for the benefit of H. L. Tye, late sheriff of Whitley county.

An act providing for the collection of the public revenue for the
county of Morgan for the years 1861 and 1862.

An act for the benefit of John J. Miller, late sheriff of Boone county;

An act for the benefit of W. D. Vertrees.

An act to authorize the trustees of the Baptist church in Shelbyville
to sell certain property.

An act authorizing the county court of Warren county to hold a
court of claims, and to fix the county levy.
An act to amend the charter of the Hardinsburg and Cloverport turnpike road company.

An act to amend the charter of the Taylor Mill turnpike road company of Kenton county.

Also, bills from the Senate of the following titles, viz:

An act for the benefit of the executors of John Berry and of John W. Berry, deceased.

An act to incorporate the Owensboro Hebrew Benefit and Burial Society.

An act to incorporate the Eminence Female Academy.

An act to incorporate the St. Joseph's Benevolent Society, of the city of Newport.

An act for the benefit of Frank Fraize, sheriff of Breckinridge county.

An act allowing the tolls of the Versailles and Anderson turnpike road company to be appropriated to the completion of said road.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

And then the House adjourned.

THURSDAY, MARCH 13, 1862.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled

An act to amend chapter 50, Revised Statutes, entitled "Inclusions and Certain Trespasses."

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

An act to legalize certain marriages in this Commonwealth.

An act to regulate the amount of public printing and binding.

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

An act to amend the jury laws of this Commonwealth.
An act to regulate the pay and mileage of members of the General Assembly.
An act for the benefit of Joseph L. McCarty.
An act allowing further time to the sheriff of Logan county to return delinquent list.
An act to incorporate the Louisville Board of Trade.
An act to establish the office of county guardian.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills which originated in this House, of the following titles, and had found the same truly enrolled, viz:

An act to amend the militia law.
An act to amend chapter 83, of the Revised Statutes, title "Revenue and Taxation."

An act for the relief of the sureties of James M. Todd, late sheriff of Lewis county.
An act providing an office for the Commissioners of Internal Improvement, and for other purposes.
An act to amend section 13, chapter 32, article 12, Revised Statutes, concerning elections.
An act for the benefit of F. J. Huston, marshal of the town of Campbellsville.
An act for the benefit of John L. McCann.
An act to promote the improvement of the State road leading from Somerset to London, by the way of Sublimity.
An act for the benefit of Samuel Black and Isaac J. Black.
An act for the benefit of America H. Chandler.
An act to incorporate the Independent Order of Briar Briths.
An act to incorporate Moriah Lodge, No. 14, of Independent Order of Briar Briths.
An act providing for the collection of the public revenue from the county of Barren for the year 1861.
An act for the benefit of the common school districts in McLean county.
An act for the benefit of district schools in Harlan, Perry, and Letcher counties.
An act to amend an act, entitled "An act to amend section 1, article 3, chapter 32, of the Revised Statutes, title "Elections,"" approved February 11th, 1858.
An act authorizing a special election for chairman and board of
trustees and town marshal, in the town of Bowling-Green.
An act for the benefit of Webber Harris, of Estill county.
An act to incorporate Bibb Lodge, No. 368, Free and Accepted
Masons, of Estill county.
An act to amend the charter of the Deposit Bank of Springfield.
Resolution giving public books to police judges.
Also bills and a resolution which originated in the Senate, of the
following titles, viz.:
An act for the benefit of the sureties of T. C. Edwards, deceased,
late sheriff of Green county.
An act to amend the Code of Practice, 6th sub-division of chap­
ter 221.
An act to amend an act, entitled "An act to amend the charters of
the Banks of Kentucky," approved March 8, 1843.
An act to amend chapter 68 of the Revised Statutes, entitled "Lim­
itations of Actions and Suits."
An act to amend an act, entitled "An act to amend an act for the
regulation of the militia, and to provide for the arming of the State,"
approved May 24th, 1861; and an act, entitled "An act to provide for
the public defense," approved September 25, 1861.
An act to repeal in part an act, entitled "An act regulating the time
of holding quarterly courts and other courts inferior in jurisdiction to
circuit courts," approved February 28th, 1862.
An act to amend the charter of the Southern Bank of Kentucky.
Resolution passed by House of Representatives giving public books
to police judges.
Resolution fixing time of adjournment and recess.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller inform the Senate thereof.
1. Mr. Owings presented a petition in relation to election precincts,
&c.
2. Mr. Kennedy presented a petition of Col. J. M. Shackelford,
3. Mr. Allen presented a communication from Col. N. B. Buford,
commanding at Columbus.
Which were received, the reading dispensed with, and referred—the
1st to the Committee on Privileges and Elections; the 2d to Messrs.
Allen, Wolfe, Gibson, and Lisenby; and the 3d to the Committee on Military Affairs.

On motion, leave of absence was granted to Messrs. Turner, Rapier, Finley, and Cyrus Campbell for the remainder of the session.

Mr. Taylor, from the Committee on Ways and Means, reported a bill, entitled

An act supplemental to an act, entitled "An act repealing all laws permitting Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected."

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. R. J. Browne moved an amendment.

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,

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

On motion of Mr. Curtis, leave was granted to withdraw from the Senate the amendment of the passage by this House of a Senate bill, entitled

An act to regulate the navigation on the Kentucky river.

Mr. George M. Thomas moved the following resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and our Representatives requested, to urge and vote for the passage of a law providing for the naturalization of all foreigners who have served three months in the service of the United States in suppressing the rebellion. Wherever it shall be made to appear to the proper court that any foreigner has served the time aforesaid, said court shall make the necessary orders admitting said foreigner to be a citizen of the United States, without having made the declaration required in the first condition of the first section of the act, entitled "An act to establish a uniform rule of naturalization," approved April 14, 1802.

Resolved, That the Governor send a copy of this resolution to each of our Senators and Representatives in the Congress of the United States.

Ordered, That said resolutions be referred to the Committee on Federal Relations.
Mr. Van B. Young moved the following resolution, viz:

Resolved, That the State Librarian be authorized to use any of the rooms over the Auditor’s office or Land office, (that is not in use,) for the purpose of storing away the public books.

Which was adopted.

Mr. Heady moved to dispense with the rules of the House to enable him to offer the following joint resolutions, to put them on their passage, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Congress has no constitutional power, and therefore no right, “to cooperate with any State which may adopt a gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion to compensate for the inconvenience, public and private, by such change of system.”

Resolved, That “the initiation of emancipation” in the loyal border States, brought about by the offer of aid by Congress, or compulsory emancipation by Congress, through the instrumentality of the army, in the cotton and rebel border States, would give strength to the rebellion, by verifying the apprehended wrong, the fear of which was one controlling cause of the rebellion, and would drive the Union men of the slave States from their allegiance.

Resolved, That “whether the pecuniary compensation tendered would not be of more value to the States and private persons concerned, than are the institutions and property in it, in the present aspect of our affairs,” is a question which Kentucky will not entertain, coming from the national executive, Congress, or other source outside of Kentucky, in any “aspect of our affairs.”

Resolved, That our chivalrous army, officered by men imbued with discipline to the law, civil as well as military, and subordinate to the former, together with the continued observance of the pledge and policy not to interfere with slavery in the States, afford the best and only guarantees of a speedy reduction of the rebellion, the restoration of the old Union, and the blessings, without number, which cluster around its adhering members.

And the question being taken on dispensing with the rules, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Jonas Martin,
Vincent Ash, Joseph Gardner, P. L. Maxey,
John W. Blue, Evan M. Garriott, David May,
J. W. Boone, Henry Griffith, Felix G. Murphy,
R. J. Browne, George M. Hampton, F. D. Rigney,
E. F. Burns, John H. Harney, Joshua Tevis,
W. P. D. Bush, William J. Head, Thomas Turner,
Lucius Desha,
Those who voted in the negative, were—

Alfred Allen,  Stephen J. England,  William S. Rankin,
Jas. W. Anderson,  Hugh F. Finley,  Nicholas A. Rapier,
R. C. Anderson,  John W. Finnell,  J. A. Rousseau,
Elisha Beazly,  Elijah Gabbert,  G. Clay Smith,
William A. Brann,  Remus Gibson,  M. Smith,
Leroy Brinkley,  John B. Huston,  James P. Sparks,
Thos. S. Brown,  Daniel W. Johns,  Harrison Taylor,
Curtis F. Burnam,  Urban E. Kennedy,  George M. Thomas,
James Calvert,  James M. C. Lisenby,  John R. Thomas,
Cyrus Campbell,  Otho Miller,  John S. Van Winkle,
J. W. Campbell,  Thomas Z. Morrow,  Willie Waller,
Brutus J. Clay,  Richard Neel,  George P. Webster,
Francis L. Cleveland,  Thomas W. Owings,  Nathaniel Wolfe,
Robert Cochran,  Hiram S. Powell,  Bryan R. Young—43.

Mr. John R. Thomas, from the Committee on Incorporated Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the Merchants' and Mechanics' and the Marine Insurance Company, of the city of Louisville,

Reported the same with amendments.

Which amendments were 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,

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

Mr. J. R. Thomas, from the same committee, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Owensboro," approved February 26, 1850,

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. Rankin, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue,"

Reported the same without amendment.

On motion of Mr. Wolfe,

Ordered, That said bill be recommitted 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. Morrow—
1. A bill authorizing the coroner to summon grand and petit jurors in certain cases.

By Mr. Owings—
2. A bill legalizing the acts of the Meade March quarterly court.

By same—
3. A bill for the benefit of the clerk of the Meade county court.

By Mr. England—
4. A bill to appropriate $25,000 to indigent persons who have been injured by the Confederate and Federal armies.

By Mr. Wolfe—
5. A bill making lands liable to executions from the Jefferson county court.

By Mr. J. R. Thomas, from the Committee on Incorporated Institutions—
6. A bill to amend the charter of the town of Columbia, in Adair county.

By Mr. Robert Cochran, from the Committee on Propositions and Grievances—
7. A bill for the benefit of A. A. Curtis and Hiram Kallum.

By same—
8. A bill for the benefit of Joseph Selman.

By Mr. Huston, from the Committee on the Judiciary—
9. A bill in regard to equity and criminal courts.

By same—
10. A bill for the benefit of certain housekeepers of this Commonwealth.

By Mr. Taylor, from the Committee on Ways and Means,
11. A bill for the benefit of the sheriff of Perry county and his sureties.

By Mr. England—
12. A bill for the benefit of school district No. 8, in Carter county.
By Mr. Turner—

13. A bill to regulate the times of holding the circuit courts in the eleventh judicial district.

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, Mr. Waller moved to add Marshall, and Mr. Powell moved to add Perry to the provisions of the 1st bill; the 2d, 3d, 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th were severally ordered to be engrossed and read a third time; the 1st was recommitted to the Committee on County Courts; the 4th was referred to the Committee on Ways and Means, and the 5th to the Committee on the Judiciary.

The rule of the House, constitutional provision, and third reading of the 2d, 3d, 6th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th bills having been dispensed with,

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

The House took up from the orders of the day a bill from the Senate, entitled

An act for the benefit of Joseph L. McCarty.

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

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

Ordered, That said bill be read a third time.

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.

The yeas and nays being required on the passage of said bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Lucius Desha, Thomas Z. Morrow,
Alfred Allen, Daniel E. Downing, Felix G. Murphy,
Jas. W. Anderson, W. H. Edmunds, Richard Neel,
R. C. Anderson, Stephen J. England, Thomas W. Owings,
Vincent Ash, Hugh F. Finley, Hiram S. Powell,
E. B. Bacheller, John W. Finnell, William S. Rankin,
Elisha Beazly, Elijah Gabbert, Nicholas A. Rapier.
John W. Blue,  
J. W. Boone,  
William A. Brann  
Leroy Brinkley,  
R. J. Browne,  
Thos. S. Brown,  
Curtis F. Burnam,  
F. F. Burns,  
W. P. D. Bush,  
James Calvert,  
Cyrus Campbell,  
J. W. Campbell,  
Joseph H. Chandler,  
Brutus J. Clay,  
Francis L. Cleveland,  
Robert Cochran,  
Albert A. Curtis,  
Joseph Gardner,  
Evan M. Carriott,  
Remus Gibson,  
Henry Griffith,  
George M. Hampton,  
John H. Harney,  
William J. Heady,  
John B. Huston,  
Daniel W. Johns,  
William Johnson,  
Urban E. Kennedy,  
James M. Lisenby,  
Jonas Martin,  
P. L. Maxey,  
David May,  
Otho Miller,  
F. D. Rigney,  
J. A. Rousseau,  
G. Clay Smith,  
M. Smith,  
James P. Sparks,  
Harrison Taylor,  
Joshua Tevis,  
George M. Thomas,  
John R. Thomas,  
Thomas Turner,  
John S. Van Winkle,  
Wille Waller,  
Geo. P. Webster,  
Nathaniel Wolfe,  
Bryan R. Young,  
Van B. Young—69.

In the negative—none.

The House then proceeded to the consideration of the bill, entitled
An act to prohibit certain partnerships between attorneys for the
Commonwealth and other attorneys.

The question was taken on reading the bill a third time, and it was
decided in the affirmative.

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

Those who voted in the affirmative, were—
Mr. Speaker,(Buckner,) Daniel E. Downing,  
James W. Anderson,  
John W. Blue,  
J. W. Boone,  
William A. Brann,  
R. J. Browne,  
E. F. Burns,  
W. P. D. Bush,  
James Calvert,  
Cyrus Campbell,  
J. W. Campbell,  
Joseph H. Chandler,  
Brutus J. Clay,  
Francis L. Cleveland,  
Robert Cochran,  
Albert A. Curtis,  
Lucius Desha,  
William S. Bankin,  
Nicholas A. Rapier,  
F. D. Rigney,  
M. Smith,  
James P. Sparks,  
Harrison Taylor,  
Joshua Tevis,  
George M. Thomas,  
John R. Thomas,  
Thomas Turner,  
Joseph R. Underwood,  
J. S. Van Winkle,  
Willie Waller,  
Geo. P. Webster,  
Nathaniel Wolfe,  
Bryan R. Young—59.

Those who voted in the negative, were—
Alfred Allen,  
Vincent Ash,  
Evan M. Carriott,  
John H. Harney,  
Thomas Z. Morrow,  
Thomas W. Owings,
Said bill was then read a third time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That attorneys for the Commonwealth, or county attorneys, shall not form partnerships with other attorneys-at-law, in the practice of law, by which the fees or salaries of said officers and the fees of said attorneys, in the defense or prosecution of any case in which the Commonwealth, or the county under which the county attorney holds his office, is a party or interested, shall form a part of the assets of said partnership. If any such partnership now exists, the same shall be held void after twenty days from the passage of this act: Provided, That nothing herein shall prevent partnership between said attorneys and other attorneys in all other business.

§ 2. That it shall be a high misdemeanor in any attorney for the Commonwealth, county attorney, or other attorney, to violate the provisions of this act, for which they shall forfeit their office, the attorney for the Commonwealth by address or impeachment, the county attorney by indictment, and the other attorneys by a forfeiture of the license to practice law.

§ 3. That in proceedings against any attorney under this act, the attorneys not on trial shall be a competent witness for either party.

§ 4. This act shall take effect from its passage.

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

Mr. George M. Thomas, from the Committee on County Courts, to whom was referred a bill to authorize the coroner to summon grand and petit jurors, and amendments proposed thereto, reported a substitute for the same.

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,

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

A message was received from the Senate, asking leave to withdraw their disagreement to a bill from this House, entitled

An act to amend chapter 50, Revised Statutes, entitled "Inclosures and Certain Trespasses."

Which was granted, and bill withdrawn.

On motion of Mr. Huston, leave was granted him to withdraw from
the Senate the disagreement of this House to a bill from the Senate, entitled
An act to amend section 25, chapter 93, of the Revised Statutes.
Which was granted.
Mr. Huston moved to reconsider the vote by which said bill was passed.
And the question being taken thereon, it was decided in the affirmative.
Mr. Huston moved to reconsider the vote by which said bill was ordered to its third reading.
And the question being taken thereon, it was decided in the affirmative.
Mr. Huston moved an amendment, by way of substitute for said bill.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

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

An act to incorporate the Linden Grove Cemetery Company, of Covington.
An act to change the voting places in district No. 6, in Washington, and No. 4, in Jessamine counties.
An act for the benefit of Clark Barton's administrator, of Grayson county.
An act for the benefit of the personal representative of John A. Allison, deceased, late clerk of the Lawrence circuit and county courts.
An act to repeal an act, entitled "An act to protect sheep in Jessamine county."
An act to incorporate the Hemp Ridge Farmers' Association.
An act to amend an act, entitled "An act to incorporate the Commercial Insurance Company."
An act to repeal section 1st, article 4th, of an act incorporating the city of Paducah.
An act authorizing the coroners of Nicholas and Ohio counties to collect fee bills.

An act for the benefit of P. W. Napier, late sheriff of Casey county.

An act to incorporate Yelvington Lodge, No. 293, Free and Accepted Masons.

An act to incorporate the town of Guestville, in Henry county.

An act for the benefit of John Davis' administrator, of Hopkins county.

An act for the benefit of C. B. Faris, clerk of the Laurel circuit and county courts.

An act prescribing additional duties to assessors of tax.

Mr. Underwood, from the Committee on Military Affairs, to whom was referred a bill from the Senate, entitled

An act adopting rules and regulations for the government of the military forces of the State of Kentucky, and for the punishment of deserters, &c.,

Reported the same with amendments.

Which amendments were 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,

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

Mr. Wolfe, from the committee of conference, to whom, in conjunction with a similar committee on the part of the Senate, the disagreement of the two Houses to a bill from the Senate, entitled

An act to fix the return day of executions,

Was referred, made the following report, viz:

The committee of conference, appointed by the Senate and House of Representatives, have held a conference, and report that the Senate committee refuse to recede from their vote rejecting the amendments made by the House to the Senate bill, No. 184, entitled "An act to regulate the return day of executions," which refusal leaves the House the alternative of receding from their amendments or losing the bill.

The House committee recommend that the House recede from their amendments.

NAT. WOLFE, Chair'n,
J. R. UNDERWOOD,
W. J. HEADY,
House Committee.
T. F. MARSHALL,
JAS. F. ROBINSON,
H. D. McHENRY,
Senate Committee.
Said bill, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all executions issued on replevin bonds, or bonds having the force and effect of replevin bonds, executed after the passage of this act, and prior to the 1st Monday in January, 1863, shall be made returnable to the 1st Monday in March, 1863.

§ 2. That when replevin bonds, or bonds having the force and effect of replevin bonds, have heretofore been executed, and execution has not been taken out on the same, and the sureties in said bond shall, by their indorsement thereon, in writing, consent to the extension of the time for the return of the execution which may issue on said bond, the execution which shall issue thereon shall be made returnable as directed in the first section.

§ 3. That where executions have been issued on replevin bonds, or bonds having the force and effect of replevin bonds, and the surety shall, by his indorsement, in writing, consent thereto, the execution shall be returned to the office from which it issued, and a new one shall be issued, made returnable as directed in the first section of this act: Provided, That any and all liens and levies that may exist at the return of the execution, shall remain and continue in favor of the plaintiff on the subsequent executions that may issue thereon; and said liens shall be indorsed on the first execution by the sheriff, and copied by the clerk on the second execution that may issue.

The question was taken on concurring in said report, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

John C. Beeman, Thomas S. Brown, Evan M. Garriott, John B. Huston, James P. Sparks, Harrison Taylor,
Mr. Rankin, from the Committee on the Judiciary, to whom was referred a bill, entitled
An act to legalize certain patents and the surveys upon which they are based,
Reported the same without amendment.
On motion of Mr. Hampton,
Ordered, That the farther consideration thereof be postponed till re-assembling of this General Assembly.

Mr. Huston, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue."
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The yeas and nays being required on the passage of said bill by Messrs. Garriott and Ash, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, William S. Rankin,
    Alfred Allen, Daniel E. Downing, Nicholas A. Rapier,
    Jas. W. Anderson, Hugh F. Finley, F. D. Rigney,
    R. C. Anderson, John W. Finnell, J. A. Rousseau,
    E. B. Bacheller, Elijah Gabbert, G. Clay Smith,
    Eliash Beazly, Remus Gibson, M. Smith,
    William A. Braan, Henry Griffith, James P. Sparks,
    Lexoy Brinkley, William J. Healy, Harrison Taylor,
    R. J. Browne, John B. Huson, Joshua Tevis,
    Thomas S. Brown, Daniel W. Johns, George M. Thomas,
    Curtis F. Burnam, Urban E. Kennedy, John R. Thomas,
    James Calvert, James M. C. Lisenby, John S. Van Winkle,
    J. W. Campbell, Otho Miller, Willie Waller,
    Joseph H. Chandler, Thomas Z. Morrow, Zeb. Ward,
    Brutus J. Clay, Richard Neel, George P. Webster,
    Francis L. Cleveland, Thomas W. Owings, Alex. T. White,
    Robert Cochran, Hiram S. Powell, Van B. Young—51.
Those who voted in the negative, were—


The House then took up the bill, entitled

An act authorizing the purchase of the grave-yard in Hart county in which are buried the remains of the Union soldiers killed in battle 17th December, 1861, near Rowlett's Station.

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 the constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That George T. Wood, of the county of Hart, be, and he is hereby, authorized to purchase, in the name of the Commonwealth, the ground, not exceeding half an acre, where the remains of the brave German soldiers killed in the battle of the 17th December, 1861, near Rowlett's Station, between the rebel forces under Terry and Hindman, and the loyal 32d Indiana regiment under Col. Willich, have been buried.

§ 2. That the said George T. Wood, if necessary for the proper protection of said ground, shall cause the same to be inclosed with a suitable fence or wall; and a sum not exceeding two hundred and fifty dollars be appropriated out of the public treasury for the purposes mentioned in this act, to be drawn therefrom by the Auditor's warrant in favor of said Wood.

§ 3. This act to take effect from and after its passage.

The House took up the resolution offered by Mr. Sparks in relation to furnishing blanks to justices of the peace.

Ordered, That said resolution be referred to the Committee on Retrenchment and Reform.

The House took up a bill to provide for taking proof to establish claims against the United States or this State for property destroyed or injured or taken for military purposes.

Mr. Finley moved an amendment,
Which was adopted.
Mr. George M. Thomas moved an amendment.
Mr. Underwood offered an amendment.
Mr. Thomas withdrew his amendment.
And the question being taken on adopting the amendment of Mr. Underwood, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Robert Cochran, Hiram S. Powell,
Alfred Allen, Albert A. Curtis, Nicholas A. Rapier,
Jas. W. Anderson, Lucius Desha, F. D. Rigney,
R. C. Anderson, Daniel E. Downing, J. A. Rousseau,
E. B. Bacheller, Stephen J. England, M. Smith,
Elisha Beazly, Hugh F. Finley, Harrison Taylor,
J. W. Boone, John W. Finnell, George M. Thomas,
William A. Brann, Elijah Gabbert, John R. Thomas,
Leroy Brinkley, Remus Gibson, Thomas Turner,
R. J. Brownes, William J. Heady, J. R. Underwood,
Thos. S. Brown, Daniel W. Johns, John S. Van Winkle,
Those who voted in the negative, were—


Said amendment reads as follows, viz:

After the word “board,” in the 5th line, 4th section, insert, “He shall further institute inquiry whether the claimant gave aid or assistance to those engaged in the rebellion, or invited them to this State.”

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,

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

The yeas and nays being required on the passage of said bill by Messrs. Bush and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

W. P. D. Bush, Hugh F. Finley, Felix G. Murphy,
James Calvert, Evan M. Garriott, Hiram S. Powell,

Said bill reads as follows, viz:

WHEREAS, Many citizens of this State have sustained losses from the rebel forces which have invaded the State, and also from the armies of the United States, and from marauding and guerrilla parties; and whereas, it is thought that many of these losses may constitute just claims against the United States, or the State of Kentucky; in order, therefore, to perpetuate the testimony in relation to said losses, whether resulting from the destruction of property or its conversion to the use of the party seizing it—

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any person whose property has been destroyed by, or has been seized and appropriated to the use of, any army, troop, marauding party, or officer, or soldier, or agent, engaged on either side in the existing civil war and rebellion, may state the nature and extent of his loss in the form of an account, as follows:

The United States or State of Kentucky, Dr.
To A—— B——

For property destroyed, injured, or taken by (here state the army, troop, or officer, or soldier, or agent, or contractor,
&c., who did the damage) to the value of— $ The above aggregate is made up of the following particulars,
to-wit: Damage done to my real estate in this— 1. Cutting down and destroying my timber to the value of— $ 2. Burning up and using for fire-wood— hundred rails, $ 3. Destroying my dwelling-house by burning it, — $ 4. Destroying my out-houses by burning or pulling them down, — $ Damage done my personal property, to-wit: One horse (or more, giving the number) taken off and used and never returned, or killed, worth— $ (And so on, giving and stating, in separate items, the articles destroyed or taken, and their value, putting the articles of the same kind, or class, in one item.)

The account shall be dated so as to show the times when the loss was sustained; and the claimant shall verify the account by his own affidavit and the testimony of one or more credible witnesses. The claimant shall state in his affidavit how much, if any, of his claim has been paid, by whom paid, and in what kind of funds, and shall credit the account with the sums paid, or the value of the payment, if made in depreciated funds, so as to show the balance claimed.

§ 2. The accounts made out and verified as aforesaid, shall be forwarded to the Military Board, on or before the 24th day of October next. It shall be the duty of said Board carefully to preserve the same, and to lay before the General Assembly, at its next session, the
name of each claimant, the amount claimed by him for the loss and injury to his property. Said Board shall file with each account the evidence in support of it, and place the accounts in bundles, alphabetically arranged, for easy reference.

§ 3. The witnesses whose affidavits are taken in verification of the accounts, shall, respectively, state his age, place of residence, relationship to the claimant, and how it happened that he was placed in the situation to obtain a knowledge of the destruction or loss of the property, and of its value, about which he testifies. This testimony shall be given before any examiner appointed by the circuit court, and who is authorized to take depositions; and such examiner is hereby authorized and required to ask the witness such questions as he may deem proper to protect the interests of this State or of the United States; and the witness shall answer the questions so propounded; all which shall be made part of the affidavit. If any witness refuses to answer any such question, his affidavit shall not be certified or returned as evidence in behalf of the claim.

§ 4. If any examiner should think the interest of the United States, or of this State, would be better protected by examining any witness within his knowledge, he shall summon such witness before him, take the testimony of such witness in relation to the loss or value of the property mentioned in the account, and return the same to the Military Board; he shall further institute inquiry whether the claimant gave aid or assistance to those engaged in the rebellion, or invited them to this State; for which service said examiner shall be allowed one dollar, to be paid by said Board out of any funds in their hands. For taking the affidavit or deposition of any witness in behalf of any claimant, the examiner shall be allowed the same fees as are now allowed by law in similar cases, to be paid by such claimant.

§ 5. The examiner or other officer taking such affidavit, shall certify that he is acquainted with the affiants, and that they are men of good moral character, and entitled to be believed on oath, before such affidavit shall be read as evidence of the justness of the claims they tend to prove.

Mr. G. Clay Smith moved a reconsideration of the vote by which the foregoing bill was passed.

At 1 o'clock, P. M., Mr. White moved that the House adjourn till nine o'clock to-morrow.

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

The yeas and nays being required thereon by Messrs. Huston and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,          Elijah Gabbert,          David May,
Jas. W. Anderson,      Joseph Gardner,          Thomas Z. Morrow,
Vincent Ash,           Eran M. Carrott,          Felix G. Murphy,
Elisha Beazly,         George M. Hampton,        F. D. Rigney,
Those who voted in the negative, were —


The following bills were taken up, viz:

A bill to provide for taking proof to establish claims against the United States or this State for personal services.

A bill concerning limitations to actions upon merchants' accounts for goods, wares, and merchandise sold and delivered.

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,

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

The House took up the bill concerning the penitentiary.

Mr. B. R. Young moved to fill the lease of the penitentiary with $12,000.

Mr. George M. Thomas with $8,000.

Mr. Huston moved a different sum per year.

Mr. R. J. Browne moved to fix $8,000 first year, and $10,000 the next three years.

Mr. Bell moved to postpone the further consideration thereof till the meeting of this House in November, and that a committee be appointed to ascertain and report as to what sum per annum said institution should be leased at.

Which motion was adopted.
The Speaker appointed Messrs. Bell, Edmunds, and Finnell the committee in accordance with the motion aforesaid.

The House took up the amendment to a bill for the benefit of stockholders in turnpike road companies in Franklin county.

Which amendment 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,

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

A resolution for the benefit of the Agricultural and Mechanical Association at Lexington, was taken up, twice read, and adopted.

The amendment proposed by the Senate to a bill from this House, entitled

An act for the benefit of Wallace Hamil, and others, of Carter county,

Was taken up, twice read, and concurred in.

A bill, entitled "An act to allow ice to be brought up the Kentucky and Green rivers free of toll," was taken up.

Mr. White moved to lay the bill on the table.

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

The House took up the amendment of the Senate to a bill from this House providing for the payment of the funeral expenses of the Hon. Walter Chiles and Hon. Wm. C. Anderson, late members of the General Assembly, which was twice read and 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 yeas and nays being required thereon by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Otho Miller,
Alfred Allen, Lucius Desha, Thomas Z. Morrow,
Jas. W. Anderson, Daniel E. Downing, Felix G. Murphy,
R. C. Anderson, W. H. Edmunds, Richard Neel,
OFFICE OF THE MILITARY BOARD,
FRANKFORT, March 13, 1862.

Hon. R. A. Buckner, Speaker of the House of Representatives:

Sir: In the list of persons to whom money had been intrusted by this Board for disbursement, furnished with mine of 11th inst., the name of Hon. J. B. Bruner occurs, and I omitted to explain that he has returned pay rolls and other vouchers sufficient to account for all the funds received by him.

Very respectfully, your obedient servant,

J. B. TEMPLE, President.

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

Ordered, That the said communication and the former report be referred to the Committee on Military Affairs.

The House then took up a bill to provide suitable remedies for the collection of debts and demands heretofore contracted, and judgments for torts hereafter recovered.

Mr. Huston moved to postpone the further consideration of the bill till after the recess.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. G. Clay Smith and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Bills from the Senate of the following titles, viz:

1. An act to amend the law governing the registration of births, deaths, and marriages, and to reduce into one the several acts in relation thereto.

2. An act to amend the penal laws.

3. An act to fix the salaries of the Adjutant General and Quartermaster General.

4. An act to facilitate proceedings in circuit courts, &c.

5. An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue."

6. An act to amend the charter of the Southern Bank of Kentucky.

7. An act to establish the office of county guardian.

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 Education; the 2d to the Committee on the Judiciary.
the 4th and 7th to the Committee on Circuit Courts; the 3d, 5th, and 6th were ordered to 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 yeas and nays being required on the passage of the 3d bill by the constitution, were as follows:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Francis L. Cleveland, P. L. Maxey,
Alfred Allen, David May,
Jas. W. Anderson, Otho Miller,
R. C. Anderson, Felix G. Murphy,
Vincent Ash, Richard Neel,
E. B. Bacheller, Hiram S. Powell,
Elisha Beazly, William S. Rankin,
Joshua F. Bell, F. D. Rigney,
John W. Blue, J. A. Rousseau,
J. W. Boone, G. Clay Smith,
William A. Brann Harrison Taylor,
Leroy Brinkley, George M. Thomas,
R. J. Browne, John R. Thomas,
Thos. S. Brown, Thomas Turner,
Curtis F. Burnam, J. R. Underwood,
E. F. Burns, John S. Van Winkle,
W. P. D. Bush, Willie Waller,
James Calvert, Geo. P. Webster,
Cyrus Campbell, Alex. T. White,
J. W. Campbell, Nathaniel Wolfe,
Joseph H. Chandler, Bryan R. Young,
Brutus J. Clay, Van B. Young—66.

In the negative—

James P. Sparks—1.

The House took up the bill, entitled
An act for the appropriation of money.

Mr. White moved to strike out "ten dollars," and insert "eight dollars" to the Clerks.

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

Mr. G. Clay Smith moved to strike out "five days" to the Clerks, and insert "three days," and reduce their pay for said three days to five dollars per day.

And the question being taken thereon, it was decided in the negative.
Mr. R. C. Anderson moved an amendment allowing Sanford Goins seventy-five dollars for firing salutes.

Which was adopted.

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

The bill was then read a third time, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following sums of money be, and they are hereby, appropriated to the persons hereinafter named, to be paid out of the treasury, upon the warrant of the Auditor of Public Accounts, to-wit:

§ 2. To the Speakers of the Senate and House of Representatives, each, eight dollars per day during the present session.

§ 3. To the Clerks and Assistant Clerks of the Senate and House, each, ten dollars per day during the present session, and to the principal Clerks the same per day for five days after the adjournment, for arranging papers, &c.

§ 4. To the Sergeants-at-Arms and Door-keepers of the two Houses, each, six dollars per day during this session; and to the Sergeant-at-Arms of the Senate, for services of one negro man, one dollar per day; and the Sergeant of the House two dollars per day for the services of two negro men during this session.

§ 5. To the Pages of the two Houses, one dollar and fifty cents, each, per day during the session, to be drawn and distributed by the Sergeants of the two Houses, and certified by the principal Clerks, and twelve dollars to Wm. O. Bradley for traveling expenses.

§ 6. To A. G. Hodges, for the Daily Commonwealth during the session, two hundred and sixty-five dollars and fifty cents.

§ 7. To S. I. M. Major & Co., for daily Yeoman during the session, two hundred and sixty-five dollars and fifty cents.

§ 8. To the Ministers of the different religious denominations in Frankfort, fifty dollars, to be drawn and distributed by John W. Pruett.

§ 9. That the Auditor is authorized to draw his warrant on the treasury in favor of the principal Clerks of the two Houses for the amount of extra clerk hire for enrolling, to be estimated and certified by them.

§ 10. To J. B. Lampton, for sundries, twenty-nine dollars and seventy-five cents, for bill of crape.

§ 11. To A. G. Hodges, for two hundred and twenty papers and postage, per bill rendered, eight dollars and eighty cents.

§ 12. To U. V. Williams, five dollars, for swearing in members of this General Assembly.

§ 13. To Gray & Todd, for bill rendered, eleven dollars and thirty-five cents.

§ 14. To John Haly, for use of Band on the 22d of February, twenty dollars.

§ 15. To John W. Pruett, for bill of crape, &c., twenty-seven dollars and eighty-five cents.

§ 17. To A. G. Commaek, for carpeting, &c., in Senate Chamber, eleven dollars and fifty cents.
§ 18. To John R. Graham, for bill of blacking, andirons, &c., six dollars and seventy-five cents.
§ 19. To Dr. J. M. Mills, for bill of soap, one dollar and fifty cents.
§ 20. To Henry, a man of color, for washing towels, one dollar and fifty cents.
§ 21. To George A. Robertson, one dollar per day for services of one negro man employed at the back capitol during the present session.
§ 22. To J. B. Lewis, clerk to the Committee on Enrollments, three dollars per day, for his services rendered said committee during this session, to be certified by the chairman of one of said committees.
§ 23. To Sanford Goins, seventy-five dollars, for firing national salute on the 22d day of February, by order of the General Assembly, and on the — day of February, by order of the Senate.
§ 24. To Charles Haydon, for services as clerk to joint Committee on Banks, two dollars.
§ 25. This act to take effect from its passage.

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

The yeas and nays being required on the passage of said bill by the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Jas. W. Anderson,  David May,  James P. Sparks—5.
George M. Hampton,  Hiram S. Powell,

The House took up the amendment proposed by the Senate to the resolution directing the printing and distribution of the general laws.

Which was twice read and concurred in.

The House then took up the bill from the Senate, entitled

An act to amend the jury laws of this Commonwealth.

Mr. Finley moved to lay the 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. Bush and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Vincent Ash,  Robert Cochran,  P. L. Maxey,
John W. Blue,  Lucius Desha,  David May,
J. W. Boone,  W. H. Edmunds,  Felix G. Murphy,
William A. Brown,  Joseph Gardner,  Hiram S. Powell,
R. J. Browne,  Evan M. Garriott,  Harrison Taylor,
Curtis F. Burnam,  George M. Hampton,  Thomas Turner,
E. F. Burns,  John H. Harney,  Joseph R. Underwood,
W. P. D. Bush,  William J. Heady,  John S. Van Winkle,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing,  Thomas W. Owings,
Alfred Allen,  Stephen J. England,  William S. Rankin,
Jas. W. Anderson,  Hugh F. Finley,  F. D. Rigney,
R. C. Anderson,  John W. Finnell,  G. Clay Smith,
E. B. Bacheller,  Elijah Gabbit,  M. Smith,
Elisha Beazley,  Remus Gibson,  James P. Sparks,
Joshua F. Bell,  Henry Griffith,  Joshua Tevis,
Leroy Brinkley,  John B. Huston,  George M. Thomas,
Thomas S. Brown,  Daniel W. Johns,  John R. Thomas,
James Calvert,  Urban E. Kennedy,  Willie Waller,
Cyrus Campbell,  Alexander Lusk,  George P. Webster,
J. W. Campbell,  Jonas Martia,  Alex. T. White,
Brutus J. Clay,  Otho Miller,  Nathaniel Wolfe,
Francis L. Cleveland,  Richard Neel,  Bryan R. Young—43.

Mr. Tevis moved that the bill be referred to the Committee on the Judiciary, with instructions to report the same at 12 o'clock to-morrow.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Allen and Sparks, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Robert Cochran, William Johnson,
Jas. W. Anderson, Albert A. Curtis, P. L. Maxey,
Vincent Ash, Lucius Desha, David May,
E. B. Bacheller, Daniel E. Downing, Felix G. Murphy,
John W. Blue, W. H. Edmunds, Hiram S. Powell,
J. W. Boone, Hugh F. Finley, Harrison Taylor,
William A. Brann, Joseph Gardner, Joshua Tevis,
R. J. Browne, Evan M. Garriott, Thomas Turner,
Curtis F. Burnam, Henry Griffith, Joseph R. Underwood,
E. F. Burns, George M. Hampton, John S. Van Winkle,
Joseph H. Chandler, William J. Heady,

Those who voted in the negative, were—

Alfred Allen, John W. Finnell, F. D. Rigney,
R. C. Anderson, Elijah Gabbert, G. Clay Smith,
Elisha Beazly, Remus Gibson, M. Smith,
Joshua F. Bell, John B. Huston, James P. Sparks,
Leroy Brinkley, Daniel W. Johns, George M. Thomas,
Thos. S. Brown, Urban E. Kennedy, John R. Thomas,
James Calvert, Alexander Lusk, Willie Water,
Cyrus Campbell, Jonas Martin, George P. Webster,
J. W. Campbell, Otho Miller, Alex. T. White,
Brutus J. Clay, Richard Neel, Nathaniel Wolfe,
Francis L. Cleveland, Thomas W. Owings, Bryan R. Young—35.
Stephen J. England, William S. Rankin,

Ordered, That said bill 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.

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

Those who voted in the affirmative, were—

Mr Speaker, (Buckner,) Stephen J. England, Thomas W. Owings,
Alfred Allen, Hugh F. Finley, William S. Rankin,
Jas. W. Anderson, John W. Finnell, F. D. Rigney,
R. C. Anderson, Elijah Gabbert, G. Clay Smith,
E. B. Bacheller, Remus Gibson, M. Smith,
Elisha Beazly, Henry Griffith, James P. Sparks,
Joshua F. Bell, William J. Head, Joshua Tevis,
Leroy Brinkley, John B. Huston, George M. Thomas,
Thos. S. Brown, Daniel W. Johns, John R. Thomas,
3.

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MAR. 13.] HOUSE OF REPRESENTATIVES. 

James Calvert, Urban E. Kennedy, Willie Waller. 
Cyrus Campbell, Alexander Lusk, Geo. P. Webster, 
J. W. Campbell, Jonas Martin, Alex. T. White, 
Brutus J. Clay, Otho Miller, Nathaniel Wolfe, 
Francis L. Cleveland, Richard Neel, Bryan R. Young—42. 

Those who voted in the negative, were—

Vincent Ash, Robert Cochran, P. L. Maxey, 
John W. Blue, Robert Cochran, P. L. Maxey, 
J. W. Boone, Lucius Desha, David May, 
William A. Brann, Daniel E. Downing, Felix G. Murphy, 
R. J. Browne, Joseph Gardner, Hiram S. Powell, 
Curtis F. Barnam, Evan M. Garriott, Harrison Taylor, 
E. F. Burns, George M. Hampton, Thomas Turner, 
W. P. D. Bush, John H. Harvey, Joseph R. Underwood, 
Joseph H. Chandler, William Johnson, John S. Van Winkle, 

Mr. Martin moved a reconsideration of the vote adopting the resolution providing for the distributing of public books to police judges.

Mr. Huston moved to lay the motion on the table.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Otho Miller, 
Jas. W. Anderson, Daniel E. Downing, Richard Neel, 
R. C. Anderson, Hugh F. Finley, Hiram S. Powell, 
Vincent Ash, John W. Finnell, William S. Rankin, 
E. B. Bacheller, Elijah Gabbert, F. D. Rigney, 
Elisha Beazly, Joseph Gardner, G. Clay Smith, 
Joshua F. Bell, Evan M. Garriott, Joshua Tevis, 
John W. Blue, Remus Gibson, George M. Thomas, 
J. W. Boone, Henry Griffith, John R. Thomas, 
Leroy Brinkley, George M. Hampton, Thomas Turner, 
R. J. Browne, John H. Harvey, John S. Van Winkle, 
Curtis F. Barnam, William J. Heady, Willie Waller, 
W. P. D. Bush, John B. Huston, George P. Webster, 
James Calvert, Daniel W. Johns, Alex. T. White, 
Cyrus Campbell, William Johnson, Nathaniel Wolfe, 
Joseph H. Chandler, Urban E. Kennedy, Bryan R. Young, 
Bratus J. Clay, James M. C. Lisenby, Van B. Young—53. 
Robert Cochran, P. L. Maxey, 

Those who voted in the negative, were—

William A. Brann, Jonas Martin, James P. Sparks, 
E. F. Burns, David May, Harrison Taylor, 
Lucius Desha, Felix G. Murphy, J. R. Underwood—10. 
W. H. Edmunds,
The House then took up a bill from the Senate, entitled
An act to regulate the pay and mileage of members of the General
Assembly.

Mr. Finley moved to lay the bill on the table.
And the question being taken thereon, it was decided in the nega­tive.

Mr. J. W. Anderson moved to amend by computing by the nearest
route, without regard to the route usually traveled by the member.

Mr. Allen offered an amendment to the amendment to strike out
"the nearest route," and insert "the usual traveled route."

Which amendments were adopted.

Mr. May moved to lay the bill and amendments on the table.
And the question being taken thereon, it was decided in the nega­tive.

Mr. Robert Cochran moved an amendment that no member shall
receive more than seventy-five dollars in mileage.

Mr. Kennedy moved to lay the 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. Curtis and
J. W. Anderson, were as follows, vis:

Those who voted in the affirmative, were—

Alfred Allen,    W. H. Edmunds,  Daniel W. Johns,
E. B. Bacheller, Stephen J. England, William Johnson,
Elisha Beazly,   Hugh F. Finley,  Urban E. Kennedy,
Joshua F. Bell,  John W. Fennell, Jonas Martin,
John W. Blue,    Elijah Gabbert,  David May,
J. W. Boone,     Joseph Gardner,  Otho Miller,
William A. Braum, Evan M. Garriott, Felix G. Murphy,
Leroy Brinkley,  Remus Gibson,   Thomas W. Owings,
Thos. S. Brown,  Henry Griffith,  G. Clay Smith,
E. F. Burns,     G. M. Hampton,  Willie Waller,
Cyrus Campbell,  John H. Harney,  Alex. T. White,
Daniel E. Downing, William J. Heady, Van B. Young—36.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Robert Cochran, Harrison Taylor,
Jas. W. Anderson, Albert A. Curtis, Joshua Tevis,
R. C. Anderson,  Lucius Desha,  George M. Thomas,
Vincent Ash,    John B. Huston,  John R. Thomas,
R. J. Browne,    P. L. Maxey,    Thomas Turner,
Curtis F. Burman, Richard Neel,  Jos. R Underwood,
W. P. D. Bush,   Hiram S. Powell, John S. Van Winkle,
James Calvert,   William S. Rankin, Geo. P. Webster,
Mr. White moved a reconsideration of the vote by which the foregoing bill was laid on the table.

[In the Journal of 10th instant there is an error. The resolution offered by Mr. B. R. Young, in relation to leasing the Kentucky penitentiary, & c., was laid on the table, and the yeas and nays were taken to lay said resolution on the table, and not on its adoption, as stated. See page 767.]

And then, on motion,
The House adjourned till 10 o'clock to-morrow.

FRIDAY, MARCH 14, 1862.

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 prohibit certain partnerships between attorneys for the Commonwealth and other attorneys.

An act for the benefit of common schools in the counties of Johnson, Floyd, Crittenden, Pike, Magoffin, Breathitt, Morgan, Wolfe, Lyon, Livingston, and Christian.

An act for the benefit of certain school districts in Anderson county.

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

An act authorizing the coroner to summon grand and petit jurors in certain cases.

An act legalizing the acts of the Meade county March quarterly court.

An act for the benefit of the clerk of the Meade county court.

An act supplemental to an act, entitled "An act repealing all laws permitting Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected."
An act for the benefit of A. A. Curtis and Hiram Kallum.
An act for the benefit of Joseph Selman.
An act for the benefit of certain housekeepers in this Commonwealth.
An act for the benefit of the sheriff of Perry county and his sureties.
An act for the benefit of school district No. 8, in Carter county.
An act concerning the collection of the public revenue and county levy for the years 1861 and 1862, in certain counties in this Commonwealth.
An act providing for the levying and collecting of the county levy and holding the court of claims in certain counties of this Commonwealth.
An act for the benefit of James H. Walker, late sheriff of Crittenden county.
An act for the benefit of the sheriff of Crittenden county.
An act to amend the charter of the town of Columbia, in Adair county.
An act concerning limitations to actions upon merchants' accounts for goods, wares, and merchandise sold and delivered.
An act for the appropriation of money.
With an amendment to the last named bill.
And had concurred in a resolution for the benefit of the widow of W. C. Anderson, deceased.
Also, in amendments proposed by this House to bills from the Senate, of the following titles, viz:
An act to amend an act, entitled "An act to amend the Code of Practice in civil cases," approved December 23, 1861.
An act in relation to the salaries of the city judges of Lexington and Louisville.
That they had passed bills of the following titles, viz:
An act for the benefit of common schools.
An act to incorporate the Fulton Manufacturing and Mining Company.
An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved February 28, 1862.
An act to amend the charter of the Versailles Female Academy.
An act to legalize the proceedings of the Green circuit court at its February term, 1862.
MAR. 14.]  HOUSE OF REPRESENTATIVES. 859

An act to facilitate the execution of the attachment laws of this Commonwealth.

An act for the benefit of the Louisville and Portland railroad company.

That they had received official information from the Governor, announcing that he had signed and approved sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of W. N. Guyton, of McLean county.

An act concerning the jurisdiction of the Bourbon quarterly court.

An act for the benefit of soldiers in the armies of the State of Kentucky and the United States.

An act to change the place of voting in the 5th district, Whitley county.

An act for the benefit of the Kentucky Female Orphan School at Midway.

An act for the benefit of Jonathan Horsefall, jailer of the city of Newport.

An act to amend the charter of the town of Carrollton.

An act to repeal an act, entitled "An act to amend the charter of the town of LaGrange," approved March 3d, 1860.

An act to exempt tavern-keepers, in the town of Crab Orchard, from paying coffee-house license.

An act to incorporate the Benedictine Order of Covington, consisting of Catholic priests and lay brothers.

An act for the benefit of Elisha Smith, of Rockcastle county.

An act for the benefit of school district No. 42, in Owsley county.

An act changing the time of holding the Trimble circuit court.

An act to amend an act to incorporate the Winchester College, approved February 15, 1860.

An act to amend the act to create the office of county treasurer, in Whitley county.

An act allowing further time to return delinquent list of revenue for 1861, in Green county.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and a resolution which originated in this House, of the following titles, viz:

An act to regulate the amount of public printing and binding.

An act for the benefit of Wallace Hamil, and others, of Carter county.
An act providing for the payment of the funeral expenses of the Hon. Walter Chiles and the Hon. Wm. C. Anderson, late members of the General Assembly.

An act to legalize certain marriages in this Commonwealth.

Resolution directing the printing and distributing of the general laws.

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

An act for the benefit of Elisha B. Treadway, sheriff of Owsley county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Owensboro," approved February 28, 1850,

An act for the benefit of Joseph L. McCarty.

An act to incorporate the Merchants' and Mechanics' and the Marine Insurance Company, of the city of Louisville.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

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

By Mr. Wolfe—

1. A bill supplemental to an act, entitled "An act to fix the return day of executions."

By Mr. Bush—

2. A bill for the benefit of school district No. 37, in Shelby county.

By Mr. G. Clay Smith, from the Committee on Circuit Courts—

3. A bill to amend chapter 36, article 10, Revised Statutes, title "Executions."

By same—

4. A bill to amend the Civil Code of Practice as applicable to divorce cases.

By same—

5. A bill to regulate the time of holding the circuit courts in Crittenden county.

By Mr. Beeman, from the Committee on Incorporated Institutions—

6. A bill to incorporate Tecumseh Tribe, No. 6, Independent Order of Red Men, of Louisville.

By Mr. Huston—

7. A bill for the benefit of Wallace S. Hamil, and others, of Carter county.
By Mr. J. R. Thomas—

8. A bill to authorize proceedings against those who have lost, mislaid, or carried off State arms.

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, and 7th were severally ordered to be engrossed and read a third time; the 4th bill was rejected, and the 8th was placed in the orders of the day.

The rule of the House, constitutional provision, and third reading of the 11th, 12th, 3rd, 5th, 6th, and 7th bills having been dispensed with, and the same having been engrossed,

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

Mr. Yeaman moved the following resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That any tax levied on tobacco by the General Government ought to relate only to future crops; and that to levy the proposed tax on the present crop already purchased by the dealers, would prove onerous and injurious in the highest degree, and greatly derange the commercial interests connected with tobacco; and to levy it on the unsold crop, in the hands of the planters would prove equally injurious to them in the marked depression of prices.

2. Resolved, That the tax, as proposed by the bill now pending in Congress, is greatly disproportioned to the tax on other property, and ought to be reduced.

3. Resolved, That owing to the great difference in the values of different qualities and grades of tobacco, the tax on it ought to be ad valorem, and not specific.

4. Resolved, That our Senators in Congress are instructed, and our Representatives requested, to act upon the matter in accordance with the views presented in these resolutions.

Ordered, That said resolutions be referred to the Committee on Agriculture and Manufactures.

Mr. Finnell offered the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses will, at 12 o'clock, M., this day, proceed to the election of a member of the Board of Managers of the Eastern Lunatic Asylum, to fill the vacancy occasioned by the death of Colonel E. L. Dudley.

Which was adopted.

Mr. Underwood, from the Committee on Military Affairs, to whom
was referred a communication from Kentucky prisoners at Camp Chase, Ohio, reported the following resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Secretary of War be requested to furnish the Governor, for the information of their friends, to be published in at least three newspapers in Kentucky, a list of the names and the location of the prisoners of war held by the United States whose residence has heretofore been in this State.

*Resolved,* That the Governor be requested to forward a copy of the foregoing resolution to the Secretary of War, and to each of our Senators and Representatives in Congress.

Which was adopted.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, David May,

Vincent Ash, W. H. Edmunds, Otho Miller,

E. B. Bacheller, John W. Finnell, Thomas Z. Morrow,

Joshua F. Bell, Joseph Gardner, Felix G. Murphy,

John W. Blue, Evan M. Garriott, Richard Neel,

J. W. Boone, Remus Gibson, Thomas W. Owings,

William A. Brann, Henry Griffith, P. D. Rigney,

Leroy Briakley, Geo. M. Hampton, J. A. Rousseau,

R. J. Browne, John H. Harney, Joshua Tevis,

Thomas S. Brown, William J. Heady, John R. Thomas,

E. F. Burns, Daniel W. Johns, Joseph R. Underwood,

W. P. D. Bush, William Johnson, Willie Walker,

Joseph H. Chandler, Urban E. Kennedy, Nathaniel Wolfe,

John B. Cochran, James M. C. Lisenby, Geo. H. Yeaman,

Robert Cochran, Jonas Martin, Bryan R. Young,

Albert A. Curtis, P. L. Maxey, Van B. Young—49.

Those who voted in the negative, were—

Alfred Allen, Brutus J. Clay, G. Clay Smith,


John C. Beeman, Alexander Lusk,

Mr. Underwood, from the same committee, reported the following resolution, viz:

*Resolved,* That the Governor be, and he is hereby, respectfully requested to open a correspondence with the President of the United States in behalf of the signers of the letter in question, and to request the discharge and pardon of all such as shall, on proper investigation, be found of good character, and who will take an oath to support the constitution of the United States.

Mr. Bell moved to postpone the further consideration of said resolution until the next meeting of this General Assembly.
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen,       Albert A. Curtis,         Thomas W. Owings,
Jas. W. Anderson,   Daniel E. Downing,       Hiram S. Powell,
R. C. Anderson,     Stephen J. England,      Wm. S. Rankin,
E. B. Bacheller,    John W. Finnell,         F. D. Rigney,
Elisha Beazly,      Remus Gibson,            J. A. Rousseau,
John C. Beeman,     William J. Heady,        G. Clay Smith,
Joshua T. Bell,     John B. Huston,          James P. Sparks,
J. W. Boone,        Daniel W. Johns,          Joshua Tettis,
William A. Brann,   Urban E. Kennedy,        John R. Thomas,
R. J. Browne,       James M. C. Lisenby,      J. S. Van Winkle,
Thomas S. Brown,    Jonas Martin,             Willie Waller,
James Calvert,      Otho Miller,              Nathaniel Wolfe,
Joseph H. Chandler, William Z. Morrow,       Bryan R. Young,
Brutus J. Clay,     Richard Neel,             Van B. Young—42.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Lucius Desha,    Alexander Lusk,
Vincent Ash,        W. H. Edmunds,           P. L. Maxey,
John W. Blue,       Joseph Gardner,         David May,
E. F. Burns,        Evan M. Garriott,        Felix G. Murphy,
W. P. D. Bush,      George M. Hampton,      J. R. Underwood,

A message was received from the Senate, announcing that they had concurred in a resolution to go into the election of a director for the Eastern Lunatic Asylum, in place of E. L. Dudley, deceased.

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution which originated in this House, in relation to the election of a director for the Eastern Lunatic Asylum, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

A message was received from the Governor, by Mr. Gaither, Secretary of State, announcing that he had signed and approved a resolution which originated in this House, in relation to the election of a director for the Eastern Lunatic Asylum.

The House then proceeded to the election of a director for the Eastern Lunatic Asylum.

Mr. Finnell nominated Dr. Henry M. Skillman as a suitable person to fill the office of director for the Eastern Lunatic Asylum.
After interchanging nominations, the House proceeded to take a vote, which stood thus:

Those who voted for Dr. Skillman, were—


Messrs. Finnell and Tevis were appointed a committee on the part of this House, to act in conjunction with a committee on the part of the Senate, to compare the joint vote and report the result.

After a short time, Mr. Finnell, from said committee, reported that the joint vote stood thus:

For Mr. H. M. Skillman, - - - - - - - - 82
For Mr. H. Rodman, - - - - - - - - - 1

Whereupon, Dr. Henry M. Skillman was declared duly elected a director for the Eastern Lunatic Asylum, in place of E. L. Dudley, deceased.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled

An act supplemental to an act, entitled “An act to fix the return day of executions,”

With an amendment.

Which was concurred in.

That they had concurred in amendments adopted by this House to bills from the Senate of the following titles, viz:

An act to amend section 25, chapter 93, Revised Statutes.
An act adopting rules and regulations for the government of the military forces of the State of Kentucky, and for the punishment of deserters, &c.,

And had concurred in resolutions from this House of the following titles, viz:;

Resolution for the benefit of the Agricultural and Mechanical Association of Louisville.

Resolution to have published a list of Kentucky prisoners.

And had adopted a resolution in relation to tax on tobacco.

Mr. G. Clay Smith, from the Committee on Circuit Courts, reported a bill to amend the law with regard to commissioners' sales.

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 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. Huston and Wolfe, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all sales of real estate made by commissioners of courts of chancery jurisdiction in the enforcement of liens, trust, and foreclosure of mortgages created or executed after the passage of this act, and enforcing the same, shall be valued in the same manner, and be subject to redemption in all respects, and upon the same terms and conditions, that lands sold under execution are made subject to valuation and redemption.

§ 2. This act to take effect from and after its passage.

The House then took up a resolution from the Senate respecting tax on tobacco.

Mr. Clay, from the Committee on Agriculture and Manufactures, moved the following substitute therefor:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That any tax levied on tobacco by the General Government ought to relate only to future crops; and that to levy the proposed tax on the present crop already purchased by the dealers, would prove onerous and injurious in the highest degree, and greatly derange the commercial interests connected with tobacco; and to levy it on the unsold crops in the hands of the planters would prove equally injurious to them in the marked depression of prices.

2. Resolved, That the tax, as proposed by the bill now pending in Congress, is greatly disproportionate to the tax on other property, and ought to be reduced.

3. Resolved, That owing to the great difference in the values of different qualities and grades of tobacco, the tax on it ought to be ad valorem, and not specific.

4. Resolved, That our Senators in Congress are instructed, and our Representatives requested, to act upon the matter in accordance with the views presented in these resolutions.

Which was adopted.

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

Mr. Yeaman moved a reconsideration of the vote adopting said resolution and the amendment by way of substitute.

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

The Senate resolution was then taken up, 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 for the appropriation of money.

Which were concurred in.
Bills from the Senate, viz:

1. An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved 28th February, 1862.

2. An act to incorporate the Fulton Manufacturing and Mining Company.

3. An act for the benefit of common schools.

4. An act to amend the charter of the Versailles Female Academy.

5. An act to legalize the proceedings of the Green circuit court at its February term, 1862.

6. An act to facilitate the execution of attachment laws of this Commonwealth.

7. An act for the benefit of the Louisville and Portland railroad company.

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

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

Ordered, That the 1st, 3d, 4th, 5th, 6th, and 7th 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. G. Clay Smith, from the Committee on Circuit Courts, reported a bill, entitled

An act to alter the times for holding the circuit courts in the counties of Trigg, Todd, Christian, Caldwell, Lyon, Livingston, and Hardin.

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

Mr. Martin moved an amendment.
Which was adopted.

Mr. B. R. Young moved an amendment.
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,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Martin, by leave, reported a bill to regulate circuit courts in this Commonwealth, and for other purposes.

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. J. W. Boone moved to add all the counties in the first judicial district.

Mr. B. R. Young moved to add Hardin county to the provisions of the bill.

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

The yeas and nays being required thereon by Messrs. Huston and B. R. Young, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Owings moved to add Meade county and the balance of the State.

Which motion was adopted.

Mr. Waller 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. Heady and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,          W. P. D. Bush,          Thomas Z. Morrow,
Elisha Beazly,         James Calvert,        Richard Neel,
John C. Beeman,        John B. Cochran,      Thomas W. Owings,
Joshua F. Bell,        Albert A. Curtis,     Hiram S. Powell,
William A. Brann,      Evan M. Garriott,     William S. Rankin,
Leroy Brinkley,        John H. Harney,       John S. Van Winkle,
E. F. Burns,           Otho Miller,          

Those who voted in the negative, were—

Mr. Speaker, (Buekner,) Daniel E. Downing, Urban E. Kennedy,
Jas. W. Anderson,      W. H. Edmunds,        Jonas Martin,
R. C. Anderson,        Stephen J. England,    David May,
Vincent Ash,           John W. Finnell,       Felix G. Murphy,
E. B. Bacheller,       Joseph Gardner,       F. D. Rigney,
John W. Blue,          Remus Gibson,         G. Clay Smith,
J. W. Boone,           Henry Griffith,        John R. Thomas,
Thos. S. Brown,        G. M. Hampton,        Jos. R. Underwood,
Joseph H. Chandler,    William J. Heady,     Nathaniel Wolfe,
Brutus J. Clay,        Daniel W. Johns,       Bryan R. Young,
Lucius Desha,          William Johnson,       Van B. Young—33.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws requiring circuit courts, equity and criminal courts, quarterly courts, justices' courts, and all police, town, and city courts, except for the trial of criminal and penal causes in this Commonwealth, be, and they are hereby, repealed, until the first day of January, 1862: Provided, That after the expiration of that time, said courts shall be held and governed by all the laws now in force: And provided further, That all civil process of every kind returnable to courts previous to the first of January, 1862, shall be continued until the next regular terms of said courts, after the first day of January, 1862; and nothing herein contained shall be construed so as to interfere in any manner with the trial of criminal and penal causes in said courts at their regular terms, as though this act had not taken effect: And further provided, That the several judges of the equity and circuit courts shall hold the terms of their several courts at the times now fixed by law, for the trial of criminal and penal prosecutions, for the purpose of the assignment of dower, for the trial of cases of divorce, for the probate of wills, for making the partition of land, for ordering the distribution of estates, for the trial of actions of tort, actions of forcible entry and detainee, and forcible detainee, or cases in which the title to land or other property is in dispute, or in which the boun-
dary of land is involved, or a party is seeking to establish or complete, by judgment or order of court, title to land, and all causes between principal and agent, between trustees and cestui que trust, and for all other cases in law or equity where a decree or judgment for money is not to be rendered, and for the taking of all proper steps for the preparation of causes in said courts.

§ 2. Nothing contained in this act shall be so construed as to impair or repeal the laws now in force for the collection of the revenues of the State.

§ 3. That the provisions of this act be confined to the counties of Lyon and Livingston exclusively.

§ 4. This act shall take effect from its passage.

Mr. Kennedy moved to add all the counties in the second judicial district.

Which amendment was adopted.

Mr. Finnell moved, as a substitute for the bill and amendments, the following:

The original bill, striking out the words “1st January, 1863,” wherever it occurs in said bill, and insert “31st December, 1862.”

Mr. Huston moved to amend the substitute by adding that the provisions of the bill shall apply to all counties in the first and second judicial districts.

At half-past one o’clock Mr. R. J. Browne moved that the House take a recess till half-past three o’clock.

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

The yeas and nays being required thereon by Messrs. G. Clay Smith and Huston, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay, John B. Huston,
Alfred Allen, John B. Cochran, Daniel W. Johns,
R. C. Anderson, Robert Cochran, William Johnson,
E. B. Bacheller, Albert A. Curtis, Urban E. Kennedy,
Elisha Beazly, Lucius Desha, James M. C. Lisenby,
Joshua F. Bell, Daniel E. Downing, P. L. Maxey,
J. W. Boone, Stephen J. England, Thomas Z. Morrow,
William A. Brann, John W. Finnell, Felix G. Murphy,
Leroy Brinkley, Joseph Gardner, Richard Neel,
R. J. Browne, Evan M. Garriott, Hiram S. Powell,
Thomas S. Brown, Remus Gibson, Wm. S. Rankin,
E. F. Burns, Henry Griffith, F. D. Rigney,
W. P. D. Bush, George M. Hampton, John R. Thomas,

Joseph H. Chandler,
 Those who voted in the negative, were—

Vincent Ash,     Jonas Martin,     J. R. Underwood,
John C. Beeman,  David May,      Nathaniel Wolfe,
John W. Blue,    Otho Miller,    Bryan R. Young,
William J. Heady, G. Clay Smith,

Mr. Gibson moved to lay the bill on the table.

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

Mr. J. W. Blue, by leave, reported a bill, entitled
An act to regulate the circuit and other courts in Hickman and other counties 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. Murphy moved to add the county of Nelson to the provisions of the bill.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Murphy and May, were as follows, viz:

 Those who voted in the affirmative, were—

Mr Speaker, (Buckner,) John W. Finnell, Richard Neel,
Jas. W. Anderson, Joseph Gardner, Thomas W. Owings,
R. C. Anderson, Evan M. Garriott, Hiram S. Powell,
Vincent Ash, Remus Gibson, F. D. Rigney,
Elisha Beazly, George M. Hampton, G. Clay Smith,
Joshua F. Bell, John H. Harney, James P. Sparks,
John W. Blue, William J. Heady, Joshua Tevis,
William A. Brann, John B. Huston, John R. Thomas,
Thos. S. Brown, Daniel W. Johns, Joseph R. Underwood,
E. F. Burns, William Johnson, John S. Van Winkle,
W. P. D. Bush, Alexander Lusk, Willie Waller,
Robert Cochran, Jonas Martin, Nathaniel Wolfe,
Lucius Desha, P. L. Maxey, George H. Yeaman,
W. H. Edmunds, David May, Bryan R. Young,

 Those who voted in the negative, were—

Alfred Allen, R. J. Browne, John B. Cochran.
John C. Beeman, James Calvert, Henry Griffith,

Mr. B. R. Young moved to add Hardin.
Which was adopted.
Mr. Maxey moved to add Hart.
Which was adopted.
Mr. Van Winkle moved to add Wayne and Marion counties.
Which was adopted.
Mr. Lusk moved to add Garrard.
Which was adopted.
Mr. Rigney moved to add Adair.
Which was adopted.
Mr. Ash moved to add Anderson.
Which was adopted.
Mr. Martin moved the previous question.
And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.
Mr. Blue moved to commit the bill and amendments to the Committee on Circuit Courts, with instructions to report thereon at 1 o'clock to-day.
And the question being taken thereon, it was decided in the affirmative.
And then the House adjourned.

SATURDAY, MARCH 15, 1862.

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 regulate the times of holding the circuit courts in the 11th judicial district. An act for the benefit of school district No. 37, in Shelby county. An act for the benefit of common schools. An act to alter the times of holding the circuit courts in the counties of Trigg, Todd, Caldwell, Lyon, Livingston, and Hardin.
That they had passed bills which originated in this House of the following titles, viz:

An act in regard to equity and criminal courts.
An act to incorporate Tecumseh Tribe, No. 6, Independent Order of Red Men, in Louisville.
An act for the benefit of Wallace Hamil and others, of Carter county.
An act authorizing the purchase of the grave-yard in Hart county in which are buried the remains of the Union soldiers killed in battle 17th December, 1861, near Rowlett's Station.
An act for the benefit of stockholders in turnpike road companies in Franklin county.

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

An act to legalize proceedings of the courts of justices of the peace and quarterly and police judges.
An act to pay Harney, Hughes & Co. for advertising election of Representative in place of G. W. Ewing.
An act to change the voting place in district No. 3, in Carter county.
Resolution relating to Northeastern Kentucky.
Resolution explanatory of a resolution for the benefit of the Agricultural and Mechanical Association at Lexington.

And had received official information from the Governor, announcing that he had signed and approved sundry enrolled bills and a resolution, originating in the Senate, of the following titles, viz:

An act for the benefit of Joseph L. McCarty.
An act for the benefit of Elisha B. Treadway, sheriff of Owsley county.
An act to incorporate the Merchants' and Mechanics' and the Marine Insurance Company, of the city of Louisville.
An act to amend an act, entitled "An act to amend the charters of the banks of Kentucky," approved March 8, 1843.
An act to amend the Code of Practice, 6th sub-division of chapter 221.
An act for the benefit of the sureties of T. C. Edwards, deceased, late sheriff of Green county.
An act to amend an act, entitled "An act to amend an act for the regulation of the militia, and to provide for arming the State," approved May 24, 1861; and an act, entitled "An act to provide for the public defense," approved September 25, 1861.
An act to incorporate the Eminence Female Academy.
An act allowing the tolls of the Versailles and Anderson turnpike road company to be appropriated to the completion of said road.
An act for the benefit of Frank Fraize, sheriff of Breckinridge county.
An act to incorporate the Owensboro Hebrew Benefit and Burial Society.
An act to incorporate the St. Joseph’s Benevolent Society of the city of Newport.
An act for the benefit of the executors of the estate of John Berry and of John W. Berry, deceased.
An act to repeal in part an act, entitled “An act to regulate the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts,” approved February 28, 1862.
Resolution fixing time of adjournment and recess.
Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions, which originated in this House, of the following titles, viz:
An act concerning limitations to actions upon merchants’ accounts for goods, wares, and merchandise sold and delivered.
An act for the benefit of Minor E. Pate and others.
An act concerning the collection of the public revenue and county levy for the years 1861 and 1862, in certain counties in this Commonwealth.
An act for the appropriation of money.
An act providing for the levying and collecting of the county levy and holding the court of claims in certain counties of this Commonwealth.
An act for the benefit of James H. Walker, late sheriff of Crittenden county.
An act for the benefit of the sheriff of Crittenden county.
An act authorizing the coroner to summon grand and petit jurors in certain cases.
An act legalizing the acts of the Meade county March quarterly court.
An act for the benefit of the clerk of the Meade county court.
An act supplemental to an act, entitled “An act repealing all laws permitting Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected.”
Mar. 15. | House of Representatives.

- An act to amend the charter of the town of Columbia, in Adair county.
- An act for the benefit of A. A. Curtis and Hiram Kallum.
- An act for the benefit of Joseph Selman.
- An act for the benefit of certain housekeepers in this Commonwealth.
- An act for the benefit of the sheriff of Perry county and his sureties.
- An act supplemental to an act, entitled "An act to fix the return day of executions."
- An act for the benefit of school district No. 8, in Carter county.
- Resolution to have published a list of Kentuckiana prisoners.
- Resolution for the benefit of the Agricultural and Manufacturing Association at Lexington.
- Resolution for the benefit of the widow of the late Wm. C. Anderson, deceased.

Also, bills from the Senate, viz:
- An act in relation to the salaries of the city judges of Lexington and Louisville.
- An act to amend an act, entitled "An act to amend the Code of Practice in civil cases," approved December 23, 1861.
- An act to amend section 25, chapter 93, Revised Statutes.
- An act to amend the jury laws of this Commonwealth.
- An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue."
- An act to fix the return day of executions.
- An act to fix the salaries of the Adjutant General and Quartermaster General.
- An act to incorporate the Newport and Jamestown Bridge Company.
- An act to incorporate the Louisville Board of Trade.
- An act adopting rules and regulations for the government of the military forces of the State of Kentucky, and for the punishment of deserters, &c.
- An act for the benefit of common schools.
- An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved February 28, 1862.
- An act to amend the charter of the Versailles Female Academy.
- An act to legalize the proceedings of the Green circuit court at its February term, 1862.
An act to amend the charter of the Southern Bank of Kentucky.
An act to facilitate the execution of the attachment laws of this Commonwealth.
Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Encheller inform the Senate thereof.

Also, bills from the Senate of the following titles, viz:
An act to legalize proceedings of the courts of justices of the peace and quarterly and police judges.
An act to pay Harney, Hughes & Co. for advertising election of Representative in place of Geo. W. Ewing.
An act to change the voting place in district No. 3, in Carter 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,

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. John R. Thomas, from the Committee on Incorporated Institutions, to whom was referred a bill from the Senate, entitled

An act to incorporate the Fulton Manufacturing and Mining Company,
Reported the same without amendment.

Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

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

Mr. G. Clay Smith, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act to amend the law governing the registration of births, deaths, and marriages, and to reduce into one the several acts in relation thereto,
Reported the same without amendment.

Mr. Bush moved to postpone the further consideration thereof.
And the question being taken thereon, it was decided in the affirmative.
Mr. Bush, from the Committee on Revised Statutes, to whom was referred leave to bring in a bill requiring executions to be recorded in certain cases for certain purposes,

Reported the same.

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. Burns moved an amendment.

Which was adopted.

Ordered, That said bill be read a third time.

Mr. Bush moved to dispense with the third reading of said bill.

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

Mr. Shanklin, from the Committee on Circuit Courts, to whom was referred leave to bring in a bill to amend the laws relating to peddlers,

Reported the same.

Which was read the first time.

The question was 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 House took up the resolution from the Senate explanatory of a resolution for the benefit of the Agricultural and Mechanical Association at Lexington.

Which was twice read and concurred in.

Also, the resolution in relation to Northeastern Kentucky.

Which was twice read and concurred in.

On motion of Mr. Huston, leave was granted to withdraw from the Senate the concurrence of this House to a bill from the Senate, entitled

An act to amend the jury laws of this Commonwealth.

Mr. Huston moved to reconsider the vote by which said bill was passed by this House.

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

Mr. Huston moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken thereon, it was decided in the affirmative.
On motion of Mr. Huston,
Ordered, That said bill be referred to the Committee on the Judiciary.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the chairman of the Enrolling Committee in the Senate be allowed the sum of $95 for services rendered and expenses incurred by him as such; and that the Auditor draw his warrant on the treasury for that amount in his favor.

Which was adopted.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the chairman of the Enrolling Committee in this House be allowed the sum of $95 for services performed and expenses incurred by him as such; and that the Auditor draw his warrant on the treasury for that amount in his favor.

Which was adopted.

Mr. G. Clay Smith moved the following resolution, viz:

Resolved, That when the General Assembly adjourns on Monday next, it shall adjourn at 9 o'clock, A. M.

Mr. Huston moved the following as a substitute, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the hour of the adjournment of this General Assembly on Monday next, over to the 24th of November next, in pursuance of the joint resolution of this General Assembly in that regard, passed at this session, be at half-past 8 o'clock, A. M., instead of 12, M.

Which was adopted.

Said resolution, as amended, was then taken up, twice read, and adopted.

The Speaker laid before the House a communication from the Auditor of Public Accounts, in these words, viz:

AUDITORS OFFICE, KENTUCKY.
Frankfort, March 14, 1862.

To Hon. R. A. Buckner, Speaker of the House of Representatives:

Sir: In compliance with section 9 of "An act to establish an Institution for the Education of Idiots and Feeble-minded Children," approved February 11th, 1860, I hereby transmit to the Legislature a
general statement from the report of the Superintendent of said Institution, to-wit:

JAMES RODMAN,

In account with Kentucky Institution for Idiots and Feeble-minded Children,

<table>
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<tr>
<th>Description</th>
<th>Dr.</th>
<th>Cr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>By expenses from May 9th to 31st September, 1861, per vouchers filed</td>
<td>$1,200</td>
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<td>To cash received same time</td>
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<td><strong>Total</strong></td>
<td><strong>$1,302</strong></td>
<td><strong>$1,302</strong></td>
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<tr>
<td>By balance</td>
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<td><strong>$1,302</strong></td>
</tr>
<tr>
<td>By expenses from October 1st to December 31st, 1861, per vouchers filed</td>
<td>$1,300</td>
<td>$1,300</td>
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<tr>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$1,313</strong></td>
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<tr>
<td>By balance</td>
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<tr>
<td>To cash same time</td>
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<td>13</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$404</strong></td>
</tr>
<tr>
<td>By balance</td>
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<td><strong>$404</strong></td>
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<tr>
<td>By expenses from 1st April to 30th June, 1861, per vouchers filed</td>
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<td>223</td>
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<tr>
<td>To cash same time</td>
<td>13</td>
<td>13</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$236</strong></td>
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<tr>
<td>By balance</td>
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<td>By expenses from 1st July to 30th September, 1861, per vouchers filed</td>
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<tr>
<td>By balance</td>
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<tr>
<td>By expenses from 1st October to 31st December, 1861, per vouchers filed</td>
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<td>To cash same time</td>
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<td>By balance</td>
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<td>To balance</td>
<td><strong>$228</strong></td>
<td><strong>$228</strong></td>
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</tbody>
</table>

GRANT GREEN, Auditor.

Also, a contract in reference to the public binding, which is as follows, viz:

AUDITOR'S OFFICE, KENTUCKY,
Frankfort, March 15, 1862.

To Hon. R. A. Buckner, Speaker of the House of Representatives:

Sir: Hereewith I have the honor to report to the Legislature a contract for binding, which was made pursuant to chapter 5, section 22, of the Revised Statutes.

Respectfully,

GRANT GREEN, Auditor.
This agreement, between Grant Green, as Auditor of Public Accounts, and in behalf of the Commonwealth of Kentucky, of the first part, and S. I. M. Major and Waller Overton, of Frankfort, of the second part, witnesseth: That the party of the first part, pursuant to the provisions of chapter 5, of the Revised Statutes, section 22, has agreed, and hereby does agree, with said Major & Overton, to employ them to bind the journals, acts, and legislative reports, and other public documents which may be proper and necessary to be bound for the State, for two years, commencing on the 1st day of January, 1861, for which the said Major & Overton are to be allowed and paid for said work at the same rate and same prices that have been paid to A. C. Keenon for the two last years; and payments are to be made, from time to time, as the work progresses and is executed.

In witness whereof, the said Grant Green, Auditor as aforesaid, and in behalf of the State of Kentucky, and the said S. I. M. Major and Waller Overton, have set their hands this 19th day of December, 1860.

GRANT GREEN,
Aud. Pub. Accts.,
S. I. M. MAJOR,
WALLER OVERTON.

The above contract is hereby extended for the term of two years, from and after the 1st day of January, 1863, and is made to embrace all the blank books and all ruling which the Auditor, in his official capacity, may buy or order for his own use or the other departments of the State government, at prices heretofore paid for such work. In consideration of this extension of the contract between the Auditor and S. I. M. Major and Waller Overton, the two latter agree that one and a half per cent. may be deducted by the Auditor in settlement of their accounts for binding done from the 1st day of January, 1862, to the 1st day of January, 1863, and in a settlement of their accounts for binding done after the 1st day of January, 1863, three per cent., for the benefit of the State.

In testimony whereof, the parties have herewith subscribed their names this 27th day of August, 1861.

GRANT GREEN,
Aud. Pub. Accts.,
S. I. M. MAJOR,
WALLER OVERTON.

A true copy—Attest:
GRANT GREEN, Auditor.

Mr. Underwood presented a letter from Gen. D. C. Buell, which reads as follows, viz:

HEADQUARTERS DEPARTMENT OF THE OHIO,

Nashville, March 9, 1862.

DEAR SIR: I have had the honor to receive your communication of the —— instant, in regard to persons held in confinement for treasonable deportment.

My absence from Louisville, where the necessary data were on file,
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HOUSE OF REPRESENTATIVES.

has prevented me from disposing of the subject under the recent orders of the President as soon as I should otherwise have done. I have since, however, given orders for the release of all such persons, unless there should be cause for further proceedings against them, of which I do not remember any cases.

With great respect, your obedient servant,


Hon. J. R. UNDERWOOD, Ch’2 Mil. Com., Frankfort, Ky.

Leave of absence was granted to Messrs. Allen, Gabbert, Downing, Finnell, Maxey, M. Smith, J. W. Campbell, Gibson, Griffith, Cleveland, Taylor, and Garriott, for remainder of present session.

A message was received from the Senate, announcing that they had concurred in resolutions from this House, of the following titles, viz:

Resolution for the benefit of the chairman of the Senate Enrolling Committee.

Resolution for the benefit of the chairman of the Enrolling Committee of the House of Representatives.

Mr. Hampton, from the Committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions, which originated in this House, of the following titles, viz:

An act authorizing the purchase of the grave-yard in Hart county in which are buried the remains of the Union soldiers killed in battle 17th December, 1861, near Rowlett’s Station.

An act for the benefit of stockholders in turnpike road companies in Franklin county.

An act in regard to equity and criminal courts.

An act to incorporate Tecumseh Tribe, No. 6, Independent Order of Red Men, of the city of Louisville.

An act for the benefit of Wallace Hamil and others, of Carter county.

Resolution for the benefit of the chairman of the Committee on Enrollments of the Senate.

Resolution for the benefit of the chairman of the Enrolling Committee of the House of Representatives.

Also, bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to incorporate the Fulton Manufacturing and Mining Company.

An act to legalize the proceedings of justices of the peace and quarterly and police courts.

An act for the benefit of the Louisville and Portland railroad company.

111
the council, and other officers of the so-called Provisional Government, for the recovery of the public revenue seized by them, and for other purposes.

An act to authorize the trustees of the Baptist church in Shelbyville to sell certain property.

An act to provide for transcribing the defaced and to supply the lost books in the office of surveyor of Barren county.

An act to amend the laws in relation to the city of Paducah.

Resolution directing the printing and distributing of the general laws.

Resolution giving public books to police judges.

Resolution to have published a list of Kentucky prisoners.

An act to amend an act, entitled "An act to amend section 1, article 3, chapter 32, title 'Elections,' of the Revised Statutes," approved February 11, 1858.

An act to amend the charter of the town of Columbia, in Adair county.

An act for the benefit of certain housekeepers in this Commonwealth.

An act for the benefit of A. A. Curtis and Hiram Kallum.

An act concerning limitations to actions upon merchants' accounts for goods, wares, and merchandise sold and delivered.

An act legalizing the acts of Meade county quarterly court.

An act for the benefit of the sheriff of Perry county and his sureties.

An act to legalize the proceedings of the Green circuit court at its February term, 1862.

An act for the benefit of school district No. 8, in Carter county.

An act for the benefit of the sheriff of Crittenden county.

An act for the benefit of James H. Walker, late sheriff of Crittenden county.

An act for the benefit of Joseph Selman.

An act for the benefit of the clerk of the Meade county court.

Resolution for the benefit of the widow of the late Wm. C. Anderson.

An act for the appropriation of money.

And then the House adjourned till 8 o'clock Monday morning.
MONDAY, MARCH 17, 1862.

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

Resolution concerning tax on tobacco.
Resolution in relation to a special session of this General Assembly.

That they had concurred in a resolution from this House in relation to adjournment, with an amendment.

Which amendment was concurred in.

The House took up the resolution concerning tax on tobacco.

Which was twice read and concurred in.

The House then took up the resolution in relation to a special session of the General Assembly.

And the question being taken on concurring therein, it was decided in the negative.

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

Those who voted in the affirmative, were—
Brutus J. Clay, F. D. Rigney,

Those who voted in the negative, were—
Mr. Speaker, (Buckner,) Leroy Brinkley, William Johnson,
R. C. Anderson, R. J. Browne, Alexander Lusk,
Vincent Ash, E. F. Burns, Jonas Martin,
E. B. Bacheller, Lucius Desha, George S. Shanklin,
Elisha Beazly, Joseph Gardner, James P. Sparks,
John C. Beeman, George M. Hampton, Jos. R. Underwood,
John W. Blue, John M. Henry, Willie Waller—23.
J. W. Boone, John B. Huston,

Mr. Bacheller, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the Senate, in relation to tax on tobacco.

Also, a resolution, which originated in the House, in relation to an adjournment,

And had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

A message was received from the Senate, announcing that they had received official information from the Governor that he had signed and
approved sundry enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend the revenue laws of this Commonwealth," approved February 28, 1862.

An act for the benefit of common schools.

An act to amend the charter of the Southern Bank of Kentucky.

An act to fix the salaries of the Adjutant General and Quartermaster General.

An act to amend an act, entitled "An act to reduce into one the laws in relation to changes of venue."

An act authorizing proceedings against the city of Lexington and the city of Louisville, to recover from said cities any and all arrears due the State of Kentucky.

An act to legalize the proceedings of the Green circuit court at its February term, 1862.

An act to incorporate Odd Fellows' Hall Company of Lexington.

An act to amend chapter 63 of the Revised Statutes, entitled "Limitations of Actions and Suits."

An act to fix the return day of executions.

An act to amend an act, entitled "An act to amend the Code of Practice in civil cases," approved December 23, 1861.

An act to amend the charter of the Versailles Female Academy.

An act to change a voting place in Carter county.

An act for the benefit of the Louisville and Portland railroad company.

An act to pay Harney, Hughes & Co. for advertising election of Representative in place of G. W. Ewing.

Resolution explanatory of a resolution for the benefit of the Agricultural and Mechanical Association at Lexington.

Resolution respecting tax on tobacco.

Resolution relating to Northeastern Kentucky.

An act to legalize proceedings of the courts of justices of the peace and quarterly and police judges.

An act to incorporate the Newport and Jamestown Bridge Company.

An act adopting rules and regulations for the government of the military forces of the State of Kentucky, and for the punishment of deserters, &c.

An act to facilitate the execution of the attachment laws of this Commonwealth.
An act to incorporate the Fulton Manufacturing and Mining Company.

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

An act for the benefit of stockholders in turnpike road companies in Franklin county.

An act authorizing the purchase of the grave-yard in Hart county in which are buried the remains of the Union soldiers killed in battle 17th December, 1861, near Rowlett's Station.

An act providing for the levying and collecting of the county levy and holding the court of claims in certain counties of this Commonwealth.

An act to incorporate Tecumseh Tribe, No. 6, Independent Order of Red Men, in Louisville.

An act for the benefit of Wallace Hamil and others, of Carter county.

An act concerning the collection of the public revenue and county levy for the years 1861 and 1862, in certain counties in this Commonwealth.

An act supplemental to an act, entitled "An act to fix the return day of executions."

Resolution for the benefit of the Agricultural and Mechanical Association at Lexington.

Resolution for the benefit of the chairman of the Senate Enrolling Committee.

Resolution for the benefit of the chairman of the Enrolling Committee of the House of Representatives.

An act to amend the militia law.

An act in regard to equity and criminal courts.

An act authorizing the coroner to summon grand and petit jurors in certain cases.

An act repealing all laws permitting the Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected.

An act supplemental to an act, entitled "An act repealing all laws permitting Commissioners of the Sinking Fund to make loans, and requiring the outstanding loans to be collected."
Mr. Curtis presented the proceedings of a meeting of citizens of Wolfe county, praying the removal of certain officers in said county.

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

The Speaker having retired from the chair, Mr. Martin moved the following resolution, viz:

Resolved, That we cordially and unanimously tender our heartfelt thanks to the Hon. Richard A. Buckner, Speaker of the House of Representatives, for the distinguished, dignified, candid, and impartial manner in which he has presided over our deliberations during the present session.

Mr. Huston moved that a message be sent to the Senate to inform them that we have completed our legislative business, and that this House is now ready to take a recess. Which was adopted.

Messrs. Huston and Shanklin were appointed said committee.

A message was received from the Senate by Messrs. Goodloe and Glenn, announcing that they had closed their legislative business, and were now ready to take a recess on their part, in accordance with the joint resolution, till the 24th day of November next, and had appointed a committee, to act in conjunction with a similar committee on the part of the House of Representatives, to inform the Governor of the proposed recess, and to know of him if he had any other or further communication to make.

Mr. G. Clay Smith offered the following resolution, viz:

Resolved, That a committee be appointed by the House of Representatives, to act in conjunction with such committee as may be appointed by the Senate, to wait upon the Governor and inform him that we have completed our legislative business, and are now ready to take a recess.

Which was adopted.

The Speaker appointed Messrs. G. Clay Smith and John R. Thomas said committee.

Mr. G. Clay Smith, from said committee, after a short time, reported that they had performed the duty assigned them, and had been informed by the Governor that, having, from time to time, communicated his views to the General Assembly, he had no further communication to make, except he would be pleased to have the members of the General Assembly call at his house at 12 o'clock to-day, &c.

Whereupon, the Speaker, after wishing the members a safe return to their homes, pronounced the House adjourned till the 24th day of November next.
At a meeting of the General Assembly of the Commonwealth of Kentucky, at the Capitol, in the city of Frankfort, on Thursday, the 14th day of August, 1862, A. D. 1862, in pursuance of the following proclamation from the Governor, viz:

By an act passed at the last session of the Legislature of Kentucky, for the reorganization of the militia of the State, all the powers which had by the legislation of the previous year been vested in the Military Board, were by that act, as construed by me, vested in the Governor, where the Constitution had placed them. I have faithfully and persistently endeavored to carry out the provisions of that act; but in consequence of a different construction having been given to it by the Military Board, they still claim the paramount military authority of the Commonwealth, and are unwilling to resign the powers heretofore exercised by them, or to permit their exercise by me. At such a time as this, a contest for authority in so grave a matter was dangerous to the peace of the Commonwealth, and I was unwilling to inaugurate it. The recent invasion, therefore, found the State defenseless, and her militia, for the same reason, remains to this day unorganized, and without a single commissioned officer beyond my personal staff. Civil conflict is impending over us. I am without a soldier or a dollar to protect the lives, property, and liberties of the people, or to enforce the laws. Daily appeals are being made to me as the Governor of the State, to protect our citizens from marauding bands, and in the peaceful enjoyment of their property and rights under the Constitution. I am without the means and the power to afford relief, and I am left no alternative but to appeal to you, their representatives, in the
hope it will not be in vain. Any attempt upon my part to organize a force to that purpose will certainly but precipitate the evil, and I therefore, not unwillingly, convene the General Assembly, that they may themselves determine the extent of the authority granted by them; and looking to the policy adopted in the State, and the late action of Congress and the President, touching the question of slavery, provide for the safety of our institutions, and the peace and tranquility of the Commonwealth.

At the earnest request, therefore, of the Speaker of the House of Representatives, and a number of distinguished members of the House and Senate, and other prominent citizens, and by virtue of the authority vested in me by the Thirteenth Section of the Third Article of the Constitution of Kentucky, to convene the General Assembly on extraordinary occasions at the seat of government, its necessity having been previously seriously contemplated by me in our present alarming condition—

I, BEHIAH MAGOFFIN, Governor of the said Commonwealth, do hereby call upon the members of the General Assembly to convene at the Capitol, in Frankfort, on Thursday, the 14th day of August next, to take into consideration the interests of the Commonwealth, as the same may be involved or connected with the present distracted condition of our country.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and caused the seal of the Commonwealth to be affixed. Done at Frankfort this, the 28th day of July, A. D. 1862, and in the seventy-first year of the Commonwealth.

By the Governor:

B. MAGOFFIN.

By the Governor:

NAT. GAITHER, Secretary of State.

The Speaker, Mr. Buckner, took the Chair.

The Clerk having called the roll, the following members of the House of Representatives appeared and took their seats, viz:

Mr. Jonathan R. Bailey, the member returned to this House to fill the vacancy occasioned by the expulsion of George W. Ewing, from the county of Logan; Mr. Perry S. Layton, to fill the vacancy occasioned by the resignation of George M. Thomas, from the county of Lewis; Mr. William S. Botts, to fill the vacancy occasioned by the resignation of Hon. L. W. Andrews, from the county of Fleming; Mr. William Mercer, to fill the vacancy occasioned by the resignation of William M. Coffee, from the county of Ballard, and Mr. W. W. Waring, to fill the vacancy occasioned by the resignation of John S. Barlow, from the county of Barren, appeared, and having severally taken the oaths prescribed by the Constitution, took their seats.

A message was received from the Senate by Messrs. DeHaven and Irvan, announcing that that House having met, formed a quorum, and organized, was now ready to proceed with legislative business.

On motion of Mr. Wolfe,

Resolved, That a committee be appointed to wait upon the Senate to inform them of the organization of this House, and its readiness to proceed with legislative business.

The Speaker appointed Messrs. Wolfe and Morrow a committee in pursuance of the above resolution.

On motion of Mr. Huston,

Resolved, That a committee be appointed to act in conjunction with a similar committee, on the part of the Senate, to wait upon the Governor and inform him of their readiness to receive any communication he may have to make.

Ordered, That Messrs. Huston and Harney be appointed a committee in pursuance of the above resolution.

After a short time Mr. Huston reported that the committee had performed the duty assigned them, and had been informed by the Governor that he would communicate a message to the two Houses tomorrow at 12 o'clock, A. M., in their respective chambers.

The Speaker laid before the House the following communication from Mr. Lucius Desha, a member of this House, viz:

Camp Chase, near Columbus, O., August 8th, 1862.

The Hon. R. A. Buckner:

Dear Sir: I ask of you the favor, as the presiding officer of the House of Representatives, to present, at the earliest moment, the inclosed memorial.

Respectfully,

LUCIUS DESHA.
To the General Assembly of the Commonwealth of Kentucky:

Your memorialist would represent, that on Saturday, the 26th ult., whilst engaged in his legitimate pursuits, he was arrested by a squad of "Home Guards," commanded by a Lieutenant, taken to Cynthiana, and the same evening conveyed to the Newport Barracks, where he was closely confined, with about thirty other citizens, until on the morning of the 30th, when, with ten other citizens, he was conveyed to this place, where he is confined as a prisoner. He is not conscious—in fact, he asserts—that he has committed no offense against the Constitution or laws, either State or National, or in violation of any military order. On the 29th of July, whilst confined in the prison at the Barracks, learning that Lieut. Col. Landrum, of the 18th Ky. Vol., was in Cincinnati, he addressed that officer a note, couched in respectful language, stating that he was informed it was by his order he was arrested, and asking, as an act of justice, that he be informed of the offense with which he was charged, and give him an opportunity to exculpate himself. This note was placed in the hands of the Sergeant of the guard, and by him sent to the headquarters of the Barracks; the messenger returned and informed your memorialist that the note would not be sent.

Your memorialist would further state, that on the night of the 26th of May last he was aroused from his bed, at his residence, by a party of armed men, arrested and taken from his home, the next morning taken to the encampment of the 18th Ky. Vol., near Lexington, where he was placed under guard, and from thence, on the 28th of May, was conveyed to Louisville and placed in the military prison, from which, on the following evening, he was released on his parole of honor to await further order. On a presentation of his case to the Military Governor he was discharged by executing bond and taking the required oath. He further states he is yet ignorant of the specific charge which led to that arrest, as he is of those which induced to his present incarceration.

Your memorialist further states, that he has been as careful to commit no act, either by word or deed, which would have even the semblance of violating the bond executed, or oath taken by him on the 1st of June last, as he had previous to that time, in violating his duty as a citizen and Representative in the General Assembly of Kentucky. He further states he confidently believes, if an opportunity were afforded him, he would have no difficulty in exculpating himself from charges, if any, preferred against him. But this poor boon having been denied him, his only alternative left is to appeal to your honorable body, of which he is an humble member, respectfully asking that such steps be taken in the premises which in your judgment may be deemed expedient, as will restore him to his liberty, and to his family and home, wherefrom he has been dragged and confined as a felon. He not only asks this as a citizen, who has committed no offense against the Constitution or laws of his native State, or those of the United States; but he asks it in right of the freemen of Harrison county,
whose chosen Representative he is, and who, by the incarceration of your memorialist, are deprived of a voice in the House of Representative.

Very respectfully,

LUCIUS DESHA.

Ordered, That said memorial be referred to the committee on Military Affairs.

Mr. R. J. Browne presented the petition of the trustees of school district No. 14, in Washington county, in relation to a school taught in said district.

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

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

By Mr. Allen—1. A bill to authorize such judicial proceedings against persons in the rebel army as are authorized against non-residents, in all civil cases.

By same—2. A bill authorizing proceedings against infants for the sale or division of their real estate and negroes, whether they may have statutory guardians or not.

By Mr. Yeaman—3. A bill for the organization of the militia of Kentucky.

By Mr. Wolfe—4. A bill to amend the Revised Statutes providing for the sale of contingent remainders in real estate.

By Mr. J. R. Thomas—5. A bill to amend the law in relation to motions against sheriffs and their securities.

By Mr. Underwood—6. A bill to amend the laws regulating the manner of working upon the public roads of the Commonwealth.

On motion of Mr. R. J. Browne—7. A bill for the benefit of R. S. Peters, clerk of the Washington county court.

On motion of Mr. Heady—8. A bill to regulate the enlistment of troops in the State.

On motion of Mr. Huston—9. A bill to amend the criminal laws of this State in regard to slaves.

On motion of same—10. A bill for the benefit of the volunteer provost guard of Clarke county.

On motion of Mr. Wolfe—11. A bill for the benefit of the clerk of the Jefferson circuit court.

On motion of Mr. Huston—12. A bill in regard to certain officers in this State called provost marshals, and to regulate the same.

Ordered, That the committee on the Judiciary prepare and bring in the 1st, 2d, 4th, 5th, 9th, and 11th; the committee on Military Af-
fairs the 3d, 8th, and 12th; the committee on Internal Improvement the 6th; the committee on the Codes of Practice the 7th, and the committee on the Revised Statutes the 10th.

The Speaker laid before the House the resignations of Mr. George M. Thomas, from the county of Lewis, and Mr. Van B. Young, from the county of Bath.

Mr. Huston moved the following resolution, viz:

Resolved, That the Public Printer furnish, for the use of the members of this House, thirty copies, in pamphlet form, of the laws passed at the previous sessions of the present General Assembly.

Which was adopted.

Mr. Huston moved the following resolution, viz:

Resolved, That the committee of Ways and Means report at its earliest convenience, a bill to so modify and change the existing laws authorizing the borrowing of money by this State, by increasing the rate of interest for loans, and the discount for which the bonds of the State may be sold, and otherwise, as in their opinion may be required, as will make said laws more efficient for the purpose of their enactment.

Which was adopted.

On motion of Mr. Huston,

Ordered, That the Speaker be requested to add two additional members to the committee on Military Affairs.

And then the House adjourned.

FRIDAY, AUGUST 15, 1862.

Mr. Joshua Barnes, the member returned to serve in this House in place of Mr. Van B. Young, resigned, from the county of Bath, appeared, and having taken the oaths prescribed by the constitution, took his seat.

1. Mr. Gardner presented the petition of Reuben Patrick and J. W. Helton, of Magoffin county, praying compensation for taking a lunatic to the asylum at Lexington.
2. Mr. Downing presented the petition of the trustees of school district No. 23, in relation to school taught in said district not reported in time.

3. Mr. Downing also presented the petition of sundry citizens of voting district No. 2, in Monroe county, praying a change in said district.

4. Mr. Warring presented the petition of trustees of school districts No. 32 and 76, in relation to schools taught and not reported.

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

The following bills were reported, viz:

By Mr. Rapier—
A bill to allow Charles Boon to erect a mill-dam across the Rolling Fork of Salt river.

By Mr. R. J. Browne, from the committee on the Codes of Practice—
A bill for the benefit of R. S. Peters, clerk of the Washington county court.

By Mr. Huston, from the committee on Revised Statutes—
A bill for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guard,

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,

Ordered, That said bill 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.

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

On motion of Mr. Heeter—1. A bill to establish an additional civil district in Allen county.

On motion of Mr. Warring—2. A bill for the benefit of the sureties and late sheriff of Barren county, and the present collector of the revenue of said county.

On motion of same—3. A bill for the benefit of James W. Gorin, provost marshal of Barren county.
On motion of Mr. Proctor—4. A bill to change the time of holding the Edmonson county and quarterly courts.

On motion of same—5. A bill for the benefit of J. E. Bacon, judge of the Edmonson county court.

On motion of same—6. A bill to amend the law in relation to granting licenses to retail liquors during the rebellion.

On motion of Mr. Neel—7. A bill to amend chapter 32, article 7, of the Revised Statutes, entitled "Elections."

On motion of Mr. Rankin—8. A bill to amend the execution laws.

On motion of Mr. Conklin—9. A bill to amend section 4, article 3, chapter 17, of the Revised Statutes, entitled "Clerks," so as to apply the provisions of said section to the claims of widows, heirs, &c., for bounty money, arrears of pay, &c.

On motion of Mr. Ricketts—10. A bill to amend the law establishing a police court at Greenville.

On motion of same—11. A bill for the benefit of E. M. Brank, surveyor of Muhlenburg county.

On motion of Mr. Turner—12. A bill to regulate the times of holding the circuit courts in the 11th judicial district.

On motion of Mr. Downing—13. A bill for the benefit of the sheriff of Monroe county.

On motion of Mr. Hampton—14. A bill to amend the common school law of this Commonwealth.

On motion of Mr. Morrow—15. A bill to organize a military cavalry force in the counties of Pulaski, Wayne, Russell, Clinton, and Cumberland, to protect said counties from marauders.


On motion of same—17. A bill to amend an act, entitled "An act further to regulate the Shelby and Franklin turnpike road company," approved February 10, 1841.

On motion of Mr. Chandler—18. A bill for the benefit of Captain Ed. Penny and others, of Taylor county.

On motion of Mr. Vanwinkle—19. A bill to change the place of voting in district No. 3, of Wayne county.

On motion of same—20. A bill for the benefit of common school districts Nos. 10, 14, and 15, of Wayne county.

On motion of Mr. R. J. Browne—21. A bill to regulate the settlement of trust estates.
On motion of same—22. A bill to establish an additional voting place in district No. 1, in Washington county.

On motion of Mr. Bacheller—23. A bill for the benefit of certain school districts in the counties of Laurel and Rockcastle.

On motion of Mr. Rankin—24. A bill to provide a bounty to Kentucky volunteers.

Ordered, That the committee on Privileges and Elections prepare and bring in the 1st; the committee on Ways and Means the 3d, 11th, and 13th; the committee on Military Affairs the 3d, 15th, 18th, and 24th; the committee on County Courts the 4th and 10th; the committee on Propositions and Grievances the 5th; Messrs. Underwood, Shanklin, and Proctor the 6th; the committee on the Judiciary the 7th and 8th; the committee on Revised Statutes the 9th; the committee on the Codes of Practice the 12th, 19th, and 21st; the committee on Education the 14th, 20th, and 23d; the committee on Incorporated Institutions the 16th; the committee on Internal Improvement the 17th, and Messrs. R. J. Browne, J. R. Thomas, and Turner the 22d.

Mr. Heady moved the following resolution, viz:

Resolved, That the Military Board be requested and instructed to furnish to this House as soon as practicable, all the information in its possession as to the number of men who have volunteered or enlisted in the U.S. army from the several counties of this Commonwealth, together with any information they may have as to the number of the enrolled militia of the several counties of the State for the years 1861 and 1862.

Which was adopted.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Speaker of this House appoint a committee of three to make inquiry into the conduct of Vincent Ash, of Anderson county, late a member of this House, with power to send for persons and papers. The object being to declare his seat vacant. He is said to be a follower of John H. Morgan.

Which was adopted.

Messrs. Sparks, R. J. Browne, and Vanwinkle were appointed said committee.

Mr. Sparks also moved the following resolution, viz:

Resolved, That the Speaker of this House hereafter invite ministers of the Gospel to open this House with prayer, only who are known to be of the Union party, in good faith in the soul and body, who are true and faithful to the government of the United States.

Mr. Sparks moved to dispense with the rule of the House requiring a reference to a standing committee.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen, James Calvert, Jas. M. C. Lisenby,
Jas. W. Anderson, Cyrus Campbell, Richard Neel,
R. C. Anderson, Elijah Gabbert, Thomas W. Owings,
Elisha Beazley, Remus Gibson, William S. Rankin,
John C. Beeman, William J. Heady, F. D. Rigney,
Leroy Brinkley, Richard T. Jacob, M. Smith,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Joseph Gardner,
E. B. Bacheller, Evan M. Garriott, Nicholas A. Rapier,
Jonathan R. Bailey, Geo. M. Hampton, John Ray,
Joshua Barnes, John H. Harney, Joseph Rickets,
William S. Botts, Joseph W. Heecer, James A. Rousseau,
R. J. Browne, John M. Henry, George S. Shanklin,
Curtis F. Burnam, John B. Huston, Joshua Tevis,
E. F. Burns, Daniel W. Johns, John R. Thomas,
W. P. D. Bush, William Johnson, Thomas Turner,
Joseph H. Chandler, Perry S. Layton, John S. Vanwinkle,
Brutus J. Clay, P. B. Maxey, Zeb. Ward,
John B. Cochran, David P. Mears, W. W. Wasing,
William L. Conklin, Otho Miller, Nathaniel Wolfe,
John C. Cooper, Thomas Z. Morrow, George H. Yeaman,
Albert A. Curtis, Felix G. Murphy, Bryan R. Young,
Daniel E. Downing, George Poindexter, Milton Young—49.

Ordered, That said resolution be referred to the committee on Religion.

Mr. Harney moved the following resolution, viz:

Resolved, That the Military committee be instructed to report a bill providing for a draft in time to place the quota of this State in the field at the same time with those of the other loyal States.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Wolfe moved the following resolution, viz:

Resolved, That the committee on Education inquire into the expediency of requiring all teachers in the common schools of the State, commissioners of common schools, and examiners of teachers therein, to take an oath to support the Constitution of the United States and the State of Kentucky, and also the board of trustees and professors and teachers in all the seminaries and colleges in the State to take a
similar oath. The provisions of the oath to be enlarged as the committee may deem fit, and to report the same by bill.

Ordered, That said resolution be referred to the committee on Education.

Mr. Rousseau moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of raising a State force of mounted infantry or cavalry for the defense of the Commonwealth.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Allen moved the following resolution, viz:

Resolved by the House of Representatives, That this House entertain no business at its present session except such as has been already presented, and such as has connection with the existing war.

Ordered, That said resolution be referred to the committee on the Judiciary.

Mr. Burnam moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to report a bill amending the laws against the unlawful assemblage of slaves, and to suppress the carrying of deadly weapons by slaves.

On motion of Mr. Gabbert,

Ordered, That Mr. Powell have leave of absence.

Mr. Rankin moved to reconsider the vote rejecting a bill, entitled "An act to change the county lines between the counties of Grant and Owen.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, William S. Rankin,
Alfred Allen, John W. Finnell, Nicholas A. Rapier,
Jas. W. Anderson, Elijah Gabbert, John Ray,
Those who voted in the negative, were—

E. F. Burns, Evan M. Garriott, P. L. Maxey,
W. P. D. Bush, Geo. M. Hampton, Felix G. Murphy,
William L. Coklin, William J. Heady, George Poinsett,
Joseph Gardner, William Johnson,
R. C. Anderson, Remus Gibson, Joseph Ricketts,
Jonathan R. Bailey, Henry Griffith, F. D. Rigney,
Joshua Barnes, John H. Harney, James A. Rousseau,
Elisha Beazley, Joseph W. Heeter, George S. Shanklin,
John C. Boone, John B. Huston, M. Smith,
J. W. Boone, Richard T. Jacob, James P. Sparks,
William S. Botts, Urban E. Kennedy, Joshua Tevis,
Leroy Brinkley, Perry S. Layton, John R. Thomas,
Thomas S. Brown, Jas. M. C. Lisenby, Thomas Turner,
Curtis F. Burnam, Alexander Lusk, Joseph R. Underwood,
James Calvert, David P. Mears, John S. Vanwinkle,
Cyrus Campbell, William Mercer, Zeb. Ward,
Joseph H. Chandler, Otho Miller, W. W. Warring,
Brutus J. Clay, Richard Neel, Nathanial Wolfe,
John B. Cochran, Thomas W. Owings, George H. Yeaman,
John C. Cooper, Hiram S. Powell, Bryan R. Young,
Albert A. Curtis, Larkin Proctor, Milton Young—60.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the county line between the counties of Grant and Owen be, and the same is, so altered and changed, as to include the farms and residences of James Simpson and Isaac Holbrook, in the county of Grant.

§ 2. This act to take effect from and after its passage.

Mr. Ward moved to reconsider the vote referring the resolution of Mr. Harney this day offered to the committee on Military Affairs.

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

Ordered, That said resolution be adopted.

Mr. Curtis moved the following resolution, viz:

Resolved, That in assessing the draft upon Kentucky it be distributed among the several counties in proportion to the volunteers they have furnished, and to except all counties that have furnished a sufficient number of men to fill their quotas of all the troops yet called for.

Ordered, That said resolution be referred to the committee on Military Affairs.

A message was received from the Governor, by Mr. Tate, Assistant Secretary of State, which reads, as follows, viz:
To the Senate and House of Representatives:

Most cheerfully have I convened you in extraordinary session, upon the earnest appeal of the Speaker of the House of Representatives, and other distinguished members of both branches of the Legislature, who thought themselves justified, by the alarming condition of the State, in taking the responsibility of making the request in behalf of the absent members of the General Assembly. Divided and distracted as we are, with almost every neighborhood threatened with civil strife, with dangerous combinations of bad men, forming in different sections of the State, to frighten, rob, and, if need be, to murder the good citizens of the Commonwealth; with lawless bands of desperate men, who have nothing to lose, headed by daring and reckless leaders, already roving over the country, plundering indiscriminately at will the men of property, influence and position, followed by the daring, dashing and successful adventure and invasion of the State by Col. John Morgan, at the head of a large cavalry force, which forcibly seized and carried away a large amount of valuable property belonging to the Government and private citizens; with all this, condemned by law-abiding men, staring us in the face;—with numerous appeals made to me by the people, as Governor of the State, to protect them in the peaceful enjoyment of their property, their liberties, and their rights under the Constitution, and totally without the means or the power to keep the peace, to protect them, or to enforce the laws; with my persistent and unavailing efforts to organize the militia of the State under the late law, growing out of the divided sentiment of our people, their distrust of each other, and a conflict of authority with the Military Board, they claiming they had the paramount authority over the arsenal, arms, munitions of war, &c., under the old law, and I claiming it under the new one, which, according to my construction, reinstated me in the authority I had under the Constitution, and of which I had been deprived by a previous Legislature; with no power to organize the militia myself; with none in the Military Board; threatened with invasions and anarchy, I not unwillingly,
yielded to the request to call you together, so that you can determine
by an amendment of the law, or the passage of a new one, the extent
of the authority you intended to grant, and provide for the defense and
protection of the people of the Commonwealth.

Your attention is called to the following statement of the finances
of the State, furnished me by the Auditor:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total in Treasury 31st July, 1862</td>
<td>$423,935 04</td>
</tr>
<tr>
<td>Of this belongs to</td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td>$84,169 72</td>
</tr>
<tr>
<td>Sinking Fund proper</td>
<td>109,479 14</td>
</tr>
<tr>
<td>School Fund proper</td>
<td>126,347 60</td>
</tr>
<tr>
<td>Military Fund</td>
<td>43,998 58</td>
</tr>
<tr>
<td></td>
<td>$423,935 04</td>
</tr>
</tbody>
</table>

I beg leave further, to call your serious attention to another subject
in my judgment of the gravest importance to the peace and welfare
of the State. It is to the interference by the military with the civil
authorities, the arrest of our citizens without authority of law, and
their protection in the enjoyment of the right of suffrage, their right
to become candidates for and to hold office and enjoy their property
as peaceful and law-abiding citizens, under the Constitution and laws.
My views upon these subjects are partly embodied in a correspondence,
through the Hon. John J. Crittenden, with the Secretary of War, here­
with submitted for your consideration, and your attention is called to
other letters and petitions also submitted. The policy adopted, it seems
to me, is dangerous in the extreme. It must lead to confusion, conflict,
and anarchy. There is no necessity for it in my judgment; no law for
it. If the State had been placed under martial law, which suspends
the civil law, and which is the will of the commander for the time
being, there might be claimed some shadow of excuse for it, but Ken­
tucky was not, and is not, under martial law, and I respectfully submit
to you whether or not a change of policy in the restoration of the civil
authorities in all their force, and the confinement of the military and
civil power within their legitimate spheres of action, (the military
being subordinate to the civil law,) will not restore peace within our
borders, and give ample protection (as the laws are adequate, or if not
amend them,) to our people in the enjoyment of their rights. All I ask
for those charged with offenses is that the law shall be adhered to and
enforced. Every citizen has a right to know the reasons of his arrest,
the charges preferred against him, and who are his accusers; to have
his witnesses summoned, and to have a speedy and fair trial by his
peers, and before the proper tribunals. A warrant, under the oath of the person making complaint, must be obtained.

The Constitution declares that "no person shall be deprived of life, liberty, or property without due process of law;" and again, that "no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the persons to be seized." All I ask is that the Constitution and laws be conformed to. Under them, if persons have done anything for which they ought to be punished, have them arrested, the charges preferred against them, and an investigation before the proper tribunals. If found guilty, punish them—enforce the laws; if innocent release them. Good policy is always based upon the recognition and protection of the institutions of the States, obedience to law, and upon firmness, magnanimity, and justice. An opposite one will, in my opinion, produce the worst results. In proof of this, we have only to look at the recent action of Congress, on account of which the southern people have grown desperate, and the Union feeling in the southern States, and the love of their government, has been almost destroyed. If the same policy is pursued here, and that which was adopted in Missouri be adopted in Kentucky, will it not produce the same results, probably worse? With all due respect to the opinions of others in authority, I think the policy dangerous, unjust, and unwise, and recommend a change in strict conformity to the laws.

The persons now imprisoned, and some of those who have been arrested and have given bonds and taken an oath, declare most solemnly that they know not what charges have been preferred against them; that they have done nothing which should have occasioned their arrest; that in their conversation and action they are Southern rights, or States rights men, or Democrats, or Whigs, opposed to secession and to abolition; that while they are opposed to the policy of the Government, its mismanagement, profligacy, and corruptions, and the measures used to preserve the Constitution, believing that the institutions of each State should be preserved, and that freedom of speech, freedom of the press, and freedom of religion were the great fundamental principles, under the protection of the habeas corpus, was necessary to maintain the liberties of the people, they would not exchange the government of our fathers, "the Constitution as it is, and the Union as it was," for any experiment on earth; that they have aided the rebellion in no way; that they have been loyal to both Federal and State Governments, and challenge investigation into their conduct. That it is their duty to obey the Constitution and laws of
Kentucky, and acquiesce in her position chosen by her Legislature, and intend to do so, as long as they are citizens of the State; and while they differed with their neighbors and friends only as to the best means of preserving the Union, they have denounced all depredations by marauding bands of lawless men upon their persons and property, and would resist, with their guns, invasions of the State by any one. That they disapprove of the invasion by Col. John Morgan, and all other disturbers of its peace, and such, I believe to be, the feeling, opinion, and position of the Southern rights party—er Democracy—of Kentucky. They desire the old Union, and differ with the party opposed to them in the State, as to the policy and best means of restoring the Government of our fathers. They prefer it, if it can be maintained, to any and all other governments. They hold it to be their duty to acquiesce in and obey the will of the majority, when expressed according to the Constitution, and under the forms of law, no matter what their private opinions may be. They desire no change in our established institutions, and I submit it to you, whether they are traitors and rebels, and whether, with these principles and sentiments, they are not entitled to the protection of the majority, the laws, and the Legislature in their persons, property, right of suffrage, right to run for and hold office, to their property, and in all their constitutional rights.

I now beg leave to call your attention to the past and present war policy. President Lincoln's position when he went into office was, "that the maintenance, inviolate, of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend." He went on to say, "that in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in no wise endangered by the new incoming administration." The President, in his first message to Congress, said: "Lest there be some uneasiness in the minds of candid men as to what is to be the course of the Government towards the southern States, after the rebellion shall have been suppressed, the Executive deems it proper to say it will be his purpose then, as ever, to be guided by the Constitution and the laws, and that he will probably have no different understanding of the powers and duties of the Federal Government, relatively to the rights of the States and the people under the Constitution, than that expressed in the inaugural
address." Again, in his message to the last Congress, he said: "The war continues. In considering the policy to be adopted for suppressing the insurrection, I have been anxious and careful that the inevitable conflict for this purpose shall not degenerate into a violent and remorseless revolutionary struggle. I have, therefore, in every case, thought it proper to keep the integrity of the Union prominent as the primary object of the contest on our part, leaving all questions which are not of vital military importance to the more deliberate action of the Legislature." "We should not be in haste to determine that radical and extreme measures, which may reach the loyal as well as the disloyal, are indispensable." "The inaugural address at the beginning of the administration, and the message to Congress at the late special session, were both mainly devoted to the domestic controversy out of which the insurrection and consequent war have sprung. Nothing now occurs, to add or subtract to or from, the principles or general purposes stated, and expressed in those documents."

The Attorney-General, Mr. Bates, in his letter to the Marshal of Kansas, who wrote to him to know whether or not he should assist in executing the fugitive slave law, says: "The refusal, by a ministerial officer, to execute any law which properly belongs to his office, is an official misdemeanor, of which I have no doubt the President would take notice."

In his official correspondence with Mr. Adams, our Minister to England, Mr. Seward says, in his letter of instructions to him: "You will indulge in no expressions of harshness or disrespect, or even impatience concerning the seceding States, their agents, or their people; but you will, on the contrary, all the while remember that those States are now, as they always heretofore have been, and notwithstanding their temporary self-delusion, they must always continue to be, equal and honored members of this Federal Union, and that their citizens, throughout all political misunderstandings and alienations, still are, and always must be, our kindred and countrymen." "It may be stated, perhaps without giving just offense, that the most popular motive was an apprehension of designs on the part of the incoming Federal Administration, hostile to the institution of domestic slavery in the States, where it is tolerated by the local Constitution and laws."

Again he says: "Even the present disunion movement is confessedly without any better cause than an apprehension of dangers which, from the very nature of the Government, are impossible; and speculations of aggressions, which those who know the physical and social
arrangements of this continent, must see at once are fallacious and chimerical." Again, in a letter to Mr. Dayton, our Minister at Paris, Mr. Seward says: "The condition of slavery in the several States will remain just the same, whether it (the revolution) succeeds or fail. There is not even a pretext for the complaint that the disaffected states are to be conquered by the United States if the revolution fail, for the rights of the States, and the condition of every human being in them, will remain subject exactly to the same laws and forms of administration, whether the revolution shall succeed or whether it shall fail. In the one case, the States would be federally connected with the new Confederacy; in the other, they would, as now, be members of the United States, but their Constitutions and laws, customs, habits and institutions, in either case, will remain the same."

Another cabinet officer, Mr. Secretary Smith, said "That this is not a war upon the institution of slavery, but a war for the restoration of the Union and the protection of all citizens, in the South as well as the North, in their constitutional rights."

Mr. Cameron, late Secretary of War, in August last, in writing to Gen. Butler, said: "It is the desire of the President that all existing rights in all the States be fully respected and maintained. The war now prosecuted on the part of the Federal Government is a war for the Union, for the preservation of all the constitutional rights of the States, and the citizens of the States in the Union. You will, however, neither authorize nor permit any interference by the troops under your command with servants of peaceable citizens in a house or field; nor will you, in any measure, encourage such citizens to leave the lawful service of their masters."

In his address to the people of Western Virginia, in May, 1861, General McClellan says: "Your laws, your families, and your property, are safe under our protection. All your rights shall be religiously respected. Notwithstanding all that has been said by the traitors to induce you to believe that our advent among you will be signalized by interference with your slaves, understand one thing clearly: not only will we abstain from all such interference, but we will, on the contrary, with an iron hand, crush any attempt at insurrection on their part." General Patterson expressed the same sentiments in giving instructions to his troops.

General Halleck, in his appeal, last February, to his soldiers as they were entering Tennessee and the South, says: "They have been told we come to oppress and plunder. By our acts we will undeva
them. We will prove to them that we come to restore, not to violate, the Constitution and laws. In restoring to them the glorious flag of the Union, we will assure them that they shall enjoy under its folds the same protection to life and property as in former days. The orders heretofore issued in this department, in regard to pillaging and marauding, the destruction of private property, and the stealing or concealment of slaves, must be strictly enforced."

This avowed policy, strengthened as it was by the President's repudiation of the proclamations of Generals Fremont, Hunter, and Phelps, and his suppression of that portion of the recommendations of the late Secretary of War, Mr. Cameron, in his annual report to the Chief Magistrate, in regard to the emancipation of slaves, and in which he urges that, "If it shall be found that the men who have been held by the rebels as slaves are capable of bearing arms, and performing efficient military service, it is the right and may become the duty of this government to arm and equip them, and to employ their services against the rebels, under proper military regulation, discipline, and command," gave assurance that this was the fixed policy, and would be adhered to by the government. These were its pledges and solemn assurances, and had the approval of the people. The government was not to interfere with the institutions of the States, or their domestic and local policy. This was the position of the House of Representatives when, on motion of Mr. Sherman, it resolved, "That neither the Federal Government nor the people, or Government of the non-slaveholding States, have a purpose or constitutional right to legislate upon, or interfere with, slavery in any of the States of the Union."

"That those persons in the north who do not subscribe to the foregoing propositions are too insignificant in number and influence to excite the serious attention or alarm of any portion of the people of the republic, and that the increase of their number and influence does not keep pace with the increase of the aggregate population of the Union."

Still later, and immediately after the battle of Bull Run, on the 21st of July last, the House, with almost entire unanimity, passed a resolution introduced by Mr. Crittenden, declaring "That this war is not waged on our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States
unimpaired, and that as soon as these objects are accomplished the war ought to cease."

These were the principles upon which the war commenced, and upon which it was to be conducted. This was consistent with the chosen position of Kentucky, as declared by her Legislature. These were the principles upon which the armies of the republic were mustered into the field to put down the rebellion. Such was the policy upon which the war was to be conducted, avowed by the President in his inaugural, and reiterated in his messages; distinctly proclaimed by the members of the cabinet, and by the commanders-in-chief of the army; acted on by our foreign ministers, and sustained by Congress. Had it been faithfully adhered to, I cannot but believe that the Union party in the south would have been far stronger to-day, the rebellion greatly weakened, and the hope much stronger of a speedy restoration of the Union. The policy of the government has changed. Congress has passed laws excluding slavery from the territories; emancipated the slaves in the District of Columbia, and attempted, by confiscation bills, to abolish slavery in the southern States. The President has approved of the bills, and he has made strong and persistent efforts to induce the border slave States to emancipate their slaves. Your representatives in Congress have resisted this unjust and unconstitutional action, and have returned a most respectful answer to his appeal for emancipation. Ought you not to sustain them?

Coming, as you do, directly and fresh from your constituents, with over 200,000 slaves in the State, it occurs to me that it would be eminently proper in you to take such action upon these subjects as may be in accordance with the wishes of the people. Well and truthfully was it said by your members of Congress, that this change of policy in the government had strengthened and intensified the rebellion in the south.

We must stand by the Constitution, by the rights, institutions and equality of the States, and by the rights of the people in the States, as secured by their Constitutions and laws, or all is lost. In reiterating this position, I again recommend for your adoption the Crittenden resolutions, as a standing proposition of peace and of settlement. Let Kentucky still be a peacemaker upon this basis. She has had nothing to do with bringing on this war, and will suffer more probably than any other State if it continues long. Her institutions, interests, manners, customs, associations and sympathies have been mainly with the south, but her loyalty to the
union of our fathers is unquestionable. She had common complaints and wrongs with her southern sisters, but widely differed with them in the remedy they adopted. Regarding abolition as worse than secession, by condemning, in unmistakable language, the change of policy in the government, you will strengthen, in my opinion, the cause of the Union, give assurance to its armies in the field, and greatly encourage enlistments at home. There would be no necessity for drafting in Kentucky if the people were satisfied that the Constitution would not be disregarded by the administration, in the progress of the war, and the Union of our fathers restored, no matter at what cost of blood and of treasure.

It may be said that this is not a proper time for the action of the Legislature, and that the party in power will be turned out at the polls, and this will insure a change of policy. But what chance have the people at the polls when truth is not left free to combat error? When every body who opposes the policy of the party in power is in danger of being imprisoned? When the freedom of speech, and the liberty of the press, and the right to the sacred writ of habeas corpus is denied them? When every man, no matter how loyal, who opposes the Government, is denounced as a traitor, forbidden by the strong arm of military power to discuss the questions before the people, and not allowed to run for, or to hold office? How will you remedy the evil? How can you change the policy of the Government? What hope is there of turning the party in out of power, when, under this military rule, our elections are a farce, the people being denied the privilege of selecting their own agents to carry on the government. The President has only to issue his orders, and his power can be perpetuated. Nothing can be more dangerous than a recognition of departures from the Constitution and laws, or to grant unauthorized, extraordinary, and unguarded power, under any pretext whatever, to the Executive, especially in the time of civil war. With an overawing army in the field, his power may become supreme—his will the law of the land.

This was the position of our fathers, and of all our ablest statesmen and patriots in the palmiest days of our history. Mr. Webster, in one of his great speeches said: “The contest for ages has been to rescue liberty from the grasp of executive power.” “On the long list of the champions of human freedom, there is not one name dimmed by the reproach of advocating the extension of executive authority. On the contrary, the uniform and steady purpose of all such champions has been to limit and restrain it.” “Through all the history of the contest for liberty,
executive power has been regarded as a lion that must be caged. So far from being the object of enlightened popular trust; so far from being considered the natural protection of popular right, it has been dreaded as the great object of danger.” “Our security is in our watchfulness of executive power. It was the constitution of this department which was infinitely the most difficult part in the great work of erecting our Government. To give to the executive such power as should make it useful, and yet not dangerous; efficient, independent, strong, and yet prevent it from sweeping away everything by its military and civil power, by the influence of patronage and favor; this, indeed, was difficult. They who had the work to do saw this difficulty, and we see it. If we would maintain our system, we shall act wisely, by preserving every restraint, every guard, the Constitution has provided—when we and those who come after us, have done all we can do, and all they can do, it will be well for us and them, if the executive, by the power of patronage and party, shall not prove an overmatch for all other branches of the Government. I will not acquiesce, says Mr. Webster, in the reversal of all just ideas of government. I will not degrade the character of popular representation. I will not blindly confide, when all experience admonishes to be jealous. I will not trust executive power, vested in a single magistrate, to keep the vigils of liberty. Encroachment must be resisted at every step. Whether the consequences be prejudicial or not, if there be an illegal exercise of power it must be resisted in the proper manner. We are not to wait till great mischief come, till the Government is overthrown, or liberty itself put in extreme jeopardy. We would be unworthy sons of our fathers, were we so to regard questions affecting freedom.”

I think the above quotations will meet the true and loyal sentiment of our State. The soundness of the doctrine cannot be questioned. Eternal vigilance and free discussion is the price of liberty. There are two parties now, just as there have ever been since the foundation of the Government. I believe they are more essential now, to guard our liberties, the one to watch the other, than ever. We must make common cause with the democracy and conservatives of the free States, upon the basis of the Baltimore and Cincinnati platforms, or the anti-slavery party will overthrow the Constitution and the old Union, which is disunion. Our only hope is to stand by the true democracy of the north. Under their principles and policy we had a people united, free, and happy, and the Government progressed with unexampled rapidity in all that makes a great and powerful people. Why can we not
So make common cause with them now, when we have so much at stake, in this fearful hour of our trials and danger? Why can we not trust them when they stand pledged to stand by the Constitution as it is, and to maintain the Union as it was? My firm belief is, that if truth is left free to combat error, (and there is no hope for the liberties of the people unless it is,) and you will, unseduced by promises, and unawed by power, adhere to the policy and objects of the war, as embraced in the action of the President, the cabinet, foreign ministers, the distinguished military commanders, and the resolutions in Congress to which I have called your attention, and your own resolutions upon this subject, the border States, backed by the great conservative Democratic party of the great northwest and of the free States, will have the power to change the policy of the government, and yet shape it in accordance with the Constitution and the Union of our fathers.

In my humble judgment nothing else can save it. For myself I have endeavored to do my duty under the Constitution and laws, no matter how much it may have been my misfortune, perhaps, to differ from you, painful as it has been to me—some of my dearest friends belonging to the opposite party. My intentions have been upright and honest, in the discharge of my duties under the dictates of my own conscience and judgment. No matter how much I may have differed from you in regard to the best means of preserving the liberties of the people, of transmitting, unimpaired, our institutions, the inheritance of a most glorious ancestry, bequeathed to us with a pledge to transmit it unimpaired to our children, my desire has been none the less ardent, my efforts have been none the less persistent, honest, and constant, to effect this object than yours. Surrounded by difficulties the most trying, with my motives questioned, and my acts misinterpreted; charged, falsely, with conspiracies to force Kentucky out of the Union; assailed by calumny, the most unjust, vindictive, and relentless; with threats of impeachment, arrest, and even of assassination, without a press to defend me against the charges of enemies, I have never consciously offended. I have calmly looked into the Constitution and laws to ascertain what was my duty, and fearlessly endeavored to faithfully carry out the principles upon which I was elected, and to execute the trust confided to me by a generous constituency. No one can charge me, truthfully, with doing privately anything inconsistent with my public declarations and course. I stand to-day by the principles and position laid down in my inaugural, in my letter to the Editor of the Frankfort
Yeoman, and in my messages. What pledge have I disregarded? What law have I failed to execute when I had the power to do it? In what have I attempted to thwart the will of the majority, expressed according to the Constitution, and under the forms of law. What word of treason have I uttered? What act have I done to aid the rebellion? What motive could I have to assist in breaking up the Union—the government of our fathers? In what have I shown that I have not as deep an interest, and as great a stake in its preservation? Nearly all the property I own, is in Kentucky and the great and growing north-west. Born here, living on the spot baptized, and forever consecrated by the blood of my ancestors, are not its memories as sacred, is not its historic fame as dear to me as to any one?

I have firmly, from the first, endeavored faithfully to adhere to the Constitution and laws, as expounded by the courts of both State and nation, and no matter what may be the trying ordeal it may be my lot to encounter, I shall cling the more closely to the position, as this fearful revolution progresses, because, outside of it, we are warned by all the history of other governments, where liberty was prized and enjoyed, and particularly by the French revolution, that there can be no safety to life, person, property, or liberty—no society—and no government—but all will be confusion, anarchy, bloodshed and ruin. That the violators of law will sooner or later, under their own example, and the precedents they have set, become the victims of their own perfidy and tyranny. You have no Government unless it be the Constitution and laws, and Congress cannot abolish slavery in the south by confiscation bills or otherwise, unless it does it by trampling upon the Constitution. If Congress abolishes one it must overthrow the other. You can only stand by your Government by recognizing and maintaining the institution of slavery in the States, unless they choose to abolish it. It is secured as a part of the Union of our fathers, of which the Constitution is the bond, and no military or civil power on earth, save the States where it exists, has the right, although they may have the physical force, to abolish it in defiance of the Constitution. These are my opinions; these are the opinions upon which I was elected to office, and yet I am charged with disloyalty. Is it because I do not believe in the justice, the principle, or the policy of seizing the private property without compensation, and without the process of law, of individuals who are non-combatants, to make restitution to the Government or to those who differ from them in opinion, who have lost their property. Then am I sustained by what
a few years ago was held to be the doctrine of the American people, and I believe of all civilized nations, in a letter on this subject, written by Mr. Marcy, in 1856, then Secretary of War, to the Count de Sartegis, the French Minister, in which he says: "It is a generally reserved rule of modern warfare, so far at least as operations on land are concerned, that the persons and effects of non-combatants are to be respected. The wanton pillage or uncompensated appropriations of individual property, by an army even in possession of an enemy's country, is against the usages of modern warfare. The reasons in favor of the doctrine that private property should be exempted from seizure in the operation of war, are conceded in this enlightened age, so controlling as to have secured its partial adoption by all civilized nations." Again he says, the principle has "had the emphatic sanction of all enlightened nations in military operations on land." Is it because I have been against a war of subjugation, or conquest, or to interfere with the established institutions of the slave States, and believe it can only be justified to restore the rightful authority of the government, as embodied in the constitution and laws? Then am I sustained by the position of the President, cabinet, foreign ministers, and generals-in-chief in the field, by Congress, and by your own chosen position?

Is it because I refused troops to the President upon what I considered an unauthorized and unconstitutional call of the Secretary of War, or because I issued my proclamation declaring the neutrality of the State, in accordance with the action of the lower branch of the Legislature? or because I believe the Government cannot be maintained by force, or against the consent of the governed; that, having been formed by conciliation, compromise, and concession, it could only be preserved in the spirit of equality and justice—by affection and confidence? Is it because I am opposed to the action of Congress in passing bills excluding slavery from the Territories, emancipating them in the District of Columbia, and abolishing slavery by confiscation bills in the Southern States? Then have I been fully sustained by the Legislature of my State, and the people who elected me to the highest office within their gift. In what have I offended so grievously as to justify the Legislature in depriving me of the power given to the Governor of the State by the Constitution for its own preservation, the enforcement of the laws, and the protection of the people in the full enjoyment of all their rights? Threats are made that I am watched, and am to be held to a terrible accountability. Is it because I recog-
nize no Government but that which is embodied in the Constitution and laws? Allegiance (loyalty) to Government is obedience to constitutional laws. Is it because I believe the Federal Government is the creature of the sovereign States of this Union, and can exercise no power except those delegated by them in the Constitution? that I am for a strict construction of the Constitution, and a States rights man, belonging to the strictest of the straightest sect of Democrats? Is it because I believe the best interests of the people have been always secured in the success of that party, and the only hope of the preservation of constitutional liberty is to stand by that party now which is "for the Constitution as it is, and the Union as it was," and struggling manfully to restore the unity of the Government upon this basis? Has not this been my position all the while since the commencement of this horrid war? Opposed to abolition, did I not oppose secession as a proper remedy for our common grievances, urging united instead of separate action, and that our remedies were inside, not outside, of the Union? That the protection of minorities in all their constitutional rights, as well as majorities, and the institutions of the States, the preservation of the Government of our fathers, was our glorious inheritance, and we ought to redeem our pledges to them by transmitting it unimpaired to our children. Have I not shown a due appreciation of it in the efforts I have made to save it:—First, In a recommendation of a call of a convention of all the slave States to unite on guarantees for our protection, which we would require of the free States, and in the meantime to return to Congress and keep the purse and the sword out of Mr. Lincoln's hands, which I thought we had the power to do, giving them time to determine the justice of our demands at the polls; then, when part of the slave States had seceded, for the remainder to meet in convention and make the same appeal; then to refer the whole matters in controversy by the action of Congress, to the Supreme Court of the United States, whose decision after the issues were made up, was to be a final settlement, and embodied in the Constitution; then for the border free and slave States, which had had less to do with bringing on the war, and would suffer most if it continued, to agree upon fair and honorable terms of settlement, and present them in a firm and united appeal for favorable consideration; then, for a part of them to agree and act as pacificator between the parties; then for Kentucky to act in the same capacity of peacemaker; and now I again urge upon you as a standing proposition of peace and of settlement, the terms of the Crittenden resolutions.
I hazard nothing in saying I have been more untiring in my honest efforts, to preserve, and have made more propositions to prevent, a dissolution of the Union, and which promised to be successful if they had been adopted in time, than all of my busy, brawling calumniators, who had their vile purposes to serve.

My record is before you. Acts speak louder than words; and could I preserve it to-day and restore the amicable relations between our people at home and in both sections of the country, and stop the war, I would sacrifice position, property—everything save honor, even life itself. I could make no greater sacrifice than this, and I should think it a small one indeed, to preserve the proudest monument of all human wisdom, to save the grandest, the greatest, and noblest of all human Governments, the Constitution—the Union of our fathers, and with it the liberties of the people. May God yet preserve and bless and guide us by His wisdom in this dread hour, when passion instead of reason seems to guide our action and shape our destinies.

B. MAGOFFIN.

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Letter from W. P. Fowler to Gov. Magoffin.

[copy]

SMITHLAND, KY., May 15, 1862.

Gov. B. Magoffin:

DEAR SIR: On Tuesday morning last, while holding the Crittenden Circuit Court, a body of cavalry from Paducah visited the court-house. A short time before court opened I had an interview with Capt. Stacy, the commander, and asked him if the object of his mission would interfere with the business of the court. He informed me he supposed it would not.

Shortly after court was opened, the members of the bar, jurors, litigants, &c., came into the court-room. Business had progressed but a few minutes when I discovered that the doors were guarded by armed men. Capt. Stacy then approached the bench and delivered to me a document, a copy of which is herewith forwarded. After inspecting it I was permitted to read the same to all present, having first been informed by the Captain that the doors were under guard. Having exercised the best judgment I could under these circumstances, I refused to comply with the order, and declined to yield to any dictation by military authority as to the discharge of my duties as presiding officer of the court, and ordered an immediate adjournment until
court in course. I was immediately informed that no person was permitted to leave the house, and was then detained for a short time and finally informed that I was under arrest to appear before the command at Paducah, 21st inst., being agreed upon as the time. There were some four members of the bar who refused to take the oath prescribed by the Captain. They were also arrested and gave bonds for their appearance at same time. Thus ended this (to me) extraordinary scene.

I shall, on this account, fail to attend the first week of the Hopkins court, perhaps any part of the term. It is proper I should say that Capt. Stacy informed me after the adjournment that he was not apprised of the contents of Col. Noble’s order at the time we had the conservation in the morning before the sitting of court.

I have thought proper to report the case to you, that you may use it in the manner best calculated to answer the best purpose for the public interest, and to prevent any further interference with the courts and the administration of the laws of the Commonwealth. I apprehend a repetition, unless some authority interposes to prevent it.

I should like to hear from you on this subject as soon as possible. Respectfully,

Your obedient servant,

[Signed.] W. P. FOWLER.

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Telegraphic dispatch from Gov. Magoffin to W. P. Fowler.

[copy.]

EXECUTIVE DEPARTMENT
Frankfort, Ky., May 20th, 1862.

Hon. W. P. Fowler, Smithland, Ky.:

Your communication is received. For the dignity of the bench, for the honor of the State, in the name of the liberties of our people, I hope you will pay no attention to the illegal, unconstitutional, and tyrannical action of Capt. Stacy. Go on and hold your courts, under the laws and constitution, and do not degrade yourself, your district, or the State, by appearing at Paducah before this military subaltern, no matter by whose order. Each department of the government must be preserved within its legitimate sphere of action, or we are lost. I will send your communication to the President.

[Signed.] B. MAGOFFIN.

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Letter from W. P. Fowler to Gov. Magoffin.

[copy.]

Smithland, Ky., May 23, 1862.

His Excellency, B. Magoffin:

Dear Sir: I did not receive your dispatch until after my last to you from Paducah. I was under parole of honor to attend; besides, Col
Bunch, of Henderson, and Ben. P. Cissell, of Morganfield, desired my presence to assist them to get released, they having been arrested and bound to appear on that day. I have failed, so far, to succeed in getting them discharged. When they were first taken, at Marion, they refused to take the required oath, presented at that time. After getting to Paducah, they concluded to do so; but when we arrived at the office of the Military Commission and Provost Marshal, the oath, with an additional stipulation, was tendered to them, and they required to take it before they could be set at liberty. This they declined to do, and were still detained until I left them yesterday, at 7 P. M. The following is a copy of the oath.

"I, ---, of --- county, and State of ---, do solemnly swear, that I will support, protect, and defend the constitution and government of the United States against all enemies, whether domestic or foreign; that I will bear true faith and allegiance and loyalty to the same, any ordinance, resolution, or law of any State notwithstanding; and further, that I will well and faithfully perform all the duties which may be required of me by the laws of the United States; and I take this oath freely and voluntarily, without any mental reservation or evasion whatsoever, with a full and clear understanding that death or other punishment, by the judgment of a Military Commission, will be the penalty for the violation of this my solemn oath and parole of honor.

"Duplicate."

The objections urged by the two gentlemen were, that they had very repeatedly taken the oaths prescribed in our constitution and laws; that they knew of no law that required them to take the one presented; but more earnestly they objected to the surrender of their rights, if proceeded against for its violation, from the civil to a military tribunal, and hence declined. We were all informed by Col. Noble that Gen. Sherman, when leaving him in command, directed him to regard the civil authority of the State under the control of the military authority of the United States; that no interference was to be had with the county and the administration of the laws, but every assistance was to be rendered, unless a military necessity should exist; in that event, the military would control; that the oaths to be used were according to his instructions from his superiors, and could not be modified. I promised my two friends, when we parted on yesterday, I would write to you; besides, I feel it a duty to impart to the executive department the progress of events as they are transpiring, involving important principles these perilous times.

I yield to no man in my solicitude for a termination of this unnatural strife, and a restoration of the Union, with all its guarantees; but none will be found more stubborn when required to yield civil authority to the control of the military, or any attempt to establish a military despotism; with me I shall never agree that any necessity can exist to break down the constitution and laws in order to preserve them. Let the power once find its lodgment there, I predict it will not be tamely returned; it will take a revolution to get it back.

Most respectfully,

Your obedient servant,

[Signature]

W. P. FOWLER.

[Copy.]

EXECUTIVE DEPARTMENT,}

Frankfort, Ky., May 20th, 1862.

Hon. J. J. Crittenden:

Dear Sir: Enclosed I send you the letter of Judge Fowler, and a copy of a communication addressed to me last March, which will explain themselves. The importance of the subject must be my apology for troubling one of your advanced age, onerous duties, and commanding position, with the request to lay them before the Secretary of War, in the confident hope he will coincide with me in the view I take of the matter, and issue an order, without delay, correcting the high-handed outrage perpetrated by those military commanders upon the rights and persons of officers of the law engaged in the sworn discharge of their duties. The laws are adequate. There is no wrong complained of that has not a remedy. It will not do to substitute the will of the military commanders for constitutions and laws. We must not violate law to enforce law, or, rather, to substitute remedies for evils against which the laws provide. To stand firmly by our Federal and State constitutions and laws, as expounded by the courts, is our only hope; without this, all government and society will be a chaos. The policy here complained of, and the arrest generally of our citizens, without charges, warrant, or oath, is creating great discontent and excitement among our citizens, and if persisted in, will produce the worst results. In the name of the people of the State, and for their peace, I earnestly protest against it, and respectfully suggest that instructions be given to those charged with military duties in this State, that no arrests hereafter be made by them, unless it be done in accordance with the laws, by preferring charges, and that a speedy investigation shall take place before the proper tribunals in the State. This policy will disappoint secret and vindictive enemies who are daily imposing, by their misrepresentations, upon military commanders, protect numbers of unoffending citizens, give confidence and quiet to our people, and meet all the grievances complained of. I would suggest, also, that an order be procured from the Secretary of War, to have the charges against those now under arrest in Kentucky inquired into; and if ascertained to be innocent, that they be discharged without delay. Many, I understand, are now suffering in confinement without knowing for what they are imprisoned. I cannot doubt that all of our members and Senators in Congress will cheerfully and zealously co-operate with you, if in your judgment their services are needed, in urging upon the Secretary of War favorable action in regard to these matters, so important to the peace and safety of our people.

With great respect,

Your friend and ob't serv't,

[Signed.]

B. MAGOFFIN.
Letter from G. A. Flournoy, Judge McCracken County Court, and Tho. D. Grundy, Clerk of County Court, to Gov. Magoffin.

[copy.]

PADUCAH, KY., May 22d, 1862.

Hon. B. Magoffin, Governor of Kentucky:

Sir: Col. Noble, the commandant of the United States forces at this post, has ordered me not to exercise the functions of Judge of the McCracken County Court, unless I voluntarily take the oath of allegiance to the government of the United States. I told him I had taken the oaths to support the constitution of the United States and of this State, and all the oaths of office required by the laws of Kentucky, and that I could not nor would not submit to take any other, nor would I resign the office. I am in the midst of his soldiers, and appeal to you, as Chief Magistrate of Kentucky, to know whether my course is right or wrong, and what course I ought to pursue. The oath is not merely an allegiance to the United States, but also requires that I should agree voluntarily to surrender the right of trial by jury, and agree to be tried by a court martial and suffer any penalty it may inflict, even unto death. Hoping to hear from you soon,

I remain, your most obedient,

[signed.] G. A. FLOURNOY,
Judge McCracken County Court.

As clerk of the County Court, I would respectfully state to your Excellency, that I have received the same orders; for the same reasons, have pursued the same course as stated by Judge Flournoy. I am not permitted to exercise any of the functions of my office; in fact, my office is closed to business. I join with the Judge in his appeal as to what I shall do,

Yours respectfully,

THO. D. GRUNDY,
Clerk of the County Court, McCracken county, Ky.


[copy.]

EXECUTIVE DEPARTMENT,
Frankfort, Ky., May 25, 1862.

Hon. J. J. Crittenden, Washington City, D. C.:

Dear Sir: You will see from the inclosed paper, just received by me, that another outrage has been committed upon the civil authorities at Paducah, Ky., by Col. Noble, the commandant at that post. I hope you will pardon me for troubling you again to lay this matter before the Secretary of War, believing he will redress the wrong with out delay. I will only add, that these interferences by the military with the civil authorities, and the numerous arrests of our citizens by them which are being daily made without warrant, charges, judicial authority, or investigation by the proper tribunals, with what is daily
transpiring in Congress, will, if persisted in, greatly weaken, if it does not extinguish, the Union sentiment in the State.

With great respect,

Your friend and obedient servant,

[Signed,]
B. MAGOFFIN.

Letter from Col. Noble to Judge Fowler.

[copy.]
HEADQUARTERS UNITED STATES FORCES,

Paducah, Ky., May 12th, 1862.

Hon. W. P. Fowler:

Sir: I am informed that many of the officers of your court in different counties are secessionists, and have not taken the oath of allegiance, that they are constantly oppressing Union men, and talking treason in the very presence of the court. These things should not be. The Union army came here to sustain and defend the constitution of the United States, to protect Union men, and punish treason wherever it may be found, whether in high or low places. So far as I myself am concerned, I shall try to do so. I understand that Capt. Duvall has been indicted and imprisoned for being in some way concerned in arresting traitors. If that be so, he must be at once released. When I took command of this post, I was instructed that no officer would be permitted to act in any official capacity whatever who did not take the oath to support the constitution of the United States and of the State of Kentucky. That rule has been strictly adhered to in this county, and must be in all counties where I have the authority to enforce it. I hope you will see that where you hold court it is done. All jurors, both grand and petit, should take oath before being empanelled. I want a record of such oath sent to these headquarters.

Respectfully yours,

[Signed,]
S. NOBLE,
Colonel Commanding Post.


[copy.]
WASHINGTON, June 2d, 1862.

Hon. E. M. Stanton, Secretary of War:

Dear Sir: Accompanying this you will find a letter to yourself from Gov. Magoffin, of Kentucky, with other documents and papers relating to military transactions in that State, of which the Governor complains as indignities to her and violations of her laws. By his request I submit them to you for your consideration, and beg that you will, at your earliest convenience, give to them your serious attention, and either reply directly to the Governor, or give to me an answer that I may transmit to him. That you may have a full view of the subject and
all the information that I have, I inclose with the other papers the Governor's letter to me. It is true that judges may be guilty as well as others, and ought, as others, be responsible for their conduct; but that is an individual responsibility, and does not warrant indignity, much less violence, to the established courts of the State. Disrespect to them is disrespect to the State, and that surely cannot be necessary to the proper repression of rebellious movements in Kentucky.

Requesting your earnest and prompt attention to the communications of the Governor,

I remain,

Very respectfully, yours, &c.,

J. J. CRITTENDEN.

Answer of Secretary of War, and reference to Gen. Halleck.

WAR DEPARTMENT,
Washington City, D. C., June 7, 1862.

Hon. J. J. Crittenden, House of Representatives:

Sir: In reply to your letter of the 2d inst., inclosing a letter from the Governor of Kentucky and other correspondence, complaining of the interference by the United States troops in preventing the holding of the State courts, I am directed to say that the papers have been referred to Maj. Gen. Halleck, who has command of that department, for investigation and report.

By order of Secretary of War:

C. P. BUCKINGHAM,
Brig. Gen. and A. A. G.

Letter from Mr. J. M. Bigger to Gov. Magoffin.

PADUCAH, KY., July 8, 1862.

His Excellency, B. Magoffin, Frankfort, Ky.:

My dear Sir: On this morning an order was presented to me purporting to have been issued from the office of the Provost Marshal at this place, by command of Brigadier General Boyle, directing me to decline the office of Circuit Judge of the first Judicial District; and upon my failure to comply I am informed that I will be reported under arrest to headquarters United States forces at Louisville, Kentucky. I possess the constitutional qualifications for said office, and have been and am loyal to my State and general government, and do not wish to be deprived of my constitutional rights when no charge can be made against me. I hope you will advise me what course to pursue, and afford me such protection as is in your power.

Yours, very respectfully,

J. M. BIGGER.
Letter from prisoners at Camp Chase to Governor Magoffin.

[COPY.]

Camp Chase, Ohio, August 6th, 1862,

Prison No. 2.

To his Excellency, Governor of Kentucky, Hon. Beriah Magoffin:

The undersigned would most respectfully represent to your Excellency that we are citizens of the State of Kentucky, and that we are now confined in prison at Camp Chase, in the State of Ohio, and that we were brought here by the force of arms, against our will and consent, in violation of the laws of Kentucky and the laws of the United States. That we have been arrested by force that overpowered us without warrant or law, while in the peaceful pursuit of our legitimate business, and placed in confinement in different prisons in Kentucky and then brought here, (where many of us have been in confinement for a long time, with no hope of being released or having any hearing before any tribunal,) where we are now confined and restrained of our rights and liberty that we are justly entitled to. That we are law-abiding citizens of Kentucky and the United States. That we have not violated the laws of either, and that our imprisonment is unjust, both in law and in the eyes of God and man. That we are denied a trial by any tribunal known to the laws of our common country, but are compelled to remain here in this prison, away from our homes, our wives, children, relations, and friends, who are not permitted to see us; all verbal communications being refused us. That our confinement here is heart-rending to us and our families, inasmuch that we are free and innocent of any crime whatsoever.

We therefore pray your Excellency to lay this before the Legislature of Kentucky, that they may take some action in behalf of her citizens, that have been moved from their homes and cast into prison in another State, contrary to all law and order. We pray that we may have a trial before the peers of our State, and be able to meet our accusers face to face, and be dealt with according to law.

We all further declare that we are law-abiding citizens, and have not done anything contrary to the laws of Kentucky or the United States; that our confinement is unjust and injurious to us, our wives, children, fathers, mothers, sisters, brothers, and friends, while also this confinement is ruinous to our business and our health. We pray that the Legislature may take speedy action in our behalf, and not allow her sons to rot in prison, without charge or crime of any kind, and we shall ever pray, &c.

Robert Maddox, arrested July 1, 1862, Campbell county.
A. D. Daniel, arrested July 18, 1862, Campbell county.
P. G. Arthur, arrested July 21, 1862, Campbell county.
Jesse Yetton, arrested June 15, 1862, Campbell county.
H. D. Helm, arrested July 19, 1862, Campbell county.
S. B. Arnold, arrested July 21, 1862, Campbell county.
J. S. Digby, arrested July 19, 1862, Campbell county.
L. W. Woods, arrested July 18, 1862, Campbell county.
Jas. McKibbin, arrested July 22, 1862, Campbell county.
A. D. Furnish, arrested July 20, 1862, Campbell county.
Thomas P. Herndon, arrested June 9, 1862, Owen county.
R. H. Smith, arrested June 11, 1862, Owen county.
James Fitzgerald, arrested June 11, 1862, Owen county.
George F. Trusdell, arrested July 20, 1862, Campbell county.
Andrew C. Spahr, arrested July 20, 1862, Campbell county.
James W. Shanks, arrested July 20, 1862, Campbell county.
Wilson Wisser, arrested July 20, 1862, Campbell county.
Joseph Spahr, arrested July 20, 1862, Campbell county.
Lewis Stewms, arrested July 25, 1862, Campbell county.
Geo. D. Allen, arrested July 19, 1862, Campbell county.
Solomon McDade, arrested July 19, 1862, Campbell county.
Francis M. Royse, arrested July 20, 1862, Campbell county.
Patrick Walsh, arrested July 20, 1862, Campbell county.
G. S. Skibbeck, arrested July 25, 1862, Campbell county.
John Lightfoot, arrested July 19, 1862, Campbell county.
George W. Lightfoot, arrested July 19, 1862, Campbell county.
John Kiser, arrested July 20, 1862, Campbell county.
S. S. Farris, arrested May 23, 1862, Barren county.
J. H. Farris, arrested May 25, 1862, Barren county.
Pouncy Nuckols, arrested May 25, 1862, Barren county.
Joseph M. Dickey, arrested May 26, 1862, Barren county.
Charles Armstrong, arrested June 7, 1862, Todd county.
James Harvey Armstrong, arrested June 7, 1862, Todd county.
Charles Wilson Armstrong, arrested June 7, 1862, Todd county.
Geo. H. Means, arrested July 13, 1862, Montgomery county.
George L. Abernathy, arrested July 15, 1862, Pendleton county.
James Williams, arrested July 15, 1862, Pendleton county.
James H. Cleveland, arrested July 15, 1862, Pendleton county.
Samuel Brock, arrested July 15, 1862, Pendleton county.
William Cleveland, arrested July 15, 1862, Pendleton county.
Joseph Daugherty, arrested July 15, 1862, Harrison county.
Dudley Curtis, arrested July 15, 1862, Harrison county.
Young H. Doan, arrested July 15, 1862, Harrison county.
John B. Doan, arrested July 15, 1862, Harrison county.
John S. McKinney, arrested July 15, 1862, Harrison county.
James Wilson, arrested July 15, 1862, Harrison county.
Joel Beagle, arrested July 15, 1862, Harrison county.
Samuel F. January, arrested July 26, 1862, Harrison county.
Joshua King, arrested July 15, 1862, Harrison county.
John P. Jackson, arrested July 18, 1862, Campbell county.
Jacob Isaack, arrested July 14, 1862, Grant county.
James W. Evans, arrested July 14, 1862, Grant county.
James C. Woodyard, arrested July 14, 1862, Grant county.
John J. Hensley, arrested July 14, 1862, Grant county.
Perry Wherritt, arrested July 26, 1862, Harrison county.
S. Webster, arrested July 27, 1862, Kenton county.
John F. Fliege, arrested July 14, 1862, Grant county.
Esaun Bayers, arrested July 14, 1862, Grant county.
G. W. Ferrill, arrested July 14, 1862, Grant county.
S. S. Slater, arrested July 14, 1862, Pendleton county.
James A. Blackburn, arrested July 16, 1862, Pendleton county.
Asa Tomlin, arrested July 14, 1862, Pendleton county.
Henry Nunamaker, arrested July 17, 1862, Pendleton county.
J. T. Blackburn, arrested July 15, 1862, Pendleton county.
V. Simon, arrested July 14, 1862, Grant county.
Jerome P. Frazer, arrested August 4, 1862, Fayette county.
Henry Zell, arrested July 12, 1862, Kenton county.
O. P. Billiter, arrested July 16, 1862, Grant county.
John H. Webb, arrested July 14, 1862, Grant county.
O. D. McManama, arrested July 14, 1862, Grant county.
John A. Turner, arrested July 14, 1862, Grant county.
W. H. Tarvin, arrested July 23, 1862, Kenton county.
Martha Slade, arrested July 18, 1862, Bracken county.
Richard Taylor, arrested July 19, 1862, Bracken county.
David Wood, arrested July 19, 1862, Bracken county.
J. Cross Diltz, arrested July 18, 1862, Bracken county.
James McDonald, arrested July 16, 1862, Bracken county.
W. P. Payne, arrested July 14, 1862, Bourbon county.
A. J. Galbreath, arrested July 20, 1862, Campbell county.
William Tang, arrested July 14, 1862, Kenton county.
J. J. Childress, arrested July 14, 1862, Kenton county.
Gideon Kinman, arrested July 15, 1862, Grant county.
John DeHart, arrested July 15, 1862, Grant county.
Wyatt Morgan, arrested July 16, 1862, Kenton county.
William Smith, arrested July 16, 1862, Kenton county.
Silas Sparrow, arrested July 16, 1862, Kenton county.
J. W. Pelly, arrested July 16, 1862, Kenton county.
W. H. H. Plummer, arrested July 15, 1862, Kenton county.
R. G. Harrington, M. D., arrested July 17, 1862, Grant county.
Larkin Garnett, arrested July 17, 1862, Harrison county.
C. G. Waller, arrested July 16, 1862, Kenton county.
M. W. Yates, arrested June 11, 1862, Owen county.

Mr. Wolfe moved the following resolution, viz:

Resolved, That that portion of the Governor's message which refers to the military laws of the State, and the exertion of military authority in the State, be referred to the committee on Military Affairs.
That portion of the message which refers to the proper execution of the civil laws and unlawful arrests by military authority in the State, be referred to the committee on the Judiciary.
That portion of the message which refers to the subject of slavery and the objects of the war, be referred to the committee on Federal Relations.
Which was adopted.

And then the House adjourned.
SATURDAY, AUGUST 16, 1862.

Mr. Rankin, from the committee on the Judiciary, to whom was referred leave to bring in a bill for the benefit of James P. Chambers, clerk of the Jefferson circuit court, reported the same.

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 engrossed and 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.

On motion of Mr. Lisenby,

Ordered, That the Speaker be directed to appoint some member in place of W. P. Boone, on the committee on Military Affairs.

Mr. Warring presented the petition of the trustees of school district No. 55, of Barren county, praying compensation for a school taught and not reported in time.

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

On motion,

Ordered, That Messrs. Heady, Rankin, and Yeaman have leave of absence.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Governor's message be laid on the table, and that the Governor write another message, plainer and shorter, in order that it may be understood; that the word Locofoco Breckinridge be inserted before the word Democracy, or Democratic party, so as his message will read Locofoco Breckinridge Democracy.

Mr. Huston moved to lay said resolution on the table.

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

A message was received from the Senate, announcing that they had passed a resolution in relation to the character of the business of the present session of the General Assembly.
The Speaker laid before the House the resignation of John B. Temple, President and member of the Military Board.

On motion of Mr. Bell,

Ordered, That said resignation be referred to the committee on Military Affairs.

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

On motion of Mr. Sparks—1. A bill to amend the act of December 21, 1861, in relation to Commonwealth’s attorneys.

On motion of Mr. Maxey—2. A bill for the benefit of certain common school districts in Hart county.

On motion of Mr. Cooper—3. A bill to amend the law in relation to turnpike roads in which the State has an interest.

On motion of Mr. Layton—4. A bill for the benefit of John T. Parker and John Birchard.

On motion of Mr. Bailey—5. A bill for the benefit of the common schools of Logan county.

On motion of Mr. Ricketts—6. A bill to amend the act for the election of trustees of Greenville.

On motion of Mr. Burnam—7. A bill requiring all opinions heretofore and hereafter rendered by the court of appeals to be recorded at length by the clerk of said court.

On motion of Mr. Thomas—8. A bill to amend the charter of the town of Lebanon.

On motion of Mr. Taylor—9. A bill to amend the charter of the Maysville and Mr. Sterling turnpike road company.

On motion of same—10. A bill to amend the charter of the Irish Benevolent Association, of Maysville, Kentucky.

On motion of Mr. Gibson—11. A bill better to protect citizens of this Commonwealth.


On motion of Mr. Van Winkle—13. A bill for the benefit of the coroner of Wayne county.


On motion of Mr. Thomas—15. A bill to authorize county courts to levy a tax for the support of indigent women and children whose fathers and husbands are in the service of the Federal army.

On motion of Mr. Wolfe—16. A bill to amend article 2, chapter 17, of the Revised Statutes.
On motion of Mr. Waller—17. A bill to create a military board and raise a provost guard for Graves, Marshall and other counties.

On motion of Mr. Poindexter—18. A bill for the benefit of George Long, a free man of color.

On motion of Mr. Sparks—19. A bill to change the lines of Henry and Trimble counties, to add a part of Trimble to Henry county.

On motion of Mr. Maxey—20. A bill to amend the law incorporating the town of Woodsonville.

On motion of Mr. Taylor—21. A bill to amend the charter of the Kentucky University.

On motion of Mr. Finnell—22. A bill to provide for a military council.

On motion of Mr. M. Young—23. A bill establishing an additional justices' and constable's district, in Webster county.

Ordered, That the committee on Revised Statutes prepare and bring in the 1st and 18th; the committee on Education the 2d, 5th, and 21st; the committee on Internal Improvement the 3d; the committee on Ways and Means the 4th; the committee on the Judiciary the 6th and 16th; the committee on Corporations the 8th, 9th, 10th, and 20th; Messrs. Burnam, Bell, and Huston the 7th; the committee on the Codes of Practice the 11th and 13th; the committee on Propositions and Grievances the 12th, 14th, 19th, and 23d; the committee on County Courts the 15th; the committee on Military Affairs the 17th and 22d.

Mr. Finnell moved the following resolution, viz:

Resolved, That a select committee be appointed and instructed to inquire into, and report what seats in this House have been vacant by the acceptance by the occupants thereof of commissions, civil and military, from the Government of the United States.

Which was adopted.

The Speaker appointed Messrs. Finnell, Bell, Wolfe, Underwood, Burnam and B. R. Young as said committee.

A message was received from the Governor, by Mr. Tate, Assistant Secretary of State, which was read as follows, viz:

Executive Department,

Aug. 16th, 1862.

To the Senate and House of Representatives:

Having felt for a long time that there did not exist between myself, and a large majority of the Legislature, that unanimity of sentiment and opinion, as to the true policy of the State, so important in the present crisis, I have felt it my duty to aid, by every means in my power, to promote domestic harmony, and to endeavor to prevent that most
dreadful of all calamities, intestine strife and civil war among the people of Kentucky, and at the same time to protect, as far as possible, the rights and liberties of the minority, who differed, in their political views, from the majority of the Legislature. Knowing that in my position as Governor I was unable either to avert or control any attempted usurpation of unauthorized authority, I expressed my willingness, some days ago, when written to by a distinguished member of the dominant party, to resign my present position, and which correspondence is herewith submitted, if assurance would be given that all efforts would be made to secure to the people the great ends I so much desired, and a gentleman selected to fill my position whose record and history would afford a guarantee that these objects would be effected, or so far as practicable be secured. The action of the Legislature today in the selection of the distinguished Senator from Scott county, has given me a satisfactory assurance that all will be done to protect and secure the minority in their rights under the constitution, and to all the people of Kentucky their rights of life, liberty and property, to protect which governments were instituted among men. Feeling assured, from that act, and the individual assurances of many of the distinguished members of the dominant party in the Legislature, that the ends I so earnestly seek to attain will be carried out, I hereby resign my position as Governor of Kentucky, to take effect on Monday next, August the 18th, at 10 o'clock, A. M., and I now tender to my distinguished and very able successor my best wishes for the success of his administration, in the hope he will be more successful than I have been in protecting all classes of the citizens of my native and still dearly beloved State, in their rights under the constitution and laws to which I have faithfully endeavored to adhere, and in promoting the general welfare.

Respectfully,

Your obedient servant,

E. MAGOFFIN.

LEXINGTON, Thursday 7th, 1862.

My Dear Sir:—There are rumors afloat of an intention, or, at least, a willingness, on your part to resign your position in certain contingencies. I can trace these rumors to no certain source.

I am free to admit, that in my opinion, there might be advantages derived by the State, and particularly by your political friends, from such a course on your part. I am very well satisfied that you can have no pleasure in the retention of office under the present circumstances; and I should be very much pleased if you would inform me what truth there is in the report referred to; whether you have expressed or felt any desire or willingness to resign, and in that event what are the contingencies upon which your remarks have been based. Pardon the freedom of an inquiry, dictated by a regard for the interest of the State, and the best wishes for your personal welfare.

Very truly yours,

W. A. DUDLEY.
My Dear Sir:—In answer to yours of Thursday last, I will say to you what I would be willing to say to but few others. At any time within the last twelve or eighteen months, it would have given me great pleasure to resign my office, could I have done so consistently with my own self-respect. But the storms of wholly undeserved abuse with which I have been assailed during that period, and the threats of impeachment, arrest, even assassination, constantly made against me, have compelled me to continue in the quiet discharge of my duty. Otherwise, I should have been regarded as either tacitly admitting the truth of the charges against me, or as quailing before the threats of my enemies.

Meanwhile, however, several sessions of the Legislature have passed without a single charge having been formally preferred against me. Then recently reasons of a quasi public character have determined me to persevere in that course. My political friends (and by this term I mean the Southern Rights party, a great majority of whom are not, and never were secessionists) have been subjected to what seems to me, in modern times, an unexampled persecution. My position was such that I was totally unable to relieve them, and yet I could not reconcile it to my conscience even to appear to desert them in their need. Could I at any time, by my resignation, have aided in restoring the peace of the State which, in my opinion, can only be done by giving to the whole people the fullest assurance of protection to their constitutional rights, I should cheerfully have overcome any mere personal objections I might have entertained to such a step. I need hardly say to you that I would be most happy now to lay down my office, if this object could be attained. Could I be assured that my successor would be a conservative, just man, of high position and character, and that his policy would be conciliatory and impartial towards all law-abiding citizens, however they may differ in opinion; that the constitutional rights of our people would be regarded, and the subordination of the military to the civil power be insisted on and maintained to the utmost extent our disturbed condition will admit, I would not hesitate an instant in putting off the cares of office, and in tendering him my best wishes for the success of his administration. Without a satisfactory assurance to that effect, you must admit that, in justice to my friends, I cannot, and ought not, to resign. I hope I have made myself understood. I have written freely and for yourself alone. If there is any portion of your letter which has not been answered, let me know, and I will reply at more length.

With great respect,

Your friend and ob't serv't,

B. MAGOFFIN.

Mr. Huston moved the following resolution, viz:

Resolved by the House of Representatives of Kentucky, That in view of the resignation by the Governor of this Commonwealth of his office just communicated to us, to take effect on Monday next, at 10 o'clock, A. M., that the Senate of Kentucky now in session, be, and they are
hereby, invited to repair to the Hall of this House, at 10 o'clock, A. M., on Monday, with the Speaker of their body, and with us to witness the administration of the oath of office to said Speaker of the Senate as acting Governor of this Commonwealth; and that a committee of three members of this House be appointed to inform the Senate of this resolution.

Which was adopted.

Whereupon the Speaker appointed Messrs. Huston, Bell, and Wolfe as the committee under said resolution.

On motion of Mr. Huston,

Ordered, That the House adjourn till half-past 9 o'clock, A. M., on Monday next.

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MONDAY, AUGUST 18, 1862.

1. Mr. Barnam presented the petition of Patrick Murphy, praying compensation for a lost saddle, blanket, &c., at Lexington, Kentucky.
2. Mr. R. J. Browne presented the petition of sundry citizens of Springfield, praying a repeal of their town charter, &c.
3. Mr. Browne also presented two remonstrances against the repeal of the charter of Springfield.
4. Mr. Taylor presented the petition of the Maysville, Orangeville, and Mt. Carmel turnpike road company, praying an act ratifying change of grade, &c.
5. Mr. Beeman presented the resolutions of the general council of the city of Louisville, urging an appropriation of a sum sufficient to be devoted to the families of volunteers of the Federal army who have enlisted or may hereafter enlist in the State of Kentucky.

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

Mr. Burns, from the committee on County Courts, to whom was referred leave to bring in a bill to change the time of holding the Edmonson county and quarterly courts, reported the same.

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,
On motion of Mr. Cleveland,
Ordered, That the further consideration of said bill be postponed till Wednesday next at 11 o'clock.

Mr. Huston, from the committee on Revised Statutes, to whom was referred leave, reported a bill to amend section 4, article 3, chapter 17, of the Revised Statutes, requiring county court clerks to put their official seal, &c. to soldiers claims free of charge.

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 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.

Leave was given to bring in the following bills, viz:
On motion of Mr. Lisenby—1. A bill for the benefit of school district No. 9, in Russell county.
On motion of Mr. Neel—2. A bill for the benefit of J. G. Eden, of McCracken county.
On motion of Mr. Sparks—3. A bill to amend the election laws.
On motion of Mr. Bacheller—4. A bill to compensate George P. Brown for expenses incurred in defending the State against the invasion of Zollicoffer, in September last.
On motion of Mr. Ricketts—5. A bill for the benefit of the police judge of South Carrollton.
On motion of Mr. Taylor—6. A bill to amend the inspection laws.

Ordered, That the committee on Education prepare and bring in the 1st; the committee on the Judiciary the 2d and 5th; the committee on Revised Statutes the 3d and 6th, and the committee on Claims the 4th.

Mr. Thomas S. Brown moved the following resolution, viz:
WHEREAS, This House has authentic information of the invasion of the counties of Pike and Floyd; and also that the entire valley of Big Sandy is threatened by a large organized force, causing among its citizens great apprehension and fear for their lives and property; therefore,
Resolved, That the committee on Military Affairs be requested to report, immediately, such a bill as will, in their opinion, by its provisions, repel the invaders, and secure peace and protection to that portion of the State; and that said committee inquire into and report the propriety of raising two regiments—one of cavalry and one of infantry—to be under State pay, and who, when raised, shall be assigned the duty of protecting Eastern Kentucky, and that said committee report on to-morrow at 11 o'clock.

Which was adopted.

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

Resolved, That when the Senate and House of Representatives adjourn, they will, in a body, call on the Governor and his predecessor, and that the two Houses will adjourn at 11 o'clock, A. M., for that purpose.

Mr. Wolfe moved to dispense with the rules of the House requiring joint resolutions to lie one day on the table, also requiring a reference to a standing committee.

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

Said resolution was then taken up, twice read, and adopted.

Mr. J. R. Thomas moved the following resolutions, viz:

The Legislature of Kentucky having the utmost desire to preserve the Union and the Constitution under which the American people have become a great and happy nation, look with jealousy and distrust upon any and all acts of all persons which tend to aid and assist the uncalled for and unholy rebellion of the southern people, or to violate duty or obligation to the Constitution. They hold that they owe allegiance to the supremacy of the Constitution of the United States and the laws of Congress made in pursuance thereof, and in doing so they in no wise lessen the responsibilities they are under to uphold and sustain the Constitution of the State of Kentucky.

Entertaining the foregoing views,

Resolved, That all persons, south and north, who are advocating by word or act the disruption or severance of the union of the States, while the war is in progress, should be held to be violators of their duties as citizens, and should be punished by the civil or military laws as either may govern the case.

Resolved, That where there is no obstruction to the enforcement of the civil laws, that the aid of the military ought not to be called in; and in all cases where called in to enforce the laws as against persons not in arms, nor engaged in acting against the authority of the United States or State of Kentucky, the military should be subordinate to the civil authority.

Resolved, That the preservation of civil liberty in Kentucky, and other loyal States, is just as necessary now as before the rebellion, and that such preservation depends on a strict observance by the of-
Resolved, That while we are bound by duty as loyal citizens to give our aid in every mode known to the laws of civilization and christianity, to put down the infamous and uncalled for rebellion of the southern people, and to that end we are willing to obey all the laws, rules, and regulations made by those in power, directing our services both at home and abroad while the rebellion lasts, we have the right to demand of our rulers, for ourselves and our people, a strict observance of the constitution and the laws on their part, and that they do not violate either in letter or spirit.

Resolved, That our opinion is, and we so here declare it, that all public officers and others in the United States who have been and now are trying to shape the management of this war to the overthrow of State constitutions or State authority, to assume for the Federal government the control over the property of the people or the institutions of the States, including that of slavery, are enemies to the enforcement of the constitution and the laws.

Resolved, That all arrests of persons and seizures and appropriations of property made by military commandants, provost marshals, and other military authorities (when it is not indispensably necessary to put down the rebellion) are wrong in principle, without law to sustain them, and against the best interests of the country.

Resolved, That the arrests and seizures are condemned by the foregoing resolution, are calculated to beget hatred instead of love to the Government, to lead to acts of oppression, and the gratification of private spleen and malice without any public good.

Resolved, That while we believe and hold that the constitution, and the laws of Congress made in pursuance thereof are the supreme law of the land—and our allegiance is paramount to the Federal and subordinate to the State constitution—yet the States are sovereign in their sphere, and slavery being a State institution, we cannot agree that the Federal government shall assume the power to emancipate the slaves of our State.

Resolved, That we proudly hope the talented and enlightened Governor of this Commonwealth will take such steps, as he may deem proper and right, to protect citizens of Kentucky and their property from wrongs and injuries emanating from any quarter whatever; and especially do we hope that he will take immediate steps for the suppression of raids by robber and guerrilla bands from the southern States.

Ordered, That said resolutions be referred to the committee on Federal Relations.

Mr. Finnell, by unanimous consent of the House, reported
A bill to appropriate money as a secret service fund.
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,

On motion of Mr. Bell,

Ordered, That said bill be referred to the committee on Ways and Means, and that they be instructed to report the same at 11 o'clock to­morrow.

Mr. Owings, from the committee on Privileges and Elections, to whom was referred leave, reported a bill to change the voting place in district No. 2, in Monroe county.

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

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

Ordered, That the further consideration thereof be postponed till to-morrow at 11 o'clock.

On motion of Mr. Burnam,

The House took up the resolution from the Senate in relation to the character of the business of the present session of the General Assembly.

Mr. Allen moved the following as a substitute.

Resolved by the General Assembly, That we will entertain no business at its present session except such as has been already presented, and such as has connection with the existing war.

Mr. Turner moved to lay the 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. Martin and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, Jonas Martin,
Jas. W. Anderson, W. H. Edmunds, Thomas Z. Morrow,
E. B. Bacheller, John W. Finnell, George Poindexter,
Joshua Barnes, Elijah Gabbert, Nicholas A. Kopier,
John C. Beeman, Joseph Gardner, Joseph Ricketts,
John W. Blue, Evan M. Garriott, R. A. Spalding,
J. W. Boone, Geo. M. Hampton, James P. Sparks,
Leroy Brinkley, John H. Harney, John R. Thomas,
R. J. Browne, Joseph W. Hocket, Thomas Turner,
E. F. Burns, John B. Huston, John S. Van Winkle,
W. P. D. Bush, William Johnson, Alexander T. White,
Those who voted in the negative, were—

Alfred Allen,        William L. Conklin,        Thomas W. Owings,
R. C. Anderson,     John C. Cooper,            John Ray,
Jonathan R. Bailey, Albert A. Curtis,        F. D. Rigney,
Elisha Beasley,     Daniel E. Downing,         James A. Rousseau,
Joshua F. Bell,     Remus Gibson,              George S. Shanklin,
William S. Bettis,  John M. Henry,            M. Smith,
William A. Brann,   Daniel W. Johns,          Harrison Taylor,
Thomas S. Brown,    Jas. M. C. Lisenby,        Joseph R. Underwood,
Curtis F. Burnam,   Alexander Lusk,           Willie Waller,
James Calvert,      P. L. Maxey,               Zeb. Ward,
Cyrus Campbell,     David P. Mears,            W. W. Warring,
Brutus J. Clay,     William Mercer,           Nathaniel Wolfe,
Francis L. Cleveland, Otho Miller,           Milton Young—41.
Robert Cochran,     Richard Neel,

A message was received from the Senate, announcing that they had concurred in a resolution adopted by this House, inviting Governor Magoffin to accompany the Senate to witness the inauguration of Hon. James F. Robinson, as Governor, in the House of Representatives, this day.

And then the House adjourned.

TUESDAY, AUGUST 19, 1862.

1. Mr. John B. Cochran presented the petition of sundry citizens of Shelbyville, praying a change in the town boundary.

2. Mr. Wolfe presented the petition of L. C. P. Landram, praying remuneration for damages sustained to person and property.

3. Mr. Huston presented the petition of sundry citizens of Morgan and Wolfe counties, praying protection from marauding bands.

4. The Speaker presented the petition of sundry citizens of Cynthiana, praying compensation for supporting the Federal soldiers lately wounded at that place.

5. Mr. B. R. Young presented the petition of sundry citizens of Hardin and Bullitt counties, praying the erection of a fish-dam across the Rolling Fork.
Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d, 3d, and 4th to the committee on Military Affairs, and the 5th to Messrs. B. R. Young, Heady, and Conklin.

The Speaker, in accordance with the order of the House, appointed Mr. Lisenby to the committee on Military Affairs, in place of Mr. W. P. Boone.

The Speaker laid before the House the response of Mr. J. B. Temple, President of the Military Board, in response to the resolution heretofore adopted on motion of Mr. Heady, which is as follows, viz:

OFFICE MILITARY BOARD,
Frankfort, August 17, 1862.

To Hon. R. A. Buckner, Speaker of the House of Representatives:

Sir: By way of response to the resolution of the House of Representatives, asking information "as to the number of men who have volunteered in the U. S. army from the several counties of this Commonwealth;" also "as to the number of enrolled militia of the several counties of the State for the years 1861 and 1862," I have the honor to submit the accompanying note of John W. Finnell, Adjutant General, and accompanying documents, as embracing all the information on the subject in this department, to which the resolution was referred, and where alone the facts appear.

I have the honor to be,

Very respectfully,

Your obedient servant,

J. B. TEMPLE, President.

ADJUTANT GENERAL'S OFFICE,
Frankfort, Ky., August 16, 1862.

JOHN B. TEMPLE, Esq., President of the Military Board:

Sir: The resolution from the House of Representatives, handed me, cannot be fully answered. The muster rolls returned to this department do not show to what counties the volunteers belong. The volunteers then numbered 29,203. I have not full reports as to the number of volunteers since that date, but presume they will amount to about 12,500.

Making the whole number 41,703.

I also hand you a list of the Enrolled Militia for the years 1861 and 1862.

I am, sir, very respectfully,

JOHN W. FINNELL,
Adjutant General Ky. Vols.
### Enrolled Militia for 1861

**Counties** | Number of Militia
---|---
Adair | 1,170
Allen | 1,156
Anderson | 964
Boyle | 1,047
Breckinridge | 479
Bullitt | 868
Bourbon | 1,397
Barren | 1,740
Brooklinridge | 1,807
Boone | 1,385
Breckinridge | 734
Ballard | 1,081
Bath | 1,226
Butler | 1,150
Boyd | 822
Campbell | 5,099
Caldwell | 1,032
Christian | 1,056
Clarke | 982
Carroll | 889
Casey | 926
Clinton | 696
Cabinland | 812
Crittenden | 1,297
Carter | 1,319
Calhoun | 1,454
Clay | 846
Daviess | 2,359
Edmonson | 660
Estill | 997
Franklin | 1,341
Floyd | 2,270
Fleming | 931
Fulton | 1,609
Galatin | 927
Graves | 586
Greene | 2,033
Greenup | 1,110
Grayson | 904
Grayson | 1,336
Garrett | 1,009
Green | 1,026
Harrison | 1,174
Henderson | 1,145
Hardin | 2,093
Hancock | 1,050
Henry | 1,241
Harlan | 746
Hancock | 1,353
Hancock | 1,211
Hancock | 1,016
Hancock | 878
Hancock | 460
Hancock | 819
Hancock | 10,363
Johnson | 775
Kenton | 4,210
Knox | 1,096
Lyon | 961
Larue | 948
Letcher | 551
Laurel | 1,197
Lincoln | 1,031
Lawrence | 1,212
Logan | 1,430
Livingston | 821
Muhlenburg | 1,499
Madison | 1,917
Montgomery | 750
Mercer | 1,685
Marion | 1,222
Mason | 2,958
Magoffin | 481
Marshall | 1,371
McCreary | 1,280
McLean | 799
Monroe | 1,122
Morgan | 927
Nicholas | 1,587
Nelson | 1,374
Owen | 1,784
Ohio | 649
Owsley | 539
Trigg | 2,585
Pike | 1,075
Pendleton | 1,629
Powell | 318
Rowan | 446
Rockcastle | 732
Russell | 885
Simpson | 339
Shelby | 1,667
Scott | 1,354
Spencer | 460
Todd | 1,101
Taylor | 496
Trigg | 1,499
Trimble | 1,154
Union | 765
Woodford | 695
Wagner | 1,444
Warren | 1,685
Whitley | 876
Washington | 1,525
Webster | 930
Wolfe | 471

**Total** | **137,211**

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Auditor's Office, Frankfort, Ky., August 16, 1862.

I do certify that the foregoing contains a true list of the Enrolled Militia for the year 1861, as reported to this department.

GRANT GREEN, Auditor,

By C. Bailey, Assistant Auditor.
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Lyon: 600
Larue: 769
Letcher: 1,416
Laurel: 1,162
Lewis: 735
Lincoln: 1,034
Logan: 910
Livingston: 773
Muhlenburg: 740
Madison: 2,099
Montgomery: 853
Mercer: 1,514
Marion: 1,946
Marvin: 2,282
Magoffin: 952
Marshall: 956
McCracken: 879
McMullen: 767
Muhlen: 603
McLean: 613
Morgan: 925
Nicholas: 1,044
Nelson: 1,333
Oldham: 584
Owen: 1,267
Ohio: 471
Orange: 1,105
Pulaski: 1,233
Pickens: 1,300
Pendleton: 1,822
Powell: 752
Rowan: 748
Rockcastle: 512
Russell: 512
Simpson: 1,415
Shelby: 1,302
Taylor: 688
Todd: 481
Trigg: 1,105
Trumbull: 1,273
Union: 891
Washoe: 1,741
Wayne: 726
Washington: 828
Wheeler: 763
Wolfe: 410

ADJUTANT GENERAL'S OFFICE.
Frankfort, Ky., 16th August, 1862.

I do certify that the foregoing contains a true list of the enrolled militia for the year 1862, as reported to this Department and to the Auditor of Public Accounts.
Whole number is 101,274 men.

JOHN W. FINNELL, Adj't Gen'n' Ky. Vol't.
Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of this House, and the same was referred to the committee on Military Affairs.

Mr. Owings moved the following resolution, viz:

Resolved. That the committee on Ways and Means be instructed to report a bill to provide means for the support of the families of Kentucky volunteers; that said bill be reported as soon as possible.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Botts, from the committee on the Judiciary, to whom was referred the petition of the home guards, &c., of Wolfe and adjoining counties, asked to be discharged from the further consideration of the same.

Which was granted.

The following bills were reported, viz:

By Mr. Bell, from the committee on the Judiciary—


By Mr. Ricketts, from the same committee—

2. A bill to amend the act concerning trustees, police judge, and town marshal of Greenville.

By Mr. Huston, from the same committee—

3. A bill to amend section 7, article 17, chapter 93, of the Revised Statutes.

By Mr. Burnam, from the committee on Education—


By Mr. Underwood, from the committee on Military Affairs—

5. A bill to provide for drafting a military force whenever the same is required.

By Mr. Huston, from the committee on the Revised Statutes—

6. A bill to amend an act, entitled “An act to amend article 2, chapter 52, of the Revised Statutes, entitled “Inspections.”

By Mr. Van Winkle, from the committee on the Codes of Practice—

7. A bill to change the place of voting in district No. 2, in Wayne county.

By same—

8. A bill for the benefit of William Mullens, late sheriff of Wayne county.
By Mr. John B. Cochran, from the committee on Incorporated Institutions—

9. A bill to amend the charter of the United Irish Association of Maysville.

By same—

10. A bill to amend the charter of the Maysville, Orangeburg, and Mt. Carmel turnpike road company.

By Mr. R. J. Browne—

11. A bill appropriating money to George W. Matthews, Joseph Hickman, and Thomas Montgomery.

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, 4th, 6th, 7th, 9th, 10th, and 11th were severally ordered to be engrossed and read a third time; the 8th was referred to the committee on Ways and Means.

Mr. Underwood offered an amendment to the 5th bill.

On motion of Mr. Taylor—

Ordered, That the Public Printer forthwith print 150 copies of the 5th bill, together with the amendment thereto, for the use of the members of this General Assembly, and that the same be made the special order for 11 o'clock to-morrow.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 7th, 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.

Mr. Allen moved the following resolution, viz:

WHEREAS, News has been received here of the capture of some eighty recruits making their way from Breckinridge, Meade, and Hardin counties to the southern army, by thirty-five of the Grayson and Edmonson home guards; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That this brilliant exploit entitles these guards to the thanks of the Commonwealth, which are thus paid by her representatives here assembled.

Which resolution was referred to the committee on Military Affairs.

On motion of Mr. Wolfe,

Ordered, That Mr. Rapier have indefinite leave of absence.
The House, according to order, then took up the special order, entitled,

A bill to change the voting place in district No. 2, in Monroe county.

Mr. Cleveland moved to dispense with the further consideration of the said bill, to take up the Senate resolution in relation to the character of business to be transacted by the present General Assembly.

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

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

Those who voted in the affirmative, were—

Alfred Allen, William L. Conklin, David P. Mears,
Jas. W. Anderson, John C. Cooper, William Mercer,
E. B. Bacheller, Elijah Gabbert, Otho Miller,
J. W. Boone, Joseph Gardner, Richard Neel,
William A. Brann, Evan M. Garrott, William S. Rankin,
Thomas S. Brown, Remus Gibson, F. D. Rigney,
E. F. Burns, Henry Griffith, M. Smith,
W. P. D. Bush, Geo. M. Hampton, Robert A. Spalding,
Cyrus Campbell, John M. Henry, Harrison Taylor,
Francis L. Cleveland, Daniel W. Johns, Willie Waller,
John B. Cochran, William Johnson, Alexander T. White,
Robert Cochran, Alexander Lusk, Milton Young—36.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay; Thomas W. Owings,
R. C. Anderson, Albert A. Curtis, George Poindexter,
Jonathan R. Bailey, Daniel E. Downing, John Ray,
Elisha Beazley, John H. Harney, Joseph Ricketts,
John C. Beeman, William J. Heady, James A. Rousseau,
Joshua F. Bell, Joseph W. Heeter, George S. Shanklin,
John W. Blue, John B. Huston, John R. Thomas,
William S. Botts, Urban E. Kennedy, Thomas Turner,
Leroy Brinkley, Perry S. Layton, Jos. R. Underwood,
R. J. Browne, Jas. M. C. Lisenby, John S. Van Winkle,
Curtis F. Burnam, Jonas Martin, W. W. Warrin.,

Joseph H. Chandler, Thomas Z. Morrow,

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. Taylor, from the committee on Ways and Means, to whom was referred a bill, entitled,
An act to appropriate money as a secret service fund, reported the same, with an amendment by way of substitute.
Mr. Turner moved an amendment, which was rejected.
Mr. R. J. Browne moved to strike out "50,000," and insert "30,000" in the substitute.
And the question being taken on striking out, it was decided in the negative.
The question was then taken on the adoption of the amendment by way of substitute, 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, (Backner,) William L. Conklin, Otho Miller,
Alfred Allen, John C. Cooper, Thomas Z. Morrow,
Jas. W. Anderson, Albert A. Curtis, Richard Neel,
R. C. Anderson, Daniel E. Downing, Thomas W. Owings,
Jonathan R. Bailey, John W. Finnell, George Poindexter,
Joshua Barnes, Elijah Gahbert, William S. Rankin,
Elisha Beazly, Remus Gibson, John Ray,
John C. Beeman, Henry Griffith, Joseph Ricketts,
Joshua P. Bell, John H. Harney, P. D. Rigney,
John W. Blue, William J. Heady, James A. Rousseau,
J. W. Boone, Joseph W. Heeter, George S. Shanklin,
William S. Botts, John M. Henry, M. Smith,
William A. Brann, John B. Huston, Harrison Taylor,
R. J. Browne, Daniel W. Johns, John R. Thomas,
Thomas S. Brown, Urban E. Kennedy, Thomas Turner,
Curtis F. Burnam, Perry S. Layton, Joseph R. Underwood,
James Calvert, Jas. M. C. Lisenby, Willie Waller,
Cyrus Campbell, Alexander Lusk, W. W. Waring,
Joseph H. Chandler, Jonas Martin, Alexander T. White,
Brutus J. Clay, P. L. Maxey, Nathaniel Wolfe,
Francis L. Cleveland, David P. Mears, Bryan R. Young,

Those who voted in the negative, were—

E. F. Burns, Evan M. Garriott, William Johnson,
Joseph Gardner,

Said bill reads as follows, viz:
The effective administration of the government of the State, in both its civil and military departments, in the present disturbed condition of the country, necessarily demand the expenditure of money to meet the
votary pressing exigencies which may arise, and for which it is impossible the Legislature can specifically provide, or from the nature of which the interests of the public service may require should be kept secret; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be set apart out of any money in the public treasury not otherwise appropriated, the sum of fifty thousand dollars, as a secret service fund, to be used by the Governor, at his discretion, in aid of the public service, and subject to his draft or order.

§ 2. This act shall take effect from and after its passage.

Mr. Sparks, from the select committee, to whom was referred the resolution adopted on motion of Mr. Sparks in relation to the whereabouts of Vincent Ash, representative from the county of Anderson, made the following report, viz:

The special committee to whom was referred the resolution of this House to inquire as to whether Vincent Ash, a member of this House from the county of Anderson, had joined Morgan's rebel band, would report that they have caused to be summoned before them three citizens of Anderson, who conclusively prove that Vincent Ash has joined Morgan's band, in their late raid through this State, and went off with them. They return with this report the evidence taken before them, and make it a part of the same. They further recommend the adoption of the following resolution:

Resolved, That Vincent Ash, the member of this House from the county of Anderson, be expelled from this House, and his seat be declared vacant.

J. P. SPARKS,
Chairman Special Committee.

Benjamin Gordon being called and sworn, states that he lives in Anderson county; that he knows Vincent Ash well; that he lives about five miles from the residence of Vincent Ash; that it is the general talk in the county that Ash went off with Morgan's men when they made their late raid through this State; he did not see Ash with Morgan's men; witness is on friendly terms with Ash.

Thomas Montgomery being called and sworn, states that on the evening of the day on which Morgan's band was in Lawrenceburg, Ky., which was about the fourteenth of July last, Vincent Ash came to witnesses house, and told him that he (Ash) was going into the camp, (meaning Morgan's;) that it was a hard life to live, but it was the best he could do. He eat supper at witness's house, and after supper went in the direction of Morgan's camp. There were several with him. He has not been in Anderson county since. When he left witnesses house he shook hands with him, and told witness good-bye; and said he did not know that he would ever see witness again. It is generally understood in the county of Anderson that he has joined Morgan's band.

THOMAS MONTGOMERY.
George W. Matthews being called and sworn, states that on the evening of the fourteenth of last July, witness heard that Vincent Ash was heading about thirty recruits for Morgan's band. Witness went up to the tavern in Lawrenceburg, and there found Ash with his band, and heard him say that he hated it, but it was the best he could do; that he was going to join Morgan. The next day witness went to Versailles; when he got there Morgan's men were about leaving. He then saw Ash, and he went off with Morgan's men. It is the general talk and understanding in Anderson county that Ash has joined Morgan.

GEORGE W. MATTHEWS.

Mr. Burns moved to strike out the word "expelled" from the resolution.

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

The question was then taken on adopting the resolution and report, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The House then took up the resolution from the Senate in relation to the character of business to be transacted by the present General Assembly, and the substitute offered by Mr. Allen.

The question was taken on adopting the substitute offered by Mr. Allen, and it was decided in the negative.

Said resolution was then twice read and concurred in.

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

Those who voted in the affirmative, were—

Alfred Allen, Robert Cochran, David P. Mears, 
Jas. W. Anderson, John C. Cooper, William Mercer, 
R. C. Anderson, Albert A. Curtis, Otho Miller, 
Joshua Barnes, Daniel E. Downing, Thomas Z. Morrow, 
Elisha Beazley, John W. Finnell, Richard Neal, 
William S. Botts, Elijah Gabbert, John Ray, 
William A. Brann, Remus Gibson, F. D. Rigney, 
Thomas S. Brown, Henry Griffith, James A. Rousseau, 
Curtis F. Burnam, John M. Henry, M. Smith, 
James Calvert, Daniel W. Johns, R. A. Spalding, 
Cyrus Campbell, Perry S. Layton, Harrison Taylor, 
Brutas J. Clay, Jas. M. C. Lisenby, Willie Waller, 
Francis L. Cleveland, Alexander Lusk, Alex. T. White—40.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Geo. M. Hampton, Joseph Ricketts, 
Jonathan R. Bailey, John H. Harney, George S. Shanklin, 
John C. Beoman, William J. Head, James P. Sparks, 
Joshua F. Bell, Joseph W. Heeter, John R. Thomas, 
John W. Blue, John B. Huston, Thomas Turner, 
J. W. Boone, William Johnson, Joseph R. Underwood, 
R. J. Browne, Urban E. Kennedy, John S. Van Winkle, 
E. F. Burns, Jonas Martin, W. W. Warrington, 
W. P. D. Bush, P. L. Maxey, Nathaniel Wolfe, 
Joseph H. Chandler, Thomas W. Owings, Bryan R. Young, 
Joseph Gardner, George Pointdexter, Milton Young—35. 
Evan M. Garriott, William S. Rankin,

Said Senate resolution reads as follows, viz:

Resolved, That the General Assembly will not transact any merely local business during its present extra session, unless directly connected with the defense of some portion of the State.

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

WHEREAS, The proper authority has authorized James Sulldoth to raise and muster into service the 36th Regiment of Kentucky Volunteer Infantry, which authority was granted on the 15th of August,
1862; and although it is represented that the most of the men were tendered to said Sudduth before that time, yet the War Department of the United States having fixed the 22d of August as the last day for mustering in new regiments of volunteers, and it is impossible for said regiment to be mustered in by that time; and whereas, it is represented that said Sudduth and his men are unwilling to fight for the government of their fathers by the side of rebels and traitors, which will be the case if drafted—wherefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be and he is hereby requested to send a dispatch, most earnestly requesting the President of the United States to extend the time for raising and mustering in said regiment, on the usual terms of volunteering; until the 20th day of September, 1862.

The rules of the House being dispensed with requiring joint resolutions to lie one day on the table, and a reference to a standing committee.

Mr. Rankin moved to add the 32d regiment.

Mr. Burnam moved an amendment to include Col. Holloway's regiment.

Said amendments were adopted.

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

And then the House adjourned.

WEDNESDAY, AUGUST 20, 1862.

Mr. Curtis presented the petition of sundry citizens of Estill county, asking the privilege of raising a battalion of mounted twelve month's volunteers.

Which was received, the reading dispensed with, and referred to the committee on Military Affairs.

The following bills were reported, viz:

By Mr. Rankin, from the committee on the Judiciary—

A bill to amend sections 3 and 4, article 2, chapter 17, Revised Statutes.
By Mr. Bell, from the same committee—
A bill authorizing the sale of real estate and slaves in which there is a future contingent interest.

By Mr. John B. Cochran, from the committee on Corporations—
A bill for the benefit of Olive Branch Methodist Episcopal Church, South, in Shelby 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.

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. Rankin, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,
An act to amend the penal laws, reported the same without amendment.

On motion of Mr. Burnam,
Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of the General Assembly, and the same was placed in the orders of the day.

Mr. Botte, from the committee on the Judiciary, to whom was referred leave, reported a bill to amend the execution laws, with the expression of opinion that said bill ought not to pass,
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. John R. Thomas, from the same committee, to whom was referred leave to bring in a bill to amend article 18, chapter 30, Revised Statutes, reported the same,
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,

On motion of Mr. R. J. Browne,
Ordered, That said bill be recommitted to the committee on the Ju-
diciary, with instructions to report a bill making its provisions apply
to all collecting officers.

Mr. Huston, by consent, reported a bill to re-enact the State guard
law, with sundry amendments, and to organize the militia of this
State.

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

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

Ordered, That said bill be referred to the committee on Military
Affairs, and that the Public Printer forthwith print 150 copies thereof
for the use of the members of this General Assembly.

Mr. Huston moved the following resolution, viz:

Whereas, It is of vital importance to the liberty of the citizen that
the military power should be held subordinate to the civil authorities in
the State as far as possible, even in times of rebellion and civil war; and,
whereas, it is suggested that military arrests of citizens of this
State have been needlessly and causelessly made; therefore,

Be it resolved by the House of Representatives, That the committee on
the Judiciary be instructed to inquire what remedy, if any, can be de-
vised by law for the evils aforesaid, and especially to inquire into the
propriety and feasibility of preventing sedition in speech and otherwise
by law; to bring all guilty of such offenses under the control of the
civil authorities rather than of the military; and that said committee
report by bill or otherwise.

Mr. Burnam moved the following amendment, viz:

And also to inquire whether the powers of military provost marshals
in the cities and towns of this Commonwealth, in making arrests and
exacting fees for their services, have been abused and should be reg-
ulated by law.

Which amendment was adopted.

Mr. Harney moved to lay the resolution and amendment on the ta-
ble.

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—

E. B. Bacheller, John B. Cochran, Thomas Z. Morrow,
Jonathan R. Bailey, Daniel E. Downing, Richard Neel,
Joshua Barnes, Elijah Gabbert, George Poindexter,
Elisha Beazley, Remus Gibson, John Ray,
John C. Beeman, John H. Harney, F. D. Rigney,
Joshua F. Bell,                William J. Heady,          James A. Rousseau.
Leroy Brickley,                Joseph W. Hester,        James P. Sparks.
James Calvert,                  Urban E. Kennedy,       Willie Waller,
Cyrus Campbell,                 Jas. M. C. Lisenby,      Alex. T. White—32.
Brutus J. Clay,                 Osto Miller,

Those who voted in the negative, were:

Mr. Speaker, (Buckner,) William L. Conklin, Thomas W. Owings,
Alfred Allen,                   John C. Cooper,         William S. Rankin,
Jas. W. Anderson,               Albert A. Curtis,       Joseph Ricketts,
R. C. Anderson,                 Joseph Gardner,         George S. Shanklin,
John W. Blue,                   Evan M. Garriott,      M. Smith,
J. W. Boone,                    Henry Griffith,         Robert A. Spalding,
William S. Botts,               Geo. M. Hampton,       Harrison Taylor,
William A. Brann,               John M. Henry,         Thomas Turner,
R. J. Browne,                   John B. Huston,        Joseph R. Underwood,
Curtis F. Burnam,               Wm. Johnson,           John S. Van Winkle,
E. F. Burns,                    Perry S. Layton,       W. W. Warrington,
W. P. D. Bush,                  Jonas Martin,           Nathaniel Wolfe,
Joseph H. Chandler,             David P. Mears,        Bryan R. Young,
Frances L. Cleveland,           William Mercer,        Milton Young—43.
Robert Cochran,

Mr. R. J. Browne moved the following amendment, viz:

Also to inquire if the provost marshals have arrested citizens and
required them to take the oath of allegiance, and to give bond with
high penalties, without any specific charge having been preferred
against them, and denied them the right to confront the witnesses
brought against them, and if so, by what law it was done.

Which amendment was rejected.

The question was then taken on adopting the resolution, as amends,
and it was decided in the affirmative.

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

Mr. Speaker, (Buckner,) John C. Cooper, Thomas W. Owings,
Jas. W. Anderson,                 Albert A. Curtis,       William S. Rankin,
R. C. Anderson,                  Daniel E. Doweing,      John Ray,
Jonathan R. Bailey,              Joseph Gardner,        Joseph Ricketts,
John W. Blue,                    Evan M. Garriott,      F. D. Rigney,
J. W. Boone,                     Henry Griffith,         George S. Shanklin,
William S. Botts,                Geo. M. Hampton,       Robert A. Spalding,
William A. Brann,                Joseph W. Hester,      Harrison Taylor,
R. J. Browne,                    John M. Henry,         John R. Thomas,
Curtis F. Burnam,                John B. Huston,        Thomas Turner,
E. F. Burns,                     William Johnson,        Joseph R. Underwood,
W. P. D. Bush,                   Perry S. Layton,       John S. Van Winkle,
Those who voted in the negative, were—

Elisha Beazley, Remus Gibson, Thomas Z. Morrow,
John C. Beeman, John H. Harney, Richard Neel,
Joshua F. Bell, William J. Head, George Poindexter,
Leroy Brinkley, Daniel W. Johns, James A. Rousseau,
Thomas S. Brown, Urban E. Kennedy, M. Smith,
James Calvert, Jas. M. C. Lisenby, James P. Sparks,
Cyrus Campbell, Alexander Lusk, Willie Walker,
Brutus J. Clay, Otho Miller, Alex. T. White—25.

Elijah Gabbert,

A message was received from the Senate, announcing that they had passed a bill from this House, entitled,

An act to appropriate money as a secret service fund.

And had concurred in a resolution requesting the Governor to ask an extension of time for raising certain regiments of Kentucky volunteers.

The House, according to order, then took up the special order, entitled,

An act to provide for drafting a military force whenever the same is required.

On motion of Mr. Shanklin,

Ordered, That the further consideration thereof be postponed until 12 o'clock to-morrow.

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

On motion of Mr. Finnell—1 A bill to establish a medical commission.

On motion of Mr. Botts—2 A bill to amend section 120, chapter 3, title 7, of the Code of Practice.

On motion of Mr. Martin—3 A bill to change the time of holding the Lyon circuit court.

On motion of same—4 A bill to extend the limitation laws.

On motion of Mr. Burnam—5 A bill authorizing county courts to grant guardianships in certain cases without giving security.

On motion of Mr. Downing—6 A bill to stay civil proceedings against persons of this State while in the military service of the United States or of this State.
On motion of Mr. Rousseau—7. A bill to organize 10,000 State troops for the defense of the Commonwealth.

On motion of Mr. J. B. Cochran—8. A bill to amend chapter 40, Revised Statutes.

Ordered, That Messrs. B. R. Young, Barnes, and Owings prepare and bring in the 1st; the committee on the Codes of Practice the 2d; the committee on Circuit Courts the 3d; the committee on Revised Statutes the 4th, 5th, and 8th; the committee on the Judiciary the 6th, and the committee on Military Affairs the 7th.

Mr. Rankin moved the following resolution, viz:

Whereas, It is represented that Lucius Desha, a member of this House from the county of Harrison, gave aid and assistance to the rebel John Morgan and his guerrilla band in their engagement with the Union forces under Lt. Col. Landrum, at Cynthiana, on the 17th of July last, and has otherwise aided and abetted the present rebellion; therefore,

Resolved, That a committee of three members of this House be appointed by the Speaker to inquire into and report by resolution, bill or otherwise, what part, if any, the said Lucius Desha took in said engagement, or whether he has otherwise given aid or assistance to the rebellion, and what action should be taken in relation thereto by this House.

Which was adopted.

The Speaker appointed Messrs. Rankin, Shanklin, and Johnson the committee under said resolution.

Mr. Curtis moved the following resolution, viz:

Resolved, That the special committee be instructed to inquire into the conduct of David May, representative from Pike and Letcher, and whether or not he has done anything inconsistent with his duties as a member on this floor.

Which resolution was adopted.

The Speaker appointed Messrs. Rankin, Johnson, and Shanklin under said resolution, as a committee.

Mr. Warring moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to report a bill, at their earliest convenience, to raise and equip five regiments of mounted infantry for the defense of the State.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Martin moved the following resolution, viz:

Resolved, That J. R. Underwood, Nat. Wolfe, J. F. Bell, and J. B. Houston be and they are hereby appointed a committee to take into consideration the present action of Congress, and the recommendation
of the President to the border slave States in reference to the emancipation of slavery; and that they are instructed to report, on Thursday next, at 11 o'clock, A. M., what action this General Assembly should take in reference to the emancipation of slavery by this State, or the protection of said institution against any interference therewith by Congress or the President, or any military authority whatsoever.

Ordered, That said resolution be referred to the committee on Federal Relations.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of Kentucky be requested to appoint an agent, whose business it shall be to visit the Kentucky troops, and receive and transmit to the families of volunteers any money they may wish to send. That said agent be required to give bond and security for the faithful performance of his duty.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. B. R. Young, from the select committee, to whom was referred leave to bring in a bill to establish a medical commission, reported the same.

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. Allen moved an amendment.
Which was adopted.

Mr. Huston moved to add "successful," before the word "applicant," in the 3d section of the bill.
And the question being taken thereon, it was decided in the negative.

Mr. Burnam moved to add and "character," after the word "skill," in the 1st section of the bill.
And the question being taken thereon, it was decided in the affirmative.

Mr. Huston moved to recommit the bill and amendments to the select committee who reported the same.
And the question being taken thereon, it was decided in the negative.
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. Garriott moved the following resolution, viz:

WHEREAS, information has been received that the citizens of Trimble county are being despoiled of their property to a large amount by the Home Guards of Henry county, under the direction of one George D. Dicken; therefore,

Resolved, that the Military committee of this House inquire into the causes which have led to this unjustifiable proceeding, and that they have power to send for persons and papers for that purpose, and that they report the facts for the further action of this body.

Ordered, that said resolution be referred to the committee on Military Affairs.

And then the House adjourned.

THURSDAY, AUGUST 21, 1862.

Mr. Huston took the Chair at the instance of the Speaker, he being absent.

Mr. Bell, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,

An act to amend the jury laws of this Commonwealth, 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,

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

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

120
Those who voted in the affirmative, were—

Alfred Allen, John C. Cooper, Thomas W. Owings, George Poindexter,
Jas. W. Anderson, Albert A. Curtis, George W. Rankin, John Ray,
R. C. Anderson, Daniel E. Downing, Joseph Ricketts, F. D. RigNEY,
E. B. Bacheller, Elijah Gabbert, James A. Rousseau,
Jonathan R. Bailey, Remus Gibson, George S. Shanklin, M. Smith,
Joshua Barnes, Henry Griffith, James P. Sparks, Harrison Taylor,
Eli-ha Beazley, John H. Harney, John R. Thomas, Thomas Turner,
John C. Beeman, William J. Heady, Joseph R. Underwood,
Joshua F. Bell, Joseph W. Heeter, John S. Van Winkle,
John W. Blue, John B. Huston, Willie Wacker,
J. W. Boone, William C. Ireland, Zeb. Ward,
William S. Botts, Daniel W. Johns, W. W. Waring,
William A. Brann, Urban E. Kennedy, Alex. T. White,
Leroy Brinkley, Perry S. Layton, Nathaniel Wolfe,
Curtis F. Burnam, Alexander Lusk, R. J. Browne,
James Calvert, Jonas Martin, William L. Conklin, George M. Hampton,
Cyrus Campbell, P. L. Maxey, W. H. Edmunds, John M. Henry,
Joseph H. Chandler, David P. Mears, Robert A. Spalding,
Brutus J. Clay, William Mercer, Robert Cochran,
Francis L. Cleveland, Thomas Z. Morrow, Evan M. Garriott,
John B. Cochran, Richard Neel, Milton Young—12.

Those who voted in the negative, were—

R. J. Browne, William L. Conklin, George M. Hampton,
E. F. Burns, W. H. Edmunds, John M. Henry,
W. P. D. Bush, Joseph Gardner, Robert A. Spalding,
Robert Cochran, Evan M. Garriott, Milton Young—12.

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

By Mr. Taylor, from the committee on Ways and Means—
1. A bill to amend an act, entitled "An act concerning the collection of public revenue and county levy for the years 1861 and 1862."

By Mr. Curtis, from the committee on Internal Improvement—
2. A bill to amend an act, entitled "An act further to regulate the Shelby and Franklin turnpike road company," approved 10th February, 1841.

By Mr. Burnam, from the committee on Education—
3. A bill requiring certain officers of this Commonwealth to take an oath of office.

By Mr. Waring, from the same committee—

By Mr. Underwood, from the committee on Military Affairs—
5. A bill to raise a State force of ten thousand men.
By Mr. R. J. Browne, from the committee on Circuit Courts—
6. A bill to abolish the August term of the Washington circuit court.

By Mr. R. J. Browne, from the committee on the Codes of Practice—
7. A bill regulating estates held in trust for the benefit of the maker's debts.

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 6th were severally ordered to be engrossed and read a third time; the 3d and 5th were placed in the orders of the day, and the 7th was referred to the committee on Revised Statutes.

Ordered, That the Public Printer forthwith print 150 copies of the 5th and 7th bills for the use of the members of this General Assembly.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th 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. Bush, from the committee on Revised Statutes, to whom was referred leave, reported a bill, entitled,

A bill to amend chapter 40 of the Revised Statutes.

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,

Said bill was placed in the orders of the day.

Mr. Ward presented the petition of Mr. E. R. Cook, a member of the board of managers of the Western Lunatic Asylum, at Hopkinsville, in relation to the conduct of Samuel Bernard, a member of said board.

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

Mr. Warring presented the petition of sundry citizens of Barren, in reference to raising a brigade to put down guerrilla bands, &c.
Which was received, the reading dispensed with, and referred to the committee on Military Affairs.

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

On motion of Mr. Cleveland—1. A bill to repeal the law allowing a premium on fox scalps.

On motion of same—2. A bill to amend the act regulating the number of school days in a month.

Ordered, That the committee on County Courts prepare and bring in the 1st, and the committee on Education the 2d.

Mr. Sparks moved the following resolution, viz:

WHEREAS, The glorious old Commonwealth (Kentucky) is being defiled by the unhallowed tread of the invader, and traversed by marauders and midnight assassins; whereas, she is now threatened to be made again the "dark and bloody ground," by hands more fiendish than her original savage occupants; and, whereas, notwithstanding the urgency of the crisis, there are military officers bedecked with their military insignia lounging around the hotels and taverns in all the cities and villages in the State, seeming to be indifferent, if not unconscious, of the perils now surrounding us: therefore,

Resolved, That the President of the United States be respectfully requested to institute strict inquiry, and wherever they shall be supernumeraries or incompetents, dismiss them, and thereby relieve the Treasury thus far, or order them into service and relieve their several communities of a nuisance.

Resolved, further, That the Honorable Speaker be requested to send a copy of these resolutions to the President of the United States, and to the Secretary of War.

Ordered, That said resolutions be referred to the committee on Federal Relations.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That in the opinion of this Legislature the quota of Kentucky of the 300,000 nine months men recently called for by the Federal Government, and who, by the order of the Secretary of War, are to be drafted from the enrolled militia, can be readily raised by voluntary enlistments without a draft; therefore,

Be it further resolved, That his Excellency, the Governor, be requested to communicate a copy of these resolutions to the Secretary of War, with a request upon the part of the State that he will consent to receive the quota of said 300,000 men by voluntary enlistment.

Mr. Finnell moved to amend by adding after the words "voluntary enlistment," the words "for twelve months."

Which amendment was adopted.

The resolution, as amended, was then adopted.
The yeas and nays being required thereon by Messrs. Wolfe and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,         Robert Cochran,        P. L. Maxey,  
Jas. W. Anderson,     William L. Conklin,    David P. Means,  
R. C. Anderson,       John C. Cooper,       William Mercer,  
E. B. Bacheller,      Albert A. Curtis,     Otho Miller,    
Joshua Barnes,        Daniel E. Dowling,     Thomas W. Owings, 
Elihu Beazley,        W. H. Edmunds,        George Poindexter, 
John C. Breman,       Elijah Gabbert,       William S. Rankin, 
Joshua F. Bell,       Joseph Gardner,       John Ray,       
John W. Blue,         Evan M. Garriott,      Joseph Ricketts, 
J. W. Boone,          Henry Griffith,        James A. Rouseneau, 
William S. Botte,     Geo. H. Hampton,      George S. Shanklin, 
William A. Bram,      John H. Harvey,       Robert A. Spalding, 
Leroy Brinkly,        Joseph W. Heeter,      Harrison Taylor, 
Thomas S. Brown,      John M. Henry,         John R. Thomas, 
E. P. Burns,          William O. Ireland,     Joseph R. Underwood, 
W. P. D. Bush,        Daniel W. Johns,       John S. Van Winkle, 
James Calvert,        Urban E. Kennedy,      W. W. Waring,   
Cyrus Campbell,       Perry S. Layton,       Bryan R. Young, 
Joseph H. Chandler,   Jonas Martin,         Milton Young—58.

Those who voted in the negative, were—

R. J. Browne,         John B. Huston,        James P. Sparks, 
Curtis F. Burnam,     Jas. M. C. Linshey,     Willie Waller,  
Brutes J. Clay,       Alexander Lusk,        Zeb. Ward,      
John W. Finnell,      Thomas Z. Morrow,      Alex. T. White, 
Romus Gibson,         Richard Neel,          Nathaniel Wolfe—17.

William J. Heady,     F. D. Rigney,   

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

WHEREAS, There are now confined in the military prison in the city of Louisville a great number of the citizens of Kentucky, who have been arrested by the military authorities; and, whereas, their health is being greatly endangered and impaired by their close confinement, and the unhealthy condition of the apartments in which they are placed, and not being permitted to have a trial, are held entirely at the will of the military power of the State; therefore,

Resolved, That the Governor of Kentucky is hereby respectfully requested to take such steps as may be necessary to secure to those of our citizens so confined a speedy and impartial trial according to the Constitution and laws of Kentucky.

Mr. Burns moved to dispense with the rule of the House requiring joint resolutions to lie one day on the table, and also the rule of the House requiring a reference to a standing committee.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

John W. Blue, W. H. Edmunds, P. L. Maxey,
J. W. Boone, Joseph Gardner, William Mercer,
E. F. Burns, Evan M. Garriott, Robert A. Spalding,
W. P. D. Bush, Henry Griffith, John R. Thomas,
John B. Cochran, Gen. M. Hampton, W. W. Warring,

Those who voted in the negative, were—

Alfred Allen, John O. Cooper, Thomas Z. Morrow,
Jas. W. Anderson, Albert A. Curtis, Richard Neel,
R. C. Anderson, Daniel E. Downing, Thomas W. Owings,
E. B. Bacheller, John W. Elmell, George Poindexter,
Jonathan R. Bailey, Elijah Gabbert, William S. Rankin,
Joshua Barnes, Remus Gibson, John Ray,
Elisha Beazley, John H. Harmon, Joseph Kicketts,
John C. Beeman, William J. Heady, F. B. Rigney,
William S. Botts, Joseph W. Heeter, James A. Rousseau,
William A. Brann, John M. Henry, George S. Shanklin,
Leroy Brinkley, John B. Huston, James P. Sparks,
R. J. Browne, William C. Ireland, Harrison Taylor,
Thomas S. Brown, Daniel W. Johns, John S. Underwood,
Curtis F. Burham, John R. Winkle, Willie Waler,
James Calvert, Perry S. Layton, Zeb. Ward,
Cyrus Campbell, Ins. M. C. Lisenby, Alex. T. White,
Joseph H. Chandler, Alexander Lusk, Nathaniel Wolfe,

Ordered, That said resolution be referred to the committee on Military Affairs.

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

An act to amend section 4, article 3, chapter 17, of the Revised Statutes, requiring county court clerks to put their official seal, &c., to soldiers claims free of charge.

An act to amend section 7, article 17, chapter 93, of the Revised Statutes.

An act to amend an act, entitled “An act further to regulate the Shelby and Franklin turnpike road company,” approved 10th February, 1841.
That they had passed a bill, entitled
An act to amend the 3d article, 47th chapter, Revised Statutes, enti-
titled "Divorce and Alimony."

The House then took up the bill, entitled
An act to provide for drafting a military force whenever the same is
required.

The question was taken on adopting the 1st amendment offered by
Mr. Underwood, and it was decided in the affirmative.

Mr. Conklin moved to amend the 2d amendment offered by Mr. Un-
derwood by adding after the word "service" in the 1st line, the words
"or have died or been killed while in the service."

Which was adopted.

The question was then taken, "Shall the amendment, as amended,
be adopted?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. J. Browne
and Bell, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, William L. Conklin, Otho Miller,
Jas. W. Anderson, John C. Cooper, Thomas Z. Morrow,
R. C. Anderson, Albert A. Curtis, George Poindexter,
E. B. Bacheller, Daniel E. Downing, William S. Rankin,
Jonathan R. Bailey, Joseph Gardner, John Ray,
Eliza Beazley, Evan M. Garriott, Joseph Ricketts,
John C. Beam., Remus Gibson, F. D. Rigney,
John W. Blue, Henry Griffith, James A. Rousseau,
William S. Botts, William J. Heady, George S. Shanklin,
William A. Brann, Joseph W. Hester, Robert A. Spalding,
Leroy Brinkley, John B. Huston, Harrison Taylor,
Thomas S. Brown, William C. Ireland, Jos. R. Underwood,
Curtis F. Burnam, Daniel W. Johns, John S. Van Winkle,
W. P. D. Bush, Perry S. Layton, Zeb. Ward,
James Calvert, Jonas Martin, Alex. T. White,
Joseph H. Chandler, P. L. Maxey, Bryan R. Young,
Francis L. Cleveland, David P. Mears, Milton Young—53.
Robert Cochran, William Mercer,

Those who voted in the negative, were—

Joshua Barnes, John B. Cochran, James M. C. Lisenby,
Joshua F. Bell, Elijah Gubbert, Richard Neal,
R. J. Browne, Geo. M. Hampton, Thomas W. Owings,
E. F. Burns, John H. Harney, James P. Sparks,
Cyrus Campbell, John M. Henry, Willie Waller,
Which amendment, as amended, reads as follows, viz:

§ 7. The number of persons now in service, or who have died or been killed whilst in service, the number enrolled as volunteers, and the number who have served nine months, according to the preceding section, shall be ascertained by the Commissioner or Commissioners for the county, and if the aggregate of all such persons shall be equal to or exceed the quota which the county ought to furnish, of all the requisitions made for troops or men since the commencement of the rebellion, by the President of United States, then no draft shall be made in the county to raise men to meet the requisition for three hundred thousand men for nine months service. But if such aggregate shall fall short of the quota which the county ought to furnish, of all the requisitions which have been made for men by the National Government since the rebellion began, then a draft for the deficiency shall take place in the county under the provisions of this act.

Mr. Underwood offered an additional section providing pay for the services of commissioners, not exceeding four dollars per day, and to pay clerks.

Also a section providing for filing the rolls in the adjutant general’s office.

Mr. Burnam moved to amend by exempting the commissioners from draft.

Which amendment was rejected.

Mr. Underwood’s amendments were then adopted.

Mr. Rousseau moved the following amendment, viz:

That all officers who have been in the service of the United States, and have, from sickness or wounds received in battle, or other good cause, been discharged or resigned, and all soldiers who have for good cause been discharged from the service, shall be exempt from this draft.

Mr. Ward moved to strike out the word “officers” in said amendment.

Which amendment was rejected.

The amendment of Mr. Rousseau was then rejected.

Mr. Heady moved to amend by inserting in 13th and 14th lines in the 5th section of the bill, after the words “volunteer,” the words “and drafted.”

Which amendment was adopted.

Mr. Heady moved an amendment to the 10th section.

Which amendment was rejected.

Mr. Allen moved amendments to the 12th section of the bill.

Which were adopted.
Mr. Allen moved an amendment to the 15th section in relation to organizing regiments.
Which was adopted.

Mr. Bell moved amendments to the 15th section in relation to organizing companies and regiments.
Which were adopted.

Mr. Blue moved the following amendment, viz:
Any person who may be subject to draft under the provisions of this bill, shall be exempted therefrom by paying the sum of $50 in money in lieu of a substitute, and the money thus paid shall be held and used by the State as a bounty fund to encourage volunteer enlistments and to support the families of volunteers. The Commissioners appointed to make the draft shall keep a true list of the names of the persons and the place of residence of those who shall pay exemption money, and return the same to the Adjutant General's office, which shall be recorded in a book kept for the purpose, and in all cases a copy therefrom, attested by the Adjutant General, or his assistant, shall be evidence in behalf of any individual therein named of his exemption from draft and military service.

Mr. Curtis moved to strike out "$50" and insert "$500."
Which amendment was adopted.

The question was taken on adopting the amendment, as amended, and it was decided in the negative.

Mr. Cleveland moved the previous question.
The question was then taken, "Shall the main question be now put?" 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,

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

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

Those who voted in the affirmative, were—

Alfred Allen, William L. Conkin, Otho Miller,
Jas. W. Anderson, John C. Cooper, Thomas Z. Morrow,
R. C. Anderson, Albert A. Curtis, Richard Neel,
E. B. Bacheller, Daniel E. Downing, George Poindexter,
Jonathan R. Bailey, Elijah Gabhart, William S. Rankin,
Joshua Barnes, Remus Gibson, John Ray,
Elisha Beazley, Henry Griffith, Joseph Ricketts.
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That whenever the Government of the United States shall make a requisition for troops upon the State of Kentucky, or whenever it may be necessary to raise troops for the use and defense of this Commonwealth, the number of troops required, unless a sufficient number of volunteers offer themselves for the service, shall be supplied by draft in the following manner:

§ 2. If the militia of the State be not organized so that the Governor can, by his orders to division, brigade and regimental officers, direct how many officers and men each division, brigade, and regiment shall furnish, then the Governor shall appoint a sufficient number of Commissioners to ascertain and enroll all persons who are by law required to constitute the militia of the Commonwealth, provided that the number of Commissioners so appointed shall not exceed the number of counties in the State.

§ 3. The Commissioners, or any of them, so appointed, may be required to perform duties in any one or more of the counties of the Commonwealth; and it shall be their duty, under the direction of the Governor, with all practicable dispatch, to ascertain from any and all sources of information the names of all able-bodied free white male citizens between the ages of 18 and 45 years, of each county, and to make out a complete roll for the several counties of all such persons.

§ 4. If any person thus enrolled is, by the laws of the United States or by the laws of this State, exempted from the performance of military service, then the Commissioner shall note the fact, and the cause of the exemption upon the roll opposite the name of such person, and the military strength of each county shall be ascertained by deducting the number exempted from the whole number on the roll.
§ 5. Whenever a legal requisition for troops is made, if volunteers tender themselves by companies, regiments, brigades, or divisions, they shall be accepted as far as wanted; but if there be not enough volunteers to meet the requisition fully, then the deficiency shall be made up by a draft, in which the number deficient shall be apportioned among the several counties respectively in proportion to their military strength, ascertained as directed in the preceding section. But in such apportionment the counties from which the volunteers that may have been accepted come, shall be credited with the number of volunteers furnished by them respectively. If any county furnishes its full quota of the troops called for, by volunteers, then no draft shall be made in such county; and where a county furnishes a part of its quota in volunteers, such county shall be credited with the number of volunteers furnished, and the remainder of its quota raised by draft. In making out the rolls of the volunteer and drafted companies and regiments, they shall be made out as to show what county furnishes each volunteer and drafted man.

§ 6. Notice shall be published in each county, in such manner as the Governor may direct, of the time and place when and where those claiming to be exempt from the performance of military service shall meet the Commissioner, and make known the causes and reasons for his exemption, and furnish evidence of their truth. If the Commissioner, on investigation, shall be satisfied that the applicant is exempt, he shall note the fact and the cause opposite the name of the applicant upon the roll. The Commissioner or Commissioners for the county shall write upon the roll opposite the name of any person who, at the time the roll is made, is then in the service of the United States, as an officer or soldier, the words "now in service;" and opposite the name of any person who is then a volunteer for three years' service, and has been enrolled as such upon the rolls of the proper recruiting officer, but has not yet been mustered into the service of the United States as officer or soldier, the words "enrolled as volunteer;" and opposite the name of any person who has served nine months or more in the army of the United States as officer or soldier, and who has resigned or been honorably discharged, the words "has served nine months." In ascertaining the number of persons subject to draft in the county, all those opposite whose names any one of the aforesaid expressions is written shall be deducted from the whole number on the roll of the county, as well as those exempted from the performance of military service, and the remainder shall constitute the persons subject to draft in the county. The Commissioner shall have power to call to his aid a competent practising physician and to administer an oath to the party, or to any witness he may produce to testify in his behalf, and if, on any such investigation, the party or witness shall, after being sworn, knowingly and willfully state as a fact any matter or thing which may be relevant, and which is untrue and false, with a view to influence the judgment of the Commissioner, and to procure the exemption of the party from the draft, he or she so offending shall be guilty of perjury, and on conviction thereof shall suffer the pains and penalties prescribed by law for that crime.
§ 7. The number of persons now in service, or who have died or been killed whilst in service, the number enrolled as volunteers, and the number who have served nine months, according to the preceding section, shall be ascertained by the Commissioner or Commissioners for the county, and if the aggregate of all such persons shall be equal to or exceed the quota which the county ought to furnish, of all the requisitions made for troops or men since the commencement of the rebellion, by the President of the United States, then no draft shall be made in the county to raise men to meet the requisition for three hundred thousand men for nine months' service. But if such aggregate shall fall short of the quota which the county ought to furnish, of all the requisitions which have been made for men by the National Government since the rebellion began, then a draft for the deficiency shall take place in the county under the provisions of this act.

§ 8. When the number of persons subject to draft in each county is ascertained as aforesaid, and the quota of each county to be raised by the draft is fixed, then the Commissioner or Commissioners for the county shall divide the whole number of the militia of the county, after deducting those who are exempt, and those not subject to draft, by 101. If there be left in such division a portion of less than 101, such portion shall be again divided by the quotient of the first division, and the quotient of this second division added to 101, so as to fix and determine the number of men which each company in the county shall contain, subject to draft. If there be a portion still left, such portion shall be distributed by lot among the companies, so as to make them as nearly equal in number as practicable.

§ 9. For the purpose of the draft each county shall be divided into as many companies as the quotient of the division of the number of the militia of the county, after deducting those exempt from service, and those not subject to draft, by the number 101. The Commissioner or Commissioners for the county shall, after the number of companies for the county are ascertained, number each company, and then determine to which company the men upon the roll of the county, subject to draft, shall belong, and shall assign and set apart the men subject to draft, to their respective companies, giving to each company an equal number of men as near as practicable. In making such assignment and distribution of the men, it shall be the duty of the Commissioner or Commissioners to throw men residing upon contiguous territory into the same company, as far as practicable.

§ 10. The total number of men in any county liable to draft, shall be divided by the number of the drafts the county is required to furnish, and the product shall be the number to constitute a class out of which one man shall be drafted for the service, and to perform the tour of duty required. A time and place shall be designated for the meeting of the members or men constituting each company, to be fixed by the Commissioner or Commissioners of the county, of which due notice shall be given in such manner as the Governor may prescribe. It shall be the duty of each member of the company then and there to attend in person. One or more Commissioners, as the Governor may direct, shall also attend and superintend and conduct the draft. The members of each company shall be divided into as many classes as the
number requisite for a class will go as divisor in the whole number of
the company. If there be a number left when the whole number of
the company is divided by the number of a class, the number so left
shall be denominated supernumeraries, and these supernumeraries
shall be taken out of the company by lot before the draft takes place.
Those who are supernumeraries, and those who shall constitute a class,
shall be determined by lot in the following manner: There shall be as
many tickets formed of white paper, of equal size, as there are mem-
bers in the company. The name of a member of the company shall be
written on one of the tickets, so that every member's name is written
on a separate ticket. The tickets shall then be folded up in the same
way as to conceal the name written thereon, and so as to make them,
after they are folded, as much alike as possible. When the tickets are
thus prepared they shall be placed in a suitable box, prepared for the
purpose, and shall be well shaken together by the Commissioner. A
man of good character, and not a member of the company, shall then
be selected by the Commissioner to draw the tickets from the box. He
shall draw but one ticket at a time, and hand it to the superintending
Commissioner, who shall open it in the presence of the bystanders,
and declare aloud the name contained therein, and hand it, in their
presence, to the clerk, who shall record the name and declare aloud
whether the Commissioner announced the name correctly or not. The
man selected to draw the tickets from the box shall be blindfolded so
that he cannot see when he does it. If there be supernumeraries in
the company then there shall be drawn from the box as many tickets
as there are supernumeraries, and the name written on the tickets as
drawn shall be recorded by the clerk as supernumeraries. When all
the supernumeraries have thus been drawn from the box, then a
number of tickets shall be next drawn equal to the number constit-
tuting a class, and the clerk shall record the names so drawn as con-
stituting class No. 1 of the company. In like manner an equal number
of tickets shall be drawn from the box, to constitute class No. 2 of the
company, and recorded by the clerk. The Commissioner, drawer of
the tickets, and clerk shall thus proceed until all the tickets are drawn,
and all the classes are formed. As the tickets are drawn to constitute
the classes the clerk shall indorse the same, "class No. 1," "class
No. 2," and so on, according to the fact; and after the drawing is over,
and it is ascertained that no mistake has occurred, the tickets so in-
dorsed shall be delivered to the men, each being entitled to the ticket
on which his name is written, so that each may know the class to
which he belongs.

§ 11. After the classes have been formed, time shall be allowed the
members of each class, not exceeding one hour and a half, to meet
together, and consult and decide among themselves which of them
will report himself for service, and agree to perform the tour of duty,
and thus relieve the class from an actual draft. If any one shall so
agree, and shall report himself to the Commissioner, the clerk shall
enroll his name as the person drafted, by his consent, from the class of
which he is a member; or if the class shall furnish an able-bodied sub-
stitute, not of their number, possessing other requisites, and of full age,
such substitute, by his consent, may be enrolled as the person drafted
for the class; and such person so enrolled and accepted by the Commissioner shall perform the tour of duty required, and relieve the class from actual draft.

§ 12. When the time allowed the classes for consultation has expired, and no member of the class has reported himself, and consented that his name shall be enrolled, and that he will perform the tour of duty, and no substitute has been furnished, as provided in the preceding section, then the tickets containing the names of each member of the class or new tickets, with their names written thereon, and prepared in every respect as hereinbefore required, shall be placed in the box, and the person selected to draw the tickets shall be again blindfolded, and after the tickets have been well shaken in the box by the Commissioner the person blindfolded shall draw from the box one of the tickets, which shall be opened, and the name therein read aloud by the Commissioner, and the person whose name has thus been drawn and read shall be the person drafted to serve the tour of duty required, and shall be enrolled by the clerk accordingly. After this is done the remaining tickets in the box shall be carefully examined by the Commissioner and Clerk to see that the proper number of tickets are left, and that no one of them contains the name written on it which was first drawn from the box and enrolled as the person drafted, and in every respect to see that no fraud has been practiced.

§ 13. If any person employed as Commissioner or Clerk, or to draw the tickets from the box, shall be guilty of any fraud, with the intent to favor any one or more of the members of any class, and with a view to prevent any member thereof from being drafted; or shall, by any fraudulent act, device, or contrivance, cause any person or member of the class to be drafted or enrolled by the clerk as drafted, or conviction thereof, by a court of competent jurisdiction, he shall be punished by confinement in the jail and penitentiary of this Commonwealth for any period not less than one year, nor more than four, in the discretion of the jury.

§ 14. The persons whose names have been recorded by the clerk as supernumeraries, and taken out of each company in the county, shall constitute a body of men out of which one or more classes shall be formed by the Commissioner or Commissioners for the county, in accordance with the rules hereinbefore prescribed, and each class, so formed, shall procure one of its members to perform the tour of duty required, or furnish a substitute in pursuance of the rules and regulations aforesaid, and if it be not done, then the Commissioner or Commissioners shall draft a man from each class to serve the tour of duty required. If, in the formation of classes out of the supernumeraries there be any number of men left but not enough to form a class, the men so left shall be distributed by lot among the classes formed, so as to make them as nearly equal as may be. The Commissioner or Commissioners for the county shall fix a time and place for the meeting of the supernumeraries of the county, for the purpose of forming them into classes as herein provided, and for the purpose of obtaining from each class a man to perform the tour of duty as is herein provided for, and by public proclamation, to be made on the day it is ascertained who are supernumeraries, notify them when and where to meet. The
supernumeraries shall meet in pursuance of the proclamation or proclamations made, and at such meeting the provisions of this section shall be carried fully into effect.

§ 15. All persons who may be drafted, or who shall report themselves for service, and agree to perform duty, or who may be accepted as substitutes, as provided for in this act, shall meet at the court-house of their respective counties, or at the court-house in any adjoining county, at such time as the Governor may direct, of all which the Commissioner or Commissioners shall give notice, by public proclamation on the day fixed for the meeting of the company, from which the drafts, or from which those who report themselves are taken. The drafts, those who report themselves for service, and the substitutes, shall attend accordingly at the court-house designated. Any one who has been drafted, or who has reported himself for service, or who has been accepted as a substitute, according to the provisions of this act, who fails to attend at the court-house designated, as is herein required, may be, at any time thereafter, arrested and compelled to perform duty as a soldier in the army from date of his arrest, for a period of time equal to that he should have served, unless he shall furnish an able-bodied substitute to perform the tour of duty required. In that event the able-bodied substitute shall be accepted, and the person arrested discharged. If the person arrested will neither perform duty as a soldier in person, nor furnish a substitute, he may be punished for disobedience of orders, according to the rules and articles of war.

§ 16. When the drafts and others raised for service under the provisions of this act are convened at the court-house, as is herein directed, or when they may be convened at a place of rendezvous in larger numbers, it shall be the duty of the Governor to cause elections of regimental and company officers to be held by them, according to the constitution and laws of this State; and he shall commission the officers thus elected. The Governor shall appoint all necessary officers and agents to conduct such elections, and prescribe the manner in which they shall conduct the elections, and report to him who are elected to fill the various offices: Provided, however, That in organizing companies they shall be composed of men taken from the same county, if practicable; and if there be not enough men from a county to form a company, then the men from adjoining counties shall be amalgamated for the purpose. Regiments shall be formed out of companies as may be directed by the Governor.

§ 17. When companies and regiments have been completed, according to the provisions of this act, they shall be mustered into the service of the United States, and in all matters not herein expressly provided for, it shall be the duty of the Governor to comply with the "regulations for the enrollment and draft of the militia," prescribed in General Order, No. 99, by the Secretary of War, dated August 9th, 1862.

§ 18. No drafting of the militia shall be suspended or delayed in consequence of the absence or non-attendance of any person liable to be drafted; the Commissioner or Commissioners and clerk superintending the drafting shall see that full justice is done to all such absentees. The proclamations made in pursuance of this act shall be
full notice to all such absentees, as it is their own fault if they are not present to hear them.

§ 19. It shall be the duty of the Commissioner to select a competent person to act as clerk, and the persons constituting a company may select two of their number, if they deem proper to do so, to see that the tickets are properly prepared, and that no error or fraud is committed. The persons thus selected shall have seats to the right and left of the clerk.

§ 20. All persons who may perform a tour of duty under any draft, and all substitutes and persons who perform a tour of duty to relieve a class from actual draft, shall not be again subject to draft until all others in the company to which he may belong have served an equal length of time, provided there be enough members of the company in that condition to meet a subsequent requisition for troops; and all persons who have heretofore served as an officer or soldier in any branch of the army of the United States, or of the militia called and mustered into the service of the United States, for a period of nine months, and all those now in service, or legally enrolled as volunteers for service, shall be exempted from the first draft made under the provisions of this act.

§ 21. All drafts of militia hereafter made shall be conducted under the provisions of this act, so far as they relate to the formation of companies into classes, with a view to obtain a man from each class. But whenever hereafter the militia is completely organized and officered, and a requisition is made for troops, if they are not raised by volunteers, it shall be lawful for the Governor to designate and detail the officers already in commission from the organized militia and attach the men when drafted to the commands of such officers.

§ 22. The Governor shall cause to be paid to the Commissioners and Clerks appointed to execute the provisions of this act a reasonable compensation for their services not exceeding four dollars per day whilst in actual service, to be reimbursed by the United States, and for this purpose it shall be the duty of the Auditor to draw his warrant upon the Treasurer from time to time in favor of the Governor for the sums necessary to pay said Commissioners and Clerks.

§ 23. The rolls made out by the Commissioners shall be deposited by them after the draft is over in the Adjutant General's office.

§ 24. This act shall take effect from its passage.

And then the House adjourned.
1. Mr. Wolfe presented the petition of E. J. Wilson, praying compensation for money expended in raising a regiment under order Gen. Anderson, &c.

2. Mr. Maxey presented the petition of sundry citizens of Horse Cave, Hart county, praying an act incorporating said town.

Which were received, and referred—the 1st to the committee on Military Affairs, and the 2d to the committee on Incorporated Institutions.

Mr. Conklin, from the committee on Claims, to whom was referred the petition of sundry school districts of Barren county, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. John R. Thomas, from the committee on the Judiciary, to whom was referred a bill, entitled

An act to amend article 18, chapter 36, section 4, Revised Statutes, reported the same with a substitute therefor.

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,

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

Mr. Taylor, from the committee on Ways and Means, to whom was referred a bill, entitled

An act for the benefit of William Mullens, late sheriff of Wayne county, reported the same without amendment.

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

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

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The following bills were reported, viz:
By Mr. Taylor, from the committee on Ways and Means—
1. A bill creating the soldiers relief fund.
   Which was ordered to be printed.
By same—
2. A bill ratifying the official acts of William H. Reynolds, sheriff of the county of Bracken, and accepting his bond for the collection of the public revenue in that county.
   By same—
3. A bill for the benefit of the sheriff of Monroe county.
By same—
4. A bill for the benefit of the sureties of M. H. Dickerson, late sheriff of Barren county, and the present collector of the revenue of said 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,
   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. Burns, from the committee on County Courts, to whom was referred leave, reported a bill, entitled
An act repealing all laws allowing pay for scalps of wild cats, wolves, and red foxes.
   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. Martin moved to lay the 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. Ward and Bacheller, were as follows, viz:
   Those who voted in the affirmative, were—
   Jas. W. Anderson, Elijah Gabbert, Jonas Martin,
   Joshua Barnes, Joseph Gardner, William Mercer,
   Elisha Beazley, Geo. M. Hampton, Thomas Z. Morrow,
   John C. Beeman, William J. Heady, Joseph Ricketts,
Mr. Burnam moved to refer the bill to the committee on Ways and Means.

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,

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Those who voted in the negative, were—

Said bill reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all laws allowing a compensation for scalps of wild cats, wolves, and red foxes, are hereby repealed.
§ 2. This act shall take effect from its passage.

On motion of Mr. Lisenby,
Ordered, That Mr. Morrow have leave of absence till Monday next.

On motion of Mr. Heston,
Ordered, That Mr. Proctor have leave of absence indefinitely.

Mr. Heeter moved the following resolution, viz:
WHEREAS, There seems to be a difference of opinion of what is the meaning of a resolution passed by the House in relation to dispensing with all local business during the present session; therefore,
Resolved, That nothing shall be deemed local that in any manner affects the interest of any man, woman or child of this Commonwealth.

Ordered, That said resolution be referred to the committee on Military Affairs.

Leave was given to bring in the following bills, viz:
On motion of Mr. Johns—1. A bill for the benefit of Archibald Borders, of Lawrence county.
On motion of Mr. Powell—2. A bill to amend the law in relation to keeping and guarding prisoners in jail of Harlan county, charged with felony.
On motion of Mr. Murphy—3. A bill allowing the trustees of Bardstown to appoint a marshal, and also a collector in certain cases.

On motion of same—4. A bill to repeal an act passed 30th January, 1798, preventing any citizen of Bardstown from raising and suffering swine to run at large.

On motion of Mr. Van Winkle—5. A bill to amend section 8, article 2, chapter 91, of the Revised Statutes.

Ordered, That the committee on Claims prepare and bring in the 1st; Messrs. Burnam, James W. Anderson, and Bacheller the 2d; the committee on the Judiciary the 3d and 4th, and the committee on Revised Statutes the 5th.

Mr. Rankin moved the following resolution, viz:

Resolved, That the committee on Military Affairs of this House be instructed to inquire into the necessity and propriety of making provisions for compensating home guards for the loss of horses killed whilst in the service of this State or the United States, and for the relief of families of home guards who have been or may hereafter be killed or disabled whilst engaged in such service; and that they report by bill or otherwise.

Ordered, That said resolution be referred to the committee on Military Affairs.

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

Resolved, That this General Assembly will adjourn on the 30th inst., to assemble on the Wednesday after the first Monday of January, 1863.

Mr. Rankin moved to dispense with the rule of the House requiring joint resolutions to lie one day on the table.

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

Mr. Rousseau moved the following resolution, viz:

WHEREAS, There were a great number of soldiers mustered into the service of this State, according to an act passed September 30th, 1861, and a great number of them died before being mustered into the service of the United States, leaving widows and infant children, and there being no provision by the laws of this State or the laws of the United States, to pay to their widows and heirs their arrears of pay due them at the time of their death, therefore,

Resolved, That the committee on Military Affairs inquire into the matter and report by bill or otherwise.

Ordered, That said resolution be referred to the committee on Military Affairs.
Mr. R. J. Browne moved the following resolution, viz:

Resolved, That the Adjutant General be directed to procure from the several commands of the Kentucky troops, the name and residence of each officer and private in their commands at the time they entered the service, and have the same recorded in a book kept for that purpose.

Which was adopted.

The House then took up a bill from the Senate, entitled

An act to amend the penal laws.

Mr. Burnam moved to recommit the bill to the committee on the Judiciary, with instructions to report the same to-morrow at 11 o'clock.

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

The yeas and nays being required thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnam and R. J. Browne, were as follows, viz:

Those who voted in the affirmative, were—

Joshua Barnes, Evan M. Garriott, George Poinsett,
J. W. Boone, Henry Griffith, Hiram S. Powell,
R. J. Browne, Geo. M. Hampton, William S. Rankin,
Curtis P. Burnam, John M. Henry, John Ray,
E. F. Baras, William C. Ireland, F. D. Rigney,
W. P. Besh, Daniel W. Johns, James A. Rousseau,
Joseph H. Chandler, William Johnson, George S. Shanklin,
John B. Cochran, Jonas Martin, Robert A. Spalding,
Robert Cochran, P. L. Maxey, Joseph R. Underwood,
William L. Geaklin, David P. Mears, John S. Van Winkle,
W. H. Edmunds, Otto Miller, W. W. Warrin,
Joseph Gardner, Felix G. Murphy, Milton Young—38.

Those who voted in the negative, were—

Alfred Allen, Elijah Gabbett, Thomas W. Owings,
Jas. W. Anderson, Rouns Gibson, Joseph Ricketts,
Jonathan R. Bailey, John H. Harney, M. Smith,
Ellis Beasley, William J. Headly, James P. Sparks,
John C. Beeman, Joseph W. Heeter, Harrison Taylor,
William S. Batts, John B. Huston, John R. Thomas,
William A. Braan, Urban E. Kennedy, Thomas Turner,
Levey Brinkly, Perry S. Layton, Willie Waller,
Thomas S. Brown, Jas. M. C. Lisenby, Zeb. Ward,
James Calvert, Alexander Lask, Alex. T. White,
Cyrus Campbell, William Mercer, Nathaniel Wolfe,
Brans J. Clay, Thomas Z. Morrow, Bryan R. Young—38,
Daniel E. Downing, Richard Neel,

Mr. Shanklin moved to postpone the further consideration of said bill until 11 o'clock to-morrow.
And the question being taken thereon, it was decided in the affirmative.

The House then took up a bill, entitled
An act to amend chapter 40, of the Revised Statutes.

On motion of Mr. Underwood,
Ordered, That the further consideration of said bill be postponed till 11 o'clock to-morrow.

The House then took up the bill, entitled
An act requiring certain officers of this Commonwealth to take an oath of office.

Mr. W. C. Ireland moved amendments to said bill.
Which amendments were adopted.

Mr. Harney moved to strike out in the oath of said bill the word, "have not," and insert the words "will not."
And the question being taken thereon, it was decided in the affirmative.

Mr. Powell moved to add after figures $500, in said bill, "by presentment of the grand jury."

Mr. Underwood moved to refer the bill to the committee on the Judiciary, with instructions to report at 11 o'clock to-morrow, what shall be done with teachers who refuse to take the oath.

Mr. Heady moved the previous question.
The question was then taken, "Shall the main question be now put?" and it was decided in the negative.

Ordered, That said bill be referred to the committee, as directed on motion of Mr. Underwood.

A message was received from the Senate, announcing that they had passed a bill from this House, entitled
An act authorizing the sale of real estate and slaves in which there is a future contingent interest.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That it shall and may be lawful for the Governor to call into immediate service the whole, or such portion of the Home Guards now organized as he may deem necessary for the defense of the State. The Governor shall also have power to call out for immediate service the unorganized Home Guards of the State or others, and to organize them for immediate service. The Guards and all those called out in pursuance of this resolution, shall be mustered into the service of the State
for a period of not more than three months, and when called into active service shall be paid for their services the same pay per month as is allowed by the laws of the United States for officers and soldiers of the same rank engaged in the service of the United States.

The rule of the House requiring joint resolutions to lie one day on the table, also the rule requiring a reference to a standing committee being dispensed with.

The question was taken, and said resolution was adopted.

The yeas and nays being required on the adoption of said resolution by Messrs. Bell and James W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, John C. Cooper, Richard Neel,
Jas. W. Anderson, Daniel E. Downing, Thomas W. Owings,
R. C. Anderson, W. H. Edmunds, George Poindexter,
E. B. Bacheller, John W. Finnell, Hiram S. Powell,
Jonathan R. Bailey, Elijah Gabbett, William S. Rankin,
Joshua Barnes, Joseph Gardner, John Ray,
Elisha Beazly, Evan M. Garriott, Joseph Ricketts,
John C. Beeman, Henry Griffith, F. D. Rigney,
Joshua F. Bell, George M. Hampton, James A. Rousseau,
R. C. Anderson, E. B. Bacheller, George S. Shanklin,
· E. B. Bacheller, Jonathan R. Bailey, M. Smith,
Joshua F. Bell, John R. Harney, Robert A. Spalding,
R. C. Anderson, Joseph W. Hester, James P. Sparks,
· E. B. Bacheller, John M. Henry, Harrison Taylor,
Joshua F. Bell, John B. Huston, John R. Thomas,
R. C. Anderson, William C. Ireland, Thomas Turner,
Jas. W. Anderson, Daniel W. Johns, Joseph R. Underwood,
R. C. Anderson, William E. Kennedy, John S. Van Winkle,
R. C. Anderson, Perry S. Layton, Willie Weller,
R. C. Anderson, Jas. M. C. Lisenby, Zeb. Ward,
R. C. Anderson, Alexander Lusk, W. W. Warring,
R. C. Anderson, Jonas Martin, Alex. T. White,
R. C. Anderson, P. L. Maxey, Nathaniel Wolfe,
R. C. Anderson, David P. Mears, Bryan R. Young,
R. C. Anderson, William Mercer, Milton Young—77.

Those who voted in the negative, were—


A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled

An act to amend sections 3 and 4, article 2, chapter 17, Revised Statutes.

That they had passed a bill which originated in this House, of the following title, viz:
An act ratifying the official acts of W. H. Reynolds, sheriff of the county of Bracken, and accepting his bond for the public revenue in that county.

And had concurred in resolutions from this House, of the following titles, viz:

Resolution authorizing the Governor to order out home guards and others.

Resolution in relation to drafting of the quota of Kentucky in the 300,000 nine month's militia called for by the Federal Government.

And that they had passed a bill, entitled

An act to amend an act, entitled "An act to authorize circuit, equity, and criminal courts to make persons entitled to inherit as heirs at law," approved February 28, 1860.

A message was received from the Governor by Mr. Wickliffe, Secretary of State, which reads as follows, viz:

To Hon. R. A. Buckner, Speaker, &c.:

Pursuant to a joint resolution of the General Assembly, directing me to dispatch the Secretary of War touching an extension of time for the raising and acceptance of specified regiments of volunteers, I have so done, and received for answer the enclosed dispatch.

J. F. ROBINSON, Acting Governor.

WASHINGTON, August 22, 1862.

To Governor Robinson:

You are authorized to raise the regiments of mounted men specified in your telegram of yesterday, if they are three years' men, and as many more of the same sort as you can raise within thirty days or until further orders.

E. M. STANTON, Secretary of War.

Mr. Bacheller, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act to appropriate money as a secret service fund.

An act to amend section 4, article 3, chapter 17, of the Revised Statutes, requiring county court clerks to put their official seal, &c., to soldiers claims free of charge.

An act to amend section 7, article 17, chapter 93, of the Revised Statutes.

An act to amend an act, entitled "An act further to regulate the Shelby and Franklin turnpike road company," approved 10th February, 1841.

Resolutions requiring the Governor to ask an extension of time for raising certain regiments of Kentucky volunteers.
Resolution authorizing the Governor to order out home guards and others.
Also a bill and resolution which originated in the Senate, of the following titles, viz:
An act to amend the jury laws of this Commonwealth.
Resolution in relation to the character of the business of the present General Assembly.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Bacheller inform the Senate thereof.
The House took up the bill, entitled
An act to raise a State force of ten thousand men.
Messrs. Heady, Clay, and Rousseau moved to recommit the bill with instructions.
And then the House adjourned.

SATURDAY, AUGUST 23, 1862.

Mr. Bacheller, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills, and a resolution which originated in this House, of the following titles, and had found the same truly enrolled, viz:
An act authorizing the sale of real estate and slaves in which there is a future contingent interest.
An act ratifying the official acts of William H. Reynolds, sheriff of the county of Bracken, and accepting his bond for the public revenue in that county.
Resolution in relation to the drafting of the quota of Kentucky in the 300,000 nine month's militia called for by the Federal Government.
A message was received from the Senate asking leave to withdraw from this House their disagreement to a bill, entitled
An act to amend sections 3 and 4, article 2, chapter 17, Revised Statutes.
Which was granted.
On motion, leave of absence, till Monday next, was granted to Messrs. Clay and B. R. Young, and to Messrs. Cooper and Gardner indefinitely.

A communication from the citizens, &c., of Henderson, in reference to the mayor and council, was presented by Mr. Milton Young, the reading dispensed with, and referred to Messrs. Underwood, Conklin, R. J. Browne, Blue, and Thomas.

Mr. Rankin, from the committee on the Judiciary, to whom was referred, by special order, a bill, entitled

An act to amend chapter 40, of the Revised Statutes,

Reported the same back to the House, with the expression of opinion that said bill ought not to pass.

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. Rankin, from the same committee, to whom was referred a special order, entitled

An act requiring certain officers in this Commonwealth to take an oath of office,

Reported the same, with an amendment by way of substitute.

Mr. Ward moved to strike out the figures "$25" in the 3d section, and insert in lieu thereof the figures "$100."

On motion of Mr. Beeman,

Ordered, That the further consideration of said bill be postponed for the present.

Mr. Burnam, from the committee on Education, to whom was referred a bill, entitled

An act to amend an act, entitled "An act to establish an Institution for the Education of Idiots and Feeble-minded Children,

Reported the same, with a substitute by way of amendment for the original bill.

On motion of Mr. Ward,

Ordered, That the further consideration of said bill be postponed, and that the Public Printer forthwith print 150 copies thereof for the use of the members of the General Assembly.

Mr. Beeman, from the committee on the Library, reported the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Librarian be and he is hereby directed, to have suitable cases put
up in the room over the Governor's office, and to arrange and deposit therein the geological specimens now in his charge.

The rule of the House being dispensed with,

Said resolution was adopted.

Mr. Beeman, from the same committee, also reported the following resolution, viz:

Resolved, That the Librarian be required to report to this House the reason why he has not complied with the resolution of this House, passed on the 14th March, 1862, directing him to use the rooms over the Auditor's office for the purpose of storing away the public books, &c.

Which was adopted.

Mr. Huston, from the committee on Revised Statutes, to whom was referred a bill, entitled

An act regulating estates held in trust for the benefit of the maker's debts.

Reported the same with amendments,

Which were adopted.

Mr. Underwood moved an amendment,

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, as amended, 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 special order, a bill from the Senate, entitled

An act to amend the penal laws.

On motion of Mr. Huston,

Ordered, That the further consideration of said bill be postponed till 11 o'clock on Monday next.

The following bills were reported, viz:

By Mr. Huston, from the committee on Revised Statutes—

A bill to amend section 7, article 3, chapter 91, Revised Statutes, entitled "Sheriffs, Jailers, and Coroners."

By Mr. Burnam—

A bill concerning the jail of Harlan county, and for other purposes.

Which were read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

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,

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

Mr. Huston moved the following resolution, viz:

Resolved, That the committee on Ways and Means inquire into the necessity and propriety of authorizing the Governor to appoint an additional Assistant Secretary of State, to be styled the Corresponding Assistant Secretary of State, for and during the continuance of the present war, or for a shorter period, if, in the opinion of the Governor, the services of such assistant can be dispensed with, and provide for the compensation of such assistant; and that they report by bill or otherwise.

Which was adopted.

Mr. Cleveland moved the following resolution, viz:

Resolved, That the committee on the Library be instructed, in pursuance of a resolution of this House at its last adjourned session, to communicate with Mr. Beard, a distinguished artist, now in the city, and Mrs. Kate O'Brien, as to securing their services to paint the portraits of Henry Clay and Andrew Jackson, to be placed in this Hall, and report to this House.

Which resolution was adopted.

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

On motion of Mr. Thos. S. Brown—1. A bill repealing the registration law of Kentucky.

On motion of Mr. Kennedy—2. A bill for the benefit of a common school district in Todd county.

Ordered, That the committee on Revised Statutes prepare and bring in the 1st, and the committee on Education the 2d.

Mr. Sparks moved the following resolution, viz:

Whereas, There are numerous persons confined in the so-called Confederate States and armies—peaceable citizens of the Union party, in favor of law and order. Many of them have been captured and forcibly taken beyond the lines of the so-called Confederate States; therefore,

Resolved by the House of Representatives, That a committee of three members of this House, of the Southern Rights party, who are known by their votes or otherwise to be friends of Jeff. Davis and the so-called Southern Confederacy, visit the towns and places in the so-called Southern Confederacy, to procure the liberation or release of all of Kentucky's prisoners now in confinement in many of the rebel States; and that the expenses of the aforesaid committee be paid with the script or money of the so-called Southern Confederacy.
Ordered, That said resolution be referred to the committee on Federal Relations.

Mr. Bacheller moved the following resolution, viz:

Resolved, That the committee on Military Affairs are instructed to inquire and report what action is necessary on the part of the State to facilitate the construction of a railroad from some point in Central Kentucky to Cumberland Gap, in accordance with the recommendation of the President of the United States in his last annual message.

Ordered, That said resolution be referred to the committee on Military Affairs.

The House then again resumed the consideration of the bill, entitled

An act to raise a State force of ten thousand men.

Mr. Cleveland offered an amendment to the 1st section of the bill.

Mr. Taylor offered an amendment.

Mr. Huston moved the following resolution, viz:

Resolved, That the committee on Military Affairs, if at all practicable, shall so frame their act to raise a State force as to give a more permanent and efficient force for such of the border counties as the Governor of the State may deem to need such an one, than the printed bill reported by them proposes, and for the other counties such a force as the printed bill indicates; and that discretion in lieu of compulsion, be given to the Governor in their bill, and that the pay be extended to service in drilling.

Which was adopted.

Mr. Rankin moved a reconsideration of the vote by which the resolution of Mr. Huston was adopted.

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

Mr. Ward moved additional instructions to the committee by way of additions to the 1st section of the bill.

And then the House adjourned.
MONDAY, AUGUST 25, 1862.

Mr. Jacob Hawthorne, the member returned to serve in this House, in place of Mr. George P. Webster, resigned, from the county of Campbell, appeared, and having taken the oath prescribed by the constitution, took his seat.

The Speaker laid before the House the resignation of George T. Wood, member of the Military Board, which was read as follows, viz:

OFFICE OF THE MILITARY BOARD,
Frankfort, August 19th, 1862.

Hon. Richard A. Buckner, Speaker of the House of Representatives:

Sir: I hereby resign my position as associate member of the Military Board—the resignation to take effect from the thirtieth (30th) day of this month, or at any time the Legislature may make provision for the discharge of the duties of the position.

Respectfully,

G. T. WOOD.

Ordered, That said resignation be referred to the committee on Military Affairs.

Mr. Rankin presented the petition of George Williams, of Grant county, praying compensation for services rendered Kentucky in the present war.

Which was received, the reading dispensed with, and referred to the committee on Military Affairs.

A message was received from the Governor by Mr. Tate, Assistant Secretary of State, which reads as follows, viz:

To the Honorable R. A. Buckner, Speaker, &c.:

I herewith transmit to the Legislature of Kentucky the report of the Military Board, in answer to the resolution, No. 57, approved 15th March, 1862.

Very respectfully,

J. F. ROBINSON.

OFFICE OF THE MILITARY BOARD,
Frankfort, August 23, 1862.

His Excellency, James F. Robinson:

Sir: In obedience to joint resolution of the Legislature, No. 57, approved March 15th, 1862, as explained by resolution No. 60, of same date, directing this Board to audit the claims of the Lexington Mechanical and Agricultural Association, for damages sustained by reason of the occupancy of their grounds by troops of this Commonwealth, Col.
Geo. T. Wood, a member of this Board, by its order, attended at Lexington, to take proof of the damage designated. I have the honor herewith, through you, to lay before the Legislature the proof taken.

It is presumed to be impossible now to distinguish between damage during the occupancy of State troops and that sustained during the occupancy of Federal troops; but the main damage occurred in the burning of the fine amphitheater of the association by troops of the State, sent there at the request of the Federal General commanding, to be organized and mustered into United States service.

I have the honor to be,

Very respectfully,

Your ob't serv't,

J. B. TEMPLE, Pres't.

In compliance with a resolution of the General Assembly of the Commonwealth of Kentucky, approved March 15th, 1862, authorizing and directing the Military Board to audit and settle the claim of the Kentucky Agricultural and Mechanical Association, at Lexington, for the injury and damage sustained by said association by the occupation of their grounds and improvements by the soldiers and troops of the Commonwealth, under and by virtue of orders of said board—George T. Wood, a member of said board, attending in the city of Lexington, on this 1st day of July, 1862, when the following proof was taken:

E. D. Sayre being first sworn by G. W. Didlake, examiner for Fayette county, deposes and says, in answer to questions by the association, as follows, to wit:

Question 1st.—State what has been the costs to the association of the building of the amphitheater and other improvements; state also the present condition of said amphitheater and other improvements on said grounds.

Answer.—The amphitheater cost the association about the sum of $12,000. The entire building has been destroyed by fire; not a vestige of that building is left. The costs of the cottage and the improvements about the cottage was about $2,700. The floral hall and improvements about it cost about $3,100. There were one hundred and fifty benches on the grounds, which cost $2 apiece, which makes in all $300. Also, thirty water tanks, which cost $1 50, making $45. Also, two pumps, worth $25. The floral hall and cottage are in a very ruinous condition. The benches, water tanks and pumps are all gone. The outside fencing is in a very bad condition indeed. The railing and posts in and about the grounds are all gone. The stables are nearly all destroyed. Because of sinks, throwing up the ground around the tents, and of trenches for cooking, the grounds themselves have been much injured.

Question 2d.—What has caused this injury?

Answer.—The injury was caused by the camping and recruiting of Kentucky soldiers on the grounds, and by the camping of other troops upon it; the greatest destruction was by Col. Grigsby's regiment camping there before the regiment was mustered into the service of the United States; the men of which regiment, by accident or otherwise, burned the amphitheater.
Question.—State as near as you can what the whole improvements on the grounds cost.

Answer.—The whole improvements on the grounds cost about the sum of $34,000; the real estate cost about $12,000; making in all about $36,000.

Question.—What is the damage done to the property by the soldiers being on the grounds? What could the property be replaced in the same condition for?

Answer.—I am not a mechanic, and cannot tell.

Cross-examined by Col. Wood.—Was or not the grounds first occupied by United States troops and soldiers before they were occupied by Kentucky troops?

Answer.—About the middle of September, 1861, Col. Bramlette took possession of the fair grounds, and about the same time Col. Dudley, with the home guards, occupied also the grounds.

Question by same.—Was or not, any injury sustained by the occupation of the fair grounds and improvements by the first troops; and if so, to what extent?

Answer.—From the time Col. Bramlette took possession, the troops continued to occupy the grounds until all of the troops were finally removed. There must have been some damage done to the grounds by so many raw troops, but I cannot tell how much was done by this particular regiment.

Question by same.—Do you know if the regiment of Col. Grigsby was ordered to the grounds by the Kentucky Military Board?

Answer.—I do not know whether they were or not.

Question by same.—How long has it been since the fair grounds were first improved?

Answer.—The improvements commenced when the first fair was held in 1850, and have been annually used up to the time of their destruction.

Question.—Had or not, the buildings deteriorated in value by reason of their use and occupation, and how much?

Answer.—Wooden buildings will always deteriorate by use and time. Some of these buildings were put up each year, as we had money, and all of them were kept in good repair by the superintendent who, each year, made diligent examination. I cannot tell how much the deterioration would be.

Question by same.—How much would it take to repair the cottage?

Answer.—I do not know.

Re-examined.—Question.—Were you or not, a mustering officer of the State of Kentucky?

Answer.—I was; and I was directed at one time, when Col. Grigsby's regiment was on the fair grounds, by the Military Board, to muster them into the service. This regiment was mustered into the service after the burning of the amphitheater, by Mr. Eginton, of Winchester.

Question by same.—When was the amphitheater built?

Answer.—It was built in 1854; and further saith not.

E. D. SAYRE.
Also, the deposition of Waller Sharpe, taken at the same time and place for the same purpose, who being first sworn by me states as follows:

**Question by the Association.**—Did you or not superintend the building the amphitheater? What was the amount of lumber therein? What did the same cost, and what would be the present cost of the same?

**Answer.**—I did superintend said building. I am not able to state the amount of lumber used. The cost of such lumber would be about the same now as it was then. I do not think the building could be put up now for less money than it cost at the time of building it. I do not think it could be done for less than $12,000. The diameter of the circle was 310 feet.

**Cross-examined by Col. Wood.**—Had or not all the buildings on the grounds deteriorated in value by reason of their occupation and use.

**Answer.**—Yes sir—I should suppose one-sixth of the original cost. And further saith not.

**WALLER SHARPE.**

Also at the same time and place, and for the same purpose, the deposition of Geo. W. Uttinger, who being first sworn by me, states:

**Question by plaintiff.**—Did you build any stables for the agricultural association at Lexington? If so, how many, and at what cost?

**Answer.**—I built one hundred at seven dollars and a half a piece, in 1854. There is no difference in the price of lumber now and then.

**Question by Col. Wood.**—Do you know if any of these stables were destroyed by Kentucky troops.

**Answer.**—I know some of them were. I went out to floor some tents, and Mr. Cook, the quartermaster at this place, told me I would find the lumber on the grounds; but it was not enough. So the soldiers went to the stables and pulled off the lumber to make some of the floors.

**By same.**—Have or not the fair-grounds been used since their first improvement?

**Answer.**—Yes sir—I suppose the buildings have deteriorated some by reason of use and occupation. I suppose some ten or twelve per cent. on the cost would cover the deterioration. And further saith not.

**GEORGE W. UTTINGER.**

Adjourned until July 2d, 1862, at 8 o'clock, A. M.

**GEO. W. DIDLAKE, Examiner.**

July 2d, at the same place, (office of D. A. Sayre & Co.) and for the same purpose, the same parties being present, the deposition of Benj. Franz, who being of lawful age, and first sworn by me, states:

**Question by Association.**—What position have you occupied in this Association? How long?

**Answer.**—I was president from 1850 to August 23, 1861.

**By same.**—What sort of condition was the fair-grounds and buildings in when occupied by troops?

**Answer.**—Previous to and at the time of my resignation the buildings and grounds were in good repair.

**By same.**—What is their present condition? Give as fair an estimate as you can of the damage done.
Answer.—The amphitheater is destroyed. Also a number of the
stables. The railing and fencing about the cottage also destroyed.
A number of trees cut down or killed. Some injury done to the out-
side fencing; and a stone-wall on either side of a branch very much
injured indeed. I cannot form any very correct estimate of the cost
of repair.

By Col. Wood.—Have or not the grounds and improvements been in
constant use or occupation since possessed by the Association?

Answer.—They have. The buildings have been used only four or
five days during the year, except perhaps occasionally the children
of the city schools might use them; also except the cottage, in which
a family lived to take care of the premises.

All the improvements were of wood except the Floral Hall. The
deterioration of the buildings, &c., by time and use was not, I think,
greater than the natural change in wooden buildings. I saw no
change in amphitheater up to the time it was burned other than what
time would produce. And further saith not.

BENJ. GRATZ.

Also at the same time and place, and for the same purpose, the depo-
sition of William E. Bush, who being of lawful age, and first sworn,
states:

By Association.—Who built the Floral Hall? I did. I went out
yesterday to look at the building, and made an estimate of what it
would cost to put the building in the same repair it was before it was
occupied by the troops; and I would not agree to put the same as it
was for less than $154.50. I did not examine particularly the other
buildings.

By same.—What would be the cost of scantling 2½ by 5 inches, of
walnut, oak, and poplar?

Answer.—Two and a quarter cents per foot; posts of locust and ce-
dar, five feet long, would cost twenty-five cents a piece. Lumber for
the last five years has varied very little. It would cost about twenty-
five cents a post to set them, and about one cent per foot for putting
on the scantling. And further saith not.

WILLIAM E. BUSH.

Also at the same time and place, and for the same purpose, the depo-
sition of S. T. Downing. Witness being of lawful age, and by me,
first sworn, states:

By Association.—Where do you now reside?

Answer.—In the cottage on the fair-grounds.

By same.—In what kind of repair was it in when first occupied by
troops?

Answer.—It was in thorough repair. I put it in such repair about
the 1st of September, 1861. I should suppose that not less than
$250 would put the building in the same repair it was last September.
I built for the Association in 1859, ninety-six stables. 60 of
these are entirely destroyed. And only two of the remaining thirty-
six are whole. The stables cost $13 per stable. It would take about
five dollars to the stable to repair the thirty-six.
The railing about the grounds was mostly of cedar and locust posts, with oak, walnut, and poplar railing. There was 3,345 feet of this railing. There were two posts to every fourteen feet. The railing would cost about 2½ cents per foot, and the posts about twenty-five cents each. The labor of putting it up with nails would cost about fifty cents each fourteen feet.

I have been in the habit of annually repairing the stables and buildings on the fair grounds.

I should suppose it would take $50 to repair the ticket offices destroyed.

The twenty-two pig pens could be repaired for about seven dollars each.

The outside fencing and gates could be repaired, I suppose, for $100.

Also, it would take about $75 to rebuild the rock-fence on each side of the ditch.

I cannot say what the trees would be worth.

By Col. Wood.—What kind of material was used in the stables.

Answer.—The best. And further saith not.

STARK T. DOWNING.

Also at the same time and place, and for the same purpose, the deposition of Joseph Wingate. Witness being of lawful age, and first sworn, states:

By Association.—What relation have you had with this Association?

Answer.—I have been general superintendent since the fair was first held. The grounds and buildings were kept in thorough repair. I always made a full examination myself, and employed also a workman, so that nothing might be out of fix. I did this for safety.

By some.—In what condition are the grounds and buildings now? and what has caused them to be in such condition?

Answer.—The grounds and buildings were in first rate condition before occupied by troops. They are in a very bad fix now.

What is the condition of the provender booths on said grounds.

Answer.—The four booths might be repaired for about $12 each.

By some.—Did you have the stone-walls built? What would repair them?

Answer.—I did. I should not now undertake to repair the same for less than $150.

By some.—State in the shape of an account what it would take to put the entire grounds and buildings in the same repair it was before the troops occupied the same.

Answer.—I think that the following is a fair estimate of what the same would cost:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amphitheater about</td>
<td>$12,000</td>
</tr>
<tr>
<td>Cottage</td>
<td>300 00</td>
</tr>
<tr>
<td>Stables (196) about</td>
<td>1,600 00</td>
</tr>
<tr>
<td>Floral hall</td>
<td>154 50</td>
</tr>
<tr>
<td>Amount carried forward</td>
<td>$14,054 50</td>
</tr>
</tbody>
</table>
Amount brought forward, $14,054.50
3,345 feet—railing, about 188.16
250 posts, about 62.50
outside fencing and gates, about 200.00
grounds, about 200.00
150 benches @ $1 50, about 225.00
30 water tanks @ $1 50, 45.00
2 pumps, @ $12 50, 25.00
22 hog pens, @ $7 00, 154.00
4 booths, @ $12, 48.00
3 ticket offices @ $10, 30.00
stone wall, 150.00
trees—and railing around trees, 400.00

$15,782.16

Cross examined by Col. Wood.—How long has it been since this outside fence was first built?
Answer.—I think it was in 1851 the first part of it was built; the balance in 1854.
By same.—Was or not the fence, by reason of age, very much injured.
Answer.—The natural wear and tear of a wooden fence, kept in good repair, was all.
By same.—Had or not all the buildings and improvements much deteriorated in value, by reason of time and use; and if so, how much?
Answer.—I don't think more than 10 per cent.; we had large crowds, and it was necessary to keep all in good repair; we never had an accident during the eleven years.
And further saith not.

JOS. WINGATE.

STATE OF KENTUCKY,
County of Fayette.

I, Geo. W. Didlake, Examiner for the county of Fayette, do certify that the foregoing depositions of E. D. Sayre, Waller Sharpe, Geo. W. Uttinger, Benj. Gratz, W. E. Bush, S. T. Downing, and Jos. Wingate were taken before me, at the office of D. A. Sayre & Co., in the city of Lexington, and were read to and subscribed by them respectively in my presence. At the time, and for the cause mentioned in the caption, the said Sayre, Sharpe, Uttinger, Gratz, Bush, Downing, and Wingate having each been first sworn by me, that the evidence he should give in this cause, should be the truth, the whole truth, and nothing but the truth, and their evidence was reduced to writing by me in their presence—Col. Geo. T. Wood, in behalf of the Kentucky Military Board, and Wm. Warfield, in behalf of the Lexington Agricultural and Mechanical Association, being both present at the entire examination.

Given under my hand this 2d day of July, 1862,

GEO. W. DIDLAKE,
Examiner for Fayette county, Kentucky.
The Speaker laid before the House the response of Mr. George A. Robertson, State Librarian, in reply to the resolution with regard to rooms in the Auditor's office, which was read as follows, viz;

FRANKFORT, KY., August 25, 1862.

Hon. RICHARD A. BUCKNER, Speaker of the House of Representatives:

Sir: In response to a resolution adopted by the House of Representatives on the 23d inst., requiring the Librarian to report the reason why he has not used the rooms over the Auditor's office for storing the public books, I have the honor to report that I called upon Mr. Green, the Auditor, and asked possession of said rooms, as contemplated by the resolution of your last session, and he declined to surrender them, as his clerks occupied them as bed rooms, and he did not feel inclined to turn them out.

Respectfully submitted,

GEO. A. ROBERTSON,
State Librarian.

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

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

An act to establish a medical commission.
An act to amend an act, entitled an act for the benefit of common schools, approved March 15, 1862.
An act to provide for drafting a military force whenever the same is required.

With amendments to the last named bill.

Which were concurred in.

That they had passed bills of the following titles, viz:
An act to dispense with the military board.
An act to amend an act, entitled, an act to regulate proceedings in civil cases.

Leave was given to bring in the following bills, viz:
On motion of Mr. Heady—1. A bill for the benefit of one of the school districts of Bullitt county.
On motion of same—2. A bill to change the time of holding the Bullitt circuit court.
On motion of Mr. Rankin—3. A bill to amend an act, entitled, an act to amend the Code of Practice in civil cases, approved 23d December, 1861.
On motion of Mr. Bacheller—4. A bill to suspend the fall terms of the circuit courts in certain counties of the 12th judicial district.
On motion of Mr. Morrow—5. A bill to allow the various circuit judges in this State a discretion as to the propriety of holding court in certain counties in this State.

On motion of Mr. Henry—6. A bill to grant certain powers to the county court of Simpson county.

On motion of Mr. Van Winkle—7. A bill to enlarge the powers of the judges of the circuit courts of this Commonwealth.

On motion of same—8. A bill for the benefit of the circuit judges of this Commonwealth.

On motion of Mr. Underwood—9. A bill to amend the law in relation to instructing the jury in penal and criminal cases.

On motion of Mr. R. J. Browne—10. A bill to amend the execution laws.

Ordered, That the committee on Education prepare and bring in the 1st; the committee on Circuit Courts the 2d, 4th, and 5th; the committee on the Judiciary the 3d and 8th; the committee on County Courts the 6th; the committee on the Codes of Practice the 7th and 9th, and the committee on Revised Statutes the 10th.

Mr. Allen moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to inquire into the practicability of borrowing, for the military uses of the Commonwealth, five millions of money, and the rate at which it could be effected, and report at as early a day as possible.

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

Mr. Thomas S. Brown moved the following resolutions, viz:

Whereas, It has been authentically represented to this Legislature that the sacred soil of Kentucky has been and is now invaded by an armed force in the eastern, as well as various other localities and districts in Kentucky, greatly endangering the lives, liberty and property of her loyal citizens; and it has been further represented to this body, that there has been depredations committed such as is not known to civilized man; and further, that it has been made known to this House that a large proportion of the loyal citizens have been forced to leave their homes and families, and flee for safety, and are now scattered in various directions, leaving their wives, their daughters and little ones at the mercy of these desperadoes, to be insulted and maltreated as suits their hellish inclinations. Therefore—

Be it resolved by this General Assembly, That the Military committee be, and they are hereby instructed, to report a bill to this House immediately, authorizing the Governor to raise in such localities at least four thousand troops—one half to be stationed along the Virginia line, and the other along the Tennessee line, and that said troops to be received for twelve months, if not sooner discharged, and that it shall
be their business to guard the border of our State, and other portions if called upon by the Governor, and that said troops shall receive from the State Government a compensation equal to that received by officers and soldiers engaged in the service of the United States; and that they be officered as required by law.

Ordered, That said resolution be referred to the committee on Military Affairs.

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

Resolved, That the resolution passed by the two Houses, refusing to attend to any local business during the present sitting of the Legislature be, and the same is hereby rescinded; and that when the two Houses adjourn on Monday, the 1st day of September next, they adjourn sine die.

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

Whereas, Kentucky still adheres to the conservative principles heretofore manifested through her illustrious statesman Mr. Clay; and others, on all the great questions that threatened the peace of the nation; and to preserve the Union and restore peace and harmony to her beloved country she has again and again tendered her mediation, with an ardent desire that her brethren might be reconciled and be at peace as becomes American citizens; but as her mediations in the present strife have not availed, and there appears to be no alternative but to settle this unnatural strife by the sword—therefore,

Resolved, That in the opinion of the present General Assembly of the Commonwealth of Kentucky, the paramount object of the Federal Government should be to suppress the rebellion, execute the laws, preserve the Constitution, and restore the Government intact, and that we are satisfied that the best means of accomplishing these ends is by adhering to the policy enunciated by the President of the United States, in his inaugural address and his message to Congress; in the instructions of Mr. Secretary Seward to Mr. Adams, our Minister to England, and Mr. Dayton, our Minister at Paris, by Mr. Secretary Smith; by the President through Mr. Secretary Cameron, to Gen. Butler, in August, 1861; by Gen. McClellan to the people of Western Virginia; by Gen. Halleck to his soldiers in Tennessee; and by the resolutions moved by Mr. Sherman and Mr. Crittenden and passed by Congress.

That in the prosecution of the war, in our opinion, the best interests of the American people requires that the military should be subordinate to the civil laws, except in great emergencies when the good of the country may imperatively demand a departure for the time being.

The rules of the House being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said resolution for the use of the members of the General Assembly, and that they be referred to the committee on Federal Relations.
Mr. Rousseau reported a bill, entitled, an act to raise voluntary forces to repel invasion of this State, and protect the borders.

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,

On motion of Mr. Rousseau,

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

The House again resumed the consideration of the bill, entitled

An act to raise a State force of ten thousand men.

The question was taken upon adopting the resolution offered by Mr. Huston, and it was decided in the affirmative.

Ordered, That said bill, with the resolution and amendments, be recommitted to the committee on Military Affairs.

The House then took up the resolution of Mr. Burnam in relation

an adjournment of the present General Assembly.

Ordered, That said resolution be referred to the committee on Revised Statutes.

Bills from the Senate of the following titles, viz:

1. An act to amend the 3d article, 47th chapter, Revised Statutes, entitled "Divorce and Alimony."
2. An act to amend an act, entitled "An act to authorize circuit, equity, and criminal courts to make persons entitled to inherit as heirs at law," approved February 28, 1860.
3. An act to amend an act, entitled "An act to regulate proceedings in civil cases.
4. An act to dispense with the military board.

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

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

The 1st and 2d were referred to the committee on Revised Statutes; the 3d to the committee on the Codes of Practice, and the 4th to the committee on Military Affairs.

The House then took up the special order, viz:

A bill from the Senate, entitled

An act to amend the penal laws.

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 afore said.

The House then took up a bill, entitled
An act creating the soldiers' relief fund.
Mr. Taylor moved to fill the blank in the 5th line of the 1st section with figure "5,"
Which was adopted.
Mr. Taylor moved to fill the blanks in the 2d line of the 5th section with the words "1st February, 1863,"
Which was adopted.
Mr. Taylor moved to fill the blank in the 4th line of the 5th section with the word "two,"
Which was adopted.
Mr. Taylor moved to fill the blank in the 7th line of the 13th section with the word "fifty,"
Which was adopted.
Mr. Taylor moved an amendment by way of an additional section.
Mr. Ireland moved an amendment to said amendment.
Mr. Taylor also moved an additional amendment.
Mr. Turner proposed an amendment.
On motion of Mr. Huston,
Ordered, That the further consideration of said bill and amendments be postponed, and that the same be made the special order for 11 o'clock to-morrow.

The House then took up the substitute proposed by the committee on the Judiciary to the bill, entitled,
An act requiring certain officers in this Commonwealth to take an oath of office,
Which amendment was adopted.

Mr. Ireland moved to amend the same by striking out the oath in said bill and inserting in lieu thereof the following, viz:

"I do solemnly swear that I will support the Constitution of the United States, and the Constitution of Kentucky, and to be true and faithful to the Commonwealth, so long as I remain a citizen thereof; that I recognize the binding obligation of the Constitution of the United States, and the duty of every citizen to submit thereto, as the supreme law of the land; that I have not aided, nor will I give aid, to the rebellion against the Government of the United States, nor give aid to the so-called Provisional Government of Kentucky, either directly or indirectly, so
Mr. Underwood moved to strike out words "have not" in Mr. Ireland's amendment.

On motion of Mr. Huston,

Ordered, That the House adjourn.

TUESDAY, AUGUST 26, 1862.

Mr. James M. Jones, elected to fill the vacancy occasioned by the resignation of Hugh F. Finley, from the county of Whitley, appeared, and having taken the oath prescribed by the constitution, took his seat.

1. Mr. Burnam presented the petition of William S. Collins, Isaac Hutchinson, John G. Cole, &c., prisoners at Camp Chase.

2. Mr. Rigney presented the petition of sundry citizens of Adair county in relation to the marauders on the borders of Kentucky.

Which were received, the reading dispensed with, and referred to the committee on Military Affairs.

The Speaker laid before the House a communication from sundry citizens of Princeton, Caldwell county, in relation to the loyalty of Mr. W. H. Edmunds, a member of this House,

Which was received, the reading dispensed with, and referred to Messrs. Harney, Bush, and Conklin, as a select committee.

Ordered, That the message of the Governor, with the accompanying documents, received on yesterday, in relation to the Fair Grounds at Lexington, be referred to the committee on Claims.

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

An act to provide for drafting a military force whenever the same is required.

An act to establish a medical commission.
An act to amend an act, entitled an act for the benefit of common schools, approved March 15, 1862.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. White inform the Senate thereof.

Mr. Taylor, from the committee on Ways and Means, to whom was referred leave to bring in a bill creating the office of Corresponding Secretary of State,

Reported the same.

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 engrossed and read a third time.

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

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

The yeas and nays being required on the passage of said bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Elijah Gabbert, Thomas W. Owings,
Alfred Allen, Remus Gibson, George Poindexter,
Jas. W. Anderson, Henry Griffith, Hiram S. Powell,
Jonathan R. Bailey, John H. Harney, William S. Rankin,
Joshua Barnes, Jacob Hawthorne, John Ray,
Eliha Beazley, William J. Headley, Joseph Bickets,
John C. Beeman, Joseph W. Heeter, F. D. Rigney,
Joshua F. Bell, John M. Henry, James A. Rousseau,
J. W. Boone, John B. Huston, George S. Shanklin,
William S. Botts, William C. Ireland, M. Smith,
William A. Brana, Daniel W. Johns, Robert A. Spalding,
Leroy Brinkley, J. M. Jones, James P. Sparks,
R. J. Browne, Wm. Johnson, Harrison Taylor,
Thomas S. Brown, Urban E. Kennedy, John R. Thomas,
Curtis F. Burnam, Perry S. Layton, Thomas Turner,
W. P. D. Bush, Jonas Martin, Jos. R. Underwood,
James Calvert, P. L. Maxey, John S. Van Winkle,
Cyrus Campbell, David P. Mears, Willie Waller,
Brutus J. Clay, William Mercer, Zeb. Ward,
Francis L. Cleveland, Otho Miller, W. W. Warring,
John B. Cochran, Thomas Z. Morrow, Alex. T. White,
Robert Cochran, Nathaniel Wolfe, Bryan R. Young,
William L. Conklin, Felix G. Murphy,
§ 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, for the time being, to appoint an additional Secretary of State in the Executive Department, to be styled the Corresponding Secretary, if, in the opinion of the Governor, the labors of that department require it; and to be discontinued by the Governor whenever the services of said officer can be dispensed with.

§ 2. Said officer shall perform such duties as may be required by the Governor; and shall, during the continuance of the office, receive out of the treasury an annual salary of $1,000, to be paid to him as the salaries of other public officers are paid.

§ 3. This act to take effect from and after its passage.

Mr. Curtis moved the following resolution, viz:

Whereas, It is represented that citizens of this State, acting as Home Guards, have been arrested and taken out of the State by rebel forces, and are now in confinement within the rebel lines, but are not upon any roll of Federal prisoners—therefore,

Resolved, That the committee on Military Affairs be instructed to inquire and report, by resolution or otherwise, some plan for placing said Home Guard prisoners upon the roll of Federal prisoners, that they may be exchanged and released.

Ordered, That said resolution be referred to the committee on Military Affairs.

The House then took up the special order, entitled, An act to create the soldiers' relief fund.

Mr. Huston moved to refer the bill and amendments to the committee on Military Affairs.

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

The question was then taken on adopting the amendment offered by Mr. Ireland to the amendment of Mr. Taylor, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Henry Griffith, George Poindexter,
Alfred Allen, John H. Harney, Hiram S. Powell,
Those who voted in the negative, were—

J. W. Boone, Robert Cockran, P. L. Maxey,
William A. Brann, W. H. Edmunds, Felix G. Murphy,
E. F. Burns, Evan M. Garrott, Robert A. Spalding,
John B. Cochran, William Johnson.

The amendment of Mr. Ireland is as follows:

Provided, That those in the service of the United States, as soldiers, shall be exempt from the payment of the tax provided in this section.

The question was then taken on the amendment proposed by Mr. Turner, to insert the word “white” after the word “each” and before the word “titheable,” in the amendment of Mr. Taylor.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, David P. Mears,
Alfred Allen, Robert Cockran, William Mercer,
Jonathan R. Bailey, Albert A. Curtis, Felix G. Murphy,
Joshua Barnes, Daniel E. Downing, Thomas W. Owings,
Elisha Beazley, W. H. Edmunds, George Poindexter,
Joshua F. Bell, Henry Griffith, John Ray,
William S. Botts, John H. Harney, Robert A. Spalding,
William A. Brann, John M. Henry, John R. Thomas,
R. J. Browne, John B. Huston, Thomas Turner,
Curtis F. Burnam, Urban E. Kennedy, Jos. R. Underwood,
E. F. Burns, Jonas Martin, Zeb. Ward,
Jacob Hawthorne, William S. Rankin, W. W. Warring,
William J. Head, John Ray,
Joseph W. Hester, Joseph Ricketts,
John M. Henry, F. D. Rigney,
John B. Huston, James A. Rousseau,
William C. Ireland, George S. Shanklin,
Daniel W. Johns, M. Smith,
J. M. Jones, James P. Sparks,
Urban E. Kennedy, Harrison Taylor,
Perry S. Layton, John R. Thomas,
Jas. M. C. Lisenby, Thomas Turner,
Jonas Martin, Joseph R. Underwood,
David P. Mears, John S. Van Winkle,
Otho Miller, Willie Wolder,
Thomas Z. Morrow, W. W. Warring,
Richard Neel, Nathaniel Wolfe,
Thomas W. Owings, Bryan R. Young—59.

Those who voted in the affirmative, were—
Those who voted in the negative, were—

Jas. W. Anderson, Joseph W. Heather, Joseph Ricketts,
John C. Beeeman, William C. Ireland, F. D. Rigaey,
Lertcy Brinkley, Daniel W. Johnson, James A. Rousseau,
James Calvert, J. M. Jones, George S. Shanklin,
Cyrus Campbell, William Johnson, M. Smith,
Francis L. Cleveland, Perry S. Layton, James P. Sparks,
William L. Conklin, Jas. M. C. Lisenby, Harrison Taylor,
Elijah Gabbert, Otho Miller, John S. Van Winkle,
Evan M. Carrott, Thomas Z. Morrow, Willie Waller,
Remus Gibson, Richard Neel, Nathaniel Wolfe,
Jacob Hawthorne, Hiram S. Powell, Bryan R. Young—35.
William J. Heady, William S. Rankin,

The amendment offered by Mr. Taylor, to which the foregoing amendments of Messrs. Ireland and Turner apply, reads as follows:

A poll tax of one dollar upon each titheable shall, during the continuance of the present war, be annually levied by the county court at the court of claims, which shall be collected, paid into the treasury, applied to the same purposes, and distributed in the same manner as the other taxes imposed by this act.

Mr. Huston moved to commit the bill and amendments to the committee on Claims.

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

Mr. Heady moved the following resolution, viz:

Resolved, That the committee on Military Affairs are instructed to report a bill on the — inst., for the speedy organization of the Militia, with a provision for the drilling of the same for one month in camps by battalions, regiments, brigades, or divisions as the Governor may direct: Provided, The Governor may order the companies of the battalions, regiments, brigades and divisions upon alternate weeks into camps for drill, so that each company shall be drilled two weeks in the month, so soon as organized. With the further provision to make it the duty of the Governor to open correspondence with the Secretary of War, for the return to the State of a suitable number of Kentucky officers, now in the service, to drill the Militia. The Militia shall be upon half-pay of the United States infantry when actually in camp for drill by the week, as ordered by the Governor, and be subsisted by State commissariat.

Ordered, That said resolution be referred to the committee on Military Affairs.

A message was received from the Senate, announcing that they had disagreed to a bill from this House, entitled
An act repealing all laws allowing pay for scalps of wild cats, wolves, and red foxes.

That they had passed bills which originated in this House, of the following titles, viz:

- An act to amend article 18, chapter 36, section 4, of the Revised Statutes.
- An act to amend sections 3 and 4, article 2, chapter 17, of the Revised Statutes.

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

- An act to amend an act, entitled, an act to amend the revenue laws of this Commonwealth, approved February 28, 1862.
- An act for the benefit of the banks of this State.

Mr. Bush, from the committee on Revised Statutes, to whom was referred leave, reported a bill, entitled,

An act repealing chapter 82 of the Revised Statutes, title "Registration of Births, Deaths and Marriages."

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 engrossed and read a third time.

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

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

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

Those who voted in the affirmative, were:

Alfred Allen, Evan M. Garriott, George Poindexter,
Jas. W. Anderson, Geo. M. Hampton, Hiram S. Powell,
Elisha Beazly, Jacob Hawthorne, William S. Rankin,
John C. Beeman, William J. Heady, John Ray,
Joshua F. Bell, Joseph W. Heeter, Joseph Ricketts,
William S. Botts, John M. Henry, F. D. Rigney,
William A. Brann, John B. Heston, James A. Rousseau,
Leroy Brinkly, William C. Ireland, George S. Shanklin,
R. J. Browne, Daniel W. Johns, Robert A. Spalding,
W. P. D. Bush, J. M. Jones, Harrison Taylor,
James Calvert, Perry S. Layton, John R. Thomas,
Cyrus Campbell, Jas. M. C. Lisenby, Thomas Turner,
Brutus J. Clay, Jonas Martin, John S. Van Winkle,
Francis L. Cleveland, P. L. Maxey, Willie Waller,
Robert Cochran, David P. Mears, Zeb. Ward,
For Index to this volume—see Second volume H. R. Journal.