Those who voted in the negative, were—


Said bill reads as follows:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of the Revised Statutes as is embraced in chapter 82, title, “Registration of Births, Deaths and Marriages,” be and the same is hereby repealed.

§ 2. This act shall take effect from its passage.

Mr. Beeman moved the following resolution, viz:

Whereas, The Clerk of the Court of Appeals represents that the public records and papers in his office are liable to loss or damage from fire and other causes—therefore,

Resolved, That the committee on the Court of Appeals inquire into the facts, and examine the premises referred to, and ascertain what will be the probable cost of erecting a fire-proof room adjoining the clerk's office of the Court of Appeals, and report to this House as early as possible; also, whether any other, and what alterations, &c., may be needed on said premises, for the safe-keeping and preservation of the public records and papers in said office, and report to this House.

Ordered, That said resolution be referred to the committee on the Court of Appeals.

Mr. Underwood, from the select committee, to whom was referred leave to bring in a bill to provide for the election of mayor and other officers for the city of Henderson, 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. Poindexter moved to strike out, in the preamble of the bill, the words “without authority of law.”

Mr. Bell moved to amend the amendment by striking out the entire preamble, and insert the following:

Whereas, It is represented to this General Assembly that the offices of mayor, council, marshal and assessor of the city of Henderson are vacant.
And the question being taken thereon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen, Elijah Gabbert, Richard Neel,
Jas. W. Anderson, Remus Gibson, George Poindexter,
Jonathan R. Bailey, Geo. M. Hampton, Hiram S. Powell,
Joshua Barnes, John H. Harney, William S. Rankin,
Elisha Beazley, Jacob Hawthorne, Joseph Ricketts,
John C. Beeman, Joseph W. Heceter, F. D. Rigney,
Joshua F. Bell, John M. Henry, James A. Rousseau,
William S. Botts, John B. Huston, George S. Shanklin,
Leroy Brinkley, William C. Ireland, M. Smith,
R. J. Browne, J. M. Jones, James P. Sparks,
Curtis F. Burnam, Urban E. Kennedy, Harrison Taylor,
James Calvert, Perry S. Layton, John S. VanWinkle,
Cyrus Campbell, Jas. M. C. Lisenby, Willie Waller,
Brutus J. Clay, Alexander Lusk, Zeb. Ward,
Francis L. Cleveland, David P. Mears, W. W. Waring,
John B. Cochran, Otho Miller, Alex. T. White,
Albert A. Curtis, Thomas Z. Morrow, Nathaniel Wolfe,
Daniel E. Downing, Bryan R. Young—54.

Those who voted in the negative, were—

J. W. Boone, Evan M. Garriott, Felix G. Murphy,
E. F. Burns, Henry Griffith, John Ray,
W. P. D. Bush, William J. Heady, Robert A. Spalding,
Robert Cochran, William Johnson, John R. Thomas,
William L. Conklin, Jonas Martin, Thomas Turner,
W. H. Edmunds, P. L. Maxey, Jos. R. Underwood,
John W. Fiehnell, William Mercer, Milton Young—21.

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 again resumed the consideration of the bill, entitled,

An act requiring certain officers of this Commonwealth to take an oath of office.

The question was taken upon adopting the amendment of Mr. Underwood, offered on yesterday, to strike out the words "I have not" in Mr. Ireland's amendment enlarging the oath, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Kennedy and Sparks, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Geo. M. Hampton, F. G. Murphy,
Joshua P. Bell, John H. Harney, George Poindexter,
Leroy Brinkley, William J. Headly, H. S. Powell,
R. J. Browne, John M. Henry, John Ray,
Curtis F. Burnam, John B. Huston, George S. Shanklin,
E. P. Burns, J. M. Jones, Robert A. Spalding,
W. P. D. Bush, Wm. Johnson, Thomas Turner,
John B. Cochran, Alexander Lusk, Joseph R. Underwood,
Robert Cochran, Jonas Martin, John S. Van Winkle,
William L. Conklin, P. L. Maxey, Willie Waller,
Daniel E. Downing, David P. Mears, W. W. Waring,
Evan M. Garriott, William Mercer, Alex. T. White,
Henry Griffith, Otho Miller, Milton Young—39.

Those who voted in the negative, were—

Alfred Allen, Albert A. Curtis, Richard Neel,
Jas. W. Anderson, John W. Finnell, William S. Rankin,
Jonathan R. Bailey, Elijah Gabbert, Joseph Rickefts,
Joshua Barnes, Remus Gibson, F. D. Rigney,
Elisha Beazley, Jacob Hawthorne, James P. Sparks,
John C. Beeman, Joseph W. Heeter, Harrison Taylor,
William S. Botts, Wm. C. Ireland, John R. Thomas,
William A. Brann, Daniel W. Johns, Zeb. Ward,
James Calvert, Urban E. Kennedy, Nathaniel Wolfe,
Cyrus Campbell, Perry S. Layton, Bryan R. Young—32.
Bratus J. Clay, Jas. M. C. Lisenby,
by Mr. Wolfe by way of engrossed ryder, and it was decided in the
negative.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Elijah Gabbert, Alexander Lusk,
Joshua Barnes, Remus Gibson, Richard Neel,
John C. Beamman, Jacob Hawthorne, James P. Sparks,
Leroy Brinkley, Joseph W. Heeter, Harrison Taylor,
James Calvert, Daniel W. Johns, John R. Thomas,
Cyrus Campbell, James M. Jones, Nathaniel Wolfe,
John W. Finnell, Jas. M. C. Lisenby,

Those who voted in the negative, were—

Alfred Allen, Henry Griffith, George Poindexter,
Jonathan R. Bailey, Geo. M. Hampton, Hiram S. Powell,
Joshua F. Bell, John H. Harney, Wm. S. Rankin,
William S. Botts, William J. Heady, John Ray,
R. J. Browne, John M. Henry, Joseph Ricketts,
Thomas S. Brown, John B. Huston, F. D. Rigney,
Curtis F. Burnam, William C. Ireland, Geo. S. Shanklin,
E. F. Burns, William Johnson, R. A. Spalding,
W. P. D. Bush, Perry S. Layton, Thomas Turner,
Brutus J. Clay, Jonas Martin, Jos. R. Underwood,
John B. Cochran, P. L. Maxey, Willie Waller,
Robert Cochran, David F. Mears, Zeb. Ward,
William L. Conklin, William Mercer, W. W. Waring,
Daniel E. Downing, Otho Miller, Alex. T. White,
W. H. Edmunds, Felix G. Murphy, Milton Young—46.
Evan M. Garriott,

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

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

Those who voted in the affirmative, were—

Alfred Allen, Elijah Gabbert, Richard Neel,
James W. Anderson, Remus Gibson, George Poindexter,
Jonathan R. Bailey, Henry Griffith, Hiram S. Powell,
Joshua Barnes, John H. Harney, Wm. S. Rankin,
John C. Beamman, Jacob Hawthorne, John Ray,
Joshua F. Bell, William J. Heady, Joseph Ricketts,
William S. Botts, Joseph W. Heeter, F. D. Rigney,
William A. Brann, John B. Huston, George S. Shanklin,
Leroy Brinkley, William C. Ireland, James P. Sparks,
R. J. Browne, Daniel W. Johns, Harrison Taylor,
Thomas S. Brown, James M. Jones, John R. Thomas,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act all school commissioners, examiners of teachers for common schools and school trustees, and teachers elected to teach in common schools, and all presidents, professors and teachers in colleges and high schools incorporated by legislative enactment, and all directors in such other institutions of learning as may have been or may hereafter be so incorporated, shall, as a condition precedent to entering upon the discharge of their official duties, severally take the following oath, to be administered by some officer now authorized to administer oaths: “I do solemnly swear that I will support the constitution of the United States, and the constitution of Kentucky, and 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 will not 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 long as I remain a citizen of or reside in Kentucky, and that this oath is taken by me without any mental reservation—so help me God.”

§ 2. The oath thus administered shall, in each case, be reduced to writing and returned for preservation to the office of county court for the county in which the school or college is located or the office or employment to be performed.

§ 3. Any person who shall teach in any such school or college, or exercise any of the duties of either of the offices enumerated in this act, without taking the oath required, shall, upon conviction thereof, be fined not less than twenty-five dollars nor more than two hundred dollars, at the discretion of a jury.

§ 4. Any person who shall violate said oath shall be deemed guilty of false swearing, and upon conviction thereof be subject to all the penalties imposed by law for that crime.

§ 5. This act to take effect from its passage.

Mr. Allen moved the following resolution, viz:
With a view of enabling this House to concur in the Senate's adjourning resolution, it is

Resolved, That its sittings during the present session shall be twice a day, beginning at 9 o'clock, A.M., and 8 o'clock, P.M., and that the speeches of members shall be limited to ten minutes in length.

Ordered, That said resolution be referred to the committee on Privileges and Elections.

And then the House adjourned.

WEDNESDAY, AUGUST 27, 1862.

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

An act to amend an act, entitled, an act concerning the collection of the public revenue and county levy for the years 1861 and 1862.

That they had adopted a resolution of adjournment of the General Assembly.

Also, asking leave to withdraw their disagreement to a bill from this House, entitled,

An act repealing all laws allowing pay for scalps of wild cats, wolves, and red foxes.

Which leave was granted.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills of this House, of the following titles, viz:

An act to amend sections 3 and 4, article 2, chapter 17, Revised Statutes.

An act to amend article 18, chapter 36, section 4, Revised Statutes.

Also, a bill which originated in the Senate, entitled,

An act to amend the penal laws.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.
Mr. Wolfe moved the following preamble and resolution, viz:

The General Assembly of the Commonwealth of Kentucky have had under consideration the resolution proposed by the President of the United States to the Congress, for their adoption, on the 6th day of March, 1862, recommending "that the United States ought to cooperate with any State which may adopt a gradual abolition of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system;" and also the resolution adopted by Congress in pursuance of said recommendation; and we deem it due to that high functionary, and to our constituents, that we should make known the views we entertain of the important subject involved in his recommendation. We do not doubt that the legislature has the power to provide by law for the emancipation of the slaves in this Commonwealth: "All legislative power of the State is vested in the legislative department of the government, subject to no restraints, except such as are imposed by the fundamental law, its own wisdom and responsibilities." The only restriction upon the legislative power in regard to the emancipation of slaves may be found in article 10, sec. 1, of the Constitution of Kentucky. It provides thus: "The General Assembly shall have no power to pass laws for the emancipation of slaves without the consent of their owners, or without paying their owners, previous to such emancipation, a full equivalent in money for the slaves so emancipated, and providing for their removal from the State."

The President of the United States, and a majority of the Congress, propose to the people of Kentucky to adopt a scheme of gradual emancipation. It is not claimed by the President that Congress has the constitutional right to abolish slavery in Kentucky. The right to emancipate the slave is admitted by him to be exclusively within the power of the State authority. The measure is, however, urged by the President with all the earnestness which language can command—an earnestness which discloses the deep conviction felt by him of the importance of the measure to the successful termination of the war, and the restoration of the Union with all its countless blessings to the people. The President urges that the leaders of the existing insurrection entertain the hope that the Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, or that all the slave States, north of such parts, will then say, "the Union for which we have struggled being already gone, we now choose to go with them." And to deprive them of such a hope the President urges the scheme of initiating gradual emancipation, and thus substantially ending the war. The President, in his address to the representatives in Congress from the border slave States, on the 14th July last, urges also the additional reason, that if the scheme proposed by him be not adopted by the border States, that slavery will be extinguished by the necessary incidents of the war. He says if the war continues long, as it must, if the object be not sooner attained, the institution in your States will be extinguished by mere friction and abrasion—by the mere incidents of the war. It will be gone, and you will have nothing valuable in lieu of it. Two reasons
are thus urged upon us to adopt the scheme. The one, that the war will be thereby substantially ended; and, second, that if not adopted, the institution of slavery will be extinguished by the necessary incidents of the war. We believe, that if a majority of the slaveholders of Kentucky could be convinced that the Union, as it was, could be restored by a sacrifice of the value of the slaves within the State, that the sacrifice would be cheerfully made. According to the census of 1860, Kentucky had 225,490 slaves. Their value is at least one hundred millions. The people of this Commonwealth would willingly make that contribution to re-establish the Union. They know no sacrifice, short of an entire abandonment of their constitutional rights, which they would not make for so holy an object. They solemnly believe, what they have so often proclaimed, that the Union of the States, based upon the Constitution, in essential to the enjoyment of the priceless blessings of freedom. They worship, they adore, the great work of their fathers. It reared for them a Union and a Constitution which, together, secured to the people the most beneficent and the freest government ever erected by man—a government which imparted to the people a measure of happiness which had never before been vouchsafed to any nation.

But devoted as we are to the Union, we do not feel that our loyalty demands at our hands the adoption of the measure proposed. We do not agree with the President that the gradual emancipation of the slaves in the border States would bring about a speedy termination of the war. Unhappily for our country, the dominant party in the Congress of the United States are bent on the destruction of the Constitution and the Union. No curse which the direst enemy of our country could have imposed would, in our opinion, have borne more bitter fruits than the action of that party has produced. We have viewed with alarm the rapid strides which the dominant party in Congress has made towards the prostration of every guarantee which the Constitution provides for the dearest rights of the people. They have endeavored, through the instrumentality of the Executive and Congress, to strip the people of the disaffected States of their property; they have passed confiscation bills, in utter violation of the plain provisions of the Constitution; they have sought to take away from those people their State governments, and reduce them to a state of territorial vassalage; they have declared their purpose to free the slaves of the rebel States, and elevate them to an equality with the white man; they have declared that the war should be prosecuted until slavery shall be swept from the entire land; they proclaim that they are against a restoration of the Union unless slavery is abolished. The people of Kentucky justly feel horror and alarm at the enunciation of such doctrines. They will oppose them by all peaceable means, and if the time shall come when the counsels of reason shall no longer be heeded, when the barriers erected by the Constitution shall no longer afford protection, then will Kentucky rise up as one man, and sacrifice the property, and, if needs be, the lives of her children, in defense of that Constitution under which alone we can ever hope to enjoy national liberty.
We deny, what has been so often asserted by that party, that the question of slavery is the cause of the war. Disappointed ambition, grovelling lust of office and power, produced it. Slavery was but the pretext for the execution of a purpose long nourished to overthrow the government. Holding these views, we but echo the voice of the loyal citizens of Kentucky when we declare that the action of the late Congress was a treacherous and flagrant violation of plighted faith; for they solemnly averred, in the resolution which they voted for at the commencement of the rebellion, "that the war should not be waged 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." This resolution was voted for by that very party whose avowed purpose now is to wage a war of extermination against the rights of the slaveholder, destroy the sovereignty of the disaffected States, and forfeit the property of the people now and forever to the government, whose powers are bound, tied, and restricted by the Constitution from which it derived vitality, and to which every power it rightfully exerts owes its existence and support.

Kentucky is for the Union as it was. She took up arms to assist in restoring it to a constitutional basis, and she will never lay them down until she finds that the lives of her sons are to be sacrificed for the destruction, and not for the preservation, of a constitutional Union. Kentucky boasts not of what she has done in the sacred cause of the Union. The world knows it. History will record it. This much, however, we will say, that if desolate habitations, fields laid waste; if the murder of helpless women and children; if all this calamity suffered by her people; if more than all else, if the blood of the noblest of her youth poured out in torrents on many a stricken field of this intestine war, affords evidence of her loyalty to the great and good government which was her pride and her shield, then, indeed, may she claim to be heard and heeded in this sad hour of national humiliation.

We are of opinion that the gradual emancipation of the slaves of Kentucky would but enrage the people of the disaffected States to still greater exertion to overthrow the government. Armies powerful enough to crush the rebellion are what is needed. The United States have all the means necessary to attain that end. The population of these States exceeds five-fold that of the States in rebellion, and their other resources are correspondingly great.

Kentucky is opposed to a division of the Union. She sees nothing following a permanent destruction of the Union but an endless night of despotism. She wants no new Union, such as abolitionists and radical republicans desire. She wants the Union founded by our fathers, and based upon the Constitution which secured to all the States justice and equality, and she will have none other.

We cannot close this subject without referring again to the address of the President to the representatives in Congress from the border States, on the 14th July last. He says: "I am pressed with a difficul-
ty not yet mentioned. One that threatens division among those who united are none too strong. An instance of it is known to you. Gen. Hunter is an honest man. He was, and I hope still is, my friend. I valued him none the less for his agreeing with me in the general wish that all men, every where, could be freed. He proclaimed all men free within certain States, and I repudiated the proclamation. He expected more good, and less harm, from the measure than I could believe would follow. Yet in repudiating it I gave dissatisfaction, if not offense, to many whose support the country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me, and is increasing. By conceding what I now ask, you can relieve me, and much more, can relieve the country in this important point.

There is but one meaning which can be reasonably given to that portion of the President's address, and it is this: that the Abolitionists and the radical Republicans are dissatisfied, if not offended, at the President's repudiation of General Hunter's proclamation, freeing all slaves within certain States, and that the pressure which is now upon him proceeds from that quarter. We bear willing testimony to the patriotic exertions which President Lincoln has made, and is now making, to break down the rebellion and restore the Union. He is called upon to discharge the duties of his high office amid difficulties which might well have appalled the heart of Washington or of Jackson; and every true lover of his country will sustain him in his exalted object. When, then, the enemies of the country—the Abolitionists and radical Republicans—threaten to withdraw from him their support; when they press him to lend his aid to the extinction of slavery in the border slave States, we declare our confident belief that it would redound to the best interests of our country if the President made issue with that party whose career of late has developed no measure that was not fraught with evil. Let that party withdraw from his support. They would then stand side by side with the disunionists of the South—the position to which their measures will ultimately drive them. As for Kentucky, she will stand by the President so long as he stands by the Union and the Constitution. He has thus far performed his part as became a successor of the great Washington, and Kentucky will sustain him, should it exhaust her best blood and richest treasure in the holy work. We therefore adopt the following resolution:

Resolved, That we decline the adoption of a system of gradual emancipation of slaves in this State.

Ordered, That said preamble and 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 this General Assembly.

A message was received from the Governor by Mr. Wickliffe, Secretary of State, announcing that he had signed and approved sundry bills of this House, of the following titles, viz:

An act to amend an act, entitled, an act to further regulate the Shelby and Franklin turnpike road company, approved 10th February, 1841.
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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 5, article 7, chapter 93, of the Revised Statutes.

An act appropriating money to a State Secret Fund.

An act ratifying the official acts of Wm. H. Reynolds, sheriff of Bracken county, and accepting his bond for the public revenue in that county.

An act authorizing the sale of real estate and slaves in which there is a future contingent interest.

Resolution to call on the Governor.

Resolution authorizing the Governor to order out the Home Guards.

Resolution requesting the Governor to ask an extension of time for raising certain regiments of Kentucky volunteers.

Resolution in relation to the drafting of the quota of Kentucky in the 300,000 nine months militia called for by the Federal Government.

An act to amend an act, entitled, an act for the benefit of common schools, approved March 15, 1862.

An act to establish a medical commission.

An act to provide for drafting a military force, whenever the same is required.

Mr. Underwood, from the committee on Military Affairs, to whom was referred a Senate bill, entitled,

An act to dispense with the Military Board.

Reported the same without amendment.

Mr. Taylor moved an amendment,

Which was adopted.

Mr. R. J. Browne moved to recommit the bill and amendment to the committee on Military Affairs, with instructions to fix the number of clerks to be employed, and the maximum of salary they shall receive.

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—

Jas. W. Anderson, Daniel E. Downing, Felix G. Murphy,
R. C. Anderson, W. H. Edmunds, William S. Rankin,
John W. Blue, Evan M. Garriott, Nicholas A. Rapier,
Mr. Speaker, (Buckner,) Remus Gibson, Henry Griffith, George Poindexter,

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.

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, Richard Neel,
Alfred Allen, John W. Finnell, Thomas W. Owings,
Jas. W. Anderson, Elijah Gabbert, George Poindexter,
R. C. Anderson, Evan M. Garriott, Hiram S. Powell,
E. B. Bacheller, Remus Gibson, William S. Rankin,
Jonathan R. Bailey, Henry Griffith, Nicholas A. Rapier,
Joshua Barnes, Geo. M. Hampton, John Ray,
Elisha Beazley, John H. Harney, Joseph Ricketts,
Joshua F. Bell, Jacob Hawthorne, F. 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, Robert A. Spalding,
Leroy Brinkley, William C. Ireland, James P. Sparks,
Mr. Underwood, from the committee on Military Affairs, to whom was referred the bill, entitled,

An act to raise a State force of ten thousand men,

Reported the same with sundry amendments.

Which were adopted.

Mr. Taylor moved the following amendment by way of an additional section, viz:

§ 17. It shall and may be lawful for the Governor, if in his opinion the public safety demands it, to seize and press into the service such horses, mules, wagons, arms, munitions of war, provisions and forage, as he may deem requisite, taking care that the same shall be valued, and a receipt given therefor, as required by the 8th section of this act.

Mr. Lisenby moved the following amendment as a substitute for the bill and amendments.

Which is as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of the State of Kentucky is hereby authorized and directed to issue, forthwith, his Proclamation, calling into the service of this Commonwealth, three regiments of volunteers, to be organized either as cavalry or mounted infantry, as he, in his discretion, may elect, to be mustered into the service of the State for the term of twelve months, if the war shall last so long—said regiments to be composed of able-bodied residents of the State of Kentucky, between the ages of eighteen and forty-five years.

§ 2. That each regiment shall consist of twelve companies; each company shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two buglers, two farriers and blacksmith, one saddler, one wagoner, and not less than seventy nor more than eighty-five privates. The field officers, staff, and non-commissioned staff, shall be composed as follows: one colonel, one lieutenant-colonel, three majors, one lieutenant as adjutant, one lieutenant 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. That the commissioned regimental officers shall be elected by the regiment, and the commissioned company officers by each respective company; and the persons so elected shall be commissioned by the Governor; the colonels of each regiment shall appoint the non-commissioned officers thereof, and the captains shall appoint the non-commissioned company officers.

§ 4. That the Governor shall organize said regiments into a brigade, and shall, with the advice and consent of the Senate, appoint and commission a brigadier general, with such staff as the brigadier general, so appointed, may recommend, who shall have the command of said forces in the field, subject to the Governor as commander-in-chief.

§ 5. That one company of each regiment shall be armed and equipped as sharp-shooters, to be used as scouts.

§ 6. That the Governor shall direct where each of said regiments shall rendezvous, and shall provide suitable camp equipage, rations and subsistence, with necessary transportation and suitable clothing to supply uniform dress for non-commissioned officers and privates, and shall appoint suitable persons to superintend the elections of officers, and direct how the results of said elections shall be reported to him, so that he may issue proper commissions to the officers so elected, and to muster said forces into the service of the State.

§ 7. That said force, when organized, shall be used for the protection of the borders of Kentucky; and one of said regiments shall be used for the protection of the border east of the Cumberland Gap, and the other two for the protection of the border west of the Cumberland Gap, at such points as may not be suitably protected by the military forces of the United States: Provided, however, That the Governor may use said forces in any part of the State that may be necessary for the purpose of repelling invasion, it being intended hereby to designate the general purpose for which said force is raised, as border protection, but to be otherwise temporarily used in any emergency that may render such use necessary and proper, in the opinion of the Governor.

§ 8. That each non-commissioned officer and private shall furnish his own horse, and horse equipments, which shall be valued by two disinterested and suitable persons appointed by the Governor for that purpose, and shall receive for the services of said horse and equipments the sum of $10 per month; and if said horse shall be killed by the enemy, or in actual service, or captured by the enemy without any fault of the owner, he shall be paid therefor the value of said horse, not exceeding $80.

§ 9. That the pay of commissioned, non-commissioned officers and privates, shall be the same as that of the volunteer forces in the service of the United States, except that no bounty shall be paid them.

§ 10. That when the forces provided to be raised under the provisions of this act shall be organized and mustered into the service of the State, they shall be subject to all the rules and regulations prescribed by the army regulations of the United States.
§ 11. For the purpose of purchasing arms, accoutrements, tents, camp equipage, transportation, clothing for the non-commissioned officers and privates, and to pay the officers and soldiers their salaries, wages and rations, and for all things necessary for the equipment of the forces, there is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, the sum of $—.

§ 12. The money appropriated by this act shall be drawn from the treasury on the requisition of the Governor, and placed in the hands of the brigade quarter-master, or so much thereof as is necessary to provide all quarter-master's and commissary's stores—he being governed by the army regulations of the United States; and so much as is necessary for the payment of salaries and wages to officers and soldiers shall be placed in the hands of paymasters, appointed by the governor for that purpose; and said paymasters shall, in like manner with quarter-masters, be governed by the army regulations of the United States. The quarter-masters and paymasters herein shall be required to give bond, with surety approved by the Governor, for the faithful performance of their duties according to law.

§ 12. That to meet the expenditures contemplated in the foregoing bill, the Governor be and is hereby authorized to issue bonds on the Commonwealth, bearing six per cent. interest, redeemable in twenty years, and to sell them for the best price they can command, each bond to be not less than $100, nor more than $1,000; and to meet the annual interest on said bonds so issued and sold, an annual tax of five cents on each $100 worth of property in this State, now subject by law to revenue taxation, is hereby required to be collected and paid into the treasury by the sheriffs of the several counties, in the same manner and under the liabilities as the revenue is now, by law, required to be collected.

§ 13. This act shall take effect from and after its passage.

Mr. Cleveland moved the previous question.

And the question being taken, "Shall the main question be now put?" and it was decided in the affirmative.

The question was taken on adopting the substitute offered by Mr. Lisenby, and it was decided in the negative.

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

Those who voted in the affirmative, were—

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<tr>
<th>Jas. W. Anderson</th>
<th>Daniel W. Johns</th>
<th>Nicholas A. Rapier</th>
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<tr>
<td>Jonathan R. Bailey</td>
<td>J. M. Jones</td>
<td>F. D. Rigney</td>
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<td>J. W. Boone</td>
<td>Urban E. Kennedy</td>
<td>James A. Rousseau</td>
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<td>Thomas S. Brown</td>
<td>Jas. M. C. Lisenby</td>
<td>Robert A. Spalding</td>
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<td>Daniel E. Downing</td>
<td>David P. Mears</td>
<td>James P. Sparks</td>
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<td>W. H. Edmunds</td>
<td>Otho Miller</td>
<td>John S. Van Winkle</td>
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<td>William J. Heady</td>
<td>Thomas Z. Morrow</td>
<td>Zeb. Ward</td>
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<td>Joseph W. Heeter</td>
<td>Felix G. Murphy</td>
<td>Alex. T. White</td>
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<tr>
<td>John M. Henry</td>
<td>Hiram S. Powell</td>
<td>—26</td>
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</table>
Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay, William Mercer,
Alfred Allen, Francis L. Cleveland, Richard Neel,
R. C. Anderson, John B. Cochran, Thomas W. Owings,
Joshua Barnes, Robert Cochran, George PoinDEXTER,
Elisha Beazley, William L. Cocklin, William S. Rankin,
John C. Beeman, Albert A. Curtis, John Ray,
Joshua F. Bell, John W. Finnell, Joseph Ricketts,
John W. Blue, Elijah Gabbert, George S. Shanklin,
William S. Botts, Evan M. Garriott, Harrison Taylor,
William A. Brann, Henry Griffith, John R. Thomas,
Leroy Brinkley, Geo. M. Hampton, Thomas Turner,
R. J. Browne, John H. Harney, Jos. R. Underwood,
Curtis F. Burnam, Jacob Hawthorne, Willie Waller,
E. F. Burns, John B. Huston, Nathaniel Wolfe,
James Calvert, William C. Ireland, Bryan R. Young,
Cyrus Campbell, Perry S. Layton, Milton Young—49.
Joseph H. Chandler,

The question was then taken upon adopting the amendment offered by Mr. Taylor, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Richard Neel,
Alfred Allen, John W. Finnell, Thomas W. Owings,
Jas. W. Anderson, Elijah Gabbert, George PoinDEXTER,
E. B. Bacheller, Remus Gibson, Hiram S. Powell,
Jonathan R. Bailey, John H. Harney, William S. Rankin,
Joshua Barnes, Jacob Hawthorne, Nicholas A. Rapier,
Elisha Beazly, Joseph W. Heeter, John Ray,
John C. Beeman, John B. Huston, Joseph Ricketts,
Joshua F. Bell, William C. Ireland, E. D. Rigney,
William S. Botts, Daniel W. Johns, M. Smith,
Leroy Brinkly, J. M. Jones, James P. Sparks,
R. J. Browne, Urban E. Kennedy, Harrison Taylor,
Curtis F. Burnam, Perry S. Layton, John R. Thomas,
James Calvert, Jas. M. C. Lisenby, Thomas Turner,
Cyrus Campbell, Alexander Lusk, John S. Van Winkle,
Joseph H. Chandler, Jonas Martin, Willie Waller,
Francis L. Cleveland, Thomas Z. Morrow, Zeb. Ward,
John B. Cochran, William Mercer, Nathaniel Wolfe,
Robert Cochran, Otho Miller, Bryan R. Young—58.
Albert A. Curtis,

Those who voted in the negative, were—

R. C. Anderson, Evan M. Garriott, James A. Rousseau,
John W. Blue, Henry Griffith, George S. Shanklin,
J. W. Boone, Geo. M. Hampton, Robert A. Spalding,
William A. Brann, William J. Heady, Joseph R. Underwood,
Mr. Shanklin moved the following amendment, viz:

Be it further enacted, That where two counties form a representative district, it shall be lawful for the captain of the company raised in said counties, to divide said company into two parts, for the purpose of drilling; and to order one of the lieutenants to drill said fragment of said company at such convenient place, in one of the counties of said district, as he may appoint; and the captain shall drill the other part of said company in the other county of said district, at such place as he may determine upon, having due regard to the convenience of the privates constituting said company.

Which amendment was adopted.

Mr. Underwood moved the following amendment, viz:

When called into active service in the field surgeons shall be paid at the rate of $120 per month, and assistant surgeons at the rate of $110 per month, out of the money appropriated by the 14th section of this act.

Mr. Finnell moved the following amendment as a substitute for the 8th section of the bill, and the amendment offered by Mr. Underwood.

Strike out all of the 8th section, fixing pay of officers, and insert, that all such commissioned and non-commissioned officers and privates, so called into the service, shall receive the same pay and emoluments paid to officers of like grade in the army of the United States, except privates, who shall be paid $18 per month; and the pay of non-commissioned officers shall be increased five dollars per month, each.

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

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—


The question was then taken upon adopting the amendment of Mr. Underwood, and it was decided in the affirmative.

Mr. Lusk moved to strike out the 7th, 8th, and 9th lines in the 10th section of the bill, viz:

The officers and soldiers raised under this act shall be exempt from all drafts for troops made by the United States during the time of their enlistment under this act.

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

Mr. Owings moved to strike out "30" and insert "40" in 19th line of the 8th section, and also strike out "battle" and insert "service" in the 20th line of the 8th section.

Mr. Allen asked for a division of the question.

The question was taken on striking out "30" and inserting "40," and it was decided in the negative.

The question was taken on striking out "battle" and inserting in lieu thereof "service," and it was decided in the affirmative.

Mr. Martin moved to amend the bill by adding the words "or captured by the enemy," after the word "injured" in the 20th line of the 8th section of the bill.

Which amendment was adopted.

Mr. Martin also moved to amend the 9th section of the bill by requiring surgeons and assistant surgeons to be examined by the medical commission.

Which amendment was rejected.

Mr. Ward moved the following amendment, viz:

1st section, 3d line, after the word manner, add: "Provided, That no person who is liable to draft shall form any part of the 10,000
men, until after Kentucky's full quota shall have been furnished to
general government."

Mr. Turner moved to lay the bill and amendments on the table.
The question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Turner and
Ricketts, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, Joshua F. Bell, John W. Blue, J. W. Boone, Thos. S. Browne,
E. F. Burns, A. B. Chambers, John B. Cochran, W. H. Edmunds, Evan M. Garriott,
Geo. M. Hampton,  John H. Harney,  John M. Henry,  Daniel W. Johns, J. M. Jones,
Jas. M. C. Lisenby, Alexander Lusk, Jonas Martin, David P. Mears, Otho Miller,
Thomas Z. Morrow, Felix G. Murphy,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Robert Cochran, Jas. W. Anderson, R. C. Anderson, E. B. Bacheller,
Jonathan R. Bailey, Joshua Barnes, Elisha Beazley, William S. Botts, William A. Brann,
Leroy Brinkley, R. J. Browne, Curtis F. Burnam, James Calvert, Cyrus Campbell,
Joseph H. Chandler, Brutus J. Clay, Francis L. Cleveland,

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.
The question was then taken upon adopting Mr. Ward's amend-
ment, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Ricketts
and Sparks, were as follows, viz:

William Mercer,  Richard Neel,  Thos. W. Owings,  George Poindexter,
William S. Rankin, Nicholas A. Rapier, John Ray,  Joseph Ricketts, George S. Shanklin,
M. Smith,  Harrison Taylor,  John R. Thomas,  Jos. R. Underwood, Willie Waller,
Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

The rule of the House, constitutional provision, and third reading of said bill, as amended, 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—

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it may be lawful for the Governor to raise and organize ten thousand men for the service of the State, in the following manner: He may raise a company of one hundred men in the county or counties represented by each member of the House of Representatives in the present General Assembly; and where any one county or city has two or more representatives, he may raise in such county or city as many companies as it has representatives. The officers to command each company shall be one captain, one first and one second lieutenant, to be elected by the men constituting the company, and commissioned by the Governor, who shall direct in what manner the election shall be conducted and how its result shall be reported to him, so that he may issue proper commissions to the officers elected. The companies thus raised shall be organized into regiments of ten companies to each regiment, and the officers and men of the ten companies which may be designated by the Governor to form the regiment, shall elect a colonel, lieutenant colonel, and major to command the same, to be commissioned by the Governor, who shall direct in what manner the election shall be conducted and how its result shall be reported to him, so that he may issue proper commissions to the officers elected.

§ 2. The companies raised as aforesaid shall constitute a police guard for the counties and cities in which they were raised, and shall aid the civil authorities in executing the laws whenever called on for that purpose.

§ 3. All the companies raised under this act shall be armed and equipped for service as soon as possible, and shall march whenever ordered into the field for active duty. It shall be lawful for the Governor to employ the whole or any part of said companies, or any battalion or regiment into which they may be formed, in the defense of the
State against invaders, guerrillas, and marauding parties of every description, and to that end it shall be lawful for the Governor, at his discretion, to call and keep in the field any part of the forces authorized to be raised by this act. It shall be lawful for the Governor to require the captains of said companies to detail any number of men, not exceeding half the company, for service in the field, and to place the men so detailed under the command of any company and regimental officers who may be detailed for service, and the men so detailed shall in all respects obey the orders of the officers under whose command they are placed.

§ 4. It shall be lawful for the Governor, out of the regimental and company officers elected to command the forces raised under this act, to select such of them for command in the field as he may deem proper, and out of the officers so selected to officer a battalion or regiment for active duties in the field. The men for the battalion or regiment so formed shall be supplied from the companies, and to be detailed as aforesaid: Provided, That not more than half the men of the company shall be taken, unless all the officers of the company, with their men, are ordered into service. It shall be lawful for the Governor to keep any regiment or battalion thus formed in actual service at any place or places in the State, and to prescribe their duties, in defending the citizens of the State and their property against all invaders and marauders: Provided, however, That the Governor shall not at any time call into actual service more than one-half of the forces to be organized under this act, unless the residue are required for police purposes.

§ 5. In case the Governor shall order into the service two regiments or more, to co-operate and act together in the same vicinity, it shall be lawful for him to appoint and commission a brigadier general to command them; and it shall be the duty of each officer and soldier of the said regiments to obey the orders of such brigadier general.

§ 6. The officers and men called into service under this act shall be enlisted, and bound to serve, for one year, and no longer; and while in actual service shall be governed by the rules and articles of war prescribed by the Government of the United States and its authorities, for the government of its army.

§ 7. No person shall be allowed to hold any office, or be employed and enlisted as a soldier, in any regiment or company raised under this act, whose loyalty to the State of Kentucky or to the government of the United States, is not established, if called in question, to the satisfaction of the Governor, who is hereby vested with full power to strike any officer's name from the roll without even a trial by court martial, and to commission another in his place. So he may discharge any soldier, and cause another to be enlisted in his place.

§ 8. The troops raised under the provisions of this act shall be paid for their services, during the time they are engaged in service in the field, and at no other time; colonels at the rate of $150 per month; lieutenant-colonels at the rate of $130 per month; majors at the rate of $110 per month; captains at the rate of $100 per month; first lieutenants at the rate of $80 per month; second lieutenants at the rate of $70 per month. There shall be eight non-commissioned officers appointed by the officers of the company for each company, to-wit: four
sergeants and four corporals. The first sergeant shall be denominated orderly sergeant, and the others 2d, 3d, and 4th sergeants. The corporals shall be denominated 1st, 2d, 3d, and 4th corporals. The orderly sergeant shall be paid at the rate of twenty dollars per month, and the other sergeants at the rate of fifteen dollars per month. The corporals and the privates shall be paid at the rate of thirteen dollars per month, for the performance of infantry service. But it shall be lawful for the Governor to employ any portion of the troops, herein authorized to be raised, as cavalry or mounted infantry, and when so employed each man shall furnish his own horse, and for the service of his horse shall be allowed 30 cents per day for each day his horse may be in service; and in case his horse is killed or injured, or died in the service, or captured by the enemy, shall be paid the value of the loss sustained. With a view to ascertain the amount of the loss sustained, in case the horse is killed, or injured, or died in the service, or is captured by the enemy, all horses before taken into the service shall be valued by two disinterested men, not of the company, to be appointed by the Governor, or such person as he may designate for that purpose. The valuers shall assess the value of the horse to an amount not exceeding $100 in any case. They shall make out a roll or list of the owners of the horses, with the value of each owner’s horse, and a brief description of the horse valued, and the age of the horse, which list or roll shall be returned to and filed in the office of the adjutant general.

§ 9. Regimental colonels shall appoint a quartermaster and commissary, surgeon and assistant surgeon, for their respective regiments, with the assent and approval of the Governor—quarter-masters to be taken from lieutenants in the line.

§ 10. The Governor may call into the field, for active service, five regiments of the forces organized under this act, as soon as it can be done, and keep them in active service so long as he may deem it necessary. He may dismiss any portion of them, and allow them to return to their homes, subject to be again called into service at any moment when ordered. The troops raised under this act shall be paid for their services only during the time they are in actual service, and no more than the rates hereinbefore specified. The officers and soldiers raised under this act shall be exempt from all drafts for troops made by the United States during the time of their enlistment under this act.

§ 11. Whenever the Governor shall call any part of the forces raised under this act into actual service, he shall provide for them tents, camp equipage, transportation, and subsistence, and to this end it shall be lawful for the Governor to organize and employ such agents, officers and men, contractors, wagon-masters, wagons and teams as are necessary, and he shall allow the persons so employed such compensation for their services as is reasonable and just: Provided, however, It shall in no case exceed the allowance made by the laws of the United States for similar services.

§ 12. For the purpose of purchasing arms, accoutrements, tents, and camp equipage, there is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, the sum of $250,000.

§ 13. For the purpose of paying the troops, and all others employed
and taken into the service of the State under the provisions of this act, there is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, the sum of $750,000.

§ 14. For the purpose of paying for transportation, and the subsistence of the troops and the persons called into service under this act as contractors, teamsters, &c., forage for horses, and incidental expenses, there is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, the sum of $500,000.

§ 15. The money appropriated by this act shall be drawn from the treasury on the requisition of the Governor, and placed by him for disbursement in the hands of such paymasters, contractors, agents, and officers as the Governor shall appoint: Provided, however, That no money shall be placed in the hands of any such paymaster, contractor, agent or officer until he shall have given bond to the Commonwealth, with ample security, to be approved by the Governor, for the faithful application, and to account for all the money which may be placed in his hands for the use of the Commonwealth. No money shall be paid out without a proper voucher, and the accounts of all disbursing agents and officers shall be settled every two months, or oftener if required by the Governor, with the quartermaster general, who shall take charge of the vouchers and receipt for their aggregate amount, and file the vouchers in the office of the Treasurer.

§ 16. The captains of the several companies raised under this act shall call the men together, and drill them four days in every month, or oftener if deemed proper; and for the services rendered in drilling, while the men remain at home, they and their officers shall be paid at the same rate of compensation as is herein allowed; and every man of any company who fails or refuses to attend for the purpose of drilling, without a good and lawful excuse, shall be fined not exceeding $5, to be recovered before any justice of the peace, and applied by the captain to the use of his company.

§ 17. It shall and may be lawful for the Governor, if in his opinion the public safety demands it, to seize and press into the service such horses, mules, wagons, arms, munitions of war, provisions and forage as he may deem requisite, taking care that the same shall be valued, and a receipt given therefor, as required by the 8th section of this act.

§ 18. That where two counties form a representative district it shall be lawful for the captain of the company raised in said counties to divide said company into two parts for the purpose of drilling, and to order one of the lieutenants to drill said fragment of said company, at such convenient place in one of the counties of the district as he may appoint, and the captain shall drill the other part of said company in the other county of said district, at such place as he may determine upon, having due regard to the convenience of the privates constituting said company.

§ 19. When called into active service in the field, surgeons shall be paid at the rate of $120 per month, and assistant surgeons at the rate of $110 per month, out of the money appropriated by the 14th section of this act.

§ 20. This act shall be in force from and after its passage.

And then the House adjourned.
THURSDAY, AUGUST 28, 1862.

The House took up the resolution of the Senate in relation to the adjournment of the General Assembly.

Mr. Allen moved to strike out Thursday, 28th August, and insert Monday, the 1st day of September, at 12 o’clock, M.

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. Harney moved to insert Saturday, 30th August.

Mr. Heady moved to insert Wednesday, 3d September.

The question was taken on striking out Thursday, 28th August, 1862, and it was decided in the affirmative.

The question was then taken on filling the blank with Wednesday, 3d September, and it was decided in the negative.

The question was taken on Monday, the 1st September, and it was decided in the affirmative.

Mr. Turner moved to strike out 2d Thursday in January, 1863, and insert in lieu thereof the 1st Thursday in January, 1863.

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

The question was then taken upon adopting the resolution, as amended, and it was decided in the affirmative.

A message was received from the Senate asking leave to withdraw from this House, a Senate bill, entitled,

An act to repeal an act regulating navigation on the Kentucky river.

Which was granted.

That they had concurred in an amendment of this House to a bill from the Senate, entitled,

An act to dispense with the Military Board.

That they had passed a bill which originated in this House, entitled,

An act repealing all laws allowing pay for scalps of wild cats, wolves, and red foxes.
That they had passed an act, entitled,
An act to repeal an act regulating navigation on the Kentucky river.

And had received official information from the Governor announcing that he had signed and approved 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 this General Assembly.

Mr. Bacheller, from the committee on Enrollments, reported that the committee had examined an enrolled bill which originated in this House, entitled,
An act, entitled, an act to amend an act, concerning the collection of the public revenue and county levy for the years 1861 and 1862.
Also, a bill which originated in the Senate, entitled,
An act to dispense with the Military Board.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Underwood, from the committee on Military Affairs, asked to be discharged, until the next meeting of this present General Assembly, from the further consideration of all matters connected with the military defense, &c.

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—


Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Alfred Allen, Jas. W. Anderson, Daniel E. Downing, W. H. Edmunds, John W. Finnell, Thomas W. Owings, George Poinexter, William S. Rankin,
The following bills were reported, viz:

By Mr. Underwood, from the committee on Military Affairs—
1. A bill to amend the charter of the city of Lexington.

By Mr. Finnell, from the same committee—
2. A bill to organize the Union Gun Artillery Corps of the State of Kentucky.

By Mr. Ireland, from the committee on Circuit Courts—
3. A bill authorizing judgments by default to be recorded in a separate book.

By same—
4. A bill authorizing the Governor to appoint agents to receive money from soldiers in service.

By Mr. Turner, from the committee on the Codes of Practice—
5. A bill fixing the time for holding the fall terms, 1862, of courts the 11th judicial district.

By same—
6. A bill to regulate the times for holding the courts in the 11th 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,

Ordered, That the 1st, 2d, 3d, and 4th bills be engrossed and 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 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—


Those who voted in the negative, were—


Said bill, No. 2, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of the Commonwealth be and he is authorized to organize a corps for the military service in Kentucky, to be known as the “Union Gun Artillery Corps of Kentucky.”

§ 2. Said corps shall consist of one Captain, two 1st Lieutenants and six 2d Lieutenants: Provided, That the whole number shall not be in commission unless deemed necessary by the Governor; and there shall be one sergeant and ten men for each gun in the field. The pay of said officers, commissioned and non-commissioned, and privates, shall be the same as that now paid to the same arm in the service of the United States.

§ 3. The term of enlistment of the corps herein provided for shall be for three years, or during the war, unless sooner discharged by the Governor of the Commonwealth.

§ 4. That the corps shall be paid, upon the order of the Governor, monthly if practicable, out of any monies in the treasury of the Commonwealth not otherwise appropriated.
§ 5. That the Governor of this Commonwealth shall have power to control and direct the movements of this corps, or any part of it, as in his judgment shall seem best for the public safety.

§ 6. This act to take effect from its passage.

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


On motion of Mr. J. R. Thomas—2. A bill to amend the 3d section, chapter 607, of the militia laws.

Ordered, That the committee on Ways and Means prepare and bring in the 1st, and the committee on the Judiciary the 2d.

The House then took up the bill entitled,

An act to amend section 9, chapter 47, of the Revised Statute, title "Husband and Wife."

With the objections of the Governor thereto.

Said veto message reads as follows, viz:

Executive Office, 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 a fine for every such offense, upon the presentment of a grand jury, of not less than fifty or more than five hundred dollars—

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 other. 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 cannot 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 as 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, confirmation, 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 intrusted 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 principal 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.

Mr. Ward moved to postpone the further consideration of said bill until to-morrow at 12 o'clock.

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

Mr. John R. Thomas moved to postpone the further consideration of said bill indefinitely.

Which motion the Speaker decided to be not in order.

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 on the passage of said bill by the Constitution, 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, George Poindexter,
R. C. Anderson, John W. Finnell, Hiram S. Powell,
E. B. Bacheiler, Elijah Gabbert, William S. Rankin,
Jonathan R. Bailey, Remus Gibson, Nicholas A. Rapier,
Joshua Barnes, Jacob Hawthorne, Joseph Ricketts,
Elisha Benezly, Joseph W. Hester, F. D. Rigney,
John C. Beeman, John B. Huston, James A. Rousseau,
Joshua F. Bell, William C. Ireland, George S. Shanklin,
William S. Bootts, Daniel W. Johns, M. Smith,
Leroy Brinkley, J. M. Jones, James P. Sparks,
Thomas S. Brown, Urban E. Kennedy, Harrison Taylor,
James Calvert, Perry S. Layton, John R. Thomas,
Cyrus Campbell, Jas. M. C. Lisenby, Willie Waller,
Joseph H. Chandler, Jonas Martin, Alexander T. White,
Brutus J. Clay, Thomas Z. Morrow, Nathaniel Wolfe,
Francis L. Cleveland, Richard Neel, Bryan R. Young—51.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) W. H. Edmunds, Otho Miller,
J. W. Boone, Eyan M. Garriott, Felix G. Murphy,
William A. Brann, George M. Hampton, John Kay,
R. J. Browne, John H. Harney, Robert A. Spalding,
Curtis F. Burnam, William J. Heady, Thomas Turner,
E. F. Burns, John M. Henry, Joseph R. Underwood,
W. P. D. Bush, William Johnson, John S. Van Winkle,
A. B. Chambers, Alexander Lusk, Zeb. Ward,
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Mr. Speaker Buckner read and laid on the table the following joint resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the employment of negroes as soldiers in the armies of the United States, is not the policy that will engage the greatest amount of either the moral or physical force of this whole country in the suppression of the present rebellion. The free born white men of this country, in military as in social and civil life, will feel themselves disparaged and insulted by such an association, and to impose it upon them will drive more strength and courage from our ranks than can be supplied by any possible levy of negroes.

Resolved, That it is the honored duty and privilege of the free white men of this country, native and naturalized, to defend it against all its enemies, and they have shown their readiness to perform it. But the high and noble sense of honor, pride and patriotism, which elevates and prompts them to the performance of that great duty, will be quenched in their hearts, and the service itself will be considered by the brave soldiers of the army as a degradation if they should be required to perform it on the enforced condition of military equality and association with negroes and fugitive slaves.

Resolved, That the thanks of the loyal white men of Kentucky are due, and are hereby tendered, to the President of the United States, for his refusal to employ negroes as soldiers in the armies of the Union; and, furthermore, in the name of the people of Kentucky, and, as we verily believe, in accordance with the opinions and wishes of a great majority of the people of the United States, we protest against changing into an anti-slavery war, a contest that, so far, has been maintained by the people at great cost of life and treasure, for the avowed purpose of maintaining the supremacy of the laws, the integrity of the Constitution, and the nationality of the United States. If prosecuted with any other view, its tendency will be to weaken the bonds of Union, and not strengthen them; and, savoring of violated faith, it will plant irreconcilable distrust where confidence is the only sure guarantee of permanent public safety; and from the former acts and declarations of the President, his messages, and general orders, we assure ourselves that, with a firm, national and paternal spirit, he will preserve the country from the great calamities that must attend any such change in the character and objects of the war.

Resolved, That slaves are regarded as property by the laws of all the States where slavery exists, and they have been so regarded by the usages of more than two hundred years; but they are not exempt from the legitimate effects of war; and this Legislature makes no objection to the policy announced by the President of employing slaves as laborers, whenever public service requires it.

The rule of the House requiring joint 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. Burnam read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to issue his orders for the organization of the militia of the Commonwealth according to the provisions of an act, entitled, “an act to amend the militia law,” approved March 17th, 1862.

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. Turner moved the following resolution, viz:

Resolved, That the committee on Federal Relations be instructed to report upon all the resolutions referred to them, to-morrow at 11 o’clock, A. M.; and that their report, when made, be made the special order for that hour.

Which was adopted.

Mr. Ireland, from the committee on Privileges and Elections, to whom was referred the resolution offered by Mr. Allen, in relation to the hours of meeting of the present General Assembly, reported the following substitute therefor, viz:

With a view of enabling this House to complete its business and adjourn, it is

Resolved, That its sittings, during the present session, shall be at 9 o’clock, A. M.; that the speeches of members shall be limited to ten minutes in length.

Mr. Turner moved to amend said resolution by striking out the word “twice” and figure “8 o’clock, P. M.,” in said resolution.

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

Said resolution, as amended, was then adopted.

And then the House adjourned.
Mr. Chambers moved a call of the roll.

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

The roll was then called, when the following members answered and were present:


Ordered, That Mr. Gibson have indefinite leave of absence.

A message was received from the Senate announcing that they had concurred in the amendment proposed by this House to the Senate resolution in relation to the adjournment of the General Assembly.

That they had passed bills which originated in this House, of the following titles, viz:

An act to allow Charles Boone to erect a mill dam across the Rolling Fork of Salt River.

An act for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guard.

An act requiring certain officers of this Commonwealth to take an oath of office.

An act to amend section 7, article 3, chapter 91, Revised Statutes, title, "Sheriffs, Jailers, and Coroners."
An act repealing chapter 82, of the Revised Statutes, title, "Registration of Births, Deaths, and Marriages."

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

An act authorizing judgments by default to be recorded in a separate book.

An act to authorize the Governor to appoint agents to receive moneys from soldiers in service.

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

An act to re-enact the State guard law with sundry amendments, and to reorganize the militia of this State.

An act to amend an act to fix the return day of executions.

An act to amend an act, entitled, an act to establish equity and criminal courts in the 4th judicial district.

An act to amend section 9, chapter 47, Revised Statutes, title, "Husband and Wife."

An act to fix the salaries of the adjutant and quartermaster generals.

Leave of absence, indefinitely, was granted Messrs. Gibson, Milton Young, and Chandler.

The Speaker laid before the House the resignation of Green Clay Smith, from the county of Kenton.

Which is as follows, viz:

FRANKFORT, KY., August 28, 1862.

Hon. Richard A. Buckner, Speaker of the House of Representatives:

Having been appointed to a command in the United States army, and at present in the field, I herewith tender my resignation as a member of the lower House of the General Assembly.

Most respectfully,

G. CLAY SMITH.

Mr. Rapier presented the petition of sundry citizens of Larue county, praying the passage of some relief law.

Which was received, the reading dispensed with, and referred to the committee on Propositions and Grievances.

Mr. Huston, from the committee on Revised Statutes, to whom was referred a bill from the Senate, entitled,

An act to amend the 3d article, 47th chapter, Revised Statutes, entitled, "Divorce and Alimony."

Reported the same with an expression of opinion that said bill ought not to pass.
The question was taken, "Shall the bill be engrossed and read a time?" and it was decided in the negative.
And so said bill was rejected.

Mr. Huston, from the same committee, to whom was referred a bill from the Senate, entitled,
An act to amend an act, entitled "An act to authorize circuit, equity, and criminal courts to make persons entitled to inherit as heirs at law," approved February 28, 1860,
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. Huston, from the committee on Revised Statutes, reported a bill for the benefit of Aaron Lawson, trustee of the jury fund for Edmonson 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, David P. Mears,
James W. Anderson, Daniel E. Downing, William Mercer,
Joshua Barnes, W. H. Edmunds, Thomas Z. Morrow,
Elisha Beazley, Elijah Gabbert, Richard Neel,
Joshua F. Bell, Evan M. Garriott, George Poindexter,
J. W. Blue, Remus Gibson, John Ray,
William S. Botts, Henry Griffith, Joseph Ricketts,
William A. Brann, Geo. M. Hampton, F. D. Rigney,
Leroy Brinkley, John H. Harney, George S. Shanklin,
R. J. Browne, William J. Heady, M. Smith,
Thomas S. Brown, Joseph W. Heeter, Robert A. Spalding,
Curtis F. Burnam, John M. Henry, James P. Sparks,
§ 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 Aaron Lawson, present trustee of the jury fund for Edmonson county, for the sum of one hundred and twenty-three dollars and thirty-five cents, the deficit of the jury fund at the September term of the Edmonson equity and criminal court, 1861, as shown by the former trustee, Thomas B. Mcintire's report; and that said Aaron Lawson, the present trustee, pay the same to such of the grand and petit jurors of that term of the court as have not been paid.

§ 2. That this act take effect from its passage.

Mr. Van Winkle, from the committee on the Codes of Practice, to whom was referred a bill from the Senate, entitled,

An act to amend an act, entitled, and act to regulate proceedings in civil cases.

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.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Elijah Gabbert, George Poindexter,
E. B. Bacheller, Joseph W. Hester, Hiram S. Powell,
Elisha Beazley, William Johnson, Nicholas A. Rapier,
J. W. Boone, Jas. M. C. Lisenby, Joseph Ricketts,
Robert Cochran, Alexander Lusk, F. D. Rigney,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Brutus J. Clay, David P. Mears,
Alfred Allen, Francis L. Cleveland, William Mercer,
Jonathan R. Bailey, John B. Cochran, Felix G. Murphy,
Joshua Barnes, John C. Cooper, John Ray,
Joshua F. Bell, Albert A. Curtis, George S. Shanklin,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the provisions and benefits of an act, entitled, an act to regulate proceedings in civil cases, approved March 8th, 1862, shall apply to the sureties of defendants who are in the service of the army of the United States, as fully as to the principal; they may avail themselves of its benefits by showing that their principal is in said service; and no judgment shall be rendered against such surety or sureties when judgment cannot be rendered against the principal.

§ 2. The act to which this is an amendment, and this act, shall continue in force until March 1st, 1864, and this act shall take effect from its passage.

Mr. Van Winkle moved a reconsideration of the vote by which the foregoing bill was rejected.

Bills of the following titles were reported, viz:

By Mr. Van Winkle, from the committee on the Codes of Practice—

1. A bill to authorize the suspension of circuit courts in certain cases.

By Mr. R. J. Browne, from the same committee—

2. A bill to amend section 226, of the Criminal Code of Practice.

By Mr. Heady—

3. A bill for the benefit of N. P. Saunders, police judge of Shepherdsville.

By Mr. Burnam—

4. A bill to authorize the county courts to grant guardianships to children.

By Mr. Taylor, from the committee on Ways and Means—

5. A bill for the benefit of James A. Ward, sheriff of Johnson county.

By Mr. Bush, from the committee on Claims—

6. 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,

Ordered, That the 2d and 5th bills be engrossed and read a third time; the 3d was referred to the committee on the Judiciary; the 4th to the committee on Revised Statutes; the 1st and 6th were placed in the orders of the day.

Ordered, That the Public Printer forthwith print 150 copies of the 6th bill for the use of the members of this General Assembly.

The rule of the House, constitutional provision, and third reading of the 2d and 5th 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 which originated in this House, of the following titles, viz:

An act to allow Charles Boone to erect a mill dam across the Rolling Fork of Salt river.

An act for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guard.

An act repealing all laws allowing pay for scalps of wild cats, wolves, and red foxes.

An act repealing chapter 82 of Revised Statutes, title, "Registration of Births, Deaths and Marriages."

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

An act authorizing judgments by default to be recorded in a separate book.

An act authorizing the Governor to appoint agents to receive money from soldiers in service.

Resolution of adjournment of the 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. Wickliffe, Secretary of State, announcing that he had signed and approved sundry bills of this House, of the following titles, viz:

An act to amend sections 3 and 4, article 2, chapter 17, Revised Statutes.
An act to amend article 18, chapter 36, section 4, Revised Statutes.

An act to amend an act, entitled, an act concerning the collection of the public revenue and county levy for the years 1861 and 1862.

On motion of Mr. Mercer,

Ordered, That the depositions received by the clerk of this House, together with a notice from Mr. Thomas P. Hays, contesting the seat of Mr. Mercer, be referred to the committee on Privileges and Elections, with instructions to report thereon, at 11 o'clock to-morrow.

Mr. Underwood presented a communication from W. A. Dudley, quartermaster general, in relation to purchasing the house now occupied by the Military Board, &c.,

Which was read and referred to the committee on Ways and Means.

Mr. Blue presented the petition of sundry citizens of Crittenden county, praying an enlargement of the powers of the marshal of the town of Dycusburg.

Which was received, the reading dispensed with, and referred to a select committee, viz: Messrs. Blue, Conklin, Ricketts, Van Winkle, Turner, and Griffith.

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

On motion of Mr. Ireland—1. A bill for the benefit of Benjamin F. Shepherd, of Carter county.

On motion of Mr. Mears—2. A bill for the benefit of Madison Miller, late constable of Adair county.

On motion of Mr. Taylor—3. A bill for the benefit of the North Kentucky Agricultural and Mechanical Association.

On motion of Mr. Finnell—4. A bill to provide for the payment of twenty-five dollars bounty to twelve months' Kentucky volunteers.

Ordered, That the committee on Military Affairs prepare and bring in the 1st and 4th; the committee on Ways and Means the 2d, and the committee on Claims the 3d.

Mr. Rankin, from the select committee, to whom was referred the resolution in relation to Mr. David May, representative from the counties of Letcher and Pike, made the following report, viz:

The select committee to whom was referred a resolution of this House, authorizing investigation into the conduct of David May, a representative from the counties of Pike and Letcher, have had the same under consideration, and ask leave to make the following report:

Your committee have taken the testimony of James M. Sowards, Hon. Granville Pearl, and Hiram S. Powell, which they return, in writing, along with this report. From the evidence before your commit.
A majoritv of them are of the opinion that the said David May, in the fall of 1861, joined and gave aid and comfort to a Confederate military force under command of Col. John S. Williams, whilst invading and making war upon Kentucky, and in rebellion against and endeavoring to overthrow the Government of the United States; and, from the proof before us, a majority of your committee are also of the opinion that the said May is still with the rebel forces, giving them aid and comfort, if not a member of said force. This presumption is strengthened from the fact of his long absence from this body, and which, of itself, a majority of your committee deem unexcusable neglect and abandonment of his duties as a representative. They therefore recommend the adoption of the following resolution:

Resolved, That David May be expelled from this House.

W. S. RANKIN, Chairman.

The deposition of James M. Sowards, taken upon the 20th of August, 1862, who, being first duly sworn, states as follows:

I live in the county of Pike, about six miles from the residence of David May; am well acquainted with him; the said David May was absent from his home, in the State of Virginia, for something like two months, during the fall of 1861, whilst the Federal forces under Gen. Nelson were in that region; all the secessionists of his neighborhood left their residences during the same time, and remained absent until the Federal forces were withdrawn from that region, and then returned to their homes; they—including the said David May—went off in a body, with the rebel army, under their commander, John S. Williams; whether May returned with the body of the secessionists, or shortly before or shortly after, I cannot say; it is the general belief and general rumor in the community where he lives, that the said May is a secessionist and a rebel, but I do not certainly know, of my own knowledge, that he is.

JAMES M. SOWARDS.

The foregoing deposition of James M. Sowards was taken before the select committee to inquire into the case of David May, member from the counties of Pike and Letcher, on the 29th of August, 1862, G. S. Shanklin and W. S. Rankin, of the committee, being present.

The deposition of Hon. Granville Pearl, taken before the select committee in the case of David May, member of this House from the counties of Pike and Letcher, on the 28th of August, 1862, who being first duly sworn states as follows:

Question—Are you acquainted with David May, and have you any knowledge or information as to where he is, or what he is doing, or of his having any connection with the rebel army or government in any of its forms?

Answer—I know nothing of my own knowledge in relation to D. W. May, the representative from Pike and Letcher; Letcher county is in my judicial district; I have seen several citizens from Letcher recently, and they informed me that D. W. May was in the so-called southern, and probably belonged to the rebel army; I have no doubt but he is a rebel, and has violated the oath that he took when he entered upon the duties of the office of representative.

GRANVILLE PEARL.
Also, the deposition of H. S. Powell, taken in the same case and at the same time.

Question—Have you or not any knowledge of where David May, member from Pike and Letcher is, or what he is doing, or if he is sympathising with or aiding or abetting the rebellion?

Answer—In September last I had a conversation with the said May, whilst he was a member of this House from the counties of Pike and Letcher; the conversation occurred in the city of Frankfort; he said, in the conversation alluded to, that the independence of the southern confederacy ought to be recognized; that there ought to be a division; that the Government could never whip the South. I have not given the precise words, but the substance of the conversation; he was earnest in his manner. He said further, that he believed a majority of the citizens of Kentucky were in favor of dissolving the Union, and would so vote if they had an opportunity. The said May was in attendance upon the sitting of the Legislature commencing in September last, and also for some six to ten days during the latter part of the last sitting before this, but was not present during the November sitting. I have been told by many persons of respectability and veracity, from his immediate neighborhood, that he went off and remained with the rebel army under John S. Williams, for a month or two last fall; some of the persons alluded to said they saw him with Williams; one of these persons, (Dr. Turpin, of Letcher,) was taken prisoner by Williams' forces, and whilst there saw May with the army. These persons told me that he went with Williams and his forces down towards Paintsville, and remained with them there until the Federal forces drove them back into Virginia, and then accompanied them there. I have no information as to where he is now.

HIRAM S. POWELL.

The foregoing depositions of Hon. Granville Pearl and Hiram S. Powell were taken on the 28th of August, 1862, before the select committee to whom was referred a resolution of this House authorizing inquiry and investigation into the conduct of David May, member from the counties of Pike and Letcher.

W. S. RANKIN, Chairman.

The question was then taken upon adopting said report and resolution, and it was decided in the affirmative.

Mr. Sparks moved the following resolution, viz:

Resolved, That the thanks of this House, and all good, loyal and peaceable citizens, are due, and are hereby tendered, to the people in and around Mt. Sterling, the home guards, and all others, for killing, wounding, dispersing, and capturing the guerrillas and rebels who were attempting to join or make their way to the rebel army, or to join John Horse-thief Morgan.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Martin read and laid on the table the following joint resolution,
Whereas, The city of Louisville has so nobly and generously tendered to this Commonwealth a capitol edifice worthy of the advanced progress and development of the State; and the State herself, in her goodly hands, most lovely daughters—beauteous as the great Architect of the Universe in the perfection of His handy work could make them—her unsurpassed renown in the bravery and valor of her sons, is worthy of all things. Therefore,

Be it resolved, That a committee of three upon the part of the House, and two upon the part of the Senate, is ordered to be raised, to take into consideration the propriety of removing the capital of this State to the city of Louisville.

Mr. Conklin, from the committee on Claims, to whom was referred the communication from the Military Board in relation to the damage done the fair-grounds, &c., near Lexington, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Conklin, from the committee on Claims, to whom was referred a bill and amendments, entitled,

An act creating the soldiers' relief fund,

Asked to be discharged from the further consideration thereof.

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

The yeas and nays being required thereon by Messrs. Taylor and Jas. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Conklin, from the same committee, reported back to the House the bill and amendments, entitled,
An act creating a soldiers' relief fund.
With the expression of opinion that said bill ought not to pass.
The question was then taken upon adopting the amendment offered by Mr. Taylor, and it was decided in the affirmative.
Mr. Rankin moved an amendment.
On motion of Mr. Rankin,
Ordered, That said bill and amendments be recommitted to the committee on Ways and Means.
The yeas and nays being required thereon by Messrs. Rousseau and Martin, were as follows, viz:

Those who voted in the affirmative, were—
Alfred Allen, William L. Conklin, David P. Mears, John C. Cooper, William Mercer,
Joshua F. Bell, Daniel L. Cooper, Felix G. Murphy,
John W. Blue, W. H. Edmunds, Richard Neel,
William S. Botts, Evan M. Garriott, Hiram S. Powell,
William A. Brann, Henry Griffith, William S. Rankin,
Curtis F. Burnam, George M. Hampton, John Ray,
E. F. Burns, John H. Harney, Joseph Ricketts,
W. P. D. Bush, Jacob Hawthorne, F. D. Rigney,
James Calvert, William J. Heady, Robert A. Spalding,
Cyrus Campbell, John M. Henry, James P. Sparks,
A. B. Chambers, William J. Heady, Joseph R. Underwood,
Joseph H. Chandler, John M. Henry, Willie Waller,
Brutas J. Clay, Jas. M. C. Lisenby, Alexander T. White,
Francis L. Cleveland, Jonas Martin, Milton Young—46.
John B. Cochran, P. L. Maxey,
Robert Cochran,

Those who voted in the negative, were—
Mr. Speaker, (Buckner,) Albert A. Curtis, Thomas W. Owings,
Jas. W. Anderson, John W. Finnell, Nicholas A. Rapier,
R. C. Anderson, Elijah Gabbert, James A. Rousseau,
E. B. Bacheller, Remus Gibson, George S. Shanklin,
Jonathan R. Bailey, Joseph W. Heeter, Harrison Taylor,
Joshua Barnes, William C. Ireland, Thomas Turner,
Elisha Beazly, Daniel W. Johns, Zeb. Ward,

Joseph H. Chandler, J. M. Jones,
Mr. Botts, from the committee on the Judiciary, to whom was referred leave to bring in a bill concerning misdemeanors by 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. Owings moved 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.

Mr. Taylor, from the committee on Ways and Means, to whom was referred a bill and amendments, entitled,

An act creating a soldiers' relief fund,

Reported the same.

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 the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John C. Cooper, Richard Neel,
Alfred Allen, Albert A. Curtis, Thomas W. Owings,
Jas. W. Anderson, John W. Finnell, George Poindexter,
R. C. Anderson, Elijah Gabbert, William S. Rankin,
E. B. Bacheller, Remus Gibson, Nicholas A. Rapier,
Jonathan R. Bailey, John H. Harney, John Ray,
Joshua Barnes, Jacob Hawthorne, Joseph Ricketts,
Elisha Beazley, William J. Heady, F. D. Rigney,
John C. Beeman, Joseph W. Heeter, James A. Rousseau,
Joshua F. Bell, John M. Henry, George S. Shanklin, John M. Henry,
William S. Botts, John B. Huston, James P. Sparks,
William A. Brain, William C. Ireland, Harrison Taylor,
Leroy Brinkley, Daniel W. Johns, John R. Thomas,
R. J. Browne, J. M. Jones, Thomas Turner,
Thomas S. Brown, Urban E. Kennedy, Jos. R. Underwood,
Curtis F. Burnam, Perry S. Layton, John S. Van Winkle,
James Calvert, J. M. C. Lisenby, Willie Walker,
Cyrus Campbell, Alexander Lusk, W. W. Waring,
Jos. H. Chandler, Jonas Martin, Alex. T. White,
Brutus J. Clay, William Mercer, Nathaniel Wolfe,
Francis L. Cleveland, Otho Miller, Bryan R. Young—65.
John B. Cochran, Thomas Z. Morrow,

Those who voted in the negative, were.

J. W. Boone, Daniel E. Downing, David P. Mears,
E. F. Burns, W. H. Edmunds, Felix G. Murphy,
W. P. D. Bush, Evan M. Garriott, Robert A. Spalding,
A. B. Chambers, Henry Griffith, Zeb. Ward,
Robert Cochran, Geo. M. Hampton, Milton Young—17.
William L. Conklin, P. L. Maxey,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That for the year 1862, and for every year thereafter during the
continuance of the present war, there shall be levied and collected as
other public revenue, upon the property within this commonwealth
subject to taxation for revenue purposes, the sum of five cents upon
each one hundred dollars in value thereof. The funds arising from
such taxation shall be known as the "soldier's relief fund," and shall
be devoted to the support and maintenance of the families of deceased
and indigent officers and soldiers who have or may hereafter enter the
service of the United States or the State of Kentucky, in the manner
hereinafter directed.

§ 2. That it shall be the duty of the several sheriffs and collectors of
the public revenue for the year 1862, upon the assessed value of the
taxable property for the year 1862, as soon as may be after this act
takes effect, to proceed immediately to the collection of said tax; and
for the subsequent years said tax shall be collected at the same time
and in the same manner the other public revenue is by law required to
be collected. The sheriffs and collectors for the year 1862, before they
proceed with said collections, shall appear in the county courts of their
respective counties and execute bond with approved security, coven-
anting that they will faithfully collect and account for said tax. Bonds
with security, for the collection of the tax for the subsequent years,
shall be executed at the same time bonds for the collection of the pub-
lic revenue are required by law to be executed. The sheriff or col-
lector shall be allowed the same commissions for collecting the taxes
imposed by this act, that are allowed for collecting the public revenue;
and for any misconduct or defalcation such officer may be proceeded
against in the Franklin circuit court in the manner prescribed by law
against defauling officers in the collection of the public revenue.
§ 3. If any sheriff or collector shall fail or refuse to execute the required bond for the collection of the taxes imposed by this act, for the year 1862, he may, for such failure or refusal, be dismissed from office; and thereafter, if the sheriff fails or refuses to execute such bond, he shall forfeit his office, and shall not be allowed to qualify as sheriff.

§ 4. The taxes collected under the provisions of this act shall be paid into the public treasury of this commonwealth, and shall be kept distinct from the other moneys of the State.

§ 5. The tax for the year 1862 shall all be collected and paid into the treasury by the first day of February, 1863: Provided, however, It shall be the duty of the sheriff or collector to pay said taxes into the treasury whenever his collections may amount to the sum of two hundred dollars.

§ 6. It shall be the duty of the presiding judges of the several counties, with the clerk of the county court and sheriff, to ascertain and make a list of the names of all soldiers in the service, or who may hereafter enter the service, resident within their county, and whether such soldiers have families consisting of a wife and children, or either, resident in the county; and the names of soldiers, if any, resident in other counties, whose families may have removed into their county; the names and number of the members of the family; and whether such family, or any member of it, are unable to provide themselves with fuel, food, and clothing, or either, in the absence of such soldier; and all such families and members of the family so found unable to provide these necessaries shall be supplied therewith as hereinafter provided, according to their several wants.

§ 7. The names and lists required by the preceding section shall be furnished to the auditor of public accounts; and a similar list shall be deposited in the clerk's office of the county court. This list shall be annually revised by the judges, clerks and sheriffs aforesaid, and corrected if, at the time, inaccurate.

§ 8. The adjutant general shall make out and publish from the rolls in his office, a list of the officers and soldiers who have or may enter the service, by regiments and companies, and furnish each county with at least five copies thereof, to assist the judges, clerks and sheriffs in making the list required of them and to prevent imposition. The funds shall be set apart by the auditor of public accounts to each county in the State according to the number of indigent families reported by the judges, clerks and sheriffs.

§ 9. The county court of each county shall appoint a treasurer of said fund, and to whom the proportion of the county shall be paid out of the treasury upon the order of the county court; and the fund shall be distributed to the persons entitled thereto by the order of the county court according to their respective wants, and in such manner as said court may deem most advisable, an account of which shall be kept, and annually reported to the auditor.

§ 10. The treasurer of the county shall give bond in the county court, with approved security, covenanting that he will faithfully keep said funds and pay the same over upon the order of the county court.

§ 11. The duties imposed by this act upon the judges, clerks and
sheriffs shall be deemed a part of their official duties, and the services required of them shall be performed without compensation.

§ 12. Any one who shall embezzle the "soldier's relief fund," or any part thereof, shall be deemed guilty of felony, may be indicted and tried therefor as other felonies are indicted and tried, and upon conviction thereof shall be punished by confinement in the penitentiary for any period not less than one, nor more than five years.

§ 13. The county court, the better to secure the prompt and faithful execution of this act, shall have power and authority, by its orders, to require the sheriff, jailer, coroner, assessor, surveyor, justices of the peace or constables in their respective counties, to render such services under this act as may be required in aid of its purposes, without compensation therefor; and any such officer failing and refusing to obey such order, may be indicted therefor in the circuit court and, if convicted, fined any sum not exceeding fifty dollars.

§ 14. A poll tax upon each white tithable shall during the continuance of the present war, be annually levied by the court of claims, which shall be collected, paid into the public treasury, applied to the same purposes and distributed in the same manner as the other taxes imposed by this act: 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.

§ 15. This act shall take effect from its passage.

Mr. Lusk moved to reconsider the vote by which the foregoing bill was passed.

Mr. Taylor moved to lay said motion on the table.

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

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

Resolved, That the members of this Legislature do appropriate their mileage and per diem to a fund for the relief of the families of the soldiers now in the field, (those only to receive any part of said fund who are indigent;) and it shall be the duty of each member to ascertain if there be any such families in his county or counties, and see that they get their proper proportion of the amount of this appropriation.

Mr. Underwood, from the committee on Military Affairs, reported a bill to increase the salary of the Quartermaster General, and to allow him to employ a clerk.

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, from the same committee, to whom was referred a bill, entitled,
An act to provide for paying the arrears of pay due deceased soldiers to their widows or heirs.

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 amend said bill by adding an additional section, viz:

"That the fund appropriated by this act shall not be subject to attachment or any legal process for the payment of debts due and owing by the dead or disabled soldier."

Which amendment was adopted.

Mr. Finnell moved to amend as follows, viz:

"That the provisions of this act shall be and are hereby extended to the regiments recruited in and for Kentucky, known as independent acceptances."

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 the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John C. Cooper, Felix G. Murphy,
Alfred Allen, Albert A. Curtis, Richard Neel,
James 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 Gabbert, William S. Rankin,
Joshua Barnes, Remus Gibson, Nicholas A. Rapier,
Elisha Beazley, Henry Griffith, John Ray,
John C. Beeman, John H. Harney, Joseph Ricketts,
Joshua F. Bell, Jacob Hawthorne, F. D. Rigney,
J. W. Blue, William J. Head, James A. Rousseau,
J. W. Boone, Joseph W. Heeter, George S. Shanklin,
William S. Botts, John M. Henry, Robert A. Spalding,
William A. Brann, John B. Huston, James P. Sparks,
Leroy Brinkley, William C. Ireland, Harrison Taylor,
R. J. Browne, Daniel W. Johns, John R. Thomas,
Thomas S. Brown, James M. Jones, Thomas Turner,
Curtis F. Burnam, Urban E. Kennedy, Joseph R. Underwood,
W. P. D. Bush, Perry S. Layton, John S. Van Winkle,
James Calvert, James M. C. Lisenby, Willie Waller,
A. B. Chambers, Alexander Lusk, Zeb. Ward,
Joseph H. Chandler, Jonas Martin, W. W. Warring,
Brutus J. Clay, P. L. Maxey, Alex. T. White,
Francis L. Cleveland, David P. Mears, Nathaniel Wolf,
John B. Cochran, William Mercer, Bryan R. Young,
Robert Cochran, Otho Miller, Milton Young—80.
William L. Conklin, Thomas Z. Morrow,

Those who voted in the negative, were—


Said bill reads as follows:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Adjutant General be and he is hereby authorized to adjust and settle the amounts, and to ascertain how much is due to any soldier who may have entered the service of the State, under an act, entitled, an act to raise volunteer forces to repel the invasion of the State, and for other purposes, passed September 30th, 1861, and an act supplemental thereto, approved October 1st, 1861, and who died before being mustered into the service of the United States, or who are now living, but were discharged before entering the service of the United States, for disability or other good cause; and upon ascertaining the amount so due the same shall be paid to the widow of the deceased soldier, if he left a widow, and if he did not, then to his heir or heirs at law.

§ 2. The sums found to be due under the first section of this act shall be paid by warrant, to be drawn on the treasurer in favor of the widow or heir, by the auditor, upon filing with him the account settled and allowed by the adjutant general. The funds appropriated by this act shall not be subject to attachment or any legal process for the payment of debts due and owing by the dead or disabled soldier.

§ 3. That the provisions of this act shall be and are extended to the regiments recruited in and for Kentucky, known as independent acceptances.

§ 4. This act shall take effect from and after its passage.

Mr. Underwood, from the same committee, reported the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the President of the United States be and he is hereby respectfully requested, to cause Lucius Desha, a member of the House of Representatives of this Legislature, and all other citizens of this Commonwealth who have been arrested without warrant, and are now confined in military prisons; to be placed upon trial before the proper examining tribunal, so that it shall be ascertained whether there be any just and legal cause for their imprisonment, and if none be found that they be discharged.

Resolved, That the Governor be requested to forward a copy of this resolution to the President of the United States.

Mr. Huston moved to refer said resolution to the committee on Federal Relations.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen,  William J. Heady,  Richard Neel,
Jas. W. Anderson, Joseph W. Heeter,  George Poindexter,
E. B. Bacheller,  John B. Huston,  Wm. S. Rankin,
Joshua Barnes, William C. Ireland,  Joseph Ricketts,
Elisha Beazley,  J. M. Jones,  F. D. Rigney,
John C. Beeman, Urban E. Kennedy,  George S. Shanklin,
James Calvert,  Perry S. Layton,  James P. Sparks,
Brutus J. Clay,  Jas. M. C. Lisenby,  John R. Thomas,
John W. Finnell,  Alexander Lusk,  John S. Van Winkle,
Remus Gibson,  Otho Miller,  Alex. T. White,
Jacob Hawthorne,  Thomas Z. Morrow,  Bryan R. Young—33.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John B. Cochran,  William Mercer,
R. C. Anderson, Robert Cochran,  Felix G. Murphy,
Jonathan R. Bailey, William L. Conklin,  Nicholas A. Rapier,
Joshua F. Bell,  John C. Cooper,  John Ray,
John W. Blue, Daniel E. Downing,  James A. Rousseau,
J. W. Boone, W. H. Edmunds,  Robert A. Spalding,
William S. Botts, Elijah Gabbert,  Harrison Taylor,
William A. Brann, Evan M. Garriott,  Thomas Turner,
Leroy Brinkley,  Henry Griffith,  Jos. R. Underwood,
R. J. Brown, Geo. M. Hampton,  Willie Waller,
Curtis F. Burnam, John M. Henry,  Zeb. Ward,
E. F. Burns, Jonas Martin,  W. W. Warring,
W. P. D. Bush, P. L. Maxey,  Nathaniel Wolfe,
A. B. Chambers,  David P. Mears,  Milton Young—43.

Mr. Finnell moved the following as a substitute for Mr. Underwood's resolution, viz:

Resolved, That the President of the United States be requested, upon the application of the Governor of Kentucky, to associate a citizen of Kentucky with such person or persons as may have been, or may hereafter be appointed, to investigate the causes of arrest of political prisoners citizens of Kentucky, who are now or who may hereafter be confined in any of the prisons or camps of the United States.

Mr. Rankin moved to postpone the further consideration of said resolution and substitute until to-morrow at 11 o'clock, and to be made a special order for that time, and that the Public Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.
And the question being taken thereon, it was decided in the affirmative.

Mr. Underwood, from the same, also reported the following resolution, viz:

Resolved, That the Governor be and he is hereby requested to issue orders for the election of all general and field officers, and for the organization of the militia in accordance with the act to amend the Militia law, approved 17th of March, 1862.

On motion of Mr. Allen,
Ordered, That the further consideration thereof be postponed for the present.

Mr. Underwood, from the same committee, to whom was referred a bill, entitled,

An act to re-enact the State guard law, with sundry amendments, and to organize the militia of the State,

Reported the same, with the expression of opinion that said bill ought not to pass.

Mr. Burnam moved to lay the bill upon the table.

Mr. Huston moved a call of the House.

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

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

Those who voted in the affirmative, were—


Elijah Gabbert, Otho Miller,

Those who voted in the negative, were—

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

**Those who voted in the affirmative, were—**


**Those who voted in the negative, were—**


The roll was then called, and the following members answered, and were present, viz:

Mr. Cleveland moved to dispense with the further call of the House.

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

The question was then taken upon Mr. Burnam's motion to lay on the table, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Burnam and Martin, were as follows, viz:—

Those who voted in the affirmative, were—

Jas. W. Anderson,    James Calvert,    Felix G. Murphy,
Joshua Barnes,       Cyrus Campbell,    R. A. Spalding,
John C. Beeman,      A. B. Chambers,    John R. Thomas,
Joshua F. Bell,      Brutus J. Clay,    J. R. Underwood,
William A. Braunn,   Remus Gibson,      W. W. Waring,
R. J. Browne,        John H. Harney,     Alex. T. White—22.
Curtis F. Burnam,    John M. Henry,     Mr. Heady moved sundry amendments.
W. P. D. Bush,       

Those who voted in the negative, were—

Mr. Speaker, (Buckner,)     Elijah Gabbert,     George Poindexter,
Alfred Allen,               Evan M. Garriott,    Hiram S. Powell,
R. C. Anderson,             Henry Griffith,      William S. Rankin,
Jonathan R. Bailey,         Geo. M. Hampton,    Nicholas A. Rapier,
Elisha Beazly,              Jacob Hawthorne,    John Ray,
J. W. Blue,                 William J. Headly,    Joseph Ricketts,
Leroy Brinkley,             Joseph W. Heeter,    F. D. Rigney,
Thomas S. Brown,            John B. Huston,      James A. Rousseau,
E. F. Burns,                William C. Ireland,  Geo. S. Shanklin,
Joseph H. Chandler,         James M. Jones,     M. Smith,
Francis L. Cleveland,       Urban E. Kennedy,   James P. Sparks,
Robert Cochran,             Perry S. Layton,    Harrison Taylor,
William L. Conklin,         Jas. M. C. Lisenby,  John S. Van Winkle,
John C. Cooper,             Alexander Lusk,     Zeb. Ward,
Albert A. Curtis,           Jonas Martin,       Nathaniel Wolfe,
John W. Finnell,            Thomas Z. Morrow,   

Mr. Heady moved sundry amendments.

On motion of Mr. Heady,

Ordered, That the further consideration of said bill be postponed, and made special order for 11 o'clock to-morrow, and that the Public
Printer forthwith print 150 copies thereof for the use of the members of this General Assembly.

Mr. Allen moved the following resolution, viz:

Resolved, That the committee on Ways and Means be instructed to inquire into the propriety of bringing in a bill creating the office of Soldiers' Solicitor; providing for the appointment by the Governor of a suitable person to present and advocate, before the Government, the claims of living Kentucky soldiers and of the heirs and representatives of those who have died in the service. The bill also to provide for the payment of the said officer, either by salary or by a fixed percentage on the claims secured.

Which was adopted.

The House took up a bill from the Senate, 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 28th, 1860.

Mr. Underwood 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 substitute proposed by the committee on Education to 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. Lusk moved to strike out of the 1st section of the substitute the words "be chosen by joint ballot of the General Assembly," and insert "be nominated by the Governor and confirmed by the Senate."

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Henry Griffith, John Ray,
Alfred Allen, George M. Hampton, Joseph Ricketts,
R. C. Anderson, John H. Harney, James A. Rousseau,
Jonathan R. Bailey, William J. Heady, George S. Shanklin,
John C. Beeman, John M. Henry, M. Smith,
John W. Blue, Daniel W. Johns, Robert A. Spalding,
J. W. Boone, J. M. Jones, Harrison Taylor,
Those who voted in the negative, were—

Jas. W. Anderson, Brutus J. Clay, David P. Mears,
E. B. Bacheller, Francis L. Cleveland, William Mercer,
Joshua Barnes, William L. Conklin, Felix G. Murphy,
Elisha Beazly, Joel C. Cooper, William S. Rankin,
Joshua F. Bell, Albert A. Curtis, Nicholas A. Rapier,
Leroy Briskley, W. H. Edmunds, F. D. Rigney,
R. J. Browne, Elijah Gabbert, James P. Sparks,
Curtis F. Burnam, Evan M. Garriott, Zeb. Ward,
E. F. Burns, Jacob Hawthorne, Alexander T. White,
James Calvert, Joseph W. Heeter, Milton Young—32.
Cyrus Campbell, John B. Huston.

Mr. Warring moved to strike out figures "$125" in said bill, and insert "$140" in lieu thereof.

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

Mr. Heeter moved to amend the bill by fixing the salary of the superintendent at $1,000.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, David P. Mears,
Jas. W. Anderson, John W. Finnell, William Mercer,
E. B. Bacheller, Elijah Gabbert, Hiram S. Powell,
John W. Blue, Jacob Hawthorne, William S. Rankin,
R. J. Browne, William J. Heady, Joseph Ricketts,
Thomas S. Brown, Joseph W. Heeter, James P. Sparks,
James Calvert, John M. Henry, John R. Thomas,
Jos. H. Chandler, Daniel W. Johns, Zeb. Ward,
Francis L. Cleveland, Jas. M. C. Lisenby,

Those who voted in the negative, were—

Alfred Allen, A. B. Chambers, George Poindexter,
R. C. Anderson, Robert Cochran, John Ray,
Jonathan R. Bailey, William L. Couiklin, F. D. Rigney,
Joshua Barnes, Albert A. Curtis, James A. Rousseau,
Mr. Bush moved to strike out the word "elected," and insert "appointed" in lieu thereof.

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

Mr. Bush 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 adoption of the substitute, as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

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<th>Mr. Speaker, (Buckner)</th>
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The question was then taken upon the passage of the bill as amended, 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—


Robert Coehran,

In the negative—none.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the commissioners of said institution shall be five in number and no more, of whom three shall constitute a quorum, and may all be residents of any one county in this State; and they shall be nominated by the Governor and confirmed by the Senate, and they, and each of them, shall hold their office as such for the term of four years and until their successors shall be appointed and qualified.
§ 2. Said commissioners shall, before they enter upon their duty, and in addition to the oath required by the 3d section of the act to which this is an amendment, take an oath before some properly authorized officer to support the Constitution of the United States and the State of Kentucky, and to be true and faithful to said State so long as they continue to be citizens thereof.

§ 3. That so much of the 7th section of the act to which this is an amendment, as appropriates for the support of each pupil the sum of $150 per annum be repealed, and, in lieu thereof, the sum of $125 for said purpose, as provided in said act, be and the same is hereby appropriated for each pupil, payable as in said act is provided.

§ 4. So much of the act of 11th February, 1860, to which this is an amendment, as is inconsistent herewith, is repealed.

§ 5. This act to be of force from its passage.

The House then took up the Senate bill, entitled,

An act to re-enact the State Guard law, with sundry amendments, and to organize the militia of the State,

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

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

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

Mr. Burnam moved the following resolution, viz:

Resolved, That the use of this Hall be granted to Gen. C. M. Clay, to address the people, to-morrow night at 7½ o'clock, on the subject of the existing war.

Which was adopted.

Mr. Finnell, from the committee on Military Affairs, to whom was referred leave, reported a bill to provide for the pay of twenty-five dollars bounty to twelve months' Kentucky volunteers.

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 the 2d bill by the Constitution, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, Thomas Z. Morrow,
Alfred Allen, John C. Cooper, Thomas W. Owings,
Jas. W. Anderson, Albert A. Curtis, George Poindexter,
R. C. Anderson, Daniel E. Downing, Hiram S. Powell,
E. B. Bacheller, John W. Finnell, William S. Rankin,
Jonathan R. Bailey, Elijah Gabbert, Nicholas A. Rapier,
Joshua Barnes, Henry Griffith, John Ray,
Elisha Beazly, John H. Harney, Joseph Ricketts,
John C. Beeman, Jacob Hawthorne, F. D. Rigney,
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J. W. Boone, John M. Henry, James P. Sparks,
William S. Botts, John B. Huston, Harrison Taylor,
William A. Brann, William C. Ireland, John R. Thomas,
Leroy Brinkly, Daniel W. Johns, Joseph R. Underwood,
R. J. Browne, J. M. Jones, John S. Van Winkle,
Thomas S. Brown, Urban E. Kennedy, Willie Waller,
Curtis F. Burnam, Perry S. Layton, Zeb. Ward,
James Calvert, Jas. M. C. Lisenby, W. W. Waring,
Cyrus Campbell, Alexander Lusk, Alexander T. White,
Joseph H. Chandler, Jonas Martin, Nathaniel Wolfe,
Brutus J. Clay, David P. Mears, Bryan R. Young,
Francis L. Cleveland, William Mercer, Milton Young—71.
Robert Cochran, Otho Miller,

Those who voted in the negative, were—

E. F. Burns, W. H. Edmunds, Felix G. Murphy,
A. B. Chambers, Geo. M. Hampton,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That the Adjutant General of the State of Kentucky be directed
to cause to be paid to the twelve month's mounted volunteers recruited
under the late call of the United States, who may be mustered into
the service of the United States, the sum of twenty-five dollars each,
at the time they shall be so mustered, or at the earliest convenient
day thereafter: Provided, That the sum so paid shall be regarded as in
lieu of all claim for bounty from the United States to which they may
be entitled under and by virtue of their act of enlistment: Provided,
also, That the payment of said sum shall not prejudice their claim to
the one month's advance pay heretofore provided for.

§ 2. That for the purpose of executing this law the Adjutant Gen-
eral is authorized to draw his warrant on the military fund for a sum
sufficient to make the payments herein ordered, and that he file the rec-
ceipts or pay rolls therefor in the pay department of his office for exa-
imination and inspection.

§ 3. This act to take effect from its passage.
Mr. Huston moved the following resolution, viz:

Resolved, That the committee on Ways and Means consider and report on the propriety of so changing the existing laws authorizing the raising of money by borrowing, as to make it lawful to issue the State bonds in denominations as low as $50.

And then the House adjourned.

SATURDAY, AUGUST 30, 1862.

William Bowling, elected to fill the vacancy occasioned by the resignation of Mr. Stephen J. England, from the counties of Carter and Rowan, appeared, and having taken the oath prescribed by the Constitution, took his seat.

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

An act to abolish the August term of the Washington circuit court.
An act concerning the jail of Harlan county, and for other purposes.
An act creating the office of Corresponding Secretary of State.
An act for the benefit of Aaron Lawson, trustee of the jury fund of Edmonson county.
An act to amend the act concerning trustees, police judge and town marshal of Greenville.
An act for the benefit of R. S. Peters, clerk of the Washington county court.
An act for the benefit of the securities of M. H. Dickerson, late sheriff of Barren county, and the present collector of the revenue of said county.
An act to provide for paying the arrears of pay due deceased soldiers to their widows and heirs.
An act to provide for the payment of twenty-five dollars bounty to twelve months' Kentucky volunteers.
An act to amend section 226, of the Criminal Code of Practice.
An act to amend an act, entitled, an act to establish an institution for the education of idiots and feeble-minded children.

An act to change the voting place in district No. 2, in Monroe county.

An act for the benefit of James P. Chambers, clerk of the Jefferson circuit court.

An act to change the county lines between the counties of Grant and Owen.

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

An act for the benefit of William Mellens, late sheriff of Wayne county.

An act to amend the charter of the United Irish Association, of Maysville.

An act to amend the charter of the Maysville and Orangeburg and Mt. Carmel turnpike road company.

An act appropriating money to Geo. W. Matthews, Joseph Hickman, and Thomas Montgomery.

An act for the benefit of Olive Branch Methodist Episcopal Church, South, in Shelby county.

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

An act to provide for the election of mayor and other officers of the city of Henderson.

An act for the benefit of James A. Ward, sheriff of Johnson county.

With an amendment to the last named bill.

Which amendment was concurred in.

That they had concurred in an amendment proposed by this House to a bill from the Senate, entitled,

An act to amend an act, entitled, an act to authorize equity, circuit, and criminal courts to make persons entitled to inherit as heirs at law, approved February 28, 1860.

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

An act to repeal an act regulating navigation on the Kentucky river.

An act to protect the State house from injury.

An act to create a soldiers' relief fund for Bourbon county.
An act to amend an act, entitled, an act to amend the Revised Statutes in regard to filling vacancies in the office of sheriff, approved February 26, 1862.

Resolution in relation to printing acts of the present General Assembly.

That they 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 dispense with the Military Board.

An act to amend the penal laws.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills of this House, of the following titles, viz:

An act requiring certain officers of this Commonwealth to take an oath of office.

An act to amend section 7, article 3, chapter 91, Revised Statutes, title, sheriffs, jailers, and coroners.

An act concerning the jail of Harlan county, and for other purposes.

An act to amend an act, entitled, an act for the benefit of James G. Eden, approved March 1, 1860.

An act to abolish the August term of the Washington circuit court.

An act to provide for the payment of twenty-five dollars bounty to twelve months' Kentucky volunteers.

Also, a bill from the Senate, 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.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

Mr. Rankin presented the petition of G. W. Berry, provost marshal of Harrison county, praying compensation for services rendered.

Which was received, the reading dispensed with, and referred to the committee on Ways and Means.

Mr. Ireland, from the committee on Privileges and Elections, to whom was referred the notice and depositions taken in the case of Thomas P. Hays, contesting the seat of William Mercer, from the county of Ballard, made the following report, viz: 134
The committee on Privileges and Elections, to whom was referred the notice of Thomas P. Hays to William Mercer, notifying the latter that his right to a seat in this body as a representative from the county of Ballard would be contested, together with the proof taken by the parties, would report:

That, so far as we know, the said Thomas P. Hays has not been in Frankfort since the meeting of the Legislature, and has, in the opinion of the committee, abandoned the proceeding.

In justice to Mr. Mercer the committee deem it their duty to say, that the ground stated in the notice, upon which his right to a seat as representative from the county of Ballard, would be contested, is that of "disloyalty to the Government of the United States." This charge is attempted to be sustained on the ground that Mr. Mercer permitted the use of his name by the States' rights party in opposition to Hays, who was the nominee of the Union party.

The proof establishes the fact that Mr. Mercer's name was used not only without his consent, but in opposition to his wishes, and against his earnest protestation.

Under these circumstances Mr. Mercer received a majority of the votes cast, and in the precinct where he resides the entire Union vote, except his own, which was cast for Hays.

As to the charge of disloyalty, the committee is of opinion that it is wholly unsustained by proof, indeed, the testimony taken by the contestant establishes Mr. Mercer's loyalty.

The proof shows that during all our troubles, growing out of this wicked and unnatural rebellion, Mr. Mercer has been a leading and influential Union man; unconditional in his devotion to the Union cause; and for which he was imprisoned by the so-called Confederate Government.

The testimony so abundantly establishes the loyalty of Mr. Mercer, as not to leave on the mind of the committee, a shadow of doubt.

The question was taken upon concurring in said report, and it was decided in the affirmative.

Ordered, That said committee be discharged from the further consideration thereof.

Mr. Clay reported the following bill, viz:

An act regulating the fees of provost marshals.

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

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

Ordered, That said bill be referred to a select committee composed of Messrs. Clay, Barnes, and Owings.

Mr. Underwood, from the committee on Military Affairs, to whom was refered the memorial of Lucius Desha and others, prisoners at Camp Chase, &c., reported the following resolutions, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the President of the United States be and he is hereby respectfully requested to cause Lucius Desha, a member of the House of Representatives of this Legislature, and all other citizens of this Commonwealth who have been arrested without warrant, and are now confined in military prisons, to be placed upon trial before the proper examining tribunal, so that it shall be ascertained whether there be any just and legal cause for their imprisonment, and if none be found that they be discharged.

Resolved, That the Governor be requested to forward a copy of this resolution to the President of the United States.

Mr. Finnell moved the following as a substitute for said resolution, viz:

Resolved, That the President of the United States be requested, upon the application of the Governor of Kentucky, to associate a citizen of Kentucky with such person or persons as may have been, or may hereafter be, appointed to investigate the causes of arrest of political prisoners, citizens of Kentucky, who are now, or who may be hereafter confined, in any of the prisons or camps of the United States.

Mr. Bush offered the following as an amendment to the substitute offered by Mr. Finnell, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the President of the United States be and he is hereby respectfully requested to cause Lucius Desha, a member of the House of Representatives of this Legislature, and all other citizens of this Commonwealth, who have been arrested without warrant, and are now confined in military prisons, to be placed upon trial before the proper examining tribunal, so that it shall be ascertained whether there be any just and legal cause for their imprisonment, and if none be found, that they be discharged.

Resolved, That the Governor be requested to forward a copy of these resolutions to the President of the United States.

Mr. Lusk moved to lay the amendment, substitute, and original 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. Martin and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,     James Calvert,     Alexander Lusk,
Jas. W. Anderson,  Cyrus Campbell,  Otho Miller,

Those who voted in the negative, were—

The question was then taken upon adopting the amendment offered by Mr. Bush, and it was decided in the negative.

Mr. Bell moved an amendment providing for the immediate release of those confined without cause.

Which was adopted.

Mr. Huston moved an amendment providing for procuring the release of citizens of Kentucky, confined in Southern States.

Which amendment was adopted.

The question was then taken upon adopting the substitute of Mr. Finnell, as amended, and it was decided in the affirmative.

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

The House again resumed the consideration of the resolution offered by Mr. Huston on yesterday, in relation to borrowing money.

Ordered, That said resolution be adopted.

Bills from the Senate of the following titles, viz:
1. An act to amend an act, entitled, an act to amend the revenue laws of this State, approved February 28, 1862.
2. An act for the benefit of the banks of this State.
3. An act to amend an act to fix the return day of executions.
4. An act to amend an act, entitled, an act to establish equity and criminal courts in the 4th judicial district.

5. An act to repeal an act regulating navigation on the Kentucky river.

6. An act to create a soldiers' relief fund for Bourbon 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 the 4th and 6th bills be read a third time.

The 1st was referred to the committee on Ways and Means; the 2d to the committee on Banks; the 3d to the committee on the Judiciary, and the 5th was made the special order for 10 ½ o'clock on Monday next.

The rule of the House, constitutional provision, and third reading of the 4th and 6th 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 from the Senate, entitled,

An act to amend section 9, chapter 47, Revised Statutes, title, "Husband and Wife."

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,

The question was taken on dispensing with the third reading of said bill, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen, John C. Cooper, William Mercer,
Jas. W. Anderson, Albert A. Curtis, Thomas Z. Morrow,
E. B. Bacheller, Daniel E. Downing, Thos. W. Owings,
Jonathan R. Bailey, Elijah Gabbert, George Poindexter,
Joshua Barnes, Henry Griffith, Hiram S. Powell,
Elisha Beazley, John H. Harney, Wm. S. Rankin,
Joshua F. Bell, Jacob Hawthorne, Nicholas A. Rapier,
John W. Blue, William J. Heady, John Ray,
J. W. Boone, Joseph W. Heeter, Joseph Ricketts,
William S. Botts, John B. Huston, F. D. Rigaeys,
Leroy Brinkley, William C. Ireland, George S. Shanklin,
R. J. Browne, Daniel W. Johns, James P. Sparks,
Those who voted in the negative, were—

E. F. Burns,  W. H. Edmunds,  Otho Miller,
W. P. D. Bush,  Evan M. Garriott,  Felix G. Murphy,
A. B. Chambers,  Geo. M. Hampton,  Robert A. Spalding,
John B. Cochran,  John M. Henry,  Jos. R. Underwood,

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

An act to re-enact the State guard law, with sundry amendments, and to reorganize the militia of this State.

Mr. Ireland moved the following amendment to the 7th section:

"Or two or more counties or parts of counties may be combined into one or more regimental districts."

Which amendment was adopted.

Mr. Martin moved to amend by adding, to 4th subdivision, 27th section, "Commonwealth's attorneys, county attorneys and jailers."

Which amendment was adopted.

Mr. Taylor moved to amend same section by exempting from military duty, "Cashiers of the incorporated banks of issue in this State, and of their respective branches."

Which amendment was adopted.

Mr. R. J. Browne moved an amendment, viz: "Strike out 'and police,' and before the word 'chancery' insert 'and,' in subdivision 4, section 27."

Which amendment was adopted.

Mr. J. R. Thomas moved to amend 1st line of the 5th paragraph, 27th section, by striking out all of said paragraph after the word "gospel."

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

Mr. Ward moved to strike out the 5th paragraph in section 27.

And the question being taken thereon, it was decided in the negative.
Mr. Finnell moved the following amendment to subdivision 4, section 27:

Artizans employed in manufacturing arms and munitions of war, or gunboats, or vessels of war, or machinery or materials to be used in the construction of either for the United States Government or State of Kentucky.

Which amendment was adopted.

Mr. R. J. Browne moved to amend 4th subdivision, 27th section, by inserting “and those who belong to religious societies whose tenets forbid them to carry arms.”

Which amendment was rejected.

Mr. Taylor moved the following amendment, by way of additional section, viz:

It shall and may be lawful for the Governor, in the event that any of the militia are called into active service in the field to provide for them such arms, transportation, army stores, munitions of war, provisions, forage, or such other thing as he may deem requisite; and may, if in his opinion the public safety demands it, seize and press into the service such horses, mules, wagons, teams, arms, munitions of war, provisions, forage, or such other thing as he may require: Provided, however, That before the same shall be taken into the service, the same shall be valued by two disinterested men not in the service, to be appointed by the Governor, or by his orders.

Which amendment was adopted.

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—

W. P. D. Bush, W. H. Edmunds, William Johnson,
E. F. Burns, Evan M. Garriott, F. G. Murphy,

Mr. Taylor moved the following amendment, viz:

"And all other laws now in force, having reference to the organization of the militia, are hereby repealed."

Which amendment was adopted.

Mr. Heady moved to amend the bill by striking out the word "Guard," wherever it occurs, and inserting in lieu thereof the word "Legion."

Which amendment was rejected.

Mr. Huston moved an amendment, viz:

"Add to the 7th section, after the word 'Guards,' in 2d line, 'having the written consent of the Commander-in-Chief or Inspector General.'"

Which amendment was adopted.

Mr. Huston moved to amend by striking out, in the 4th line of the 25th section, "County Judge," and inserting "Adjutant General."

Which amendment was adopted.

Mr. Turner moved the following amendment:

Strike out the first three lines of article 3, and insert in lieu thereof the following: "The Governor and Commander-in-Chief shall, from the Major Generals of Divisions, select and appoint one of them Inspector-General."

Which amendment was rejected.

Mr. Huston moved to amend by striking out "Adjutant General," in 25th section, and insert "Commander-in-Chief."

Mr. Huston moved to amend section 25, in line 7, by striking out the word "said" before "county," and inserting "a."

Which amendment was adopted.

Mr. Heady moved to amend by inserting in article 5, section 5, after the words "active militia," the words "enrolled militia and militia of the reserve."

Which amendment was adopted.

Mr. R. J. Browne moved to amend article 3, section 5, 1st paragraph, as follows, viz:
An Inspector-General shall be selected by the same persons authorized by law to vote for commandants of companies, with the rank of Major General.

Which amendment was rejected.

The yeas and nays being required thereon by Messrs. R. J. Browne and Bush, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, W. H. Edmunds, Nicholas A. Rapier,
R. J. Browne, Geo. M. Hampton, Robert A. Spalding,
Curtis F. Burnam, James M. Jones, James P. Sparks,
W. P. D. Bush, George Poindexter,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing,
Alfred Allen, John W. Finnell, Otho Miller,
E. B. Bacheller, Elijah Gabbert, Thomas Z. Morrow,
Jonathan R. Bailey, Evan M. Garriott, Thomas W. Owings,
Joshua Barnes, Henry Griffith, Hiram S. Powell,
Joshua F. Bell, John H. Harney, William S. Rankin,
J. W. Blue, Jacob Hawthorne, John Ray,
William S. Botts, William J. Heady, Joseph Ricketts,
Leroy Brinkley, Joseph W. Heeter, E. D. Rigney,
Thomas S. Brown, John M. Henry, James A. Rousseau,
James Calvert, John B. Huston, Geo. S. Shanklin,
Cyrus Campbell, William C. Ireland, M. Smith,
A. B. Chambers, Daniel W. Johns, Harrison Taylor,
Joseph H. Chandler, William Johnson, Thomas Turner,
Francis L. Cleveland, Perry S. Layton, Willie Waller,
John B. Cochran, Jas. M. C. Lisenby, Zeb. Ward,
Robert Cochran, Jonas Martin, W. W. Waring,
William L. Conklin, David P. Mears, Alex. T. White,
John C. Cooper, William Mercer, Nathaniel Wolfe,

Mr. Huston moved the following amendment, viz:

There shall be assessed on every person liable to enrollment, and collected during the present year, and paid into the treasury in like manner, and for the same purposes, as the military payments above required in lieu of service, the sum of fifty cents; and the amount of all such taxes, or fines, or military dues, in lieu of service on the part of members of enrolled militia, shall be included in the bond of the sheriff or collector, in the same manner as in the county levy; and he shall be held responsible therein for the collection, as a distinct fund, of such fines or taxes in the same manner as he is held for the collection of the county levy; and he shall be allowed at the rate of ten per centum on the amount of such fines or taxes which he may collect.

Which amendment was adopted.
Mr. Heady moved to strike out the word "shall," and insert in lieu thereof the word "may," in 3d article, 15th chapter.
Which amendment was adopted.

Mr. Heady moved further to amend section 15, article 3, by adding after the words "volunteer militia," the words "and the enrolled militia."
Which amendment was adopted.

Mr. Huston moved the following amendment by way of additional section, viz:
§ — The commander-in-chief may, in his discretion, withhold the organization of the militia under this act from any county or counties of this State, and for such length of time as he may deem advisable.
Which amendment was adopted.

Mr. Heady 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 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,) Daniel E. Downing, John W. Finnell, George Poindexter,
Alfred Allen, Elijah Gabbert, Hiram S. Powell,
Jas. W. Anderson, Henry Griffith, William S. Rankin,
E. B. Bacheller, John H. Harney, Nicholas A. Rapier,
Jonathan R. Bailey, Jacob Hawthorne, John Ray,
Joshua Barnes, William J. Heady, Joseph Ricketts,
Elisha Beazly, Joseph W. Heeter, F. D. Rigney,
Joshua F. Bell, John M. Henry, James A. Rousseau,
John W. Blue, John B. Huston, George S. Shanklin,
J. W. Boone, William C. Ireland, M. Smith,
William S. Botts, Daniel W. Johns, James P. Sparks,
Leroy Brinkly, J. M. Jones, Harrison Taylor,
Thomas S. Brown, Perry S. Layton, John R. Thomas,
James Calvert, Jas. M. C. Lisenby, Thomas Turner,
Cyrus Campbell, Alexander Lusk, Joseph R. Underwood,
Joseph H. Chaudler, Jonas Martin, Willie Walker,
Francis L. Cleveland, David P. Mears, Zeb. Ward,
John B. Cochran, William Mercer, W. W. Warring,
Robert Cochran, Otho Miller, Alexander T. White,
William L. Conklin, Nathaniel Wollé,
Leave was given Mr. Ricketts to bring in a bill to carry into effect the act to re-enact the State Guard law, with sundry amendments, and to reorganize the militia of this State.

Ordered, That the committee on Ways and Means prepare and bring in the same.

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

1. **Resolved by the General Assembly of the Commonwealth of Kentucky**, that in the opinion of this body such a measure is unwise and impolitic, and will not be accepted by the people of Kentucky.

2. **Resolved**, that the employment of negroes as soldiers in the armies of the United States is not the policy that will engage the greatest amount of either moral or physical force of this whole country in the suppression of the present rebellion. The free-born white men of this country, in military as in social and civil life, will feel themselves disdained and insulted by such an association, and to impose it upon them will drive more strength and courage from the Federal ranks than can be supplied by any possible levy of negroes.

3. **Resolved**, that we protest against changing into an anti-slavery war a contest that, so far, has been maintained by the people at great cost of life and treasure, for the avowed purpose of maintaining the supremacy of the laws, the integrity of the Constitution, and the nationality of the United States. If prosecuted with any other view its tendency will be to weaken the bonds of union and not strengthen them, and will plant irreconcilable distrust where confidence is the only sure guarantee of permanent public safety.

4. **Resolved**, that slaves are regarded as property by the laws of all the States where slavery exists, and they have been so regarded for more than two hundred years; but they are not exempt from the legitimate effects of war; and this Legislature makes no objection to the policy announced by the President of employing slaves as laborers whenever the public service requires it: Provided, the owners of such slaves are paid for their services, and the slaves are returned to their owners at the expiration of their term of service rendered to the Government.

The rule of the House requiring joint 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. Underwood read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the resolution fixing Monday next as the day of the adjournment of the present session of the General Assembly, until January next, be and the same is hereby rescinded.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolution was adopted.

The yeas and nays being required thereon by Messrs. Taylor and Griffith, 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 announcing that they had concurred in the amendments adopted by this House to a bill from the Senate, entitled,
An act to re-enact the State Guard law, with sundry amendments, and to organize the militia of the State.

With an amendment to the amendments.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Otho Miller,
Alfred Allen, W. H. Edmunds, Thomas Z. Morrow,
Jonathan R. Bailey, John W. Finnell, Thos. W. Owings,
Joshua Barnes, Elijah Gabbert, George Poindexter,
Joshua F. Bell, Evan M. Garriott, Hiram S. Powell,
John W. Blue, Henry Griffith, William S. Rankin,
William S. Botts, George M. Hampton, John Ray,
Wm. Bowling, John H. Harvey, Joseph Ricketts,
R. J. Browne, Jacob Hawthorne, F. D. Rigney,
Thomas S. Brown, William J. Heady, James A. Rousseau,
E. F. Burns, Joseph W. Heeter, George S. Shanklin,
W. P. D. Bush, John M. Henry, M. Smith,
James Calvert, John B. Huston, Harrison Taylor,
Cyrus Campbell, Daniel W. Johns, John R. Thomas,
A. B. Chambers, J. M. Jones, Thomas Turner,
Joseph H. Chandler, Perry S. Layton, Joseph R. Underwood,
Brutus J. Clay, Jas. M. C. Lisenby, John S. Van Winkle,
Francis L. Cleveland, Alexander Lusk, Willie Walker,
Robert Cochran, Jonas Martin, W. W. Waring,
William L. Conklin, David P. Mears, Nathaniel Wolfe,
Jol. C. Cooper, William Mercer, Bryan R. Young—64.

Those who voted in the negative, were—

John C. Beeman, Leroy Brinkley—2.

A message was received from the Senate, by Messrs. Prall and Speed, asking the appointment on the part of this House of a committee to act in conjunction with a similar committee on the part of the Senate, to ascertain the condition and amount of business unfinished, with a view to an adjournment on Monday next.

Whereupon the Speaker appointed Messrs. Harney and Shanklin on said committee.

Mr. Finnell reported, by consent of the House, a bill supplemental to an act, entitled,

An act to provide for drafting a military force whenever the same is required.
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 offered a substitute.

Ordered, That said bill be referred to a select committee, viz: Messrs. Finnell, Harney, and Underwood, with instructions to report the same to-morrow at 9 o'clock A. M.

The House then took up the bill, entitled,

An act for the appropriation of money.

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—


In the negative—none.

Said bill reads 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 two days after the adjournment, for arranging papers, &c.

§ 4. To the sergeant-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, one dollar per day for the service of one negro man; and to the sergeant-at-arms of the House, for the services of two negro men, two dollars per day during this session.

§ 5. To the pages of the two Houses, one dollar and fifty cents per day for their services during the present session, to be certified by the principal clerks, and drawn and distributed by the sergeant-at-arms of the two Houses.

§ 6. To Hodges, Hughes & Co., for the "Daily Commonwealth," the sum of seven dollars and seventy-five cents per day during this session.

§ 7. To S. I. M. Major & Co., for the "Daily Yeoman," seven dollars and seventy-five cents per day during this session.

§ 8. To the ministers of the different religious denominations in Frankfort, the sum of thirty dollars, to be drawn and distributed by the sergeant-at-arms of the Senate.

§ 9. That the Auditor is authorized to draw his warrant on the Treasurer in favor of the principal clerk of the two Houses, for extra clerk hire, to be estimated and certified by them.

§ 10. To A. G. Cammaack, for sundries, twenty-five dollars and sixty cents.

§ 11. To Nancy Morton, for washing towels, one dollar and fifty cents.

§ 12. To J. M. Mills, for sundries, four dollars and seventy cents.

§ 13. To Gray & Todd, for sundries, twenty-two dollars and ninety cents.

§ 14. To J. L. Smedley, for summoning witness by order of committee on Retrenchment and Reform, and traveling fifty-six miles, seven dollars and fifty-seven cents.

§ 15. To J. B. Lewis, clerk to the committees on Enrollments, three dollars per day for his services during the session, to be certified by the chairmen of said committees.

§ 16. To George A. Robertson, for the services of one negro man, one dollar per day during this session, also thirty cents paid by him for hauling books.

§ 17. To J. C. Hendricks, for sundries, two dollars and eighty cents.

§ 18. This act shall take effect from and after its passage.

And then the House adjourned till 8 o'clock to-morrow morning.
SUNDAY, AUGUST 31, 1862.

Mr. Huston moved to rescind the order of adjournment on Saturday to meet at 8 o'clock to-morrow morning.
And the question being taken thereon, it was decided in the affirmative.
Mr. Huston moved a call of the House,
Which motion was adopted.
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.
Mr. Cleveland moved that further proceedings under the call of the House be suspended.
Which was adopted.
On motion of Mr. Bell,
The House took up a bill from the Senate, entitled,
An act to amend section 9, chapter 47, of the Revised Statutes, title "Husband and Wife."
Said bill was then read a third time.
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Harney, from the select committee, to whom was referred a bill supplemental to an act, entitled,
An act to provide for drafting a military force whenever the same is required.
Reported the same with an amendment by way of substitute,
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. Wolfe, by consent, reported a bill, entitled,
An act to remove the seat of government temporarily.
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. Wolfe,

Leave was granted to withdraw from the Senate a bill, entitled,

An act to remove the seat of government temporarily.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the resolution of adjournment, fixing Monday, the 1st of September, 1862, as the day of adjournment until the second Thursday in January next, be and the same is hereby rescinded.

Resolved, That when the General Assembly adjourn this day, it will adjourn to meet again at the court house, in the city of Louisville, Kentucky, on Tuesday, the 2d day of September, 1862, at 12 o'clock, M.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolutions were adopted.

Mr. Bell 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, composed of three of the members of this House and two of the Senate, be appointed to wait upon the City Council of Louisville, to make arrangements with them in reference to the use of the court house in that city, for the session of the General Assembly, this day provided for by resolution of this body.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolution was adopted.

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 appropriation of money.
An act supplemental to an act, entitled, an act to provide for drafting a military force whenever the same is required.

That they had disagreed to a bill from this House, entitled, An act to remove the seat of government temporarily.

That they had adopted resolutions of the following titles, viz: Resolution in relation to the defense of the State. Resolution in relation to the removal of the public archives of the State.

The House took up the resolution in relation to removing the public archives.

Mr. Underwood moved an amendment.

Which amendment was adopted.

Said resolution, as amended, was adopted.

A message was received from the Senate announcing that they had adopted a resolution from this House in relation to the adjournment to the city of Louisville.

That they had concurred in the amendment of this House to a resolution from the Senate in relation to removing the public archives.

Also, that they had concurred in the resolution in relation to the court house in the city of Louisville.

That they had received official information from the Governor, announcing that he had approved and signed 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 authorize circuit, equity, and criminal courts to make persons entitled to inherit as heirs at law,” approved February 28, 1860.

An act to amend an act, entitled, an act to establish equity and criminal courts in the fourth judicial district.

An act to create a soldiers relief fund for Bourbon county.

An act to re-enact the State guard law with sundry amendments, and to organize the militia of the State.

An act to amend section 9, of chapter 47, of Revised Statutes, title, “Husband and Wife.”

Resolution in relation to paying mileage to Senator Wright.

Resolution authorizing the Governor to remove the public archives, &c.
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, entitled, an act to establish an Institution for the education of Idiots and Feeble-minded children.

An act to change the county line between the counties of Grant and Owen.

An act for the benefit of Reuben S. Peters, clerk of the Washington county court.

An act for the benefit of James P. Chambers, clerk of the Jefferson circuit court.

An act to change place of voting in district No. 2 in Monroe county.

An act to amend the act concerning the trustees, police judge, and town marshal of Greenville.

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

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

An act for the benefit of Wm. Mullins, late sheriff of Wayne county.

An act to amend the charter or the United Irish Association of Maysville.

An act to amend the charter of the Maysville, Orangeburg and Mt. Carmel turnpike road company.


An act for the benefit of Olive Branch Methodist Episcopal Church South in Shelby county.

An act 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.

An act creating the office of Corresponding Secretary of State.

An act to provide for the election of mayor and other officers for the city of Henderson.

An act for the benefit of Aaron Lawson, trustee of the jury fund for Edmonson county.

An act to amend section 226 of the Criminal Code of Practice.

An act for the benefit of Jas. A. Ward, sheriff of Johnson county.

An act for the appropriation of money.

An act to provide for paying the arrears of pay due deceased soldiers to their widows or heirs.
An act supplemental to an act, entitled, an act to provide for drafting a military force whenever the same is required.

Also bills and resolutions from the Senate of the following titles, viz:

An act to amend the State Guard law, and to re-enact the same, with sundry amendments, and to organize the militia of the State.

An act to amend an act, entitled, an act to establish an equity and criminal court in the 4th judicial district.

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.

An act creating the soldiers' relief fund for Bourbon county.

An act to amend section 9, chapter 47, Revised Statutes, title, "Husband and Wife."

Resolution allowing mileage to Senator Wright.

Resolution in relation to an adjournment of the Legislature to Louisville.

Resolution in relation to the court house in the city of Louisville.

Resolution authorizing the Governor to remove public archives of the State.

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. Wickliffe, Secretary of State, announcing that he had signed and approved an enrolled resolution which originated in this House, of the following title, viz:

Resolution rescinding order of adjournment and adjourning to meet at Louisville.

Mr. Taylor moved that a committee be appointed to inform the Senate that this House had completed its business and was now ready to adjourn.

The House appointed Messrs. Taylor and Bell in pursuance of said motion.

And then the House adjourned.
A message was received from the Governor by Mr. Wickliffe, 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 authorizing judgments by default to be recorded in a separate book.

An act to allow Charles Boone to erect a mill dam across the Rolling Fork of Salt River.

An act for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guard.

An act repealing chapter 82, of the Revised Statutes, title, "Registration of Births, Deaths, and Marriages."

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

An act authorizing the Governor to appoint agents to receive money from soldiers in service.

An act repealing all laws allowing pay for scalps of wild cats, wolves, and red foxes.

An act requiring certain officers and teachers of this Commonwealth to take an oath of office.

An act to amend section 7, article 3, chapter 91, Revised Statutes, title, "Sheriffs, Jailers, and Coroners."

An act concerning the jail of Harlan county and for other purposes.

An act to abolish the August term of the Washington circuit court.

An act to amend an act, entitled, an act for the benefit of James G Eden, approved March 1st, 1860.

An act to provide for the payment of twenty-five dollars bounty to twelve months Kentucky volunteers.

An act for the appropriation of money.

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

An act for the benefit of William Mullins, late sheriff of Wayne county.

An act to amend the charter of the United Irish Association, of Maysville.

An act to change the place of voting in district No. 3, in Wayne county.
An act for the benefit of Reuben S. Peters, clerk of the Washington county court.

An act for the benefit of James P. Chambers, clerk Jefferson circuit court.

An act for the benefit of James A. Ward, sheriff of Johnson county.
An act to amend an act, entitled, an act to establish an Institution for the education of Idiots and Feeble-minded children.
An act to amend section 226 of Criminal Code of Practice.
An act to amend the charter of the Maysville, Orangeburg and Mt. Carmel turnpike road company.
An act supplemental to an act, entitled, an act to provide for drafting a military force whenever the same is required.
An act to provide for paying the arrears of pay due deceased soldiers to their widows and heirs.
An act for the benefit of the securities of M. H. Dickerson, late sheriff of Barren county, and the present collector of the revenue of said county.
An act creating the office of Corresponding Secretary of State.
An act to change the voting place in district No. 2, in Monroe county.
An act for the benefit of Aaron Lawson, trustee of the jury fund of Edmonson county.
An act to change the county lines between the counties of Grant and Owen.
An act appropriating money to Geo. W. Matthews, Joseph Hickman, and Thomas Montgomery.
An act to amend the act concerning trustees, police judge and town marshal of Greenville.
An act for the benefit of Olive Branch Methodist Episcopal Church, South, in Shelby county.
An act to provide for the election of mayor and other officers of the city of Henderson.
Resolution rescinding order of adjournment and adjourning to meet at Louisville.

The following bills were reported, viz:

By Mr. Curtis—

1. A bill for the benefit of R. T. Benton, late sheriff of Estill county, and his securities.
By Mr. Underwood—

2. A bill to repeal an act, entitled, an act to amend an act, entitled, an act to establish equity and criminal courts in the 4th judicial district, 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 being dispensed with,

The 1st was referred to the committee on Ways and Means, and the 2d to the committee on the Judiciary.

Mr. Van Winkle, from the select committee, to whom was referred leave, reported a bill to extend the jurisdiction of the town marshal of the town of Dycusburg, in 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,

The question was then taken on ordering said bill to be read a second time, and it was decided in the negative.

And so said bill was rejected.

Mr. Van Winkle moved a reconsideration of said bill.

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

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

Resolved, That the committee heretofore appointed to report a bill laying off the State into Congressional Districts, be instructed to report on that subject, by bill or otherwise, on Thursday, at 12 o'clock.

Mr. Burnam moved to dispense with the rules 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.

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—

Mr. Speaker, (Buckner,) Daniel E. Downing, George Poindexter,
Jas. W. Anderson, John H. Harney, Hiram S. Powell,
Jonathan R. Bailey, William J. Heady, John Ray,
John C. Beeman, Joseph W. Heeter, F. D. Rigney,
Wm. Bowling, John M. Henry, George S. Shanklin,
Those who voted in the negative, were—

Alfred Allen, Joshua Barnes, Elisha Beazley, John W. Blue, J. W. Boone, William S. Botts, Thomas S. Brown, James Calvert, Brutus J. Clay, Francis L. Cleveland, William L. Conklin,


Ordered, That said resolution be referred to the committee on Congressional Apportionment.

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 consisting of five—three from the House and two from the Senate—be appointed to inquire into, and report as to what legislation is proper in the present state of affairs.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, being dispensed with,

Said resolution was adopted.

Ordered, That Mersrs. Underwood, Harney, and Allen be appointed a committee in pursuance of said resolution.

Mr. John R. Thomas moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to inquire into the propriety of calling out immediately 50,000 men to serve for thirty or sixty days, for the purpose of expelling the Confederate armies from Kentucky.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Burnam moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is the imperative duty of those having the control of our military forces to take the most speedy measures to drive the invading rebel...
from the limits of the State; and that any policy looking to the abandon­
dment of the interior of the State, and of removing to the line of
the Ohio river, is unwise and impolitic.

Ordered, That said resolution be referred to the committee on Mili­
tary Affairs.

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 resolution adopted at the opening of this session, declaring the
character of business to be transacted, be and the same is hereby re­
scinded; and that when this Legislature adjourns it shall be without
day.

On motion of Mr. Taylor,

Ordered, That the House adjourn till 10 o'clock to-morrow morning.

WEDNESDAY, SEPTEMBER 3, 1862.

Mr. Bacheller, from the committee on Enrollments, reported that the
committee had examined an enrolled resolution in relation to the
court house in the city of Louisville.

Mr. Taylor, from the committee on Ways and Means, to whom was
referred a bill for the benefit of R. T. Benton, late sheriff of Estill
county, and his securities,

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. Underwood, from the committee on Military Affairs, to whom
was referred a bill authorizing the organization of home guard mili­
tary companies,

Reported the same with amendments,

Which are as follows, viz:

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The committee report the bill with the following amendments:

1st. In the 4th line strike out "people," and insert "free white male citizens."

2d. In the 7th line insert after the word "and" the words "forty years, and under eighteen and over."

3d. In the 6th line strike out "within," and insert in its place "between."

4th. Strike out "or," in the 7th line, and down to "ages" inclusive in the 11th line.

5th. Add the following proviso to the 2d section of the bill, to-wit: Provided, further, That no organization under this act shall take place, and no commission shall issue to any officer, until such officer and all the men of the company have first taken the oath prescribed by the act, entitled, "an act to re-enact the State Guard law with sundry amendments, and to organize the militia of the State," passed at the present session.

6th. Add the following additional section:

§. It shall be lawful for the Governor to commission the officers of the companies organized under this act, upon such evidence of their election, and that they and their men have taken the oath herein required, as he shall deem sufficient.

The question was then taken on adopting the 1st amendment, and it was decided in the affirmative.

Mr. Smith 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. Martin and Thomas, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Robert Cochran, Alfred Allen, William L. Comklin, William Mercer, Otho Miller,
Jas. W. Anderson, Albert A. Curtis, Thomas Z. Morrow,
E. B. Bacheller, Daniel E. Downing, Felix G. Murphy,
Jonathan R. Bailey, W. H. Edmunds, Thomas W. Owings,
Joshua Barnes, Henry Griffith, George Poindexter,
Elisha Beazly, Geo. M. Hampton, Hiram S. Powell,
John C. Beeman, John H. Harney, John Ray,
J. W. Blue, Jacob Hawthorne, Joseph Ricketts,
J. W. Boone, William J. Heady, F. D. Rigney,
William S. Botts, Joseph W. Hector, James A. Rousseau,
Wm. Bowling, John M. Henry, Geo. 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 R. Thomas,
Curtis F. Burnam, James M. Jones, Thomas Turner,
The question was then taken upon adopting the next three amendments, and it was decided in the negative.

The next two amendments were adopted.

Mr. Allen moved the following amendment, viz:

Be it further enacted, That when a sufficient number of the companies shall so determine, they may form themselves into battalions and regiments, and at their own good time elect the battalion and regimental officers provided for in the militia laws of the State.

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, and the same being engrossed,

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

A message was received from the Senate announcing that they had concurred in the resolution adopted by this House in relation to the business of the present General Assembly.

That they had adopted the following resolutions, viz:

Resolution appropriating money to John B. Major.

Resolution in relation to an adjournment of the Legislature.

Mr. Huston, from the committee on the Judiciary, to whom was referred a bill, entitled,

An act to repeal an act, entitled, an act to amend an act to establish equity and criminal courts in the 4th judicial district, and for other purposes.

Reported the same with a substitute,

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.

Bills of the following titles were reported, viz:

By Mr. Huston, from the committee on the Judiciary—
1. An act supplemental to an act, entitled, an act for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guards, passed the present session.

By Mr. J. B. Cochran, from the committee on Corporations—
2. An act for the benefit of the town of Woodsonville.

By Mr. Rousseau—
3. An act supplemental to an act, entitled, an act to provide for paying the arrears of pay due deceased soldiers to their widows or heirs.

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

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

The 1st and 2d were severally ordered to be engrossed and read a third time, and the 3d was referred to the committee on Military Affairs.

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.

Bills from the Senate of the following titles, viz:

An act to repeal an act, entitled, an act regulating navigation on the Kentucky river.

An act to protect the State house from injury.

An act to amend an act, entitled, an act to amend the Revised Statutes, in regard to the filling vacancies in the office of sheriff, approved February 26th, 1862.

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. R. J. Browne, from the committee on Banks, to whom was referred a bill from the Senate, entitled,
An act for the benefit of the banks of this State.
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. Bush, from the committee on Revised Statutes, to whom was referred a bill from the Senate, entitled,
An act to amend an act to fix the return day of executions.
Reported the same, with an 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.
And so said bill was rejected.

Mr. Barnes, from the select committee, to whom was referred a bill regulating the fees of provost marshals,
Reported the same without amendment.
On motion of Mr. R. J. Browne,
Ordered, That said bill be referred to the committee on Military Affairs.

On motion of Mr. R. J. Browne,
Indefinite leave of absence was granted to Mr. Bush.
The House took up a bill from the Senate, entitled,
An act to fix the salaries of the adjutant and quartermaster generals.
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 amend the bill by allowing the adjutant and quartermaster generals $200 per month during the war.
Mr. Cleveland moved to amend the amendment by fixing the salary at $150 per month.
Which amendment was adopted.
Mr. Sparks moved to amend by fixing the salaries at $125 per month.
Which amendment was rejected.
Mr. Huston moved a reconsideration of the vote adopting the amendment of Mr. Cleveland.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen,  Curtis F. Burnam,  Felix G. Murphy,
Jas. W. Anderson,  Robert Cochran,  Thos. W. Owings,
E. B. Bacheller,  Albert A. Curtis,  George Poindexter,
Jonathan R. Bailey,  John B. Huston,  James A. Rousseau,
Elisha Beazley,  William C. Ireland,  George S. Shanklin,
John C. Beeman,  Daniel W. Johns,  Thomas Turner,
John W. Blue,  J. M. Jones,  John S. Van Winkle,
Wm. Bowling,  Perry S. Layton,  Nathaniel Wolfe,
R. J. Browne,  Otho Miller,

Those who voted in the negative, were—

Joshua Barnes,  Henry Griffith,  William Mercer,
William S. Botts,  Geo. M. Hampton,  Thomas Z. Morrow,
W. P. D. Bush,  John H. Harney,  Hiram S. Powell,
James Calvert,  Jacob Hawthorne,  John Ray,
Joseph H. Chandler,  William J. Heady,  Joseph Ricketts,
Brutus J. Clay,  Joseph W. Heeter,  F. D. Rigney,
Francis L. Cleveland,  John M. Henry,  M. Smith,
John B. Cochran,  Urban E. Kennedy,  James P. Sparks,
William L. Conklin,  Jas. M. C. Lisenby,  Harrison Taylor,
Daniel E. Downing,  Jonas Martin,  John R. Thomas,
W. H. Edmunds,  P. L. Maxey,  Jos. R. Underwood,

The question was then taken on ordering said bill to be read a time, and it was decided in the negative.

Mr. Ireland 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 forthwith cause to be printed, in pamphlet form, 5,000 copies of all laws and resolutions passed at the present session relating to the militia and defense of the State—to include the act in relation to a draft—that the members of the Senate and House of Representatives shall be entitled to twenty copies each. The Secretary of State shall forward to the members, by mail or otherwise, at the earliest day.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolution was adopted.
The House then took up the bill, entitled,
An act fixing the time for holding the fall terms, 1862, of courts in the 11th judicial district.

The question was taken on dispensing with the third reading of said bill, and it was decided in the negative.

The House then took up the bill entitled,
An act regulating the times for holding the courts in the 11th judicial district.

On motion of Mr. Turner,
Ordered, That the further consideration of said bill be postponed.

The House then took up a bill, entitled,
An act to authorize the suspension of circuit courts in certain cases.
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. Underwood,
Ordered, That the House proceed to elect a Speaker pro tem, Mr. Buckner, the Speaker, having been called to Washington city.

Mr. Underwood nominated Mr. Curtis F. Burnam as a suitable person to fill the office of Speaker pro tem.

There being no other nominations, Mr. Burnam was unanimously declared elected Speaker pro tem.

Mr. Underwood moved that a committee be appointed to notify the Senate of the election of Mr. Burnam as Speaker pro tem of this House, which was adopted.

Ordered, That Messrs. Underwood and Poindexter be appointed said committee.

The House then took up the resolution from the Senate in relation to printing acts of the present General Assembly.

Mr. Martin moved to amend said resolution by including magistrates.

Which amendment was adopted.

The resolution, as amended, was adopted.

Mr. Warring moved a reconsideration of the vote refusing to dispense with the third reading of the Senate bill, entitled,
An act to fix the salaries of the adjutant and quartermaster generals.

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.

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—

Alfred Allen, William L. Conklin, Thos. W. Owings,
Jas. W. Anderson, Albert A. Curtis, George Poindexter,
E. B. Bacheller, Daniel E. Downing, Hiram S. Powell,
Jonathan R. Bailey, W. H. Edmunds, John Ray,
Joshua Barnes, Evan M. Garriott, Joseph Ricketts,
Eliehu Beazley, Henry Griffith, F. D. Rigney,
John W. Blue, John H. Harney, James A. Rousseau,
William S. Botts, Jacob Hawthorne, George S. Shanklin,
Wm. Bowling, William J. Heady, M. Smith,
Leroy Brinkley, Joseph W. Heeter, Robert A. Spalding,
R. J. Browne, John M. Henry, Harrison Taylor,
Thomas S. Brown, Wm. C. Ireland, John R. Thomas,
Curtis E. Burnam, Daniel W. Johns, Thomas Turner,
W. P. D. Bush, J. M. Jones, Joseph R. Underwood,
James Calvert, Urban E. Kennedy, John S. Van Winkle,
Joseph H. Chandler, Perry S. Layton, Willie Waller,
Brutus J. Clay, P. L. Maxey, W. W. Waring,
Francis L. Cleveland, David P. Mears, Nathaniel Wolfe,

Those who voted in the negative, were—

Jonas Martin,

The House then took up the Senate resolution, entitled,
Resolution in relation to the adjournment of the present General Assembly.

On motion of Mr. Shanklin,

Ordered, That the further consideration thereof be postponed.

On motion of Mr. Van Winkle,

The House took up the motion to reconsider the vote rejecting the bill from the Senate, entitled,

An act to amend an act, entitled, an act to regulate proceedings in civil cases

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

And then the House adjourned.
THURSDAY, SEPTEMBER 4, 1862.

A message was received from the Senate announcing that they had concurred in the amendment proposed by this House to a bill from the Senate, entitled,

An act to fix the salaries of the adjutant and quartermaster generals,

With an amendment.

That they had passed a bill, entitled,

An act to encourage the enlistment of soldiers in the defense of this State.

The following bills were reported, viz:

By Mr. Ireland—
A bill in relation to the adjournment and next regular session of the court of appeals.

By Mr. Conklin, from the committee on Claims—
A bill supplemental to an act 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.

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

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

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

The following House bills were taken up, viz:

An act to extend the jurisdiction of the town marshal of the town of Dycusburg, in Crittenden county.

An act to change the time of holding the Edmonson quarterly and county courts.

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.

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The House took up the Senate resolution making appropriation of money to John B. Major, which was twice read and concurred in.

The House then took up the resolution offered by Mr. Martin in relation to moving the Capital to the city of Louisville.

Mr. Cleveland 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. Martin and Chandler, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The House again took up the Senate resolution in relation to the adjournment of the General Assembly.

Mr. Martin moved to strike out the State Capital, and insert "the city of Louisville;" And the question being taken thereon, it was decided in the negative.

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

[List of names]
Those who voted in the affirmative, were—

John C. Beeman, Evan M. Garriott, Nicholas A. Rapier,
E. F. Burns, Jonas Martin, James A. Rousseau,

Those who voted in the negative, were—

Alfred Allen, Daniel E. Downing, George Poindexter,
E. B. Bacheffer, W. H. Edmunds, H. S. Powell,
Jonathan R. Bailey, Henry Griffith, Larkin J. Proctor,
Joshua Barnes, John H. Harney, John Ray,
Elisha Beazley, Jacob Hawthorne, Joseph Ricketts,
John W. Blue, William J. Heady, F. D. Rigney,
William S. Botts, Joseph W. Heeter, George S. Shanklin,
Wm. Bowling, John M. Henry, M. Smith,
Leroy Brinkley, Wm. C. Ireland, Robert A. Spalding,
R. J. Browne, Daniel W. Johns, James P. Sparks,
Thos. S. Browne, J. M. Jones, Harrison Taylor,
Curtis F. Burnam, Urban E. Kennedy, John R. Thomas,
James Calvert, Perry S. Layton, Thomas Turner,
J. W. Campbell, Jas. M. C. Lisenby, Joseph R. Underwood,
Brutus J. Clay, P. L. Maxey, John S. Van Winkle,
Francis L. Cleveland, David P. Mears, Willie Wailer,
John B. Cochran, William Mercer, W. W. Waring,
Robert Cochran, Otho Miller, Alex. T. White,

Mr. Allen moved to amend by adding “or at such other place as the Governor, by his proclamation, may appoint,”
Which amendment was rejected.
Mr. Clay moved to postpone the further consideration of said resolution,
Which motion was adopted.
The House then took up the bill from the Senate, entitled,
An act to encourage the enlistment of soldiers in the defense of this State.
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.
Mr. Wolfe moved to reconsider the vote rejecting the reading a second time.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Wolfe and Smith, were as follows, viz:
Those who voted in the affirmative, were—

Jonathan R. Bailey, John C. Beeman, Thomas S. Brown, Daniel E. Downing, John H. Harney, William J. Heady, Joseph W. Hoecker,

Urban E. Kennedy, James M. C. Lisenby, Alexander Lusk, Thomas Z. Morrow, George Poindexter, Nicholas A. Rapier, F. D. Rigney,

Jonathan R. Bailey, John C. Beeman, Thomas S. Brown, Daniel E. Downing, John H. Harney, William J. Heady, Joseph W. Hoecker,


Those who voted in the negative, were—

Alfred Allen, Joshua Barnes, Elisha Beezly, John W. Blue, William S. Botte, William A. Brann, Leroy Brinkley, R. J. Browne, Curtis F. Burnam, James Calvert, Joseph H. Chandler, Brutus J. Clay, Francis L. Cleveland, John B. Cochran,


The House then took up the amendment proposed by the Senate to the amendment of the House to a bill from the Senate, entitled,

An act to fix the salaries of the adjutant and quarter-master generals.

Which amendment was concurred in.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

J. W. Blne, William J. Head, Thomas Z. Morrow,
Thomas S. Brown, Urban E. Kennedy, Nicholas A. Rapier,
James Calvert, Jas. M. C. Lisenby, F. D. Rigney,
Joseph H. Chandler, Alexander Lusk, M. Smith,
John B. Cochran, Jonas Martin, James P. Sparks,
William L. Conklin, P. L. Maxey, John R. Thomas,

Mr. Rousseau moved the following resolution, viz:

Whereas, William O. Newman, of Metcalfe, has been captured by General Morgan, and sent to Knoxville, Tennessee, to be held as a hostage, and subject only to be exchanged for Jacob Hostetter, of Lexington, who is at this time in some military prison of the United States; therefore,

Resolved, That it is the sense of this House that the Governor of this State ascertain where said Hostetter is, and the Governor use his influence to effect an exchange.

Mr. Curtis moved the following amendment, viz:

That the Governor be requested to negotiate an exchange of all citizens of Kentucky now held as prisoners.

Which amendment was rejected.

Mr. R. J. Browne moved the following amendment, viz:

"If in his judgment he deems it proper."

Which amendment was adopted.

Mr. Rousseau 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 upon adopting the resolution, as amended, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen, Daniel E. Downing, P. L. Maxey,
John W. Blue, W. H. Edmunds, Felix G. Murphy,
William S. Botte, Evan M. Garrett, Larkin Proctor,
Wm. Bowling, Henry Griffith, F. D. Rigney,
R. J. Browne, John H. Harney, James A. Rousseau,
John B. Cochran, Jonas Martin,

Those who voted in the negative, were.

Jas. W. Anderson, Joseph W. Heeter, George S. Shanklin,
Jonathan R. Bailey, John M. Henry, M. Smith,
Joshua Barnes, Daniel W. Johns, James P. Sparks,
Elisha Beazley, Perry S. Layton, Harrison Taylor,
Mr. Bacheller, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled, an act to regulate navigation on the Kentucky river.
An act for the benefit of the banks of this State.
An act to protect the State house from injury.
An act to amend an act, entitled, an act to amend the Revised Statutes, in regard to filling vacancies in the office of sheriff, approved February 26, 1862.
An act to fix the salaries of the adjutant and quartermaster generals.
Resolution originating in the House of Representatives, in regard to the business of this 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. Wickliffe, Secretary of State, announcing that he had signed and approved enrolled resolutions which originated in this House, of the following titles, viz:

Resolution in relation to the court house in the city of Louisville.
Resolution in regard to the business of the General Assembly.
The House then took up again the Senate resolution in relation to the adjournment of the General Assembly.
Mr. Ireland moved to amend the resolution by striking out "Thursday" and inserting "Friday."
And the question being taken thereon, it was decided in the affirmative.
Said resolution, as amended, was then adopted.
Mr. Cleveland moved the following resolution, viz:

Resolved, That no new business shall be introduced from and after the passage of the adjourning resolution.
Which was adopted.
Mr. Cleveland moved the following resolution, viz:

Resolved, That the thanks of this House are due and are hereby tendered to Richard A. Buckner, also to C. F. Burnam, Speaker pro tem., and other officers of the House of Representatives, for the very able and impartial manner in which they have discharged their duties during the present session.

Which was adopted.

And then the House adjourned.

FRIDAY, SEPTEMBER 5, 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 change the time of holding the Edmonson quarterly and county court.

An act to extend the jurisdiction of the town marshal of the town of Dyeusburg, in Crittenden county.

An act to repeal an act, entitled, an act to establish equity and criminal courts in the 4th judicial district, and for other purposes.

An act for the benefit of the town of Woodsonville.

Resolution ordering the military laws printed and sent to members of the General Assembly.

That they had concurred in the amendment of this House to a resolution from the Senate in relation to an adjournment of the legislature.

That they had concurred in the amendment of this House to the Senate resolution in relation to the printing the general acts of the present session of the General Assembly,

With an amendment.

That they had passed bills which originated in this House, of the following titles, viz:

An act to authorize the suspension of circuit courts in certain cases.

An act authorizing the organization of home guard military companies.

An act supplemental to an act for the appropriation of money.
That they had received official information from the Governor, announcing that he had approved and signed sundry enrolled bills and a resolution which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled, an act regulating navigation on the Kentucky river, approved March 8, 1862.

An act to protect the State house from injury.

An act to amend an act, entitled, an act to amend the Revised Statutes, in regard to the filling vacancies in the office of sheriff, approved February 26th, 1862.

An act for the benefit of the banks of this State.

Resolution in relation to the defense of the State.

Mr. Allen moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be directed to draw his warrant upon the Treasurer for thirty-one dollars and fifty cents, to be equally divided between, and subject to the order of the Louisville Democrat and Louisville Journal, for the use of their papers during the present session in Louisville.

Which was adopted.

Mr. R. J. Browne read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky hails with delight the restoration of Gen. Geo. B. McClellan to the command of the army of Virginia, and regards it as a high token that under his command the war will hereafter be prosecuted with the skill and energy necessary to bring it to a speedy and successful termination.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, being dispensed with,

Said resolution was adopted.

Mr. Allen moved the following resolution, viz:

Resolved by the House of Representatives, That 5,000 copies, in pamphlet form, of the State Guard Law, as amended at the present session of the Legislature, be furnished the members of this House by the Public Printer for general distribution.

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 thanks of the General Assembly be and are hereby tendered the
corporate authorities of Louisville for the use of the court house during its session in this city.

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,

Said resolution was adopted.

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

Resolved, That the members of the House of Representatives, before adjourning, take pleasure again in expressing their entire confidence in the ability and patriotism of Governor Robinson, and that they will feel it to be their highest privilege, as well as duty, to sustain him before their constituents, as well as by all their personal influence, in the arduous and responsible duties which he has, under such embarrassing circumstances, undertaken to perform, believing that he is competent to the task, and that in a few days, under his administration, the rebel foe will be driven from the capital of the State.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolution was unanimously adopted.

The House took up the amendment of the Senate to the amendment of this House to the resolution of the Senate in relation to the printing of the general acts of the present session of the Legislature.

Which was concurred in.

A message was received from the Senate announcing that they had concurred in resolutions from this House, of the following titles, viz:

Resolution appropriating money to the Louisville Democrat and Louisville Journal.

Resolution in relation to the restoration of Gen. McClellan to the command of the army of Virginia.

Resolution of thanks to the corporate authorities of Louisville, for use of the court house.

That they had passed a resolution giving clerks additional pay.

Which last resolution was taken up, twice read, and adopted.

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

An act authorizing the organization of home guard military companies.

An act to authorize the suspension of circuit courts in certain cases.

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An act supplemental to an act for the appropriation of money.

An act supplemental to an act, entitled, an act for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guard, passed this session.

Resolution appropriating money to the Louisville Democrat and Louisville Journal.

Resolution in relation to the restoration of General McClellan to the command of the army of Virginia.

Resolution of thanks to the corporate authorities of Louisville for the use of the court house.

Also, resolution which originated in the Senate of the following title, viz:

Resolution in relation to the printing of the general acts of the present Legislature,

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. Wickliffe, Secretary of State, announcing that he had signed and approved sundry enrolled bills which originated in this House, of the following titles, viz:

An act to authorize the suspension of circuit courts in certain cases.

An act supplemental to an act for the appropriation of money.

An act authorizing the organization of home guard military companies.

An act supplemental to an act, entitled, an act for the benefit of the mounted volunteer company of Clarke county, known as the volunteer provost guard, passed the present session.

Also, an enrolled bill, of the following title, originating in the House of Representatives, has become a law without the approval of the Governor, (the ten days required by law having elapsed), viz:

An act for the benefit of Minor E. Pate and others.

On motion of Mr. John R. Thomas,

Ordered, That a committee of three members on the part of this House be appointed to act in conjunction with a similar committee on the part of the Senate to wait upon the Governor and inform him that this House had closed their legislative business and were now ready to adjourn, and to know of him if he had any other or further communication to make.

Whereupon Messrs. John R. Thomas, Murphy, and Ward were ap-
pointed a committee on the part of this House to wait on the Governor.

After a short absence the committee returned and 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.

Whereupon the Speaker delivered a brief and quite appropriate valedictory, and adjourned the House in accordance with the resolution until the 2d Thursday in January next.
The House met pursuant to the resolution of adjournment, Hon. R. A. Buckner, Speaker, took the Chair.

On motion of Mr. Allen,
Mr. John S. McFarland, elected to fill the vacancy occasioned by the resignation of Mr. George H. Yeaman, from the county of Daviess; Mr. William H. Van Pelt, elected to fill the vacancy occasioned by the resignation of John C. Lindsey, from the county of Carroll, and Mr. William Roberts, elected to fill the vacancy occasioned by the resignation of E. F. Burns, from the county of Owen, appeared, and having severally taken the oath prescribed by the Constitution, took their seats.

On motion of Mr. Allen,
Ordered, That a call of the House be had.

The following representatives responded:

Mr. Speaker, (Buckner,) John W. Finnell, Felix G. Murphy, Alfred Allen, Elijah Gabbert, George Poindexter, R. C. Anderson, Evan M. Garriott, John Ray,
The names of the absentees were again called.

The door was then locked and the key placed on the Speaker's table.

Ordered, That the Sergeant-at-arms take the absentees into custody, and bring them before the bar of the House.

In a short time the Sergeant-at-arms brought before the House the following representatives:

Lucius Desha, James W. Anderson, and George S. Shanklin.

The above named Representatives were excused.

On motion of Mr. Bell,

Ordered, That further proceedings under the call of the House be dispensed with,

There being a quorum now present,

A message was received from the Senate by Messrs. De Haven and Grover, announcing that that House having met and formed a quorum, and had appointed a committee to act in conjunction with a similar committee on the part of this House, to wait upon the Governor and inform him of its readiness to receive any communication he may have to make.

On motion of Mr. Huston,

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; and also to wait upon the Governor and inform him of its readiness to receive any communication he may have to make.

The Speaker appointed Messrs. Huston and Bell in pursuance of the above resolution.

After a short time Mr. Bell reported that the committee had performed the duty assigned them, and had been informed by the Gov-
ernor that he would forthwith communicate a message in writing to
the two Houses in their respective chambers.

A message was received from the Governor by Mr. Wickliffe, Secre-
try of State.

Mr. Speaker, I am directed by the Governor to lay before the House
the following message in writing, viz:

_Gentlemen of the Senate and House of Representatives:

By the resignation of Governor Magoffin on the 16th of August last,
as Speaker of the Senate I became invested with the functions of the
Executive Department of the Commonwealth. Sincerely distrustful
of my abilities, at any time, to discharge with satisfaction to myself
or profit to the State the high trusts connected with the position, I was
the more so, at the moment I was called to it, by reason of the condi-
tion of the State and Nation, then as now so deeply convulsed by
the existing rebellion. Under the conviction, however, that it is the
imperative duty of every citizen of this Government—under which we
have grown and prospered as a people far beyond any other of which
history furnishes a record; which has thrown its potentialegis around
all who have brought themselves within the pale of its beneficent in-
situtions in a manner which afforded perfect protection to every right
pertaining to person or property; and which has come down to us
frightened with memories which every patriot cherishes with pride and
pleasure—whenever that Government was in peril and its integrity
threatened, to devote himself to its service in any position to which
he was called, I entered upon the discharge of the duties of the
office, and have endeavored, as far as in my power, to promote the
best interests of the Commonwealth in the brief period which has
since elapsed. Relying upon your patriotic counsel, assistance and
co-operation, I shall continue, during the fraction of the term for
which I have been chosen, to dedicate whatever of energy and ability
I possess to a faithful discharge of my duties, having no other motive
to direct my action than the honor, welfare and glory of the State.

A few days after I entered upon the duties of the Executive Depart-
ment, the State was invaded by a large military force; and the dis-
astrous result of the battle of Richmond, in which our small army of
raw, undisciplined recruits was utterly routed, threw for a time near-
ly its entire territory into the possession of the Confederate forces.
When that invasion took place and that battle was fought, the
General Assembly was in session; and, wholly unprotected as was the Capital of the State, joint resolutions were wisely and judiciously adopted, directing, first, the removal of the archives of the Commonwealth to Louisville, or some other place of security; and, then, authorizing the removal of the seat of Government, temporarily, to that city. In accordance with these resolutions, the removal took place on the 1st of September, the Legislature closing the business of the session at that place on the 5th; and the duties of the Executive Department continued to be discharged there until the 20th of October, when I directed the return of the different departmental offices to the Capital. The timely arrival of the army of the Cumberland, under its distinguished leader, Major General Buell, and the prompt assistance rendered us by our sister States of the Northwest, together with the equally prompt conversion of large numbers of our own people into citizen soldiers, caused the insolent foe, who had dared to desecrate the soil of Kentucky with his hostile foot-prints, to beat a hasty retreat; and since that time, until a few days ago, Kentucky has been free from the polluting tread of the enemies of her peace in any considerable force. Her tranquillity, however, has been to some extent marred at intervals since, by small bands of guerrillas, who avail themselves of the state of the country to perpetrate outrages that are a disgrace to the age and to civilized warfare.

In this connection, I desire to call your attention and invoke your earnest consideration to the condition of some portions of the Commonwealth, by reason of the depredations and desolations perpetrated by those predatory bands. By repeated invasions the people of the counties lying contiguous to the States of Virginia and Tennessee, have been almost entirely stripped of the necessaries of life; and suffering in that region, to an extent hitherto unparalleled in the history of the Commonwealth, now exists. When the call for volunteers to defend the Government against the traitors who had banded together for its destruction was made, the people of those counties responded with an alacrity, courage and patriotism worthy of the free sons of the mountains which they inhabit, and of the fame of Kentucky, which has ever been conspicuous for gallantry and patriotic devotion. They are still in the service of the country, and upon distant fields of military operations are perilling their lives in defense of that Union, which they have always been taught to venerate, and of that Government, which, under the glorious Constitution of our fathers, has secured to its citizens a greater amount of happiness and prosperity than was
ever vouchsafed to any other people. While they are thus engaged, I submit to you whether it is not the part alike of humanity and of duty to make such provision for their suffering and helpless families as will remove them beyond the reach of want and starvation. I do not hesitate to commend this subject to your earnest attention, with an assured confidence that you will so dispose of it as to relieve the distresses of a desolated but patriotic and meritorious people.

The collection of the revenue has been seriously interfered with, in certain localities, by the same causes which have produced so much individual distress. Exposed as they have been to continual raids by armed bands of marauders, the people have not only been deprived of their ability to meet their obligations, but the sheriffs in some instances have been induced to abandon collections under the apprehension that the sums collected might be wrested from them by these marauders. Repeated notifications to this effect have been received by me during the last few months; and while I could but admit the force of the difficulty, I was without power to provide a remedy. I had no armed force at my command by which to protect the people from these invasions; the armies of the Union moving, as they do, by concentration, could not be diverted from their grand purpose in order to afford relief to suffering localities; and the consequence is that the Treasury of the State shows a greatly diminished revenue from what is ordinarily collected.

It is true the "State Guard Law," passed at the session of 1859-60, and subsequently repealed, was re-enacted at your August session; and by that law I was authorized to organize the enrolled militia. But there were two important considerations which operated to prevent the law from being put into full execution. The first is its cost, involving an expenditure of from six to seven millions of dollars per annum for which no provision was made; and, second, the condition of the Treasury, in the absence of some definite plan for meeting its expenses, did not justify the attempt to put the system in operation. I have, for these reasons, deferred any action upon the subject until the re-assembling of the Legislature, when the whole matter could be brought to its consideration and a proper disposition made of it. To this end I invoke to it your calm deliberation.

The State Guard Law is, in my judgment, one of the most perfect acts of the kind to be found in any system designed to make reliable soldiers out of undisciplined militia. It was matured by military men of experience and ability, and combines all the excellencies of the mi-
litia systems of our sister States, relieved of their defects, together with such improvements as the experience and observation of those who framed it enabled them to suggest. I do not, therefore, hesitate to commend it as the perfection of militia systems; and, if ever put in successful operation in Kentucky, I am confident it will prove as complete a protection to her against external and internal violence as could be devised. As before remarked, however, it is a system that will involve a heavy expenditure, and when fully in operation will necessitate a tax of fully one and a quarter per cent., in addition to that now paid for revenue and educational purposes. I submit it to you, however, whether it would not be better that we should incur even this or a greater amount of taxation, if thereby the repose and safety of the State are secured, than to be subjected, as at present, to continual raids from and depredations by lawless and abandoned men. In other words, whether it would not be better to expend a portion of our means to secure the remainder, than to have the whole destroyed, or even subjected to the risk of destruction.

I refer you to the reports of the Adjutant General and Quarter-master General for full information in regard to their respective departments. It will be seen by the Adjutant General's report that Kentucky has signalized her devotion to the Union by sending into the field for its defense upwards of forty-four thousand of her brave and gallant sons; and she has not yet ceased to respond to demands upon her in the way of recruits for the military service. When it is borne in mind that, from the operation of various causes, the population of the State is now, as it has been from its inauguration, to a considerable extent divided in reference to the rebellion, the quota she has contributed to the grand army of the Union may justly be claimed as placing her among the foremost of those of her sister States who have signalized their devotion to our noble Constitutional Union. Kentucky has ever been true and loyal to the Government of our fathers; the nation has never been involved in difficulty or danger that she has not promptly responded to calls upon her manliness and patriotism; the blood of her sons enriches the soil of every battle-field upon which blood has been spilt and death defied in defense of our National rights and honor; and when the history of the present war for the preservation of the Union and the maintenance of Constitution comes to be written, no prouder or more enduring monument of her patriotic devotion to the cause of Constitutional freedom will be exhibited in all the glorious record of her past fame.
While the regular progress of the cause of common school education in the State has, like that of every other interest, been somewhat interfered with by the disturbed condition of the Commonwealth for the past year, I am gratified to be able to say that the wisdom of the provisions made for it years ago by your predecessors is being constantly made more manifest. The report of the Superintendent of Public Instruction will inform you fully of the condition of that deeply important and interesting State interest, and I beg to commend it to your consideration.

An act was passed by Congress at its last session, and became a law by the approval of the President on the 2d day of July last, making a donation of public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts. By this act it is proposed to donate to such States as may accept its provisions within two years from the date of its approval by the President an amount of land equal to thirty thousand acres for each Senator and Representative in Congress, apportioned according to the census of 1860; and in the event that there is not the quantity of lands within the State, subject to sale at private entry at one dollar and twenty-five cents per acre, land scrip to the amount of such State's distributive share is to be issued in lieu thereof, which scrip may be sold, and the proceeds thereof applied to the foundation of at least one college in the State, "whose leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life." It is further provided, that each State accepting the provisions of the act shall, within five years, provide at least one college for the purposes indicated. Without going into further details in regard to this beneficent provision of the general Government for the promotion of the great educational and industrial interests of the country, I will simply refer you to the act itself, and commend the subject to your faithful consideration. You understand too well the vital importance of fostering and promoting these great interests to require commendation of them from me. The substantial wealth of the Commonwealth, as well as its true glory, depends so much upon education, agriculture, and the mechanic arts, that they should constitute especial subjects of attention at all times by the enlightened representatives of
the people, and I doubt not it will be consonant with your disposition, 
as well as your judgment, to respond with cheerfulness and prompti-
tude to this generous proffer of aid in their behalf by the common 
government. No nation ever became truly great that did not enlight-
en its people and encourage, foster and protect its industry and labor. 
These constitute the source from which all other blessings, aggregate 
and individual, flow; and to doubt your disposition to render them all 
the aid required by legislation would be to question your intelligence 
and your fidelity to the best interests of the Commonwealth.

In connection with this subject I beg leave to refer to the patriotic 
conduct of those who are charged with the management of the affairs 
of our State Agricultural Society. When Kentucky was invaded, a 
few months since, by those who are in rebellion against the Govern-
ment, and who are bending all their energies to its destruction, the Di-
rectory of the Society passed, by a unanimous vote, a resolution direct-
ing that the whole of the means then on hand, amounting to nearly 
ten thousand dollars, should be placed at the disposal of the Execu-
tive for the defense of the State; and in accordance with the resolu-
tion the tender was made. It is true the necessity for the funds thus 
tendered did not arise; but the act is none the less patriotic and praise-
worthy, and I should not have discharged my duty either to them or 
to myself had I not brought the subject to your attention, and thus ex-
pressed my grateful obligations.

The reports of the Keeper of the Penitentiary and of the Board of 
Examiners of that institution will fully advise you of its condition, 
and to them I refer you. These reports, together with the investiga-
tions to be made by your committees, will place you in possession of 
all the information necessary to an intelligent discharge of your duties 
in reference thereto. A change in the custodian of the institution 
is to take place on the 1st of March next, and you will, of course, in 
view thereof, take such action as may be necessary to the inter-
est of the Commonwealth.

I have caused a full statement of the financial condition of the 
Commonwealth to be made out by the Auditor of Public Accounts, 
which will be laid before you. This statement exhibits the condition 
of the Treasury on the 10th day of October last, and presents, in a 
comprehensive and intelligible form, the exact state of the public 
funds under the different heads for which money is raised by taxation 
in the State. It also presents the estimated receipts and expenditures 
or the year 1863, the amount of the debt of the State, and the amount
of its assets; together with an exhibit showing the amount of taxable property for the year 1862, as reported by the Commissioners of Tax for the several counties of the State, with the exception of the counties of Floyd, Fulton, Letcher, Perry and Pike, from which counties no returns have been received, and in those counties the valuation for 1861 is substituted. By this paper the financial condition of the State is presented in a manner perfectly clear and intelligible, and will prove a most valuable auxiliary to you in the discharge of your duties.

After this cursory view of the condition of the State as an independent member of the Republic, and in the conduct of whose affairs you, as the Legislative department, take the initiative in what is directory in the management of them, I proceed now to the consideration of the attitude which Kentucky has occupied in the inauguration and prosecution of the unhappy civil war that convulses the nation, and in its consequences affects the civilized world. And here let me premise that Kentucky stands guiltless of all the blood that has been shed in this deplorable controversy. From the countless battle-fields, covered with the bodies of the slain, none can arise to arraign her as the cause of the slaughter. From the beginning, her voice has been for Peace. In every conceivable mode in which that voice could find utterance she was heard begging and imploring for Peace. She spoke to the nation through her Legislature—through her Representatives in Congress—through a special delegation sent to the Peace Convention at Washington; and, still more recently and more emphatically, in the Border State Convention held in this city. And to her, too, belongs the high honor of proposing to the Congress, through our distinguished and venerable Statesman and Patriot, a compromise known as the “Crittenden Resolutions,” which, if adopted, would have settled the controversy upon terms fair, just and honorable to all, and which must, in the end, be the basis of any satisfactory adjustment consistent with the present Constitution. Every sensible consideration, affecting either National, State, or individual welfare, prompted her so to act. She regarded the integrity of the Nation as her buckler against foreign interference, and her shield against internal disturbance. She regarded the State as sovereign within her chartered limits for all purposes not specially committed to a National Constitutional Government. And looking beyond mere Governmental regulations she considered carefully the happiness of the individual citizen, and properly concluded that it could only be secured by a strict adherence to the Constitution of the United States and a maintenance of the un-
delegated powers themselves. In this latter view she had, at a very early period of our national history, eminently distinguished herself, and shown how sensitive she was upon any encroachment upon the rights of the States. If, in her zeal in defense of those rights, she overstepped the limits of State power, something must be pardoned to the excitement of 1798, which in resisting encroachment fell into an error by constructively asserting for the States, as antagonistic to National usurpation, powers equally inconsistent with the existence of the stability of the Republic. At least such has been the argument built upon the Virginia and Kentucky Resolutions of that period. But even then it was never contended that redress was to be sought for out of the Union and not in it. While nullification was declared to be the rightful remedy, it was, as explained by Mr. Madison, only to hold in abeyance the exercise of power until the question of jurisdiction could be settled by the arbiter provided for in the National Constitution. Her whole history is that of a Union-loving, loyal people. She has shown this in Peace and in War. The war of 1812 and the war with Mexico were signalized by Kentucky valor, and the bones of her sons were left upon every battle-field. And when, too, the first germ of this rebellion opened in South Carolina upon the pretext of an oppressive Tariff, no State was more severe in its denunciation and none more efficient to suppress it. But whatever of glory she may have achieved, either in combating the foreign enemies of the country, or in its diplomacy, or in the National councils, it will all be eclipsed by the manner in which she has borne herself in the present awful crisis. The future historian will give to her the praise of having been calm when all others were excited—as having been far above all mere questions of pecuniary interest or of party success, and self-poised and self-sustained, planting herself upon the Constitution of the Union and the rights of the States, she placed herself and all that she had upon the altar of Patriotism.

To do this was no easy task. In the angry discussions which preceded hostilities, and in the complication of party issues, the Legislative and Executive Departments of the State Government had been placed in hands known to be Southern in their sympathies, and disposed to obstruct the General Government in the exercise of its legitimate powers. A revolution at home had first to be effected, and this was done by appeals to the reason and justice of the people themselves. The loyal men of Kentucky, with profound wisdom, endeavored to keep the State out of this fratricidal quarrel, and to maintain,
so long as it was practicable, an informal neutrality, under cover of which she might the more powerfully address herself to the people of the North and of the South, and bring them to reason. She therefore threw herself, like a massive wall, between the exasperated sections, hoping that, from her central position—being coterminous with six powerful States, and having the great rivers of the Cumberland and Tennessee debouching within her borders, and upwards of seven hundred miles of coast on the Ohio and the “Inland Sea”—her geographical importance, if nothing else, might cause her voice to be heard. But during this whole trying interval she was against Secession, against Abolitionists, against agitators; yet she never was guilty of the folly of denying to the Nation the right to the exercise of any powers in this State that were conceded to it in others. The right to possess forts and hospitals and of transit for troops, was too unquestionable to be controverted, how much soever the necessity for its exercise might be deplored. Kentucky neutrality never meant anything like this, although it was adroitly seized upon by Southern sympathizers and construed to be a declaration of war against the Union. All her efforts proved unavailing—the Southern heart was fired—the fatal blow was struck at Charleston, and Kentucky herself was invaded and seized upon as a “military necessity” by Southern Generals. When example, entreaty, and supplication had all failed, Kentucky was compelled to choose between Union or Disunion. She unhesitatingly ranged herself under the old flag of our country, and, painful as the alternative was, she threw all of her energies into the contest, and has responded, from that moment up to this hour, to every legitimate call made upon her by the Government for men or means with which to prosecute the war to a successful issue. She has furnished fifty-one regiments and two batteries for the field, and the battles of Mill Spring, Fort Donelson and Shiloh, on the Sandy, at Wild Cat, at the Cumberland Gap, at Perryville, and last, tho not least, at Murfresboro', avouch for the bravery of her troops and the skill of her officers.

From this brief but not vain-glorious allusion to the action of Kentucky, one would naturally suppose that so much loyalty and so much sacrifice would have endeared her to all her sister States, and that her rights would have been most scrupulously regarded. But has it been so? Has Kentucky no right to complain of a disregard of those rights, and frequently of a wanton violation of them? Let this important
question be answered by setting forth the wrongs she has suffered and which daily increase in frequency and violence.

She has a right to complain that her neutrality has been denounced in the halls of Congress as either treasonable or cowardly or both. This is a most unkind return to those patriotic and loyal men, who, perfectly understanding the difficulties in their path, adopted the only line of policy that could stem the tide of southern sympathy, and in so doing keep safely to her moorings a great State which, if it had been lost to the Union, would greatly have weakened the national strength, if it had not indeed changed the whole character of the war. But this perhaps is an ephemeral wrong which eventually may recoil upon its perpetrators and be visited upon them with cotemporaneous and historic contempt.

She has a right to complain, that, since the occupancy of her country by the Federal troops, the rights of property have not been duly respected. Under the specious plea of “military necessity,” farms have been laid waste, provisions have been seized, forage has been collected, and instead of being bought in open market where the supply would have been ample and the competition fair, commissaries have gone with teams and soldiers, taking grain and other commodities from the farmers at whatever price the commissaries chose to affix to them; and utterly regardless whether the farmers could spare them or not, and instead of prompt payment leaving in its stead cumbersome certificates which have to pass through many hands before they are properly audited, and then to pass into the general vortex of governmental claims. In consequence of this oppressive and inexcusable, because unnecessary conduct, many of our farmers have been deprived of the means of subsisting their own stock during the present winter, and the direct and consequential losses to them have been ruinous in the extreme. Yet even this might have and has been borne as one of the unpleasant concomitants that follow the marches or encampments of troops—but still it is a matter of wonder to Kentuckians why a different rule prevails on the opposite side of the river. Why is it, that all supplies are bought and paid for in Ohio, the Government coming in as any other purchaser, while the same things are unceremoniously seized in Kentucky? Has Kentucky lost any of her equality with other loyal States, and, if not, who is responsible for making a disparaging difference with her?

I call your attention to these as among the many annoyances our people endure; and perhaps they complain less of them because there
looms up before them a more gigantic evil—one, the bare contemplation of which, sickens the heart and fills all with gloomy and dreadful forebodings. I allude to the disturbance of the slave property of Kentucky.

Whether it would have been better for her that the institution had never been incorporated in her civil polity it is useless now to inquire. It was brought from our old mother Virginia and by men who had fought through the Revolutionary war until its triumphant conclusion. Whatever Utopian notions there may be about African liberty, those men had achieved American freedom. It came among us unincumbered with prejudices and the gradual growth of a century of mutual accommodation until the relative rights of master and slave were fully understood and so administered as to lead to mutual prosperity and advancement. The African captive, the creature of superstitious ignorance and savage cruelty, was gradually emerging from his low estate to one of comprehension of the true principles of the Christian religion and human civilization. He had broken his idols and worshipped with fervor and intelligence the Great God of the Universe. To such an extent had this amelioration progressed, that, at this day, and in this State, to compare the American of African descent with his Caffre or Hottentot progenitor would be absurd. This advancement has been under the tutelage of a humane but necessary subjection to a superior race, and if false humanity violates it, the result will be, that the “American of African descent” must either revert to his original barbarism, or perish from the earth, the victim of a liberty he could not appreciate, or the victim of vices that have already exterminated the aboriginal savage.

Kentucky in separating from the “Old Dominion” engrafted the Institution upon her own fundamental law, and from that day to this it has been uninterrupted protected by her own Constitutional and Legislative enactments. Her right to this species of property has never been questioned. It is sanctioned in the National Covenant, has been protected by Congressional provision for its recovery, and solemnly adjudicated by the Supreme Court. Kentucky held it liable to the incidents of the status, and bore with much patience the losses sustained by those who were fugitives from labor. She lost annually from this cause more than any State in the Union; yet she never attempted violence in its recovery. Although she had much complaint against fanatic citizens of the North Western States she felt the force of the distinction between irresponsible individuals and the acts of those
great Commonwealths. She therefore did not consider these vexa­
tious interferences from her neighbors as just cause for her to break
up the fraternity of sister States or to seek redress outside of the Con­
stitution of the United States. She was aware that that instrument,
faithfully administered, constituted her best safeguard for her slave and
every other species of property, and when an attempt was made to se­
duce her from her allegiance she “frowned indignantly” upon the first
seductive enticements upon her loyalty. In the antecedent pretexts
and preparations for the rebellion she took no part. As an abstract
question, and one of but little practical value, she looked on with indif­
ference upon the Kansas imbroglio—regarding it as more speculative
than of real importance, considering that according to the conceded
rights of the States each Territory, on becoming a State, would settle
the question according to the view it took of its own interests. And
hence in the Presidential election, while she chose for her own candi­
date one who maintained the abstract view of the Southern question,
she was glad to see the Northern side enunciating in their Chicago
platform a distinct disavowal of any right or purpose to interfere with
slavery in the States where it already existed by law. To this posi­
tion the successful candidate was unmistakably committed, and hence
it was, that while Kentucky was disappointed by the defeat of her
own candidate, she felt hopeful that no impassable barrier had been
presented to a peaceful adjustment of all pending difficulties. She
never allowed herself for one moment to stop to discuss the value of
the Union. In her estimation nothing could compare with it in value,
or compensate for its loss; and hence, when the Southern politicians
made bare their treasonable purposes, regardless of the disruption it
made in her own social fabric, and the utter derangement and ruin of
her commercial interests, she took her stand on the side of the Union
and has maintained it with her treasure and her blood. The Constitu­
tion of the Union has not yet been changed, and with her consent never shall be.

But since the commencement of this civil war, there has suddenly
grown up a theory outside of and above the Constitution, and a new doc­
trine has been introduced into practical exhibition—that military necessi­
ty is not to be measured by Constitutional limits, but must be the judge of
the extent of its powers. As an offshoot from this political heresy there
have appeared among us not only anti-slavery propagandists but men
who have actually presumed to override our own State laws and turn
Regiments brought here ostensibly for our protection into cities of re-
fugue for runaway slaves. To such an extent has this been carried, that not only have our citizens been driven from the camps where they have traced their property into the possession of the soldiers, but the civil officers have been prevented from serving any process for their recovery. This high-handed and iniquitous conduct is daily and hourly weakening the cause of the Union and paralyzing the efforts to suppress the rebellion. And in addition to all this, it is putting the State to imminent peril. It is asking too much of the citizen to expect him to fold his arms in quiet submission when his property is taken from him in his very presence, and to be rudely thrust aside at the point of the bayonet when he attempts to reclaim it. Your State laws are already ample for redress of offenses against the property of the citizen as the same have been ordinarily committed, but I suggest to you the propriety of other and more stringent laws against the infamous practice of abolition soldiers in this particular, and to do this effectually there should be a solemn re-affirmation of the great truth, that in all free governments the military is and must be subject to the civil authority, and by proper legislation give it a practical meaning by providing for its maintenance at all hazards.

It is but just to add, that this accusation does not apply indiscriminately to all the Regiments that have been quartered in Kentucky. The commanders of many of them oppose the practice as far as they can do so consistently with what they believe to be their duty as subject to the rules and articles of war and the Proclamation of the President of the United States issued on the 22d of September last. To that Proclamation I would now call your especial attention.

While I am willing to believe that the President thought that his proclamation would have a beneficial effect in expediting the close of the war, it is now apparent that he has lent too facile an ear to the schemes of abolition partisan leaders, who have practiced upon his patriotic heart, blinded his better judgment, alarmed his fears, and induced him to publish a manifesto from which nothing but evil, and that continually, can flow. As an operative edict in the Southern rebellious States, it can have no other effect than to strengthen them in their rebellion and give a tolerable pretext to their cause. He might with as much reason have issued a proclamation to them to lay down their arms. Both equally expose him to a contemptuous rejection of his scheme.

But he makes a distinction between slavery in the rebel States and slavery in the loyal States, and proposes to the latter compensated
emancipation as an equivalent for their surrender of the institution itself. It is probable that this proposition was intended especially for Kentucky; but how vain is an offer when there is no power to accept it, even if there was a disposition to do so? Kentucky's Constitution fixes the institution as a part of her settled policy, and the question is a concluded one, only to be re-opened by the call of a Convention and the adoption of a new Constitution. This could not, owing to the provisions of the instrument, be effected until many years have elapsed—a period before the arrival of which it is to be hoped this wretched war will have been brought to a close.

But even if there were no constitutional impediment in the way, his proposition would be and ought to be promptly rejected. Kentucky understands her own interests too well to be thankful for gratuitous advice as to the mode in which she should manage them; and when she wants the assistance of any outside administration of her affairs, she claims the privilege of originating the suggestion. I would therefore suggest the propriety of your passing a resolution, by way of response to the President's proposition, that Kentucky rejects it; and at the same time, in behalf of her own unquestioned rights as an independent power in the control of her own State polity, protests against any interference with it as unwarranted by the Constitution of the United States.

After thus disposing of what may be considered as especially addressed to Kentucky, I would call your attention to the Proclamation of the President, declaring freedom to all slaves in the Rebel States, and forbidding the interference of the armies of the United States with any who were endeavoring to assert their freedom.

I have thought it becoming my official station to say what I have in relation to so much of the proclamation as looked to an admission or rejection of it by our State. But Kentucky is equally involved in the material branch of the proclamation which undertakes, by a presidential edict, to emancipate, instantly, all the slaves of the rebellious States. These may, without an exaggeration of their numbers, be set down as four millions. Abstracting them from the aggregate of the slave population of the United States, and there remains a mere fragment in Delaware; not over one hundred thousand in Maryland; about fifty thousand in Missouri; and by the last census two hundred and twenty-five thousand in Kentucky. So that it is apparent that Kentucky has the largest residuary interest, supposing that the proclamation is enforced in the Southern States. That the value
of this interest must be reduced to nothing by the successful operation of the President's ultimatum is too manifest for argument. Is there any reason why Kentucky should be subjected to this indirect but no less fatal blow? Is there anything in the Constitution of the United States that warranted it? Was there anything in Congressional legislation that warranted it? And does any subsequent endorsement by a partizan Congress relieve it from its original usurpation? I think that one may search in vain for any such power given to the President in the Constitution of the United States; and any exercise of powers not granted therein is an attempt to save the Union out of and not in it. Kentucky and all loyal States hold it to be a fundamental doctrine, that the Union, if saved at all, must be saved in conformity to the Constitution and not in violation of it. This truth is so clear that argument is superfluous. No one at all versed in the spirit or the letter of our institutions can seriously contend for such powers as the President undertakes to exercise in his Proclamation. The assumption of them has alarmed the American mind, and the contemplation of the result of them has grieved the American heart. Disguise the purpose as you may, it is in truth an inducement to servile insurrection, by giving to it a probability of success in forbidding the army to interfere. I will not pause here to depict the horrors of a servile war—no imagination can conceive of them—no pen can paint them. Even the sanguinary Cataline, impressed with the sense of the horrors of a servile war, and scrupulously regarding the dignity of Roman citizenship, rejected the aid of slaves although they flocked in great numbers to his standard. And those slaves were men of the same generic root with the Romans, and many of them educated in the arts and arms. This historic truth might have been heeded with profit by the President, and the force of it is immensely increased from the fact that the "Africans of African descent" are the progeny of a brutal ancestry and of a different race from our own.

But suppose his plan succeeds so far as to give liberty to four millions of slaves, and that it is effected without servile insurrection, what then is to be done with them? Are they to be permitted to choose their own domiciliation, and, if they are, may they not come into Kentucky in vast masses and as effectually destroy the institution here as if our State had not been excepted out of the immediate operation of the manifesto? Most assuredly such would be the result? If the migratory wave comes this way how can it be checked? According to the President's view it will be an effort at freedom and the army is
forbidden to interfere. If on the other hand it is the intention to per-
mit them to remain where they are, and all the landed estate is to be
forfeited, will it not all be given to them as its lawful inheritors?
What then is to become of the white race? Either extermination or
removal must follow, or if they remain they will be reduced to the
most abject poverty, and instead of raising the standard of the "ignor­
ant whites," as some call them, it will reduce all to that level.

But the saddest and most deplorable effect of the Proclamation will
be to fire the whole South into one burning mass of inextinguishable
hate and study for revenge, and to utterly destroy all hope of restoring
the Union. This war was undertaken for that purpose alone—it was
to put down the rebellion in order that the ancient limits of the Nation
and the integrity of the Constitution might be maintained. But what
hope can there be of bringing about such desirable results, if the at­
tempt is made to strip the entire South bare of all estate, real, per­
sonal and mixed? It will produce such a spirit of antagonism—such
a fierce and uncompromising resistance that no after propositions will
be heeded, and will of necessity compel the Southern people to fight
as those only can fight who fight for their homes and their families
and all that makes life dear. And then, too, what a future does it
present to the occupants of the Mississippi valley! Of what value
will be the use of that great artery of our commerce, when it leads as
through desolated fields or to the barren agriculture of a lazy, ignorant
race who produce nothing to tempt enterprise, and whose sole idea of
liberty is to live without labor? The entire upper region of the Ohio
and Mississippi is vitally interwoven in the defeat of this monstrous
dict. It will reach to every farm and workshop of that vast region,
as it will destroy the best market for whatever the industry of the peo­
ple might produce. I will not pursue these views any farther—they
are suggestions that must sink deep into the mind of every statesman.

But by far the most alarming aspect in which the proclamation pre­
sents itself, is its usurpation of the powers of the Government, upon
the specious pretext that the President "sincerely believe it to be an
act of justice, warranted by the Constitution upon 'military necessi­
ty.'" If military necessity is not to be measured by constitutional
limits, we are no longer a free people. The sword has become para­
mount and the civil authority subordinate. This monstrous doctrine
has already received an indignant rebuke from the people themselves.
The great States of New York, Ohio, Indiana, New Jersey and Illinois
in their recent elections have put their veto upon it; and later returns
indicate that Connecticut and other parts of New England will soon add their emphatic condemnation. Indeed it is apparent that the people are aroused to a sense of the danger that threatens their constitutional liberties and will in good time come to the rescue. Until that day, which is unquestionably near at hand, arrives, it becomes Kentucky to maintain the position she has hitherto occupied. Let her not abate one jot or tittle of her opposition to Secession or to Abolition, but let her poise herself upon the great truth that man is capable of self-government, and that God designs this country for a great, a free and a happy people, and shape her policy to that grand end. In the meantime the Legislature would do well to follow the example of our Kentucky fathers, and place upon her records a protest against the Proclamation, and re-affirm the great principles of American liberty—State and National.

In conclusion, I may be permitted to remark that the distressing calamities of the past year teach us an important lesson. During the long period of our National Independence, God has favored us as He has favored no other nation. He blessed the Union of these States; and under the Constitution of our fathers the people were prosperous and happy. Man, in the madness of his ambition or through the insanity of discontent undertook to sever the bonds by which we were united, and ruin and desolation have followed. The wrath of man has been let loose, and it has shown us what a fearful penalty awaits those who misuse the goodness of Providence. Yet our Heavenly Father has claims upon our gratitude for the mercies He has mixed with His chastisement. He has caused the earth to be prodigal in its yield. The seed time and the harvest have come in their season and the garnerers have been filled to overflowing with the abundance of the past year. He has tempered the winds and so directed all the elements of life, that the pestilence that walketh at noon-day has not placed its foot within our borders, and health has been vouchsafed to us in an unusual degree. For these and all His blessings to us, we, the people, should praise Him.

JANUARY 8, 1863.

Mr. Wolfe moved the following resolution, viz:

Resolved, That those portions of the Governor's message which relate to the subject of the emancipation of Slaves in the State of Kentucky, and the proclamation issued on the 1st of January, by the President, be referred to the committee on Federal Relations.

Which was adopted.
Mr. Ward moved to print the usual number of copies of the Governor's message.

Mr. James W. Anderson moved to amend by printing 10,000 copies of said message.

Mr. Wolfe presented the petition of William Claytor, praying compensation for bearing requisition of Governor of Kentucky on the Governor of Louisiana for a warrant for the arrest of Robert Ellis, fugitive, &c.

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

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

On motion of Mr. Finnell—1. A bill to amend the charter of the Covington and Cincinnati Bridge Company.

On motion of Mr. Tevis—2. A bill to amend acts in relation to separate estate of married women.

On motion of Mr. Wolfe—3. A bill to increase the commissions of the sheriff of Jefferson county.

On motion of Mr. R. J. Browne—4. A bill for the benefit of Henry Brown, late sheriff of Washington county.

Ordered, That Messrs. Finnell, Tevis, and Cochran prepare and bring in the 1st; the committee on the Judiciary the 2d, and the committee on Ways and Means the 3d and 4th.

Mr. James W. Anderson read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the sum of one hundred thousand dollars is hereby appropriated, out of any unappropriated money in the Treasury, for the relief of those who have been brought to want by the rebellion.

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

On motion of Mr. Cleveland,

The House adjourned.
FRIDAY, JANUARY 9, 1863.

Mr. John Humphries, the member elected to fill the vacancy occasioned by the resignation of John W. Gaines, from the county of Trigg, and Mr. J. Crockett Sayers, the member elected to fill the vacancy occasioned by the resignation of G. Clay Smith, from the county of Kenton, appeared, and having taken the oath prescribed by the Constitution, took their seats.

1. Mr. Finnell presented the petition of James H. Bristow, Chaplain 5th Kentucky Infantry, concerning condition of army hospitals in Kentucky.

2. Mr. Gabbert presented the petition of James B. Mann and others, of common school district No. 37, of Mercer county.

3. Mr. Ray presented the petition of the sureties of John R. Cargyle, late sheriff of Hopkins county, praying to be released from judgment for damages.

4. Mr. Poindexter presented the petition of the trustees of school district No. 7, of Christian county, praying an act allowing them to have schools taught, &c.

5. Mr. Desha presented the petition of Joseph Shawhan, and the sureties of Shawhan, late sheriff of Harrison county, praying to be released from judgment for damages, &c.

6. Mr. Wolfe presented the petition of Lawrence P. N. Landrum, praying compensation for injuries sustained by the rebellion.

Which were severally received, the reading dispensed with, and referred—the 1st and 6th to the committee on Military Affairs; the 2d and 4th to the committee on Education; the 3d to the committee on Claims, and the 5th to the committee on Ways and Means.

Mr. Finnell, from the select committee, to whom was referred leave, reported a bill to amend the charter of the Covington and Cincinnati Bridge Company.

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

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

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. Cleveland moved the following resolution, viz:

Resolved, That the Speaker of the House be requested to invite the ministers of the gospel, resident in Frankfort, to open the House, each morning, with prayer.

Which was adopted.

Mr. Cleveland moved the following resolutions, viz:

Resolved, That so much of the Governor's message as relates to the finances of the State, be referred to the committee on Ways and Means.

Resolved, That so much of said message as relates to the subject of common schools, be referred to the committee on Education.

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

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

Resolved, That so much of said message as relates to a donation of land, by Congress, for the establishment of an agricultural school, be referred to the committee on Education.

Which were adopted.

Mr. Allen moved the following resolution, viz:

Resolved, That the portion of the Governor's message, recommending the "raising of State forces to protect our borders from raids and invasions," be referred to the committee on Military Affairs.

Which was adopted.

Mr. Allen moved the following resolution, viz,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the President of the United States be requested to restore Col. John H. McHenry, Jr., to his former position in the army of the Nation; and that he be urged to attend to his rapid promotion.

Resolved further, That a copy of these resolutions be forwarded to the President by the Governor of the Commonwealth.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. J. W. Anderson moved the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky hereby enters her solemn protest to the emancipation proclamation of Abraham Lincoln, President of the United States, issued on the first day of January, 1863, because it is unconstitutional, and if designed as a war measure, is both unwise and impolitic.

2. Resolved, That the President of the United States, as Commander-in-Chief of the Army and Navy of the United States, has no power
given him by the Constitution, either by proclamation, manifesto, or edict, or in any other way, to emancipate or liberate the slaves of any one whatever; and all such power, when assumed, is without any right whatever, and therefore null and void.

3. Resolved, That the loyal people of the United States intend to put down this wicked rebellion at the cost of whatever of blood and treasure it may require, but at the same time they intend to preserve, inviolate, that sacred instrument, the Constitution of the United States, and leave no precedent for any one in after life to take from them any of their rights.

4. Resolved, That slavery in the United States is peculiarly and exclusively a State institution, the control of which has never been given to the General Government; and any State now, or after this rebellion shall have been put down, that has heretofore emancipated her slaves, may again, in her organic law, incorporate said institution, and again foster and protect slavery without the consent of the General Government.

5. Resolved, That the Union and the Constitution must and shall be maintained.

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

Mr. Underwood moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire in the expediency of placing all executions which may issue upon judgments obtained at the same term of any court, against the same defendant, upon the same footing, so as to divide the proceeds of any sale of such defendant's property pro rata among the several plaintiffs in the different executions; and that they report by bill or otherwise.

Which was adopted.

Mr. Underwood moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of allowing lands sold under attachments and judgments or decrees of a chancellor, to be redeemed in the same manner as lands sold under execution; and that they report by bill or otherwise.

Which was adopted.

Mr. R. J. Browne moved the following resolution, viz:

Resolved, That in order that there may be an early adjournment of this Legislature, that this House will, on next Monday, at 11 o'clock A. M., proceed to consider the bill to divide the State into Congressional districts; and on next Wednesday, at 11 o'clock A. M., to the consideration of the bill fixing the compensation of the Keeper of the Penitentiary.

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. Poindexter—1. A bill to amend an act entitled, an act to amend the jury laws of the Commonwealth of Kentucky.

On motion of Mr. Huston—2. A bill to change the law in regard to the power of county judges as to appointing the time of holding the quarterly courts.

On motion of Mr. McFarland—3. A bill to amend the charter of the Deposit Bank of Owensboro.

On motion of Mr. Bush—4. A bill to authorize the Hancock county court to increase the county levy.

On motion of Mr. Sparks—5. A bill to amend the charter of the Crab Orchard and Lawrenceburg turnpike road company.

On motion of Mr. Martin—6. A bill for the benefit of Uriah G. Berry, school trustee of Livingston county.

On motion of Mr. Turner—7. A bill to amend the 440th section of the Civil Code of Practice.

On motion of Mr. Roberts—8. A bill for the benefit of the former sheriff of Owen county.

On motion of Mr. Johnson—9. A bill for the benefit of former sheriffs of Scott county.

On motion of Mr. J. B. Cochran—10. A bill for the benefit of Lewis H. Arubee, of Shelby county.

On motion of same—11. A bill for the benefit of the sureties of John S. Roberts, late sheriff of Shelby county.


On motion of Mr. Underwood—14. A bill to change the times of holding the quarterly courts of Warren county.

On motion of Mr. R. J. Browne—15. A bill legalizing the appointment of patrols by the Washington county court.

On motion of Mr. Van Winkle—16. A bill for the benefit of the common school commissioner and trustees of common schools in Wayne county.

On motion of same—17. A bill for the benefit of common school district No. 11, of Wayne county.

On motion of same—18. A bill for the benefit of Isaac Gastine, late sheriff of Pulaski county.

On motion of same—20. A bill for the benefit of W. D. Black.

On motion of Mr. Heady—21. A bill to amend section 460, chapter 111, of the Civil Code of Practice.

On motion of Mr. Wolfe—22. A bill to amend 6th and 10th sections of chapter 42 of the Revised Statutes.

Ordered, That the committee on the Judiciary prepare and bring in the 1st and 22d; the committee on Revised Statutes the 2d and 4th; Messrs. McFarland, Allen, and J. B. Cochran the 3d; the committee on Internal Improvement the 5th; the committee on Education the 6th, 16th, and 17th; the committee on Codes of Practice the 7th and 21st; the committee on Ways and Means the 8th, 9th, 11th, 12th, 13th, 18th, 19th, and 20th; the committee on Propositions and Grievances the 10th; Messrs. Underwood, Clay, and Harney the 14th, and the committee on County Courts the 15th.

The House then took up the amendment proposed on yesterday by Mr. J. W. Anderson to the motion of Mr. Ward to print 10,000 copies of the Governor’s message for the use of the members of this House.

Mr. J. B. Cochran moved to amend by printing 9,900 copies.

The question was then taken upon the amendment of Mr. J. W. Anderson, and it was decided in the affirmative.

Resolved, therefore, That the Public Printer forthwith print 10,000 copies of the Governor’s message for the use of the members of this House.

And then the House adjourned.

SATURDAY, JANUARY 10, 1863.

1. The Speaker laid before the House a communication from Thos. N. Lindsey, in relation to the sale of the Kentucky Military Institute, which was read, and referred to the committee on Agriculture and Manufactures.

2. Mr. Henry presented the petition of W. G. Waide, sheriff of Simpson county, praying for relief.
3. Mr. Ray presented the petition of William R. Baker, sheriff of Hopkins county, praying relief.

4. Mr. Warring presented the petition of sundry citizens of Allen county, praying a change in their county lines.

5. Mr. Underwood presented the petition of R. G. Potter, jailer of Warren county, in relation to runaway slaves in jail.

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

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

On motion of Mr. Heeter—1. A bill for the benefit of common school district No. 50, in Allen county.

On motion of Mr. Cleveland—2. A bill for the benefit of the citizens of Augusta, whose property was destroyed by the rebels under Basil Duke, on 27th September last.

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

On motion of same—4. A bill for the benefit of Reuben Payne, late sheriff of Russell county.

On motion of Mr. J. W. Anderson—5. A bill for the benefit of Francis Catron, sheriff of Knox county.

On motion of Mr. Wolfe—6. A bill to amend article 2, section 614 of chapter 3, title 13, of the Civil Code of Practice.

On motion of Mr. Martin—7. A bill for the benefit of Bart. Boyd, late sheriff of Livingston county.

On motion of Mr. Henry—8. A bill to change the time of holding the quarterly courts of Simpson county.

On motion of same—9. A bill granting certain powers to the county court of Simpson county.

On motion of Mr. Underwood—10. A bill to amend the charter of the town of Bowlinggreen.

On motion of same—11. A bill to regulate the circuit and equity and criminal courts in the 4th judicial district.

On motion of Mr. R. J. Browne—12. A bill to amend 225th section of the Civil Code of Practice.

On motion of Mr. Jones—13. A bill to change the place of voting in district No. 7, in Whitley county.

On motion of Mr. Heady—15. A bill to allow certain officers further time to qualify.

Ordered, That the committee on Education prepare and bring in the 1st; the committee on Claims the 2d; the committee on Ways and Means the 3d, 4th, 5th, 7th, 13th, and 14th; the committee on the Judiciary the 6th and 11th; the committee on County Courts the 8th, 9th, and 15th; Messrs. Underwood, Clay, and Harney the 10th, and the committee on the Codes of Practice the 12th.

Mr. McFarland, from the select committee, to whom was referred leave, reported

A bill to amend the charter of the Deposit Bank of Owensboro'.

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 Banks.

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

Resolved, That the committee on Revised Statutes be requested and instructed to report a bill to this House increasing the tax on tavern licenses, with privilege of selling liquors, to the sum of fifty dollars, and require each person engaged in vending liquors, whether he be proprietor or clerk, or what not, to take an oath neither to sell or give, or cause to be sold or given, if within his or her power to prevent it, any kind of liquors whatever to any slave or slaves; and also require all merchants who sell by the quart to pay a license of twenty-five dollars; and said merchants and distillers to take the above oath, and all of those who sell for them, if it is only to sell one glass or quart of liquor.

Ordered, That said resolution be referred to the committee on Revised Statutes.

Mr. Turner moved the following resolution, viz:

Resolved, That the committee on Education be instructed to inquire into and report upon the propriety of making it a felony for any common school commissioner or trustee to receive, appropriate, and not account for, any common school funds received by him, and that they report by bill or otherwise.

Which was adopted.
On motion of Mr. Underwood,

Ordered, That the Public Printer forthwith print 150 copies of the bill to lay off the State into nine congressional districts, for the use of the members of the General Assembly.

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

An act to amend an act entitled, an act to amend the charter of the Covington and Cincinnati Bridge Company.

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

An act to incorporate the Germania Lodge, No. 143, Independent Order of Odd Fellows.

An act to incorporate the Kentucky Coal Mining Company of Louisville.

And had received official information from the Governor announcing that he had signed and approved a bill which originated in the Senate, entitled,

An act to fix the pay of the adjutant and quarter-master generals.

On motion of Mr. Cleveland,

Ordered, That the Public Binder prepare the Governor's message ordered to be printed for the members of this House, in envelopes.

And then the House adjourned.

MONDAY, JANUARY 12, 1863.

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

An act to amend an act entitled, an act to amend the charter of the Covington and Cincinnati Bridge Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.
Mr. J. W. Anderson presented the petition of Frank Catron, sheriff of Knox county, praying for relief, which was received, the reading dispensed with, and referred to the committee on Ways and Means.

Mr. Huston, from the committee on the Judiciary, to whom was referred leave, reported a bill entitled,

An act to amend the law concerning executions,

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 the Public Printer forthwith print 150 copies thereof for the use of the General Assembly.

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

On motion of Mr. Heeter—1. A bill for the benefit of the late sheriff of Allen county.

On motion of Mr. Warring—2. A bill to fix compensation for the apprehension of fugitive slaves in this Commonwealth.

On motion of same—3. A bill to authorize the sheriffs of this Commonwealth to sell land for taxes in certain cases.

On motion of Mr. Johns—4. A bill for the benefit of William Williams, late sheriff of Boyd county.

On motion of same—5. A bill for the benefit of John Jones, of Lawrence county.

On motion of Mr. Proctor—6. A bill for the benefit of F. M. Dumbrum, sheriff of Edmonson county, and his securities.

On motion of same—7. A bill giving further time to the trustees and commissioners of common schools of Edmonson county to make their reports.

On motion of Mr. Poindexter—8. A bill to change the time of holding quarterly courts in Christian county.


On motion of Mr. Blue—10. A bill for the benefit of J. A. Yandell, late sheriff of Crittenden county.

On motion of Mr. Hawthorne—11. A bill to amend the charter of the city of Newport.

On motion of same—12. A bill to amend the act incorporating Walnut Hills Seminary, in Campbell county.


On motion of Mr. Mears—15. A bill for the benefit of A. C. Cox, of Green county.


On motion of Mr. T. S. Brown—17. A bill for the benefit of the sheriff of Johnson county.

On motion of Mr. Finnell—18. A bill to amend the charter of the city of Covington.

On motion of Mr. Sayres—19. A bill to amend the charter of the Covington and Lexington turnpike road company.

On motion of Mr. J. W. Anderson—20. A bill giving the Governor the power to remit all the damages allowed upon executions where judgments have been taken against defaulting sheriffs.


On motion of Mr. Layton—22. A bill to legalize marriages which have taken place under certain circumstances.

On motion of same—23. A bill for the benefit of school district No. 23, of Lewis county.

On motion of Mr. J. R. Thomas—24. A bill to amend chapter 63, article 3, and section 3 of Revised Statutes.

On motion of Mr. Griffith—25. A bill for the benefit of A. C. Tanner, late clerk of McLean county.

On motion of Mr. Owings—26. A bill for the benefit of the sheriff of Meade county.

On motion of Mr. Turner—27. A bill for the benefit of the sureties of John H. Bradshaw, late sheriff of Powell county.

On motion of same—28. A bill to authorize guardians, trustees, and wards, and cesari que trusts to make investments in real estate.

On motion of same—29. A bill to amend the 19th section of the 37th chapter of the Revised Statutes.

On motion of Mr. Brann—30. A bill for the benefit of the sureties of Isaac Yelton, late sheriff of Pendleton county.

On motion of same—31. A bill for the benefit of school districts Nos. 11 and 26, in Pendleton county.
On motion of Mr. Robert Cochran—32. A bill to prevent the destruction of fish in the waters of Salt river and Brashear's creek, in the county of Spencer.

On motion of Mr. Chandler—33. A bill for the benefit of R. Davis, sheriff of Taylor county.

On motion of Mr. R. J. Browne—34. A bill to amend the charter of the Springfield Agricultural and Mechanical Association.

On motion of Mr. Underwood—35. A bill to amend chapter 2 of the Revised Statutes.

On motion of Mr. Powell—36. A bill in relation to idiot claims.

On motion of Mr. Cleveland—37. A bill repealing an act fixing the time of holding the quarterly and magistrates' courts in June and December.

On motion of Mr. Lisenby—38. A bill for the benefit of Hustonsville and Coffey's Mill turnpike company.

Ordered, That the committee on Ways and Means prepare and bring in the 1st, 3d, 4th, 6th, 9th, 16th, 14th, 17th, 20th, 25th, 26th, 27th, 30th, and 33d; the committee on the Judiciary the 2d, 18th, 21st, 22d, 24th, and 28th; the committee on Education the 7th, 12th, 23d, and 31st; the committee on Revised Statutes the 8th, 29th, 35th and 37th; the committee on Corporations the 11th and 34th; the committee on Claims the 15th, 16th, and 36th; Messrs. McFarland, Allen and Griffith the 13th; the committee on Internal Improvement the 19th and 38th, and the committee on Propositions and Grievances the 5th and 32d.

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

WHEREAS, R. M. Bradley is in this city with several original maps—one representing the formation of the Federal and all the State Constitutions—together with the treaties made with foreign nations; another representing the effects of the dissolution of the Union; also, with some propositions by which he thinks the country can be restored to its former constitutional liberty—therefore,

Resolved, That said Bradley have an opportunity to present his maps, and fully discuss his propositions to this General Assembly; and for that purpose the Legislative Hall is tendered him, to be occupied at night, on the evenings of Thursday, Friday, and Saturday next, at 7½ o'clock.

Which was adopted.

Mr. Martin moved the following resolution, viz:

Resolved, That the committee on the Judiciary be requested to inquire into the expediency of reporting a bill to so arrange the decis-
ions of the Court of Appeals as to have all the decisions on one offense under one general head.

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

Mr. Martin moved the following resolution, viz:

*Resolved,* That the Sergeant-at-Arms be requested to take the names, post-office, place of nativity, age, avocation, counties they represent, of each member of the present General Assembly, and that the same be published and furnished each member for future reference.

Mr. Cleveland moved to add the following amendment to said resolution,

And also a photograph likeness of each member.

*Ordered,* That said resolution and amendment be referred to the committee on Religion.

Mr. Turner moved the following resolution, viz:

*Resolved,* That the committee on the Judiciary be directed to prepare and introduce a bill providing the manner and courts in which the Commonwealth may be sued, as provided in the 6th section of the 8th article of the Constitution.

Which was adopted.

Mr. R. J. Browne moved the following resolution, viz:

*Resolved,* That the committee on Ways and Means inquire into the propriety of relieving sheriffs from damages for not paying over the revenue for the years 1860 and 1861, in the time prescribed by law, when they have since that time paid over the said revenue; and that they report by bill or otherwise.

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

Mr. Kennedy moved the following resolution, viz:

*Resolved,* That the use of this hall be tendered to Parson W. G. Brownlow, to deliver an address this evening, at half past seven o'clock, January 12, 1863.

And the question being taken thereon, said resolution was adopted.

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

Those who voted in the affirmative, were—

Alfred Allen,                  Brutus J. Clay,                  David P. Mears,
Jas. W. Anderson,              Francis L. Cleveland,             George Poindexter,
R. C. Anderson,                William L. Conklin,                Hiram S. Powell,
E. B. Bacheller,               Elijah Gabbert,                   Nicholas A. Rapier,
Jonathan R. Bailey,            Henry Griffith,                   John Ray,
Joshua Barnes,                 Jacob Hawthorne,                  F. D. Rigney,
Elisha Beazley,                Joseph W. Heeter,                  James A. Rousseau,
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Those who voted in the negative, were—

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

An act to change the time of holding the quarterly courts in Marshall county.

An act to authorize a judicial sale of the Centerville and Jacksonville turnpike road, and for other purposes, relating thereto.

And then the House adjourned.

TUESDAY, JANUARY 13, 1863.

1. Mr. Bell presented the petition of Eliza Catharine McIntosh, of Southampton, England, praying removal of her estate from Kentucky.

2. Mr. Tevis presented the petition of T. F. Evans and others, in relation to billiard tables in the city of Louisville.

3. Mr. Blue presented the petition of sundry citizens of Lyon county, praying to be added to Caldwell county.

4. Mr. Jones presented the petition of sundry citizens of district No. 7, of Whitley county, praying a removal of the voting place in said district.
5. Mr. Huston presented the petition of George W. Dunlap, Director in the Lancaster and Crab Orchard turnpike road company, in relation to repairs on said road.

6. Mr. Harney presented the petition of the Beer Brewers Society, of Louisville, praying an act of incorporation, &c.

7. Mr. Clay presented the petition of the Managers of the Paris and Clintonville turnpike road company, praying an amendment to their charter.

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

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

On motion of Mr. Barnes—1. A bill to restore the chartered rights of the trustees of Sharpsburg, Bath county.

On motion of Mr. White—2. A bill requiring certain officers and clerks in taverns and groceries to take an oath.

On motion of Mr. Blue—3. A bill for the benefit of common school district No. 46, in Crittenden county.

On motion of Mr. Hawthorne—4. A bill for the benefit of George Morrison's heirs, of Campbell county.

On motion of Mr. Powell—5. A bill in relation to aliens and their property.

On motion of Mr. Sparks—6. A bill to change the lines of Henry and Trimble counties.


On motion of Mr. Bailey—8. A bill to repeal an act to amend the law creating a Board of Supervisors of Tax, approved 15th February, 1858, and to re-enact the old law, &c.

On motion of Mr. Morrow—9. A bill for the benefit of Pulaski county.

On motion of same—10. A bill to pay the nine months' Kentucky volunteers one month's pay in advance.

On motion of Mr. Henry—11. A bill to repeal an act to prohibit the circulation as money of foreign notes under the denomination of five dollars.
On motion of same—12. A bill to amend section 10, title 2, of the Criminal Code of Practice.

On motion of Mr. J. B. Cochran—13. A bill to amend the law regulating the taxation of costs in civil proceedings.

Ordered, That Messrs. Barnes, Botts, and Johns prepare and bring in the 1st; the committee on Revised Statutes the 2d, 7th, 8th, 11th, and 13th; the committee on Education the 3d; the committee on the Judiciary the 4th; the committee on Ways and Means the 5th; the committee on Propositions and Grievances the 6th; the committee on County Courts the 9th; the committee on Military Affairs the 10th, and the committee on the Codes of Practice the 13th.

The following bills were reported, viz:

By Mr. Chambers, from the committee on Education—
1. A bill for the benefit of school district No. 37, in Mercer county.

By Mr. Cleveland, from the committee on County Courts—
2. A bill granting certain powers to the county court of Simpson county.

By same—
3. A bill legalizing the appointment of patrols by the Washington county court.

By same—
4. A bill concerning county officers.

By Mr. Bush, from the committee on Revised Statutes—
5. A bill to amend the charter of the city of Covington.

By Mr. Huston, from the same committee—
6. A bill to amend an act entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to circuit courts.

By Mr. Robert Cochran—
7. A bill for the benefit of the circuit and county court clerks of Spencer county.

By Mr. Gibson—
8. A bill for the benefit of the police judge of the town of Hartford.

By Mr. Cleveland—
9. A bill for the benefit of Pulaski county.

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

The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,
The 1st, 2d, 4th, 5th, 6th, 7th, and 9th were ordered to be engrossed and read a third time.

Mr. Bush moved an amendment so as to include Hancock to the 3d; and on motion of Mr. Huston it was referred back to the committee on County Courts, with instructions to report a bill of a general character in relation thereto; the 8th was referred to the committee on County Courts.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 5th, 6th, 7th, 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. Bush, from the committee on Revised Statutes, to whom was referred the resolution of Mr. James W. Anderson, in relation to increase of tavern license, &c., reported the same with the expression of opinion that it ought not to pass.

Mr. Rousseau moved to amend the resolution as follows, viz:

“That the committee shall further inquire into the propriety of making it a felony either to make, sell, or drink spirituous liquors.”

Which amendment was rejected.

The question was then taken upon adopting the report of the committee, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen, Francis L. Cleveland, Alexander Lusk,
Jas. W. Anderson, Robert Cochran, William Mercer,
R. C. Anderson, Albert A. Curtis, Thos. W. Owings,
Joshua Barnes, Geo. M. Hampton, Hiram S. Powell,
Elisha Beazley, Joseph W. Heeter, Larkin Proctor,
William S. Botts, Wm. C. Ireland, James P. Sparks,
Wm. Bowling, Daniel W. Johns, Thomas Turner,
Leroy Brinkley, J. M. Jones, W. W. Warring,
A. B. Chambers, Perry S. Layton, Alex. T. White—28.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Elijah Gabbert, Felix G. Murphy,
Evan M. Garriott, George Poindexter,
Remus Gibson, Nicholas A. Rapier,
Henry Griffith, John Ray,
John H. Harney, Joseph Ricketts,
Jacob Hawthorne, F. D. Rigney,
Joshua F. Bell, John W. Blue,
J. W. Boone.
A message was received from the Governor by Mr. Wickliffe, Secretary of State, announcing that he had approved and signed an enrolled bill originating in this House, entitled,

An act to amend an act entitled, an act to amend the charter of the Covington and Cincinnati Bridge Company.

Mr. Allen moved the following resolution, viz:

Resolved, That the committee on the Judiciary be directed to inquire into the propriety of bringing in a bill requiring the circuit court clerks of this Commonwealth to docket penal and criminal causes for the third and subsequent days of the term, instead of the first.

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

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

Whereas, The division of the Federal army under the command of Gen. Geo. Morgan, in its march from Cumberland Gap to the Ohio river, was supplied with horses, provisions, and other commissaries stores, by the loyal citizens of the country through which said army passed, for much of which the proper vouchers were not given, and which consequently cannot be legally paid by the proper disbursing officers of the Government; wherefore, be it

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress be requested to procure the passage of such a law as may be necessary, providing for the auditing and payment of the claims mentioned in the preamble to this resolution.

2. Be it further resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolutions to our delegation in Congress.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Librarian be and he is hereby instructed to purchase for the use of the State Library, Senate, and House of Representatives, three copies of the Holy Bible—one for the use of each department aforesaid—and that the Auditor draw his warrant on the Treasurer for the cost of said books.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to procure the passage, by Congress, of a law making compensation to the citizens of Kentucky for damages to their property, committed by the Federal army, while in the State.

2. Resolved, That the Governor be requested to furnish a copy of the foregoing resolution to our Senators and Representatives in Congress, with a request to lay the same before their respective Houses.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the Constitution of the United States is the instrument by which, for certain general objects, the union of the component States was effected, and is the measure of the restricted powers delegated to the Federal Government as a political agency of that union; that the relations of the States towards the Federal Government, and towards each other, are plainly defined and limited by the Constitution; that all the operations of that Government should, at all times, be carried on by constitutional measures for constitutional ends; and that the Union thus created, and the Government thus conducted, should be protected and defended against all assailants from within or from without.

2. That the Government of the State of Kentucky is a political agency, created by the people of the State, and as such creature is, at all times, subservient to their will and pleasure, subject to be altered, reformed, or abolished in such manner as they may think proper—a right expressly reserved to themselves in the 4th section of the Bill of Rights, (article 13,) incorporated in their State Constitution,

3. "That absolute arbitrary power over the lives, liberty, and property of freemen exists nowhere in a republic—not even in the largest majority—and 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 as inviolable as the right of
the owner of any property whatever."—(Constitution of Kentucky, article 13, sections 2, 3.)

4. That the distribution of the powers of the State Government, (and so also of those of the Federal Government,) into three distinct, separate and independent, though co-ordinate departments, (Constitution of Kentucky, article 1, sections 1, 2,) legislative, executive and judicial, is essential to the establishment and perpetuation of individual and public liberty, rights and happiness; and any disturbance of this distribution of power, whereby either department is permitted to exercise the functions of another, or is obstructed or restrained in the exercise of its legitimate functions, is, to such extent, usurpation and revolution, destructive of the institutions of government, violative of republican principles, and dangerous to the peace and liberties of the people.

5. That the chief functions of the Executive Department of the Government, (whether Federal or State,) is to carry out the will of the Legislative Department expressed in the form of law; that the military power of the State, (as also the Federal Government,) is but a mere branch of the Executive Department, and, in the very words of the Constitution of Kentucky, "shall in all cases and at all times be in strict subordination to the civil power."—(Constitution of Kentucky, article 13, section 26.)

6. That the relation of the State of Kentucky to the Union and the co-States of the Union, rests upon the concurring provisions of the State and Federal Constitutions, and cannot be maintained on any other footing.

7. That the war powers, both of the Federal and State Government, is like the civil power in each, derived alone from the grants of the people, as expressed in the Constitution of each, respectively; and that, not even in time of war, can the military assert or practice any ascendancy over the civil powers; nor can any department of Government, nor all departments concurring, (either Federal or State,) exercise any power not delegated by the people in the provisions of the Federal and State Constitutions.—(Constitution of United States, amendment, article 10.)

8. That in loyal States, where the Federal courts and juries are unobstructed, the arrest and imprisonment of citizens without judicial warrant, process and trial, is a palpable breach of constitutional guarantees and a grievous invasion of personal liberty; and the exercise of such power is usurpation and tyranny intolerable to freemen.—(Constitution of United States, amendment, articles 5, 6.)

9. That the Constitution guarantees, even to a traitor, a speedy public trial by an impartial jury in the State and district where his alleged offense was committed; and it also provides that, if any citizen shall be convicted of treason, though he may be sentenced to death and executed under such sentence, his property shall descend to his heirs; or, if sentenced to imprisonment, saving his life, his property shall only be sequestrated by judicial judgment during his life, but not alienated from his heirs or legal representatives, after his death.—(Constitution of United States, article 3, section 3, clause 1, 2.)
10. That the confiscation of a slave is an act alienating the right and title to the property therein from the owner; that the slave of a traitor, whether convicted or unconvicted, (like all other property,) cannot be emancipated by any Executive act or order, whether in the exercise of civil or military functions, nor by any other act or order except the judgment of a civil court of competent jurisdiction; but upon judicial judgment, on conviction of the crime of treason, must be held sequestered during the life of the traitor, and at his death, whether he be executed of treason or die a natural death after his conviction of treason, delivered over, as a slave to the legal heirs or representatives of the decedent.—(Constitution of United States, article 3, section 3, clause 2.)

11. That no power exists anywhere under our Federal or State institutions, to emancipate slaves, whether in times of peace or of war, except in a State convention, representing the sovereignty of the individual State assuming to act on the subject.—Constitution of Kentucky, article 3, sections 2, 3.)

12. That the proclamation of Abraham Lincoln, as President of the United States, and Commander-in-Chief of the Army and Navy, dated January 1, 1863, whereby he assumes the tremendous and dangerous exercise of power, of his own will, without any constitutional, legislative, judicial, conventional, or popular sanction, to decree the emancipation of slaves in several States and parts of States of this Union, under the pretext of military necessity, thereby setting up the will of a military commander over the department of government, and exalting the military above the civil power, involves a palpable violation of the Constitution, a grievous invasion of individual rights, a total subversion of our republican institutions, and an alarming menace against the peace and happiness of the public; and the General Assembly of Kentucky hereby solemnly protests, in the name and behalf of the people of a sovereign and loyal State, (and who intend to remain loyal,) against both the constitutionality and expediency of said proclamation.

13. That certain provisions of the act of Congress, approved 17th July, 1862, for the confiscation of property of rebels, authorizing the seizure and liberation of slaves, are deemed by this Legislature as violative of constitutional guarantees, and manifestly unwise and impolitic; and even if a fine was judicially imposed upon a convicted traitor, it should be collected first by the sale of other personal property, (according to the existing execution laws of this State, since the seizure of slaves for such purposes would be attended by great incidental wrongs and evils to innocent and loyal men, women and children, in the form of consequences wholly apart from and outside of the intended object of punishing citizens in rebellion against the Government.

14. That in view of the premises, the General Assembly of Kentucky solemnly protests against the execution of President Lincoln's Emancipation Proclamation, and of such parts of the Confiscation act as contemplates the liberation of slaves; and hereby instruct the Senators and request the Representatives of this State in Congress to op-
pose the execution of those pernicious measures by every means not inconsistent with the Constitution.

The rule of the House requiring joint 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. Kennedy moved that the use of this Hall be given this evening to the Ladies' Aid Society, for a lecture by Rev. W. G. Browlow, to commence at 7½ o'clock,

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

The yeas and nays being required thereon by Messrs. Murphy and Hampton, 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 incorporate Germania Lodge, No. 143, Independent Order of Odd Fellows.
2. An act to incorporate the Kentucky Coal Mining Company, of Louisville.
3. An act to change the time of holding the quarterly courts in Marshall county.
4. An act to authorize a judicial sale of the Centerville and Jacksonville turnpike road, and for other purposes relating thereto.

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 Incorporated Institutions; the 3d to the committee on County Courts; the 4th was ordered to 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 bill entitled,
An act to amend the law concerning executions.

On motion of Mr. Bush,
Ordered, That said bill be made the special order for Monday next, at 11 o'clock.

The House then took up a bill entitled,
An act requiring executions to be recorded in certain cases, and for certain purposes.

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

The House then took up 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.

Mr. Huston moved to lay the bill on the table,
And the question being taken thereon, it was decided in the affirmative.

The House then took up a bill entitled,
An act in relation to judgments and executions.

Mr. Ireland moved to lay the bill on the table,
And the question being taken thereon, it was decided in the affirmative.
The House then took up the bill entitled,
An act to increase the salary of the Quarter-master General, and allow him to employ a clerk.
Mr. R. J. Browne moved to lay the bill on the table,
And the question being taken thereon, it was decided in the affirmative.
The following House bills were taken up.
1. An act concerning the penitentiary.
2. An act to legalize certain patents, and the surveys upon which they are based.
Ordered, That the 1st be referred back to the committee on the Penitentiary, and the 2d to the committee on the Codes of Practice.
And then the House adjourned.

WEDNESDAY, JANUARY 14, 1863.

Mr. John Draffin, the member elected to fill the vacancy occasioned by the expulsion of Vincent Ash, from the county of Anderson, appeared, and after taking the oath prescribed by the Constitution, took his seat.
1. Mr. Hampton presented the petition of Jacob W. Helton, praying compensation for taking lunatic to asylum, at Lexington.
2. Mr. Botts presented the petition of the sureties of W. G. Fleming, sheriff of Fleming county, praying relief.
3. Mr. Cyrus Campbell presented the petition of sundry citizens of Campbell county, praying the repeal of the act organizing Indian Spring precinct.
4. Mr. Harney presented the petition of H. Patty, &c., praying a change of the county lines between Metcalfe and Barren, so as to include them in Barren county.
Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims; the 2d to the committee on Ways and Means; the 3d to the committee on Privileges and Elections, and the 4th to the committee on Propositions and Grievances.

A message was received from the Governor by Mr. Wickliffe, Secretary of State, transmitting the annual report of the Board of Managers and Directors of the Eastern Lunatic Asylum at Lexington.

[For Report—see Legislative Document, No. 18.]

The following bills were reported, viz:

By Mr. Bell, from the committee on the Judiciary—
1. A bill for the benefit of Eliza Catharine McIntosh.

By Mr. Taylor, from the committee on Ways and Means—
2. A bill for the benefit of Howard Todd, sheriff of Owen county.

By same—
3. A bill to amend article 2, chapter 83 of the Revised Statutes, title Revenue and Taxation.

By same—
4. A bill allowing the sheriffs and collectors of the public revenue and county levies in this Commonwealth, for the year 1862, further time to return their delinquent lists.

By Mr. Desha, from the same committee—

By Mr. Conklin, from the same committee—

By Mr. Sparks, from the committee on Internal Improvement—
7. A bill to amend the charter of the Covington and Lexington turnpike road company.

By Mr. Bush, from the committee on Revised Statutes—
8. A bill to authorize the Hancock county court to increase the county levy.

By Mr. Turner, from the committee on the Codes of Practice.

By Mr. R. J. Browne, from the same committee—
10. A bill to regulate the service of attachments.

By Mr. Curtis—
11. A bill to legalize the acts and orders of the Estill county court at its November term, 1862.
By Mr. Martin—
12. A bill for the benefit of school district No. 36, in Livingston 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, 5th, 6th, 7th, 8th, 9th, and 11th were severally ordered to be engrossed and read a third time; the 12th was referred to the committee on Education.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 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.

The yeas and nays being required by the Constitution on the passage of the 2d bill, were as follows, viz:

Those who voted in the affirmative, were—


Hiram S. Powell,
Said bill reads as follows, viz:

Whereas, it satisfactorily appears to this present General Assembly that Howard Todd, sheriff of the county of Owen, was compelled by duress to deliver up to one Freeman, who represented himself to be an officer of the Confederate States of America, and acting under its authority, six hundred dollars of the public revenue of said county, collected by said sheriff in the year 1862—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said sheriff, in his settlement with the Auditor of Public Accounts, for said revenue shall have credit with the Treasury for the said sum of six hundred dollars, so taken from him by the said Freeman.

§ 2. This act shall take effect from and after its passage.

Mr. Taylor, from the committee on Ways and Means, to whom was referred leave, reported

A bill for the benefit of Reuben Payne, late sheriff of Russell county,

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

Mr. Bush moved to amend by adding Henry Miller, sheriff of Hancock county.

Mr. R. J. Browne moved to amend by adding Henry Brown, late sheriff of Washington county.

Mr. J. W. Anderson moved to amend by adding Francis Catron, late sheriff of Knox county.

Mr. Martin moved to amend by adding R. S. Boyd, late sheriff of Livingston county.

Mr. Ward moved to amend by adding all late sheriffs of this Commonwealth.

On motion of Mr. R. J. Browne,

Ordered, That said bill be recommitted to the committee on Ways and Means, with instructions to report a general bill.

Mr. J. B. Cochran, from the committee on Corporations, to whom was referred a bill from the Senate entitled,

An act to incorporate the Kentucky Coal Mining Company of Louisville,

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

On motion of Mr. B. Y. Young—1. A bill for the benefit of F. A. Smith, sheriff of Hart county.

On motion of same—2. A bill for the benefit of William Huff, Barney Huff, and others.

On motion of Mr. Sparks—3. A bill to amend the election laws.

On motion of Mr. Bailey—4. A bill defining the duties and regulating the fees of assessors of tax of this Commonwealth.

On motion of Mr. Taylor—5. A bill to amend the charter of the city of Maysville.

On motion of Mr. M. Smith—6. A bill to amend the charter of the town of Dover, in Mason county.

On motion of Mr. Hampton—7. A bill to change the time of holding the quarterly courts in Morgan county.

On motion of Mr. J. W. Campbell—8. A bill for the benefit of John M. Dallas, jailer of Nicholas county.

On motion of Mr. Morrow—9. A bill for the benefit of Richard Reynolds and others.

On motion of same—10. A bill for the benefit of William R. Mize, of Pulaski county.

On motion of Mr. J. B. Cochran—11. A bill to amend an act entitled, an act to amend chapter 83 of the Revised Statutes, title Revenue and Taxation, approved February, 1862.


Ordered, That the committee on Ways and Means prepare and bring in the 1st, 4th, and 11th; Messrs. B. R. Young, Bush and Heady the 2d; the committee on Revised Statutes the 3d; the committee on Incorporated Institutions the 5th and 6th; the committee on County Courts the 7th; Messrs. J. W. Campbell, Taylor and Smith the 8th; the committee on Claims the 9th and 10th, and the committee on Propositions and Grievances the 12th.

Mr. Finnell 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 two from the Senate, and three from the House of Representatives, be appointed to make such arrangements as may be necessary for the interment of the remains of the late lamented Major General William Nelson, at Camp Dick Robinson, where the patriot soldier established the first camp intended for the defense of Kentucky
against invasion and threatened subjugation by the enemies of her peace and tranquility.

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. J. R. Thomas moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of raising, arming, and equipping three brigades of the State militia under the State Guard law, with proper proportions of infantry, cavalry, and artillery, to be exclusively under the control of the State authorities, for the purpose of enforcing the laws of the State and maintaining the supremacy of civil over the military authority in the State of Kentucky; and that said committee report by bill or otherwise.

Ordered, That said resolution be referred to the committee on Military Affairs.

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

Whereas, William Thompson, of Metcalfe county; Jonathan Williams, of Russell county; and John S. Stockton, Noah Cresselius, and Jefferson Dicken, of Clinton county, have been confined in some military prison of the so-called Confederate States for more than eighteen months; and there being no law by which they can be exchanged as prisoners of war; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That Congress be requested to pass an act by which the above named persons, and all others in their condition, may be exchanged either as prisoners of war, or for citizens held in prison by the Federal Government, of similar condition.

Be it further resolved, That the Governor be requested to forward a copy of this preamble and resolution to both Houses of Congress.

Mr. Morrow moved to amend said resolution by inserting the name of Nathan Buchanan, of Pulaski county.

Which amendment was adopted.

Said resolution, as amended, was then twice read and adopted.

On motion of Mr. Underwood,

Ordered, That the Speaker be directed to make no further additions to the committee on Military Affairs.

The House took up Mr. Martin's resolution in relation to purchase of three copies of the Holy Bible by the State Librarian.
The rule of the House requiring a reference to a standing committee being dispensed with,
Said resolution was adopted.
On motion of Mr. Taylor,
Ordered, That the bill to lay off the State into nine Congressional Districts be made the special order for Tuesday next, at 11 o'clock.
On motion of Mr. Cleveland,
Ordered, That the committee on the Penitentiary be directed to report the bill reorganizing the Penitentiary, &c., on 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 for the benefit of school district No. 37, in Mercer county.
An act granting certain powers to the county court of Simpson county.
An act for the benefit of Pulaski county.
That they had passed bills of the following titles, viz:
An act to change the time of holding the Larue county and quarterly courts.
An act to authorize the increase of the county levy in Fulton county.
An act for the benefit of the securities of C. A. Duncan, late sheriff of Calloway county.
An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes.
An act to change a portion of the State road leading from Wadesboro' to Mayfield.
An act to provide for the election of trustees for the Paducah Female Seminary, and for other purposes relating thereto.
Mr. Barnes moved a reconsideration of the vote adopting the resolution granting the use of this Hall to R. M. Bradley, &c.,
And the question being taken thereon, it was debided in the affirmative.
The question was then taken upon the adoption of said resolution, and it was decided in the negative.
On motion of Mr. Conklin,
Ordered, That the Hall of this House be granted to Mr. R. M. Brad-
ley on Friday, Saturday, and Monday nights next, for the purpose of delivering lectures explanatory of his maps, &c.

Bills from the Senate of the following titles, viz:

1. An act to change the time of holding the Larue county and quarterly courts.

2. An act to authorize the increase of the county levy in Fulton county.

3. An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county.

4. An act to increase the civil jurisdiction of the police court of the city of Hickman, and for other purposes.

5. An act to change a portion of the State road leading from Wadesboro' to Mayfield.

6. An act to provide for the election of trustees for the Paducah Female Seminary, and for other purposes relating thereto.

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 were referred to the committee on County Courts; the 2d and 3d to the committee on Ways and Means; the 5th to the committee on Internal Improvement, and the 6th to the committee on Education.

And then the House adjourned.

THURSDAY, JANUARY 15, 1863.

1. Mr. Botts presented the petition of sundry citizens of Fleming county, praying a repeal of the existing law prohibiting individuals from issuing small notes to circulate as currency.

2. Mr. Tevis presented the petition of sundry citizens of Louisville, in relation to billiard tables, &c.
3. Mr. Turner presented the petition of the members of the bar of Montgomery county, praying that coroners, jailers, constables, &c., should not be allowed to serve original or other process from circuit courts, &c.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Revised Statutes; the 2d to the committee on Ways and Means, and the 3d to the committee on the Codes of Practice.

Mr. Conklin, from the committee on Claims, to whom was referred the petition of the sureties of John R. Cargile, sheriff of Hopkins 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 Speaker announced a revised list of the standing committees of this House, which are as follows, viz:


On Expenditures of the Board of Internal Improvement—Messrs. F. L. Cleveland, George Poindexter, William A. Brann, James Calvert, H. S. Powell, John Ray, and F. D. Rigney.


On motion of Mr. Martin,

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

Mr. Bacheller, from the committee on Enrollments, reported that they had examined enrolled bills which originated in this House, of the following titles, viz:

An act granting certain powers to the county court of Simpson county.
An act for the benefit of Pulaski county.

Also a bill from the Senate entitled,

An act to authorize a judicial sale of the Centreville and Jackson-ville turnpike road, and for other purposes relating thereto.

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, viz:

By Mr. Morrow, from the committee on Propositions and Grievances—

1. A bill to change the county line between the counties of Lyon and Caldwell.

By Mr. Desha, from the committee on Ways and Means—

2. A bill for the benefit of the sureties of John Shawhan, late sheriff of Harrison county, and for the benefit of the administrator of said Shawhan.

By Mr. Conklin, from the committee on Ways and Means—

3. A bill for the benefit of A. C. Tanner, late clerk of the McLean county and circuit courts.

By Mr. Sparks, from the committee on Internal Improvement—

4. A bill to repeal an act entitled, an act to prohibit the circulation as money of foreign notes of a less denomination than five dollars.

By Mr. Cleveland, from the committee on County Courts—

5. A bill to change the time of holding the quarterly courts of Simpson county.

By Mr. Ireland, from the committee on County Courts—

6. A bill changing the time of holding the Morgan quarterly court.
By Mr. Curtis—
7. A bill to amend an act concerning pauper idiots.
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 bills were severally ordered to be engrossed and read a third time; the 4th was referred to the committee on Banks.

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

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—

Mr. Speaker, (Backner,) William L. Conklin, John C. Cooper, William Mercer,
James W. Anderson, Albert A. Curtis, Thomas Z. Morrow,
R. C. Anderson, Lucius Desha, Felix G. Murphy,
Jonathan R. Bailey, Daniel E. Downing, Thomas W. Owings,
Joshua Barnes, Elijah Gabbert, Hiram S. Powell,
Elissa Beazley, Evan M. Garriott, Larkin Proctor,
John C. Beeman, Remus Gibson, William S. Rankin,
John W. Blue, Henry Griffith, John Ray,
J. W. Boone, Geo. M. Hampton, Joseph Ricketts,
William S. Botts, Jacob Hawthorne, F. D. Rigney,
Wm. Bowling, William J. Heady, Wm. Roberts,
William A. Brann, Joseph W. Heeter, James A. Rousseau,
Leroy Brinkley, John M. Henry, George S. Shanklin,
Thomas S. Brown, John Humphries, Joshua Tevis,
W. P. D. Bush, William C. Ireland, John R. Thomas,
Cyrus Campbell, Daniel W. Johns, Thomas Turner,
J. W. Campbell, James M. Jones, Jos. R. Underwood,
A. B. Chambers, Perry S. Layton, Wm. H. Van Pelt,
Joseph H. Chandler, James M. C. Lisenby, John S. Van Winkle,
Francis L. Cleveland, Jonas Martin, W. W. Waring,
John B. Cochran, David P. Mears, Alex. T. White—65.

Those who voted in the negative, were—

James P. Sparks—1.

Said bill reads as follows, viz:
Whereas, it appears that judgment with damages has been rendered against John Shawhan, late sheriff of Harrison county, and his
sures, for arrearages of revenue due for the years 1859 and 1860; and it further satisfactorily appears that the full amount of said judgment, with interest and costs, has been paid into the treasury by one or more of said sureties—therefore,  
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the damages upon said judgments be and the same are hereby discharged and remitted.  
§ 2. That Daniel Shawhan, administrator of John Shawhan, dec'd, be and he is hereby authorized to list with the sheriff or his deputies, or one or more constables of said county of Harrison, the unpaid taxes and fee bills due the late John Shawhan, sheriff aforesaid, for the years 1857-8-9-60; and said officer or officers shall have power to distrain for the same, subject to the same rules and regulations prescribed by law for the government of sheriffs; and said taxes and fee bills shall retain their restrainable character for two years from the passage of this act, which is to take effect from its passage.

Mr. Robert Cochran, from the committee on Propositions and Grievances, to whom was referred leave, reported a bill entitled,  
An act to prevent the destruction of fish in Salt river and Brashear's creek, in the county of Spencer.
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. R. J. Browne moved to strike out Spencer 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, as amended, do pass, and that the title thereof be as amended.

Mr. Cleveland, from the committee on County Courts, to whom was referred a bill for the benefit of the police judge of the town of Hartford, reported the same with a substitute therefor,

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 aforesaid.
Mr. Cleveland, from the committee on County Courts, to whom was referred the following bills from the Senate, viz:

An act to change the time of holding the quarterly courts in Marshall county.

An act to change the time of holding the Larue county and quarterly courts,

Reported the same without amendment.

Ordered, That said bills be read a third time.

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

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

Mr. Underwood, from the select committee, to whom was referred leave, reported a bill entitled,

An act to change the time of holding the quarterly courts of Warren county.

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

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

Mr. White moved to amend said bill so as to make its provisions apply to the county of Clay.

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.

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

On motion of Mr. Mercer—1. A bill to legalize the acts of the county judge of Hickman county, at December term, 1862.

On motion of same—2. A bill allowing the constable in the Blandville district, in Ballard county, to appoint a deputy.

On motion of same—3. A bill for the benefit of Jacob Corbett, former clerk of Ballard county, giving him further time to collect his fee bills.

On motion of Mr. Warring—4. A bill for the benefit of Dr. Purcell, of Glasgow, Ky.
On motion of Mr. Proctor—5. A bill for the benefit of A. G. Moore, late sheriff of Edmonson county.

On motion of same—6. A bill for the benefit of J. E. Bacon, judge of the Edmonson quarterly court.

On motion of same—7. A bill to amend the law in relation to the fees of jailers of this Commonwealth.

On motion of Mr. Curtis—8. A bill for the benefit of the administrator of James Townsend, deceased, of Estill county.

On motion of Mr. Botts—9. A bill to amend section 73, title 4, chapter 2, of Codes of Practice.

On motion of Mr. Rankin—10. A bill to legalize the acts of the Grant county court since its September term, 1862, and for other purposes.

On motion of Mr. Ireland—11. A bill to authorize the Boyd county court to levy and collect an ad valorem tax to pay debt due Greenup county.

On motion of same—12. A bill to regulate the fees of quarterly judges and justices of the peace.

On motion of same—13. A bill for the benefit of George T. Halbert, late clerk of the Lewis circuit and county courts.


On motion of same—15. A bill repealing an act creating a voting precinct on Shultz creek, in Greenup county.

On motion of same—16. A bill creating an additional voting place in Enterprise precinct, in Greenup county.

On motion of Mr. Bush—17. A bill to repeal an act entitled, an act to amend the jury laws of this Commonwealth, approved August 22, 1862.

On motion of same—18. A bill to repeal an act entitled, an act to amend chapter 15 of the Revised Statutes, entitled Citizens, Expatriation and Aliens, which passed and became a law, the objections of the Governor to the contrary notwithstanding, March 11, 1862.

On motion of Mr. Finnell—19. A bill for the benefit of common school district No. 1, in Kenton county.

On motion of Mr. Cooper—20. A bill to amend an act entitled, an act providing a general mechanics' lien law for certain cities and counties, approved February 17, 1858.

On motion of Mr. Tevis—21. A bill to incorporate First and Second Street Horse railroad company in Louisville.
On motion of Mr. Griffith—22. A bill for the benefit of J. S. Garrison, of McLean county.

On motion of Mr. Turner—23. A bill for the benefit of John S. Wyatt, late sheriff of Montgomery county.


On motion of Mr. Morrow—25. A bill for the benefit of H. W. Hurt, circuit and county clerk of Clinton county.

On motion of Mr. Henry—26. A bill for the benefit of the town of Franklin.

On motion of Mr. Van Winkle—27. A bill for the benefit of the estate of James Ferguson, dec'd.

Ordered, That the committee on County Courts prepare and bring in the 1st, 7th, 10th, 11th, 12th, 13th, 25th, and 26th; the committee on Revised Statutes the 2d, 3d, 17th, 18th, and 29th; the committee on Military Affairs the 4th; the committee on Ways and Means the 5th, 23d, 24th, and 27th; the committee on Claims the 6th and 22d; the committee on Codes of Practice the 9th; Messrs. Curtis, Huston, and Rankin the 8th; the committee on Propositions and Grievances the 14th; the committee on Privileges and Elections the 15th and 16th; the committee on Education the 19th, and the committee on Incorporated Institutions the 21st.

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

Whereas, there were a great number of soldiers mustered into the service of the State of Kentucky, for the purpose of being mustered into the service of the United States army, and who, as soon as being mustered into the State service, were placed under the command of the United States officers, and were in actual service of the United States, and while in actual service of the United States army, and in the line of their duty, a great many contracted disease and died, and some were killed in battle before they were mustered into the service of the United States; and whereas, there is no law of the United States providing to pay their widows and heirs, their arrears of pay due them at their death, and their bounty of $100—therefore.

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That Congress be requested to pass an act providing to pay them their arrears of pay and $100 bounty, due them at the time of their death, in the same manner and way that they would have been had they been mustered into the service of the United States.

Be it resolved further, That the Governor be requested to transmit a copy of this preamble and resolutions to the members of the Senate and House of Representatives in Congress from this State.
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. Underwood moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of providing, by law, for compensating an attorney to attend to the prosecution of criminal cases in the Logan circuit court.

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

Mr. Allen moved the following resolution, viz:

Resolved, That the committee on Banks be directed to inquire into the best mode of supplying the deficiency in this Commonwealth of small silver change; and to report, if the evil can be remedied, by bill.

Ordered, That said resolution be referred to the committee on Banks.

The House took up the bill entitled,
An act to regulate the service of attachments.

On motion of Mr. R. J. Brown,

Ordered, That said bill be recommitted to the committee on Codes of Practice.

And then the House adjourned.

FRIDAY, JANUARY 16, 1863.

Mr. Huston presented the petition of W. T. Poynter, Regimental Quarter master 16th Kentucky Regiment, praying compensation.

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

An act concerning county officers.
An act for the benefit of the circuit and county court clerks of Spencer county.
An act to amend the charter of the Covington and Lexington turnpike road company.
An act to amend the charter of the city of Covington.
An act to authorize the Hancock county court to increase the county levy.
That they had passed bills of the following titles, viz:
An act for the benefit of school district No. 4, in Owen county.
An act for the benefit of H. P. Melton, guardian of Josephine Cothes.
An act for the relief of certain persons who have violated an act approved August 31, 1862, entitled, an act to amend section 9, chapter 47, Revised Statutes, title Husband and Wife.
An act to authorize the late judge of the Louisville chancery court to approve and sign certain records of proceedings in said court.
An act for the benefit of Herman Bomar, late clerk of the Woodford county county court.
An act to amend an act entitled, an act to establish a police court in the town of Caseyville.
An act for the benefit of the Odd Fellows Hall Association of Covington.
An act for the relief of persons who have violated an act, approved August 30, 1862, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office.
An act for the benefit of Reuben Payne, late sheriff of Russell county.
Mr. Blue, from the committee on Enrollments, reported that they had examined an enrolled bill from this House entitled,
An act for the benefit of school district No. 37, in Mercer county.
Also bills from the Senate of the following titles, viz:
An act to incorporate the Kentucky Coal Mining Company of Louisville.
An act to change the time of holding the Larue county and quarterly courts.
And had found the same truly enrolled,
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Blue inform the Senate thereof.
Mr. Conklin, from the committee on Claims, to whom was referred a bill entitled,
An act for the benefit of Ja. ob Helton and Reuben Patrick, of Magoffin county,
Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The following bills were reported, viz: 
By Mr. Rankin, from the committee on the Judiciary—
1. A bill for the benefit of certain of Morrison’s heirs.
By same—
2. A bill to amend section 33, chapter 25, of the Revised Statutes.
By Mr. Haston, from the same committee—
3. A bill for the benefit of the executors and devisees of Moses Robinson, a free man of color.
By same—
4. A bill to regulate the circuit, equity, and criminal courts of the 4th judicial district.
By Mr. Chambers, from the committee on Education—
5. A bill for the benefit of common school district No. 46, in Crittenden county.
By Mr. Underwood, from the committee on Military Affairs—
6. A bill to provide for procuring a house for the accommodation of courts when the court house cannot be used.
By Mr. Bush, from the committee on Revised Statutes—
7. A bill in relation to the taxation of costs in suits and actions at law or in equity.
By Mr. Haston, from the committee on Revised Statutes—
8. A bill to amend an act entitled, an act to incorporate the trustees of the Kentucky Baptist Education Society, approved November 25, 1851.
By Mr. Bell, from the committee on the Judiciary—
9. A bill to authorize guardians or trustees of wards, contract trust to make investments in real estate.
Which were read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,

The 1st, 2d, 3d, 5th, 6th, 7th, and 8th were ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th and 8th bills having been dispensed with, and the same being engrossed,

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

On motion of Mr. Huston—

Ordered, That the Public Printer furnish print 150 copies of the 9th bill for the use of the members of this General Assembly.

Mr. Van Winkle, from the committee on the Judiciary, to whom was referred the resolution offered by Mr. Martin, in relation to so arranging the decisions of the court of appeals as to have all the decisions on one offense under one general head, asked to be discharged from the further consideration thereof,

Which was granted.

Mr. Bell, from the same committee, to whom was referred the resolution offered by Mr. Allen, in relation to docketing all penal and criminal causes for the third and subsequent days of the term, asked to be discharged from the further consideration thereof,

Which was granted.

Mr. Sparks, from the committee on Internal Improvement, to whom was referred a Senate bill entitled,

An act to change a portion of the State road leading from Wadesboro' to Mayfield.

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. Chambers, from the committee on Education, to whom was referred a bill from the Senate entitled,

An act to provide for the election of trustees for the Paducah Female Seminary, and for other purposes relating thereto,

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. Chambers, from the same committee, to whom was referred a bill entitled,

An act for the benefit of school district No. 36, in Livingston county.

Reported the same without amendment.

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

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

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

Mr. Chambers, from the same committee, to whom was referred the resolution, reported

A bill accepting the donation of lands to Kentucky for the endowment of agricultural colleges.

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. Huston moved to recommit the bill with instructions to report a bill organizing said agricultural college.

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

On motion of Mr. Chambers,

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

Mr. Murphy moved to recommit the bill without instructions.

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

Said bill was placed in the orders of the day.

Mr. Underwood, from the committee on Military Affairs, to whom was referred leave, reported

A bill to compensate S. T. Purcell for his services.

Which was read the first time, and ordered to be read a second time.
Mr. Smith moved to lay said 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 same committee, to whom was referred the resolution offered by Mr. Finnell, in relation to the interment of the remains of the late Major General William Nelson at Camp Dick Robinson, reported the same for adoption.
And the question being taken thereon, said resolution was unanimously adopted.

On motion of Mr. Allen,
Leave of absence was granted Mr. Warring till Wednesday next.
Mr. Finnell, from the committee on Banks, to whom was referred a bill entitled,
An act to repeal an act entitled, an act to prohibit the circulation as money of foreign notes of a less denomination than five dollars.
Reported the same, with an expression of opinion that the same ought not to pass.
The question was taken on ordering said bill to be engrossed and read a third time, and it was decided in the negative.
Mr. Cleveland, from the committee on County Courts, to whom was referred a bill entitled,
An act to legalize the appointment of patrols by the Washington county court,
Reported the same with an amendment by way of substitute.
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, viz:
An act to legalize the appointment of patrols for 1862.
Mr. Cleveland, from the same committee, to whom was referred a bill from the Senate entitled,
An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes.
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. Layton, from the same committee, to whom was referred leave, reported a bill entitled,

An act for the benefit of George T. Halbert, late clerk of the Lewis circuit and county courts.

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

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

On motion of Mr. Beeman,

Ordered, That said bill be recommitted to the committee on County Courts, with instructions to report a general law upon the subject.

Mr. Huston, from the committee on Revised Statutes, to whom was referred leave, reported a bill entitled,

An act applying the mechanics' lien law to Lincoln county.

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

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

Mr. Cleveland moved to amend by making the provisions of the bill apply to Bracken county.

Mr. Gibson moved to add Ohio county.

Which amendments 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 be

An act applying the mechanics' lien law to Lincoln, Bracken, and Ohio counties.

Mr. John B. Cochran, from the committee on Incorporated Institutions, to whom was referred a Senate bill entitled,

An act to incorporate Germania Lodge, No. 143, Independent Order of Odd Fellows,

Reported the same without amendment.

Ordered, That said bill be read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with,

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

And then the House adjourned.

SATURDAY, JANUARY 17, 1863.

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 W. R. Dewees, late sheriff of Grayson county.

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

viz:

An act to legalize the acts and orders of the county court of Estill county at its November term, 1862.

An act to change the time of holding the quarterly courts of Simpson county.

An act changing the time of holding the Morgan quarterly court.

An act changing the time of holding the quarterly courts of Warren and Clay counties.

An act for the benefit of Eliza Catharine McIntosh.

An act authorizing the sheriffs and collectors of the public revenue and county levies in this Commonwealth, for the year 1862, further time to return their delinquent lists.

An act to amend section 440, Civil Code of Practice.

An act to change the county line between the counties of Lyon and Caldwell.

An act to provide procuring a house for the accommodation of courts when the court house cannot be used.

An act to amend an act entitled, an act to incorporate the trustees of the Kentucky Baptist Education Society, approved November 25, 1851.
That they had concurred in a resolution from this House in relation of the interment of the remains of the late Major General William Nelson at Camp Dick Robinson.

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

- An act for the benefit of the jailer of Whitley county, and others.
- An act for the benefit of the jailer of McCracken county.
- Also a resolution for the benefit of William Thompson, and others.

Mr. Blue, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills originating in this House, of the following titles, viz:

- An act concerning county officers.
- An act to amend the charter of the city of Covington.
- An act for the benefit of the circuit and county court clerks of Spencer county.
- An act to amend the charter of the Covington and Lexington turnpike road company.
- An act to authorize the Hancock county court to increase the county levy.
- Also a bill from the Senate entitled,
- An act to change the time of holding the quarterly courts in Marshall county.

And had found the same truly enrolled,

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Blue inform the Senate thereof.

1. Mr. Neel presented the petition of H. L. Anderson, in relation to some lands in Fulton county.

2. Mr. Kennedy presented the petition of sundry citizens of Todd county, praying the passage of an act releasing Z. E. Wright from payment of State or town tax.

Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Ways and Means.

The following bills were reported, viz:

By Mr. Conklin, from the committee on Claims—
1. A bill for the benefit of J. E. Bacon, of Edmonson county.
2. A bill for the benefit of the sheriffs of Scott county for the years 1860 and 1861.
By same—
3. A bill for the benefit of John R. Cargile, late sheriff of Hopkins county.

By same—
4. A bill to change the voting place in precinct No. 7, in Whitley county.

By Mr. Bailey, from the committee on Education—
5. A bill in relation to common schools.

By Mr. Cleveland, from the committee on County Courts—
6. A bill for the benefit of the several clerks of courts of this Commonwealth.

By Mr. J. B. Cochran, from the committee on Incorporated Institutions—
7. A bill to incorporate the Beer Brewers Society of Louisville.

By same—
8. A bill to amend the charter and laws of the city of Newport, Campbell county.

By Mr. Ireland, from the committee on Privileges and Elections—
9. A bill creating an additional voting place in Enterprise precinct, in Greenup county, and for other purposes.

By Mr. Curtis—
10. A bill for the benefit of the personal representative of James Townsend, dec'd.

By same—
11. A bill to extend the provisions of an act entitled, an act for the benefit of Webber Harris, of Estill county.

By Mr. J. W. Campbell—
12. A bill for the benefit of John M. Dallas, jailer of Nicholas 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, 5th, 6th, 8th, 9th, 10th, 11th, and 12th were severally ordered to be engrossed and read a third time.

Mr. Finnell offered an amendment to the 7th, and the bill and amendment was referred back to the committee on Incorporated Institutions.
The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 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.

The yeas and nays being required on the passage of the 10th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis,  
Alfred Allen,  
James W. Anderson,  
R. C. Anderson,  
Jonathan R. Bailey,  
Joshua Barnes,  
Elisha Beasley,  
John C. Beeman,  
Joshua F. Beil,  
John W. Blue,  
J. W. Boone,  
William S. Botts,  
Wm. Bowling,  
Thomas S. Brown,  
Cyrus Campbell,  
Joseph H. Chandler,  
Brutus J. Clay,  
Francis L. Cleveland,  
Robert Cochran,  
John C. Cooper,  
Daniel E. Downing,  
John Draffin,  
John W. Finnel,  
Elijah Gabbert,  
Remus Gibson,  
Henry Griffith,  
Jacob Hawthorne,  
William J. Heady,  
Joseph W. Heeter,  
John M. Henry,  
John B. Huston,  
Daniel W. Johns,  
James M. Jones,  
Urban E. Kennedy,  
Perry S. Layton,  
James M. C. Lisenby,  
Alexander Lusk,  
Jonas Martin,  
David P. Mears,  
William Mear,  
Thomas Z. Morrow,  
Richard Neel,  
Thomas W. Owings,  
George Poindexter,  
Hiram S. Powell,  
Larkin Proctor,  
William S. Rankin,  
John Ray,  
Joseph Ricketts,  
F. D. Rigney,  
James A. Rousseau,  
J. C. Sayres,  
Joseph D. Sargent,  
George S. Shanklin,  
Harrison Taylor,  
Jos. R. Underwood,  
Zeb. Ward,  
Alex. T. White—58.

Those who voted in the negative, were—

R. J. Browne,  
W. P. D. Bush,  
A. B. Chambers,  
John B. Cochran,  
William L. Conklin,  
Lucius Desha,  
Evan M. Garriott,  
Geo. M. Hampton,  
John Humphries,  
William G. Ireland,  
William Johnson,  
Felix G. Murphy,  
Wm. Roberts,  
James P. Sparks,  
Joshua Tevis,  
John R. Thomas,  
Wm. H. Van Pelt—17.

Said bill 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 in favor of the personal representative of James Townsend, for the pay of a Major in the United States army, for the space of one and a half months; and that he draw his warrant on the Treasurer, to be paid out of any money in the treasury not otherwise appropriated.

§ 2. This act to be in force from its passage.

The Speaker appointed Messrs. Finnell, Bell, and Tevis a committee on the part of this House, in pursuance of the joint resolution, to
accompany the remains of Major General William Nelson from Louisville to Camp Dick Robinson for interment.

Mr. Finnell moved to reconsider the vote passing the bill entitled,
An act for the benefit of the personal representative of James Townsend, dec'd.

Mr. Ward, from the committee on Ways and Means, to whom was referred Senate bills, viz:
An act to authorize the increase of the county levy in Fulton county.

An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county,
Reported the same without amendment.
Ordered, That said bills be read a third time.
The rule of the House, constitutional provision, and third reading of said bills having been dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cleveland, from the committee on County Courts, to whom was referred a bill entitled,
An act for the benefit of George T. Halbert, late clerk of the Lewis circuit and county courts,
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.

Leave was given to bring in the following bills, viz:
On motion of Mr. Rousseau—1. A bill for the benefit of James H. Eubank, late sheriff of Barren county.
On motion of Mr. Cleveland—2. A bill for the benefit of citizens of this State who have had horses pressed into the service of the State and lost while in the service.
On motion of same—3. A bill to repeal the act passed at the last session requiring school trustees, &c. to take oath of office.
On motion of Mr. Poindexter—4. A bill for the benefit of George Long, a free man of color, of Christian county.
On motion of Mr. Mears—5. A bill for the benefit of Margaret Purvis, of Green county.
On motion of Mr. Neel—6. A bill to amend chapter 64, Revised Statutes, entitled Master and Apprentice.


On motion of Mr. Sparks—8. A bill for the benefit of Sarah Godshaw.

On motion of Mr. Beazly—9. A bill to establish an additional voting place in Hickman county.

On motion of same—10. A bill for the benefit of school district No. 19, in Ballard county.

On motion of Mr. Ray—11. A bill for the benefit of Joseph C. Thomason and Thomas C. Claton, of Webster county.

On motion of Mr. Sayres—12. A bill to incorporate Greve Grove Lodge, No. 4, of the United Ancient Order of Druids, at Covington.

On motion of Mr. Tevis—13. A bill to incorporate a printing company.


On motion of Mr. Hampton—15. A bill to legalize certain marriages in Morgan county.

On motion of Mr. Ricketts—16. A bill for the benefit of common school districts Nos. 3, 15, and 46, in Muhlenburg county.

On motion of Mr. Henry—17. A bill to amend the Criminal Code of Practice.

On motion of Mr. Chandler—18. A bill for the benefit of school district No. 1, in Taylor county.

On motion of same—19. A bill for the benefit of F. J. Heistan, of the town of Campbellsville.

Ordered, That the committee on Ways and Means prepare and bring in the 1st and 14th; Messrs. Cleveland, Taylor, Ireland, Shanklin, and R. C. Anderson the 2d; the committee on Education the 3d, 16th, and 18th; the committee on the Judiciary the 4th and 7th; the committee on Claims the 5th; the committee on Revised Statutes the 6th and 11th; the committee on Propositions and Grievances the 8th, 9th, 10th, and 19th; the committee on Incorporated Institutions the 12th and 13th; the committee on Religion the 15th, and the committee on the Codes of Practice the 17th.

Mr. Lisenby moved the following resolution, viz:

Resolved, That the committee on Education be instructed to inquire into the propriety of amending section 6, of an act entitled, an act to
amend the common school laws, approved March 10, 1856, by striking 
out so much thereof as makes it the duty of commissioners of com-
mon schools, "once in each year, to visit each district of their respect-
ive counties, and there investigate the operations of the common 
school system;" and report by bill or otherwise.

Ordered, That said resolution be referred to the committee on Edu-
cation.

Mr. Powell moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to 
quire into the necessity of increasing the military fund to enable the 
Governor to carry on the defense of the State, and protect the citizens 
from marauding bands of the enemy; and that they be instructed to 
report by bill or otherwise, at their earliest convenience.

Ordered, That said resolution be referred to the committee on Mili-
tary Affairs.

Mr. Martin read and laid on the table the following joint resolu-
tions, viz:

Whereas, His Excellency, Abraham Lincoln, President of the Uni-
ted States of America, has recommended to the border slave States, in 
his annual message to Congress, a system of gradual compensated 
emancipation; and whereas, said President Lincoln did issue a procla-
mation on the 1st day of January, 1863, in which he ordered that 
all persons held as slaves shall be henceforward free within the design-
ated States of Arkansas, Texas, Mississippi, Alabama, Florida, Georgia, 
South Carolina, North Carolina, and parts of Louisiana and Vir-
ginia—therefore, be it

1. Resolved, That we very respectfully decline accepting his recom-
modation of gradual compensated emancipation from the fact that 
we regard it as contrary to an acknowledged principle of right, and 
were we to accept it under the present circumstances, we would be 
acting in bad faith to our constituents, and absolutely unworthy to 
represent the people of the glorious old Commonwealth of Kentucky.

2. That Kentucky clings to the Union and the Constitution with a 
child's devotion to a parent, and she does not intend to be driven from 
it; but she does not indorse the extreme doctrine of abolitionism as 
advocated by the abolitionists of the North; neither can she indorse 
the extreme doctrine of secession as advocated by the disunionists of 
the South: but she stands up amidst the clash of arms and occupies a 
conservative, wise, constitutional, and national position.

3. That the Union was formed with slavery in it, and that it is 
guaranteed by the Constitution of the United States, and it is a part 
and parcel of the Constitution, and it cannot be destroyed without de-
stroying the Union and trampling under foot the Constitution with all 
it guarantees.

4. That slavery is a sacred and divine institution, and that it was 
enacted by the Commonwealth of Israel in the year of anno mundi 
two thousand five hundred and thirteen—one thousand four hundred
and ninety-two years before the coming of Christ, and that it was absolutely tolerated by our Savior during his pilgrimage on earth.

5. That we, the representatives of the great, the good, and the conservative people of Kentucky, enter our solemn protest against the abolition proclamation of the President. We pronounce it unwise, impolitic, unjust, despotic, unconstitutional, null and void.

6. That it is at enmity with article 5th of the amendments to the Constitution of the United States, which distinctly says no person shall be held to answer for a capital or otherwise infamous crime, unless on the presentment of a grand jury, except in cases arising in the land or naval forces, or the militia, when in actual service in time of war or public danger: nor shall any person be subject, for the same offense, to be twice put in jeopardy of life or limb; nor shall he be compelled, in any criminal case, to be a witness against himself; 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.

7. That it is also at enmity with article 6th of the amendments to the Constitution of the United States, which emphatically says in all criminal prosecutions 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, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

8. That it is at enmity with a law enacted by the great I AM, as shown in the 25th chapter, 44th, 45th, and 46th verses of Leviticus, which is as follows: "Both thy bond-men and bond-maidens, which thou shalt have, shall be of the heathen that are round about you; of them shall ye buy bond-men and bond-maids. Moreover, of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land; and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bond-men forever; but over your brethren, the children of Israel, ye shall not rule one over another with rigor."

9. That we protest against the arrest and imprisonment of our citizens without any charge being preferred against them whatever.

10. That all such arrests are unauthorized by the Constitution of the United States and the Constitution of Kentucky, and are usurpations of power delegated by the people to the President; and all such arrests are hereby condemned and declared palpable violations of the Constitution of the United States and the Constitution of Kentucky, and it is hereby demanded that such arrests shall cease hereafter, and that all persons so arrested shall have a prompt and speedy trial according to the provisions of the Constitution of the United States and the Constitution of Kentucky, or be immediately released.

11. That we heartily approve of the resolutions introduced in the United States Senate by our distinguished Senator, the Hon. Garrett Davis, calling a National Convention, to assemble at the city of Lou-
ville in the month of April, to try and bring about a reconciliation of the unfortunate troubles that now exist in our once happy country.

12. That we are in favor of peace, with due respect to all sections of the country, and we recommend an armistice of at least six months' duration, in order that the disturbing questions of the day may revert back to the people of the ballot box, where all questions of national character should and ought to be settled.

The rule of the House requiring joint 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 of said resolutions for the use of the members of this General Assembly.

Mr. John B. Cochran read and laid on the table the following joint resolution, viz:

Whereas, it is represented that there is a large stock of old Auditor's reports, and other public documents published by authority, remaining undistributed—therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That G. A. Robertson, the Librarian, be directed to sell the same, and pay the proceeds into the State Treasury, after deducting therefrom ten per cent. which he will retain for his services.

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 the Library.

Mr. Underwood moved the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of allowing the clerks of this Commonwealth increased compensation, not exceeding the sheriff's half commission for taking replevin bonds; and that said committee report by bill or otherwise.

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

Mr. R. J. Browne read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses of the Legislature, when they adjourn on Monday, the 2d of February next, at 1 o'clock P. M., they shall stand adjourned sine die.

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

Death, the insatiate, has once more invaded this Hall, and taken hence one of its most honored inmates, Judge Milton Young, with
whom we have been so intimately associated here for near two years, and who has labored so earnestly and so well with us, has gone to his reward. Returning to his post here, as the efficient Representative of the county of Henderson, he was suddenly stricken down on his way, in sight of the Capital.

All that this body can now do is to show a proper respect for his memory, and join its tears with those of his bereaved family—therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That in the death of Judge Young the Legislature has lost one of its most valuable members, and the State a faithful and enlightened citizen.

Resolved, That we condole with the members of his family in their great loss, and that a copy of these resolutions be forwarded them as an evidence of our regard and sympathy.

Resolved, That a committee of three, two from this House and one from the Senate, accompany his remains to his former friends in Henderson, and that the two Houses be draped in mourning, and the members and Senators wear the usual badges the usual time.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolutions were unanimously adopted.

The Speaker appointed Messrs. Owings and Bush a committee to accompany the remains of Milton Young to Henderson, in pursuance of the foregoing resolution.

A message was received from the Senate announcing their concurrence in the resolutions on the death of Milton Young.

And then the House adjourned.

MONDAY, JANUARY 19, 1863.

The Speaker appointed B. R. Young on the committee to accompany the remains of Milton Young, deceased, to Henderson, for interment, in place of Mr. Bush, who was, on motion, excused.

The following members, on motion, obtained leave of absence, viz: Robert Cochran, indefinitely; Messrs. Allen, Ward, and Turner till Thursday next.
Mr. Burnam presented a communication from J. A. Jacobs, President of the Deaf and Dumb Asylum, at Danville, in relation to the intermarriage of first cousins, and praying the passage of a law preventing the same.

Said communication reads as follows, viz:

INSTITUTION FOR THE DEAF AND DUMB,

Danville, December 18, 1862.

Dear Sir: I have been anxious, ever since the last session of the Legislature, to express to you my thanks for your report, as chairman of the committee on Education, in relation to the School for Feebleminded Children. It probably saved the institution from serious damage, if not destruction, and placed it upon a permanent basis, from which it is not likely to be moved in future.

There is another subject of a philanthropic bearing, to which I beg leave to take this opportunity of directing your attention, persuaded that if you would give to it the requisite consideration, you would become fully convinced that it was one demanding Legislative interposition, and that you could, as chairman of the committee of Education, appropriately and effectively bring it to the attention of the Legislature and the country.

I allude to the intermarriage of first cousins, and a provision of law rendering it illegal on account of the evils resulting from the practice, which, it is well known, is extensive.

I am encouraged to present this important subject to your consideration as a legislator, from the recollection of having had, if I mistake not, some conversation with you in relation to it, and that you agreed with me in regard to the evils of it.

I think I may safely appeal to the personal experience of every man and woman who observes anything at all, in testimony of the evils, and sometimes—say, too often—the horrible results of the intermarriage of first cousins upon their offspring. I may have had my attention more peculiarly directed to the results of such marriages than most persons, and may have noticed consequences more closely; for I can safely say, that I have never yet, from my earliest youth, seen an instance of such a marriage—even when the parties were related only on one side, in which some defect, mental or physical, was not more or less obvious in at least one of their children. In many cases the evil has extended to several and been most deplorable.

Yet, I think, almost every one upon recollection can give several instances within his own knowledge, and it would rather task his memory to find a case of exemption from the evil results. It is sometimes replied, that cases can be given, where the children of cousins were distinguished for eminent qualities, bodily or mental. This is not denied, and is not at all inconsistent with the general fact asserted, but perfectly in harmony with it.

In some few cases, where both parents have been endowed with some eminent family trait, transmitted in full vigor to both, it may be again transmitted to one or more of their offspring with increased activity. By such a marriage under such peculiar conditions, it is not denied, that
some distinguished physical or intellectual quality may be produced in a human being, superior to the average of his race: though, it is believed, but few historical or well accredited instances can be adduced.

Yet, if all the children of such parents are closely examined, it will be found that the superiority of one is at the expense of one or more of his brothers or sisters.

The statistics on this subject are now becoming more abundant. I have not myself kept any regular record. But I can safely say that from ten to twenty per cent. of the pupils of this Institution are at all times the offspring of first cousins—now and then, one of second cousins, and at present we have two of children of third cousins—themselves being cousins. This case shows most clearly the evils of family intermarriages, even where the relationship is distant. No case of deafness had ever appeared in this family before—yet upon the intermarriage of even third cousins in it, the result is two deaf mute children.

Dr. S. M. Bemiss of Louisville has published a collection of statistics on the results of intermarriages, between near relatives, which is quite sufficient to satisfy the most skeptical. If disposed to examine further into the matter, you could no doubt obtain a copy from him, or perhaps might obtain it from some of the physicians of your town. It was embraced in the annual publications of the Kentucky or National Medical Society a few years ago.

It begins with the offspring of parent and child, uncle and niece, brother and sister—these are, of course, horrible specimens of humanity. But if the children of brothers and sisters are marked by the sternest disapprobation of Nature—how could we expect that disapproval to be entirely withdrawn, when the case was only one remove further off? If nature has admittedly set the seal of severest rebuke upon the alliance of brother and sister, could she be expected to smile complacently on that of cousins german? She does not, as the statistics to which I refer will show.

I have a work of high authority on “Aural Surgery” by William R. Wilde, Fellow of the Royal College of Surgeons, Dublin, &c., &c., in which the subject of the results of intermarriages between near relations is, incidentally, referred to in its connection with deaf mutism. This eminent surgeon says: “Among the predisposing causes of mutism, the too close consanguinity of parents may be looked upon as paramount. The question has been set at rest by the results of the Irish census.”

The number of mute, blind and imbecile persons in this Commonwealth is at least two thousand—they may be more—probably are. Without the least doubt 10 per cent.—more probably 15, and very possibly 20 per cent.—of all these are the children of cousins and near relations. It must also be taken into the reckoning that many of the other children of such persons so related—though not imbeciles—are more or less enfeebled. To this large extent is the Commonwealth endangered by such marriages. She has their deaf-mute, blind, and imbecile offspring to provide for, to educate, and some of them to support for life. Is it not, therefore, her clear and unquestionable right to protect herself by prohibiting such alliances? The law of nature speaks in a voice not to be misunderstood; should not human law
second and sustain her? Not only would the Commonwealth be protected, but how much private wretchedness would be prevented!

Is it not, then, not only the clear right, but the clear duty, of the Legislature to prohibit such marriages, first, to protect the State from a feeble and helpless population, which she must educate and sustain at the public expense, some of them for life; and, secondly, to protect her young people from ignorantly or heedlessly bringing very grave evils, and even wretchedness upon themselves?

It will be said that if not allowed to contract marriage in this State, parties will run off to other States. Prohibition here would, at least, check the practice, and would be a grave and solemn protest on the part of the Commonwealth, which, in time, would be heed by most persons, and would educate our population to regard cousin-marriages as improper and unnatural, and as only one degree removed from the marriage of brother and sister.

But the marriage might be declared illegal if the parties returned into the State within a year, or five years. The adjacent States would also probably, in a reasonable time, pass similar laws. A moral and legal reform so important in its character, which would not fail, in a few years, to show its value in its consequences in the diminished number of unfortunate and deficient children within our limits, would be certain to be imitated by our neighbors.

The history and character of the nations of the earth, in all ages, fully confirm the recent statistics on this subject. What nations and what races have been most distinguished for vigor and intellect, for advancement in science and civilization? Have they not always been, perhaps without exception, nations of mixed origin? I need only briefly refer to the Greeks and Romans, and to the modern nations of Europe; all of them eminently mixed races; and more especially to our own nation, in which every European nation is more or less largely represented.

Indeed, upon very cursory observation, it will be seen that it is the plan of Divine Providence to produce the highest possible condition of the race, physical, mental and moral, by intermixing again and again different tribes and races of men. This could be most fully shown by reference to details; but is unnecessary, as few intelligent persons will deny it.

It has been said that the Israelites or Jews were an eminent contradiction to the position. If it were so, it would be sufficient to reply that the exception only proves the rule. It would be still more satisfactory to say that they were a people all whose history and dispensation were miraculous.

But, upon closer examination, it will be rendered more doubtful whether the Jews form any exception. Though Abraham and Isaac intermarried in their own family for special prudential reasons; yet all the sons of Jacob intermarried with foreign races, so that one-half the blood of the Israelitish race was reinvigorated from an alien source. Again, all the servants of Jacob, a very large number, a much larger number than his own immediate descendants, went down into Egypt with him, and became incorporated with the Israelites.
We find in the subsequent history that fresh blood was frequently brought into the Jewish stock. David’s great grandmother was a foreigner, and Solomon’s mother was a Hittite. We find that the intermarriages of the Jews with the heathen nations were numerous—which, while their tendency was to deteriorate their moral and religious character, had probably the very opposite tendency in reference to their physical and mental. The foreign proselytes were not inconsiderable who became also incorporated into the nation.

I need hardly add that the history, and past and present condition of our race, strikingly show that the unmixed races are the feeblest in intellectual and moral vigor and capacity. I need only refer to large portions of the African and Mongolian races, to say nothing of all the rest.

I much fear that this long letter has wearied you. I have ventured upon addressing it to you, with the hope that the importance of the subject would secure your attention; and that, perhaps, if time were given at the approaching session, and circumstances favored—especially if the attention of the Legislature were not wholly and necessarily absorbed by our national affairs—you might, perhaps, consider it worthy of legislative action.

At all events, I am sure you will give me credit for good intentions, and, I hope, excuse me for inflicting so long a communication upon you.

Very truly and respectfully yours,

J. A. Jacobs.

C. F. Burnam, Esq.

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

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

Mr. J. W. Anderson laid before the House a report from the Auditor of Public Accounts, showing the financial condition of the State.

[For Report—see Legislative Document, No. 20.]

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

A message was received from the Senate asking leave to withdraw from this House their disagreement to a bill entitled,

An act for the benefit of W. R. Dewees, late sheriff of Grayson county.

Which leave was granted.

That they had passed a bill entitled,

An act to amend an act to incorporate the city of Paris.
That they had passed a bill from this House entitled,
An act to amend article 2, chapter 83, of the Revised Statutes, title Revenue and Taxation.
With an amendment.
Which amendment was concurred in.

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

An act for the benefit of Pulaski county.
An act granting certain powers to the county court of Simpson county.
An act for the benefit of school district No. 37, in Mercer county.
An act to authorize the Hancock county court to increase the county levy.
An act for the benefit of the circuit and county court clerks of Spencer county.
An act to amend the charter of the Covington and Lexington turnpike road company.
An act to amend the charter of the city of Covington.
An act concerning county officers.

The following bills were reported, viz:
By Mr. Rankin, from the committee on the Judiciary—
1. A bill for the benefit of the Paris and Clintonville turnpike road company.

By Mr. Thomas, from same committee—
2. A bill to amend an act entitled, an act to amend the jury laws of this Commonwealth.

By Mr. Cleveland, from the committee on County Courts—
3. A bill to legalize the proceedings of the county judge of Hickman county, at the called term of the county court in December, 1862.

By same—
4. A bill for the benefit of the towns of Franklin and Scottsville.

By Mr. Huston, from the committee on Revised Statutes—
5. A bill to amend the 19th section of the 1st article, 37th chapter of the Revised Statutes.

By same—
6. A bill for the benefit of the constable of the Blasdale district, in Ballard county.
By Mr. Barnes—
7. A bill to restore the chartered rights of the town of Sharpsburg, in Bath county.

By Mr. Burnam—
8. A bill to extend the March term, 1863, of the Madison circuit court.

By Mr. Ward, from the committee on Ways and Means—
9. A bill for the benefit of E. M. Brank, late surveyor of Muhlenburg 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 being 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. Cleveland—1. A bill to amend the charter of the town of Foster, in Bracken county.

On motion of Mr. Proctor—2. A bill to regulate the time of holding the Edmonson quarterly courts, and to define the duties of the jailer of said county.

On motion of Mr. Neel—3. A bill for the benefit of the late clerks of the Graves circuit and county courts.

On motion of Mr. Ireland—4. A bill for the benefit of the trustees of the town of Vanceburg, in Lewis county.

On motion of same—5. A bill for the benefit of T. S. Brown, of Johnson county.

On motion of same—6. A bill to regulate the sale of ardent spirits, in Greenupsburg.

On motion of Mr. Finnell—7. A bill to authorize the appointment of agents to receive from volunteers, in the service of the United States, assignments of pay, for their families or friends.

On motion of same—8. A bill to authorize the appointment of agents to guard the interest of discharged soldiers, and to enable them to collect their arrearages of pay.

On motion of Mr. Burnam—9. A bill for the benefit of Isaac N. Hill, late sheriff of Madison county.
On motion of same—10. A bill changing the time of holding the Madison quarterly court.

On motion of Mr. M. Smith—11. A bill to incorporate Fox Lodge, No. 386, of Free and Accepted Masons.

On motion of Mr. Van Winkle—12. A bill to authorize the coroner of Wayne county to appoint a deputy.

On motion of same—13. A bill to authorize the officers of Clinton county to qualify up to the April term, 1863.

On motion of Mr. Bush—14. A bill to repeal an act entitled, an act to amend section 9, chapter 47, Revised Statutes, title Husband and Wife, approved August 31, 1862.

Ordered, That the committee on Incorporated Institutions prepare and bring in the 1st and 11th; the committee on County Courts the 2d, 3d, 4th, 5th, and 6th; the committee on Military Affairs the 7th and 8th; the committee on Ways and Means the 9th; the committee on the Judiciary the 12th and 13th; Messrs. Burcam, Curtis, and White the 10th, and the committee on Revised Statutes the 14th.

Mr. Johns moved the following resolutions, viz:—

Whereas, from many resolutions presented by individual members of this General Assembly, condemning the policy of the President of the United States, it might appear to the uninitiated that we had forgotten the wrongs inflicted on us by Jeff. Davis and his minions—therefore,

Resolved, That their attempts at revolution is without a parallel in iniquity, and without cause, save the aspirations of demagogues for emolument and power.

Resolved, That this act is clearly and unquestionably unconstitutional.

Resolved, That Jeff. Davis be expostulated with; perhaps he might desist from further encroachments upon that sacred document.

Resolved, That the writ of habeas corpus has, in many instances, been rendered inoperative and void, in this great and sovereign State, by Jeff. Davis; non-combatant citizens have been arrested in the midst of their peaceful avocations, and transported to a Southern Bastile, without authority, and in disregard of constitutional law, without trial, and their friends without even a knowledge of the loathsome prison in which they are incarcerated.

Resolved, That the writ of habeas corpus, that ancient and cherished charter of liberty, that boon of freedom retained by us from the institutions of our venerable mother, should be better observed by Jeff. Davis, and he should be gently chided on that subject.

Resolved, That Jeff. Davis has not proclaimed the freedom of slaves, but he has attempted the slavery of freemen, which makes him about even on that score.

Resolved, That Jeff. Davis has authorized guerrilla parties, who have traversed our State, robbed our people, murdered them if they did not choose to be robbed, and burned their dwellings for resisting—
the cowardly wretches only attacking unarmed citizens, avoiding, if possible, every point where resistance was likely to be made. By their robbing and burning they have reduced to penury many of our most loyal and respected citizens.

Resolved, That we look upon this as a culpable action on the part of the Executive of the Southern Confederacy, and deplore the misery it has entailed upon many families of this Commonwealth.

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. J. W. Anderson moved the following preamble and resolution, viz:

Whereas, the Governor in his message to this General Assembly used the following language:

"In this connection, I desire to call your attention and invoke your earnest consideration to the condition of some portions of the Commonwealth, by reason of the depredations and desolations perpetrated by these predatory bands. By repeated invasions the people of the counties lying contiguous to the States of Virginia and Tennessee, have been almost entirely stripped of the necessaries of life; and suffering in that region, to an extent hitherto unparalleled in the history of the Commonwealth, now exists. When the call for volunteers to defend the Government against the traitors who had banded together for its destruction was made, the people of those counties responded with an alacrity, courage and patriotism worthy of the free sons of the mountains which they inhabit, and of the fame of Kentucky, which has ever been conspicuous for gallantry and patriotic devotion. They are still in the service of the country, and upon distant fields of military operations are perilling their lives in defense of that Union, which they have always been taught to venerate, and of that Government, which under the glorious Constitution of our fathers, has secured to its citizens a greater amount of happiness and prosperity than was ever vouchsafed to any other people. While they are thus engaged, I submit to you whether it is not the part alike of humanity and of duty to make such provisions for their suffering and helpless families as will remove them beyond the reach of want and starvation. I do not hesitate to commend this subject to your earnest attention, with an assured confidence that you will so dispose of it as to relieve the distresses of a desolated but patriotic and meritorious people"—therefore,

Resolved, That patriotism and justice require that the wants of the "suffering and helpless families" of those who are fighting the battles of our country should be supplied, and that Kentucky, ever mindful of her brave and chivalric sons, will in no event let their families suffer, and for that purpose the sum of one hundred thousand dollars is hereby appropriated, out of any unappropriated money in the treasury, for the purpose of supplying the actual wants of the families of Union soldiers; and the committee on Ways and Means is respectfully requested to report a bill to that effect.
Ordered, That said resolution be referred to the committee on Ways and Means.

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

In times of war, as in peace, the Constitution of the United States is the supreme law of the land. It prescribes the powers of the Government in its executive, no less than in its other departments, and it is the only legal bond of union between the States.

The Federal Government, as defined by the Constitution, when exercising the powers granted to it, is entitled to the allegiance of the people, but loyalty to the Government does not impose upon the citizen any obligation to support an administration in the enforcement of a policy unauthorized by the Constitution or forbidden by its provisions; but it is the duty of all good citizens to resist encroachments upon their rights, any to defend the Constitution of their country from violence. He who upholds the executive, or any other department of the Government, in the violation of its provisions, is disloyal to the Constitution, and an enemy to the freedom of his country.

The Federal Government, deriving all its legitimate powers from the Constitution, is, therefore, the creature of the Constitution, and has no power in any department to suspend any of its provisions, or throw off its restrictions under any pretence whatever.

The maxim that, "Governments derive their just powers from the consent of the governed," is one which we ought never to forget. It involves a fundamental principle of freedom—one asserted by our ancestors, and for which they fought and won our independence of the British crown, and which we never can surrender. It should also be borne in mind that governments were instituted for the protection of life, liberty, and property, and that such as fail to perform this duty will, sooner or later, be overthrown by an intelligent, virtuous, and courageous people.

The history of the present administration of the Federal Government is a history of repeated injuries and usurpations, tending directly to the overthrow of State authority and State institutions, and a consolidation in the Federal Government of all political power, and the erection upon their ruins of a great military despotism as tyrannical and despotic as the worst governments of Europe, to prove which we refer to the following facts:

The President has, without authority of Congress, suspended the writ of habeas corpus—thus striking a deadly blow at the liberties of the people.

He has caused citizens to be arrested, transported to distant States, and incarcerated in loathsome prisons, without charge or accusation against them.

He has denied to citizens thus arrested and imprisoned, a trial by jury, or indeed any trial, and has withheld from them all knowledge or information as to their accusers or the cause of their arrest.

He has subjected his prisoners thus held to barbarous and inhuman treatment, endangering both life and health, and has required hundreds
of them so held, as a condition upon which they might be released, to take illegal oaths arbitrarily prescribed by himself or his agents.

He has attempted to destroy the freedom of the press by the forcible suppression of newspapers, because they saw proper to criticize the measures of his administration; and such as have escaped suppression have been subjected to a censorship wholly incompatible with freedom of thought, or expression of opinion.

He has attempted to destroy the freedom of speech, by arresting citizens who animadverted upon the measures of his administration.

He has caused to be arrested persons engaged in circulating petitions for the signature of the people—thus interfering with the right of petition.

He has wholly disregarded the right of the people to be "secure in their persons, houses, papers, and effects, against unreasonable searches and seizures."

He has interfered with the administration of justice in the State courts by violently forcing the judges to adjourn, and dispersing their grand juries, and by breaking open jails and releasing prisoners confined under regular judicial process for felonies and other crimes.

He has in some of the States (among which is Kentucky,) forcibly wrested from the citizen his right to be a candidate for office within the gift of the people—thus striking down the elective franchise; and eminent citizens of this State are now in confinement beyond its borders for no other known reason than that they presented themselves as candidates for office before the people.

He has quartered soldiers in the houses of citizens against their will, and not in the manner prescribed by law.

He has permitted his troops to overrun this State, destroying houses, and fencing of farms and lots. They have sacked the houses of peaceful citizens, destroying their furniture, family pictures, carpets, clothing, and other articles of household goods, and robbed them of their silver ware, stock, and provisions.

He has permitted his wagon masters and others, with armed soldiers, to seize the corn, oats, and hay, &c., of our citizens for the use of the armies, without their consent, and without just discrimination as to whether the farmer could spare the articles or not—fixing their own prices upon them, and making their own estimate as to the value and quantity taken, and giving no receipt or name whereby the owner could successfully seek his pay; and often, when vouchers were given, they were so informal that no money could be drawn upon them.

He has permitted his officers and soldiers to entice slaves in great numbers to leave their masters and owners, and to take them within their camps, and there, with bayonets, to protect them from reclamation; and when civil suits have been brought for their recovery, in many instances the process of the court has been resisted by armed forces, and the owner of the slaves maltreated and imprisoned, for no known cause other than his attempt thus to recover and protect his property.

He has permitted his officers and soldiers, without authority of law, to levy large contributions of money upon unoffending citizens, under the pretense of reimbursing other citizens for losses sustained by the casualties of war.
He has permitted his officers and soldiers with impunity to murder peaceable citizens.

He has given his assent and approval to acts of Congress appropriating and proposing to appropriate enormous sums of the public money to purchase the freedom of slaves and their deportation to some foreign country, and has invited the border slave States (including Kentucky) to liberate their slaves, with promises of compensation from the Federal treasury.

He has set aside the Constitution of the United States, by giving his official sanction to an act of Congress creating a new State within the territory of Virginia, without her consent.

He has, without Constitutional authority, aided in freeing the slaves of the District of Columbia.

He has in violation of the Constitution, by proclamation, declared free all the slaves in many of the States—invited them to vindicate their freedom by force, and sought an alliance with them in a war waged against their masters—a monstrous and iniquitous act sanctioned by no law human or divine, finding no parallel in atrocity in the history of barbarous nations.

He is spending large sums of money appropriated by Congress for the support of the army, in feeding and clothing slaves stolen from their masters.

In view of the foregoing facts, the truth of which cannot be denied, we do firmly believe, and solemnly declare, that any assistance furnished the Executive in the further prosecution of the war upon the basis of his present policy, tends immediately and directly to the overthrow of both the Federal and State Governments. Wherefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky will, by all constitutional means in her power, protect her citizens in the enjoyment of the elective franchise; the benefits of the writ of habeas corpus; the security of their persons and property against the unconstitutional edicts of the Federal Executive, and their enforcement by the army under his control.

2. Resolved, That by the constitution of the State of Kentucky, "the right of the owner of the slave to such slave and its increase is the same and as inviolable as the right of the owner to any property whatever," that "Kentucky understands her own interests too well to be thankful for gratuitous advice as to the mode in which she should manage them; and when she wants the assistance of any outside administration of her affairs, she claims the privilege of originating the suggestion," consequently, the proposition made by Abraham Lincoln, for her to emancipate her slaves, is hereby rejected.

3. Resolved, That the object and purpose of the war having been perverted by the party now in control of the Government, in violation of its oft repeated and most solemn pledges, our Senators in Congress are instructed, and our Representatives are requested, to oppose any further aid in its prosecution by furnishing either men or money.

4. Resolved, That the proclamations of the President, dated September 22, 1862, and January 1st, 1863, purporting to emancipate the slaves in certain States and parts of States, set forth therein, are unwarranted by any code, either civil or military, and of such character
and tendency not to be submitted to by a people jealous of their liberties.

5. Resolved, That the act of Congress, approved by the President, admitting Western Virginia as a State, without the consent of the State of Virginia, is such a palpable violation of the Constitution as to warrant Kentucky in refusing to recognize the validity of such proceeding.

6. Resolved, That Kentucky will cordially unite with the Democracy of the Northern States in an earnest endeavor to bring about a speedy termination of the existing war; and to this end we insist upon a suspension of hostilities and an armistice, to enable the belligerents to agree upon terms of peace.

7. Resolved, That—Commissioners from this State be appointed, whose duty it shall be to visit the Federal and Confederate Governments, at Washington and Richmond, and urge them respectively to agree upon an armistice for the purpose herein contemplated.

8. Resolved, That the Governor of Kentucky is hereby requested to forward a copy of the foregoing preamble and resolutions to the President of the United States, and to each of our Senators and Representatives in Congress.

On motion of Mr. Bush,

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

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

Those who voted in the affirmative, were—

John C. Beeman, Henry Griffith, John Ray,
John W. Blue, Geo. M. Hampton, Wm. Roberts,
J. W. Boone, John H. Harney, James A. Rousseau,
William A. Brann, William J. Headly, George S. Rousseau,
W. P. D. Bush, John M. Henry, M. Smith,
A. B. Chambers, John Humphries, Robert A. Spalding,
Joseph H. Chandler, John B. Huston, Harrison Taylor,
Francis L. Cleveland, Jonas Martin, Joshua Tevis,
John B. Coehran, David P. Mears, John R. Thomas,
William L. Conklin, William Mercer, Joseph R. Underwood,
John C. Cooper, Felix G. Murphy, Wm. H. Van Pelt,
Lucius Desha, Thos. W. Owings, J. S. Van Winkle,
John W. Finnell, George Poindexter, Zeb. Ward,
Evan M. Garriott, Larkin Proctor, Alex. T. White—44,
Remus Gibson, Nicholas A. Rapier,

Those who voted in the negative, were—

Alfred Allen, Cyrus Campbell, Joseph W. Heeter,
Jas. W. Anderson, J. W. Campbell, Jas. M. C. Linsenby,
Jonathan R. Bailey, Brutus J. Clay, Alexander Lusk,
Joshua Barnes, Daniel E. Downing, John S. McFarland,
Elisha Beazley, Elijah Gaibert, Thomas Z. Morrow,
Joshua F. Bell, Jacob Hawthorne, Richard Neel,
Mr. Ward moved that the committee have till Tuesday week next to report the penitentiary bill.

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

On motion of Mr. Cleveland,

Ordered, That the committee be directed to report upon the subject of the penitentiary on Thursday next, at 11 o'clock, and that the same be made the special order for that hour and day.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the members thereof have heard with profound sorrow and regret of the death of William H. Edmunds, a member of the House of Representatives from the county of Caldwell, which occurred, on board of the steamboat Nashville, during the last autumn, near Caseyville, on the Ohio river, from the shot of a guerrilla.

2. That the General Assembly bears its testimony to the fidelity of Mr. Edmunds as a legislator, and to his worth and the propriety of his conduct as a citizen and a man.

3. That we, the members of this General Assembly, tender to his bereaved wife and family the expression of our sincerest sympathy and condolence.

4. That we will wear the usual badge of mourning for thirty days, and that the two Houses be draped in mourning; and that a copy of these resolutions be forwarded by the Clerk of the House of Representatives, to the wife and family of the deceased.

5. That in respect to the memory of the deceased we do now adjourn.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with,

Said resolutions were unanimously adopted.

And then the House adjourned.
TUESDAY, JANUARY 20, 1863.

A message was received from the Senate announcing their concur­rence in the amendment adopted by this House to a bill from the Senate entitled,

An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes.

That they had passed bills and concurred in resolutions from this House of the following titles, viz:

An act to prevent the destruction of fish in Salt river, and its tribu­taries.

An act for the benefit of the sureties of John Shawhan, late sheriff of Harrison county, and for the benefit of the administrator of Shaw­han.

Resolution directing the purchase of three volumes of the Holy Bible.

Resolutions on the death of Wm. H. Edmunds.

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

An act to allow the judge of the McCracken circuit court to hold said court at any place within the corporated limits of Paducah.

An act for the benefit of M. M. Lyon, late sheriff of Lyon county.

And 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 to change the time of holding the quarterly courts in Marshall county.

An act to incorporate the Kentucky Coal Mining Company of Louis­ville.

An act to change the time of holding the Larue county and quarter­ly courts.

An act to authorize a judicial sale of the Centreville and Jackson­ville turnpike road, and for other purposes relating thereto.

Mr. Blue, from the committee on Enrollments, reported that they had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, viz :

An act for the benefit of Eliza Catharine McIntosh.

An act to amend article 2, chapter 88, of the Revised Statutes, title Revenue and Taxation.
An act authorizing the sheriffs and collectors of the public revenue and county levies in this Commonwealth, for the year 1862, further time to return their delinquent lists.

An act to amend section 440, Civil Code of Practice.

An act to legalize the acts and orders of the county court of Estill county at its November term, 1862.

An act to change the county line between the counties of Lyon and Caldwell.

An act to change the time of holding the quarterly courts of Simpson county.

An act changing the time of holding the Morgan quarterly court.

An act changing the time of holding the quarterly courts of Warren and Clay counties.

An act to provide for procuring a house for the accommodation of courts when the court house cannot be used.

An act to amend an act entitled, an act to incorporate the trustees of the Kentucky Baptist Education Society, approved November 25, 1851.

Resolution to appoint a committee to make arrangements for the interment of the remains of the late Major General William Nelson at Camp Dick Robinson.

Resolution for the benefit of William Thompson, and others.

Resolutions on the death of Judge Milton Young.

Also bills from the Senate of the following titles, viz:

An act to change a portion of the State road leading from Wadesboro to Mayfield.

An act to provide for the election of trustees for the Paducah Female Seminary, and for other purposes relating thereto.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Blue inform the Senate thereof.

The following bills were reported, viz:

By Mr. Morrow, from the committee on Propositions and Grievances—

1. A bill to establish an additional justices' and voting district, in Allen county.

By Mr. Ireland, from the committee on Privileges and Elections—

2. A bill repealing an act entitled, an act creating an additional election and justices' district, in Greenup county.
By Mr. John B. Cochran, from the committee on Corporations—

3. A bill to incorporate Greve Grove, No. 4, United Ancient Order of Druids, in Covington.

By Mr. White—


By Mr. J. W. Anderson—

5. A bill to enable claimants to prove their claims against the State of Kentucky.

By Mr. Morrow—

6. A bill for the benefit of B. S. Coffey, marshal of the town of Columbia.

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 6th bills were severally ordered to be engrossed and read a third time; the 5th bill was referred to the committee on Ways and Means.

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 being engrossed,

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

Mr. John B. Cochran, from the committee on Incorporated Institutions, to whom was referred a bill entitled,

An act to incorporate the Beer Brewers' Society, of Louisville.

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 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, from the committee on Military Affairs, reported the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is expedient to raise five millions of dollars, to be expended in raising, organizing and arming troops for the defense of the State.
Mr. Burnam moved to strike out $5,000,000 and insert in lieu thereof $3,500,000.

On motion of Mr. Allen,

Ordered, That the further consideration of said resolution be postponed till Tuesday next, and that the same be made a special order for 11 o'clock.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, Jonas Martin,
Alfred Allen, William L. Conklin, John S. McFarland,
R. C. Anderson, Lucius Desha, Felix G. Murphy,
Jonathan R. Bailey, John Draffin, Richard Neel,
Joshua Barnes, Evan M. Garriott, Larkin Proctor,
Elisha Beazley, Remus Gibson, Nicholas A. Rapier,
John C. Beeman, Henry Griffith, F. D. Rigney,
John W. Blue, Geo. M. Hampton, Wm. Roberts,
William S. Botts, Jacob Hawthorne, J. C. Sayres,
Wm. Bowling, William J. Heady, George S. Shanklin,
Wm. A. Brann, John M. Henry, Robert A. Spalding,
Leroy Brinkley, John Humphries, Harrison Taylor,
R. J. Browne, John B. Huston, Joshua Tevis,
Thomas S. Brown, William C. Ireland, Wm. H. Van Pelt,
W. P. D. Bush, William Johnson, John S. Van Winkle,
Cyrus Campbell, James M. Jones, Zeb. Ward,
A. B. Chambers, Perry S. Layton, Alex. T. White—51.

Those who voted in the negative, were—

James W. Anderson, Elijah Gabbert, Thomas Z. Morrow,
Curtis F. Burnam, John H. Harney, Hiram S. Powell,
Joseph H. Chandler, Joseph W. Heeter, John Ray,
Brutus J. Clay, Daniel W. Johns, Joseph Ricketts,
Francis L. Cleveland, Urban E. Kennedy, James A. Rousseau,
John C. Cooper, James M. C. Lisenby, M. Smith,
Albert A. Curtis, David P. Mears, John R. Thomas,

Mr. Underwood, from the committee on Military Affairs, reported, under leave,

A bill authorizing the appointment of agents to receive from volunteers in the service of the United States, assignments of pay for their family or friends.

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

Mr. Huston moved to strike out the per diem of $4 per day in the 5th section of the bill.

Which amendment was rejected.
Mr. Huston moved to strike out the word "expenses" in said 5th section of the bill.

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

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Daniel E. Downing, John S. McFarland,
John W. Blue, John Draffin, David P. Mears,
William A. Brann, Elijah Gabbert, William Mercer,
R. J. Browne, Evan M. Garriott, Felix G. Murphy,
Thomas S. Brown, Remus Gibson, Larkin Proctor,
W. P. D. Bush, Henry Griffith, William S. Rankin,
Cyrus Campbell, William J. Heady, Nicholas A. Rapier,
A. B. Chambers, Joseph W. Hecter, John Ray,
Jos. H. Chandler, John M. Henry, William Roberts,
John B. Coehran, John Humphries, M. Smith,
William L. Conklin, John B. Huston, Robert A. Spalding,
John C. Cooper, William Johnson, Harrison Taylor,
Albert A. Curtis, J. M. Jones, John R. Thomas,
Lucius Desha, Jonas Martin, Alex. T. White—42.

Those who voted in the negative, were—

Mr. Speaker, (Buckner) Francis L. Cleveland, Richard Neel,
Alfred Allen, John W. Finnell, Hiram S. Powell,
Jonathan R. Bailey, Geo. M. Hampton, Joseph Ricketts,
Joshua Barnes, John H. Harney, F. D. Rigney,
Elisha Beazly, Jacob Hawthorne, James A. Rousseau,
John C. Beeman, William C. Ireland, J. C. Sayres,
William S. Botts, Daniel W. Johns, George S. Shanklin,
Wm. Bowling, Urban E. Kennedy, Joshua Tevis,
Leroy Brinkley, Perry S. Layton, Joseph R. Underwood,
Curtis F. Burnam, Jas. M. C. Lisenby, John S. Van Winkle,

The 5th section of said bill is in these words, viz:

Such agents shall receive, as a compensation for their services, each, the sum of four dollars per day, for the time actually engaged, to be ascertained by the certificate of such agent or agents to his or their accounts, made upon honor: Provided, That in addition to the per diem allowance they shall be paid their actual expenses incurred in the discharge of the duties of the agency.

Mr. Conklin moved to postpone the further consideration of said bill,

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

Ordered, That said bill be read a third time.
The question was then taken on dispensing with the third reading, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

On motion of Mr. Draffin—1. A bill to repeal an amendment to the Revised Statutes in relation to the fees of circuit court clerks, approved March 7, 1854.

On motion of Mr. Mercer—2. A bill for the benefit Wiley Dicus, of Ballard county.

On motion of Mr. Bowling—3. A bill for the benefit of Benjamin F. Shepherd, sheriff of Carter county.

On motion of Mr. R. C. Anderson—4. A bill imposing a tax on dogs in Franklin county.

On motion of Mr. Neel—5. A bill to restore the quarterly terms of the quarterly and other inferior courts of Graves county.
On motion of same—6. A bill for the benefit of Thomas J. Jones, late sheriff of Graves county.

On motion of Mr. Hampton—7. A bill for the benefit of the clerks of the Morgan circuit and county courts.

On motion of Mr. Morrow—8. A bill to amend the charter of the town of Somerset.

On motion of Mr. R. J. Browne—9. A bill to amend the charter of the Springfield Deposit Bank.

Ordered, That the committee on Revised Statutes prepare and bring in the 1st; the committee on Claims the 2d; the committee on Ways and Means the 3d, 5th, and 6th; Messrs. Shanklin, Rankin, Powell, Cleveland, and R. J. Browne the 4th; the committee on circuit courts the 7th; the committee on Incorporated Institutions the 8th, and the committee on Banks the 9th.

Mr. R. J. Browne moved the following resolution, viz:

Resolved, That the committee on Banks inquire as to whether any further legislation is necessary in regard to dealing in uncurrent funds; and that they report by bill or otherwise.

Ordered, That said resolution be referred to the committee on Banks.

The House then took up the special order, viz:

An act to lay off the State into nine Congressional Districts.

Mr. Ireland offered a substitute by way of amendment.

Mr. Allen moved an amendment to the amendment.

Mr. Huston moved to postpone the further consideration of the bill and amendments until Friday next, and to print the amendments.

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

On motion of Mr. Burnam,

Ordered, That said bill and amendments be referred to the committee of the whole House, and be made the special order for 10½ o'clock on Friday next; and any member desiring to propose further amendments, may do so on or by Friday, and have the same printed and laid on the tables of the two Houses.

Bills from the Senate of the following titles, viz:

1. An act for the benefit of school district No. 4, in Owen county.
3. An act for the relief of certain persons who have violated an act approved August 31, 1862, entitled, an act to amend section 9, chapter 47, Revised Statutes, title Husband and Wife.

4. An act to authorize the late judge of the Louisville chancery court to approve and sign certain records and proceedings in said court.

5. An act for the benefit of Herman Bomar, late clerk of the Woodford county court.

6. An act to amend an act to incorporate the city of Paris.

7. An act to amend an act entitled, an act to establish a police court in the town of Caseyville.

8. An act for the benefit of the Odd Fellows' Hall Association, of Covington.

9. An act for the relief of persons who have violated an act, approved August 30, 1862, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office.

10. An act for the benefit of Reuben Payne, late sheriff of Russell county.

11. An act for the benefit of the jailer and others, of Whitley county.

12. An act for the benefit of the jailer of McCracken county.

13. An act to allow the judge of the McCracken circuit court to hold said court at any place within the corporate limits of Paducah.


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 being dispensed with.

The 1st was referred to the committee on Education; the 2d and 9th to the committee on the Judiciary; the 3d to the committee on Revised Statutes; the 4th and 13th to the committee on Circuit Courts, the 5th, 7th, 11th, and 12th to the committee on County Courts; the 6th and 8th to the committee on Incorporated Institutions, and the 10th and 14th to the committee on Ways and Means.

The House then took up the bill entitled,

An act to regulate the circuit, equity, and criminal courts in the 4th Judicial district.
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 bill entitled, An act accepting the donations of lands to Kentucky for the endowment of agricultural colleges.

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 concerning executions.

Mr. R. J. Browne moved an amendment.

On motion of Mr. Underwood,
Ordered, That the bill and amendment be recommitted to the committee on Revised Statutes.

The House then took up the motion of Mr. Finnell to reconsider the vote by which passed the bill entitled, An act for the benefit of the personal representative of James Townsend, dec’d.

Mr. Burnam moved to lay said motion on the table,
And the question being taken thereon, it was decided in the affirmative.

The House then took up the resolution in relation to adjournment.
Ordered, That said resolution be referred to the committee on the Sinking Fund.

Mr. Beeman moved that the House do now adjourn, being 1 o’clock.
And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. J. Browne and Rapier, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, Richard Neel,
Alfred Allen, John Draffin, Hiram S. Powell,
Jonathan R. Bailey, John W. Finnell, William S. Rankin,
Elisha Beazley, Evan M. Garriott, John Ray,
John C. Beeman, Remus Gibson, James A. Rousseau,
William S. Botts, John H. Harney, J. C. Sayres,
WEDNESDAY, JANUARY 21, 1863.

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 legalize the appointment of patrols, in 1862.
An act to amend section 33, chapter 25, of the Revised Statutes.
That they had passed bills from this House of the following titles, viz:

An act to amend an act entitled, an act regulating the time of holding the quarterly and other courts inferior in jurisdiction to the circuit courts.
An act in relation to the taxation of costs in suits and actions at law or in equity.
An act to change the place of voting in election district No. 7, in Whitley county.
An act creating an additional voting place in Enterprise precinct, in Greenup county, and for other purpose.

An act for the benefit of John M. Dallis, jailer of Nicholas county.

That they had passed a bill entitled,

An act for the benefit of Mary J. York, of Logan county.

1. Mr. Rankin presented a petition from W. W. Bradley, of 7th Kentucky Cavalry.

2. Mr. Botts presented the petition of Stitt & Campbell, tavern-keepers of Carlisle, Nicholas county.

3. Mr. Tevis presented the petition of J. R. Hughes, praying the passage of an act authorizing the Governor to offer rewards for apprehending persons charged with grand larceny, on petition of Commonwealth's attorney.


5. Also the petition of J. A. Scroggin, in relation to his billiard tables, in Nicholasville.


Which were received, the reading dispensed with, and referred—

the 1st and 6th to the committee on Military Affairs; the 2d to the committee on the Judiciary and the 3d, 4th, and 5th to the committee on Ways and Means.

The following bills were reported, viz:

By Mr. Conklin, from the committee on Claims—

1. A bill for the benefit of Wm. R. Mize, of Pulaski county.

By same—

2. A bill for the benefit of pauper idiots.

By Mr. Rankin, from the committee on the Judiciary—

3. A bill to amend section 614, Civil Code of Practice.

By same—

4. A bill to repeal an act entitled, an act to amend an act entitled, an act to establish equity and criminal courts in the 4th judicial district.

By same—

5. A bill to amend an act entitled, an act to amend the law in relation to runaway slaves, approved December 19, 1861.
By Mr. Taylor, from the committee on Ways and Means—

6. A bill providing for the collection of tax upon the enrolled militia for the year 1862.

By same—

7. A bill allowing further time to certain sheriffs to return their delinquent lists in the collection of the revenue and county levy for the year 1861.

By same—

8. A bill for the benefit of the estate of James Ferguson, dec'd.

By Mr. Chambers, from the committee on Education—


By Mr. Underwood, from the committee on Military Affairs—

10. A bill to authorize the appointment of agents to guard the interest of discharged soldiers, and to enable them to collect their arrears of pay.

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, 6th, 7th, 8th and 9th were severally ordered to be engrossed and read a third time; the 3d was referred to the committee on the Codes of Practice; the 5th bill was ordered to be printed.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 4th, 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.

The yeas and nays being required on the passage of the 8th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, John Draffin, Thomas Z. Morrow,
Jonathan R. Bailey, John W. Finnell, Felix G. Murphy,
Joshua Barnes, Elijah Gabbert, Richard Neel,
Elisha Beazley, Evan M. Garriott, George Poindexter,
John W. Blue, Remus Gibson, Hiram S. Powell,
J. W. Boone, Henry Griffith, Larkin Proctor,
William S. Betts, Geo. M. Hampton, Wm. S. Rankin,
Wm. Bolling, John H. Harvey, Nicholas A. Rapier,
William A. Brann, Jacob Hawthorne, John Ray,
Leroy Brinkley, William J. Heady, Joseph Ricketts,
R. J. Browne, Joseph W. Heeter, F. D. Rigney,
Said bill reads as follows, viz:

Whereas, the trustee of the jury fund for the county of Clinton holds the note of Ephraim L. Van Winkle for the sum of one hundred and forty-four dollars and forty-three cents, being part of the purchase money for certain lands sold under executions in favor of the Commonwealth of Kentucky against James Ferguson, and others; and whereas, said Ferguson has since been killed, while in the service of the United States army, leaving a helpless family, who will be ruined by the enforcement of the collection of the above mentioned sum—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said Ephraim L. Van Winkle is hereby released from all obligation to pay said note or any part thereof; and the trustee of the jury fund of said county shall be entitled to a credit for the full amount thereof in his settlement respecting said fund: Provided however, As a precedent condition to the cancellation of said note, said Ephraim L. Van Winkle shall relinquish all his right, title, and interest in the lands purchased as aforesaid, and, if needful, convey the same to the person owning the same at the time of said sale, or his vendee.

§ 2. This act to take effect from its passage.

Mr. Taylor, from the committee on Ways and Means, reported a substitute for a bill entitled,

An act for the benefit of Reuben Payne, late sheriff of Russell county, entitled,

An act allowing further time to the late sheriffs and their deputies to collect their fee bills and arrearages of taxes.

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 aforesaid.

Mr. Taylor, from the same committee, reported a bill concerning the estate of Edmund Bayne, free man of color, late of Shelby.

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. Morrow, from the committee on the Library, to whom was referred the resolution in relation to the sale of Auditor's Reports and other old books, reported the following resolution as a substitute, viz:

Whereas, it is represented that there is a large stock of old Auditor's Reports, and other public documents, published for distribution, remaining undistributed—therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That G. A. Robertson, the Librarian, be directed to sell the same, and pay the proceeds into the Treasury, after deducting ten per cent. for his services: Provided, That he shall not sell any of the reports of the Geological Survey: And, provided further, That he shall retain, for the use of the State, twenty copies of each work hereby ordered to be sold.

Which was adopted.

Mr. Chandler, from the committee on County Courts, to whom was referred leave, reported a bill entitled,

An act to regulate the time of holding the Edmonson quarterly courts, and to regulate and define the duties of the jailer of said 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. R. J. Browne moved to strike out the 2d section of the bill.

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. Cleveland, from the committee on County Courts, to whom was referred a Senate bill entitled,

An act for the benefit of the jailer of McCracken 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, and the same being engrossed,

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 leave, reported the following bills, viz:

An act constituting the judge and clerk of the county court a board of supervisors of tax.
An act for the benefit of George V. Morris and Armstrong & Kidwell, of Fleming county.

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 rejected.

The following bills were reported, viz:

By Mr. Chambers, from the committee on Education—
A bill for the benefit of common school districts Nos. 46, 15, and 3 of Muhlenburg county.

By Mr. Burnam—
A bill to change the time of holding the quarterly courts in Madison county.

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

The rule of the House, constitutional provision, and second 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 House then took up a bill entitled, An act authorizing the appointment of agents to receive from volunteers in the service of the United States, assignments of pay, for their families and friends.

Mr. R. J. Browne moved a reconsideration of the vote ordering said bill to its third reading.

Which motion was rejected.

Mr. Sparks moved to lay the bill on the table.

Which motion was rejected.

Mr. Heady moved an amendment by way of engrossed copy.

And the question being taken thereon, said amendment was adopted.

Mr. Curtis moved a reconsideration of the vote adopting the amendment of Mr. Heady.

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

The amendment of Mr. Heady was then rejected.

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 the Governor of the Commonwealth be and he is hereby authorized to appoint such agents as he may deem necessary, not exceeding six in number, who shall be to visit the several regiments of Kentucky volunteers now, or hereafter in the service of the United States, at such times as the officers and soldiers of said regiments may respectively receive their pay from the United States, and receive from such officers and soldiers such sums of money as they or any of them may desire to send to their families and friends.

§ 2. It shall be the duty of such agent or agents to keep a faithful account of the sum or sums received by him or them, with the names of the person or persons assigning, the names and residence of the assignor or assignees, and the date of the assignment. The account shall be kept by regiments and companies, designating the letter of the Company and number and arm of service of the regiment, and the name of regimental and company commander. A fair copy of this account shall be made out by the agents respectively, and forwarded to the Adjutant General of the State within five days after the assignments in such regiments shall have been completed; and payment of the sums so assigned shall be made by the agent to the assignees, respectively, with all reasonable dispatch.

§ 3. The Governor shall have power to make such further orders and regulations for the government and control of such agents as he may from time to time deem expedient and proper.

§ 4. It shall be the duty of such agent or agents, before entering upon the duties of his or their agency, to execute bond, with good and sufficient security, to be approved by the Governor, payable to the Commonwealth, conditioned for the faithful performance of the duties de-
volved upon him by this act, or by such orders and regulations made
by the Governor under the third section of this act.
§ 5. Such agents shall receive as a compensation for their services,
each, the sum of four dollars per day, for the time actually engaged,
to be ascertained by the certificate of such agent or agents to his or
their accounts, made upon honor.
§ 6. This act to take effect from its passage.

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

The Speaker deciding that its passage required a majority of all
the members elected to this House.

The yeas and nays being required by the Constitution, and by
Messrs. Draffin and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) Albert A. Curtis,
R. C. Anderson, Daniel E. Downing,
Jonathan R. Bailey, John W. Finnell,
Joshua Barnes, Remus Gibson,
Elisha Beazley, John H. Harney,
Joshua F. Bell, Jacob Hawthorne,
William S. Botts, Wm. C. Ireland,
Wm. Bowling, Daniel W. Johns,
Curtis F. Burnam, Urban E. Kennedy,
Cyrus Campbell, Perry S. Layton,
Brutus J. Clay, Jas. M. C. Linsenby,
Francis L. Cleveland, John S. McFarland,
John B. Cochran, Thomas Z. Morrow,
William L. Conklin,

Those who voted in the negative, were—
Jas. W. Anderson, Elijah Gabbert,
John W. Blue, Evan M. Garriott,
J. W. Boone, Henry Griffith,
William A. Brann, Geo M. Hampton,
Leroy Brinkley, William J. Heady,
R. J. Browne, John M. Henry,
Thomas S. Brown, John Humphries,
W. P. D. Bush, John B. Huston,
A. B. Chambers, William Johnson,
Joseph H. Chandler, J. M. Jones,
Lucius Desha, Alexander Lusk,
John Draffin, Jonas Martin,

Mr. Bell appealed from the decision of the Chair, deciding that the
passage of the bill required a majority of all the members elected to
this House.

On motion of Mr. Huston, indefinite leave of absence was granted
Mr. Chandler.
Leave was given to bring in the following bills, viz:

On motion of Mr. Wolfe—1. A bill to amend section 17, article 10, chapter 47, of the Revised Statutes, title Husband and Wife.


On motion of Mr. Botts—3. A bill for the benefit of the sureties of Wm. G. Fleming, late sheriff of Fleming county.

On motion of Mr. Garriott—4. A bill for the benefit of the sheriff of Trimble county.

On motion of Mr. Rousseau—5. A bill for the benefit of James R. Witty, late sheriff of Metcalfe county.

On motion of Mr. Heady—6. A bill to increase jailers fees.

On motion of Mr. Underwood—7. A bill to repeal an act entitled, an act to amend an act to establish equity and criminal courts in the 4th judicial district.

On motion of Mr. Blue—8. A bill to amend the charter of the town of Dycusburg.


Ordered, That the committee on the Judiciary prepare and bring in the 1st; the committee on Ways and Means the 2d, 3d, and 5th; the committee on Proposessions and Grievances the 4th and 8th; the committee on County Courts the 6th; Messrs. Underwood, Clay, and Harney the 7th, and the committee on Claims the 9th.

Mr. Bell presented the petition of J. P. Mitchell, President of the Clark Run and Salt River turnpike road company.

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

Mr. Heady moved the following joint resolutions, viz:

Whereas, the operations of the Federal and Confederate armies in Kentucky, and the devastation of property, personal security, and happiness of her people consequent upon the rebel invasion of her territories, together with the sacrifice of many of her noblest sons, who have enriched the earth with their precious blood as water poured from the clouds, have illustrated to all thinking men the folly of disunion as a remedy for a bad administration; whereas, the President has broke faith with the Union States, which have furnished the supplies of men and money for the army, by adding new complications and issues to the war: in this, that the President, has with the concurrence of Congress, after receiving into the Federal service large quotas of troops from the border slave States, pressed upon said States, with great tenacity, the question of selling the slave property of said
States for the bonds of the United States, in violation of all constitutional law, State and Federal; the President has not kept faith with the Union States in this, that on the 1st day of January, 1863, he issued his proclamation, which assumes the power to give freedom to the slaves of the rebel States, in conflict with the Constitution of the United States and of said States respectively; thus dealing a blow to the Union cause, thus attempting to change the character of the war, by associating and incorporating with the Union struggle the great and cruel wrong of abolition, an act in rebellion and contempt of allegiance to the Constitution of the United States; and, whereas, the present surroundings and temper of the times indicate that no good and great results are to be attained by the war as it is proposed to be carried on, and as at present conducted by both armies—nothing accomplished but the slaughter of the brave men and youth of all the States—nothing but the ruin and bankruptcy of the nation—with nothing left for re-union but the maimed bodies of the surviving soldiers, the ashes of cities, and temples of worship—the desolate hearth-stones, and woes without number, of a bereaved and fallen nation—therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That this Legislature is ready and anxious to co-operate with the Legislatures of the other States in any effort which may be concurred in and approved by Congress for an honorable peace, based on the restoration of the Constitution and the Union, of which it is the only lawful bond and guarantee of safety, and to that end recommend the calling of a National Convention of delegates elected by the people of all the States, or such States as approve of the measure, in pursuance of the acts of the Legislatures of the States, providing for the election of delegates, to meet at ———, on the ——— day of ———, 1863.

Resolved, That the Governor is requested to communicate a copy of the foregoing resolutions to the President of the United States, and to the Governors of all the States, and through them to Congress and the Legislatures respectively.

The rules of the House being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said resolutions for the use of the members of the General Assembly, and that they be referred to a special committee, composed of Messrs. Heady, Shanklin, Proctor, Conklin, and Johnson.

Mr. Proctor moved the following resolution, viz;

Resolved by the General Assembly of the Commonwealth of Kentucky, That, anxious to restore our bleeding country to concord, amity, and fraternal good feeling, and to avert, if possible, the further shedding of fraternal blood, and stay the desolating hand of civil war, which is carrying woe and desolation to so many stricken hearts, without stopping further to argue the question of unhappy differences of opinion now separating the sections of our once happy and glorious confederacy, we earnestly recommend a cessation of hostilities and the call of
a National Convention, as the only sure means, in our judgment, whereby the Union can be restored.

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 it be referred to the committee on Federal Relations.

And then the House adjourned.

THURSDAY, JANUARY 22, 1863.

1. Mr. Sparks presented the petition of L. N. Hancock, and other citizens of Trimble county, praying to be added to the county of Henry.

2. Mr. White presented the petition of W. W. Treadway, in relation to horses, &c., pressed by General George W. Morgan's army, in passing from Cumberland Gap to the Ohio river.

3. Mr. Bowling presented the petition of the trustees of school district No. 50, of Carter county, praying compensation for school taught.

4. Mr. Powell presented the petition of the sureties of A. Wynn, sheriff of Harlan, praying relief.

5. Mr. Botts presented the petition of the trustees of school district No. 2, Fleming county, praying relief.

6. Also a communication from W. O. Phillips, in relation to common schools, in the county of Fleming.

7. Mr. Clay presented the petition of the president, directors, and company of the Paris and Jackstown turnpike road company, praying an amendment to their charter.

8. Mr. Thomas S. Brown presented the petition of sundry members of the 14th Kentucky regiment of volunteers, praying a change in the name of the county and county seat of Magoffin.

9. Mr. Turner presented a series of resolutions adopted by a large and enthusiastic meeting of the Union party of Montgomery, in relation to National affairs.
JAN. 22.] HOUSE OF REPRESENTATIVES. 1217

Which were received, the reading dispensed with, and referred—the 1st, 4th, and 8th to the committee on Propositions and Grievances; the 2d to the committee on Military Affairs; the 3d, 5th, and 6th to the committee on Education; the 7th to the committee on the Judiciary, and the 9th to the committee on Federal Relations.

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 A. C. Tanner, late clerk of the McLean county and circuit courts.

An act in relation to the surveyor of Clay county.

An act to amend the charter and laws of the city of Newport, Campbell county.

With amendments to the last named bill.

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

An act for the benefit of school districts Nos. 17, 18, 35, and 57, in Whitley county.

An act for the benefit of the Rough Creek Navigation and Manufacturing Company.

An act to incorporate the German American School Association of Owensboro.

An act to incorporate Home Lodge, No. 29, Independent Order of Odd Fellows, Louisville, Ky.

An act to amend an act to incorporate the Deposit Bank of Paris, approved March 7, 1851.

Mr. Blue, from the committee on Enrollments, reported that they had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act to amend an act entitled, an act to regulate the time of holding quarterly and other courts.

An act to prevent the destruction of fish in Salt river, and its tributaries.

An act for the benefit of the sureties of John Shawhan, late sheriff of Harrison county, and for the benefit of the administrator of said Shawhan.

An act in relation to taxation of costs in suits and actions at law or in equity.

An act to change the place of voting in district No. 7, in Whitley county.

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An act creating an additional place of voting in Enterprise precinct, in Greenup county, and for other purposes.

An act for the benefit of John M. Dallas, jailer of Nicholas county.

Resolutions on the death of Wm. H. Edmunds.

Resolution directing the State Librarian to purchase three volumes of the Holy Bible.

Also, bills from the Senate of the following titles, viz:

An act to incorporate Germania Lodge, No. 143, Independent Order of Odd Fellows.

An act to authorize the increase of the county levy in Fulton county.

An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county.

The following bills were reported, viz:

By Mr. Conklin, from the committee on Claims—
1. A bill for the benefit of Wiley Dycus, of Ballard county.

By Mr. Mears, from the same committee—
2. A bill for the benefit of Margaret Purvis, of Green county.

By Mr. Rankin, from the committee on the Judiciary—
3. A bill for the benefit of A. D. Kennedy.

By same—
4. A bill for the benefit of George Long, a free man of color, of Christian county.

By Mr. Taylor, from the committee on Ways and Means—
5. A bill providing for the uncollected revenue for 1862, in the county of Fleming.

By same—
6. A bill for the benefit of Thomas J. Jones, sheriff of the county of Graves.

By Mr. Underwood, from the committee on Military Affairs—
7. A bill for the benefit of Lawrence P. N. Landrum.

By Mr. Underwood—
8. A bill to amend the charter of the town of Bowlinggreen.

By Mr. Shanklin, from the committee on Circuit Courts—
9. A bill to provide certain books for the use of the Morgan circuit and county courts.

By Mr. Ireland, from the committee on County Courts—
10. A bill in relation to the sale of ardent spirits in the town of Greenup.
By Mr. Cleveland, from the same committee—

11. A bill for the benefit of James M. Coulter, late clerk of the county court of Graves county, and Erwin Anderson, late circuit court clerk of said county.

By same—

12. A bill to legalize the acts of the Grant county court since its September term, 1862, and for other purposes.

By Mr. Draffin, from the committee on Revised Statutes—

13. A bill to amend the original and amended charter of the Versailles and Anderson turnpike road company.

By Mr. Sparks, from the same committee—

14. A bill to amend the election laws.

By Mr. J. B. Cochran, from the committee on Corporations—

15. A bill to incorporate Fox Lodge, No. 386, of Free and Accepted Masons, of Dover, Mason county, Kentucky.

By same—

16. A bill for the benefit of the town of Somerset.

By Mr. Van Winkle, from the committee on the Judiciary—

17. A bill to amend section 9, article 3, chapter 91, 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 bills being dispensed with,

The 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 15th, and 16th bills were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 6th, 7th, 8th, 9th, 11th, 12th, 13th, 15th, and 16th bills having been dispensed with,

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 17th bill for the use of the members of this General Assembly.

Mr. Rankin, from the select committee, to whom was referred leave, reported

A bill imposing a tax on dogs in the county of Franklin.

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. Taylor, from the committee on Ways and Means, reported the following resolution, viz:

Resolved, That the Governor be requested to ascertain and report to this House, what arrangements, if any, can be made with the Banks of issue in this State, or any one or more of them, for the privilege of issuing notes of a smaller denomination than one dollar, for the purpose of furnishing small change to supply the wants of the country.

Which resolution was adopted.

Mr. Underwood, from the committee on Military Affairs, to whom was referred a bill entitled, An act regulating the fees of provost marshals.

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

Mr. Underwood, from the same committee, to whom was referred the resolution of Mr. Curtis, in relation to the settlement of claims for provisions, &c., furnished to the army of Gen. George W. Morgan, on its march from Cumberland Gap to the Ohio river, reported the same without amendment.

Mr. Lusk offered the following as a substitute for the resolution, viz:

That the resolution be referred to the committee on Military Affairs, with instruction to report a bill requiring the Governor to appoint a commissioner in each county in this Commonwealth to take proof of any and all property taken by the armies of the Federal and Confederate; and also, at the same time, to take proof as to the loyalty of the claimants.

On motion of Mr. Harney,

Ordered, That said resolutions be referred to the committee on Military Affairs without instructions.

Mr. Proctor, from the committee on the Penitentiary, made the following report, viz:

The committee on the Penitentiary make the following report: At the August session of this body, your committee reported a bill to this
House, reorganizing the system and management of that Institution, which was rejected by the House; and by a resolution of this House, a special committee have been appointed to bring in a bill fixing the price to be paid by the lessee to the State for the use of that Institution, and to regulate the management of the same. Your committee, therefore, has nothing further to report upon that subject.

L. J. PROCTOR,
A. T. WHITE,
WM. ROBERTS,
JOHN HUMPHRIES.

Ordered, That said committee be discharged from the further consideration thereof.

Mr. Finnell, from the committee on Banks, to whom was referred leave, reported
A bill to repeal the charter of the Deposit Bank of Cynthiana.
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 following Senate bills were reported by the committees to whom they were respectively referred, viz:

By Mr. Shanklin, from the committee on Circuit Courts—
An act to authorize the late judge of the Louisville chancery court to approve and sign certain records of proceedings in said court.
By same—
An act to allow the judge of the McCracken circuit court to hold said court at any place within the corporate limits of Paducah.
By Mr. Cleveland, from the committee on County Courts—
An act for the benefit of the jailer and others, of Whitley county.
By same—
An act to amend an act entitled, an act to establish a police court in the town of Caseyville.
By same—
An act for the benefit of Herman Bowmar, late clerk of the Woodford county court.

By Mr. John B. Cochran, from the committee on Corporations—
An act for the benefit of the Odd Fellows Hall Association of Covington.

Without amendments.
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. Ireland moved the following resolution, viz:
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the law in relation to arresting runaway slaves; and that they report by bill or otherwise.
Which was adopted.

Mr. Cleveland, from the committee on County Courts, to whom was referred leave, reported
A bill to repeal an act entitled, an act regulating the time of holding the quarterly courts and other courts inferior in jurisdiction to the circuit courts, so far as the same is applicable to the county of Graves.
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. Brann moved to amend said bill by making its provisions apply to the county of Pendleton.
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 do pass, and that the title thereof be as amended.

Mr. Cleveland, from the same committee, to whom was referred leave, reported
A bill to increase the fees of jailers.
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. Sparks moved to amend by excluding from the provisions of said bill the cities of Louisville and Covington.

Which amendment was rejected.

Mr. Huston moved to amend by adding to the last section the following words, viz: "And remain in force two years."

Mr. Ward moved to amend by adding instead of "two years," "four years."

Which amendment of Mr. Ward was rejected.

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. Martin and Bush, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Said bill and amendment reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act approved March 1st, 1862, regulating jailers fees, is repealed; and the act approved February 15th, 1856, entitled, an act to increase the fees of jailers, is hereby revived.

§ 2. This act to take effect from its passage, and remain in force for two years.

The question was then taken on adopting the amendment of Mr. Huston, and it was decided in the affirmative.

On motion of Mr. Cleveland,

Ordered, That said bill be read a third time on Saturday next, at 11 o'clock.

Mr. Huston, from the committee on Revised Statutes, to whom was referred leave, reported

A bill to amend the Revised Statutes, title Master and Apprentice.

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.

Mr. Huston moved the following resolution, viz:

Resolved, That the committee on Military Affairs inquire into the expediency of providing, by law, for the payment, to the citizens of this State, for their horses taken and pressed into the military service and not returned; and also to protect the persons, directed to make such impressment, from damages therefor; and that they report by bill or otherwise.

The rule of the House being suspended, said resolution was adopted.

Mr. Huston moved the following resolution, viz:

Resolved, That the committee on Banks inquire into the necessity and expediency of further legislation, by way of penalties or otherwise, to prevent the circulation of notes of broken banks; and that they report by bill or otherwise.

The rule of the House being suspended, said resolution was adopted.

Mr. Huston moved the following resolution, viz:

Resolved, That the committee on the Sinking Fund inquire into the constitutional power and expediency of selling the stocks of the State in the several banks of this State, at a sum not less than their par value, and applying the proceeds to the discharge of the debts of the State; and that they report by bill or otherwise.
The rule of the House being suspended, said resolution was adopted.

Mr. Van Winkle, from the committee on the Codes of Practice, to whom was referred leave, reported

A bill to amend section 460, chapter 111, of the Civil Code of Practice.

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.

Mr. Bowling, from the same committee, to whom was referred leave, reported

A bill to amend section 10, title 2, of the Criminal Code of Practice.

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 Speaker added Mr. Bailey to the committee on Ways and Means in place of Milton Young, deceased.

Mr. Gibson moved the following resolution, viz:

Resolved, That when this House adjourn it do adjourn to meet hereafter at 9 o’clock, A. M., in place of 10 o’clock, as heretofore.

The rule of the House being dispensed with, said resolution was referred to the committee on the Judiciary.

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

On motion of Mr. Botts—1. A bill to incorporate the Flemingsburg College.

On motion of Mr. Wolfe—2. A bill to amend section 3, article 10, chapter 28, of the Revised Statutes, entitled Bank Notes, Bank Paper, &c.

On motion of same—3. A bill concerning the City Bank of Henderson.

On motion of Mr. Sayres—4. A bill conferring certain powers upon the clerk of the Kenton county court, and his deputies.

Ordered, That the committee on Corporations prepare and bring in the 1st; the committee on the Judiciary the 2d; the committee on Banks the 3d, and the committee on County Courts the 4th.

And then the House adjourned.
FRIDAY, JANUARY 23, 1863.

1. Mr. Bacheller presented the petition of the members of the Laurel county court, praying the use of the jail of Rockcastle county until they can have a new jail built.

2. Mr. Tevis presented a petition from Andrew Monroe, Judge Jefferson county court, praying change in the Civil Code of Practice.

3. Mr. Bell presented the petition of G. W. Doneghy, sheriff of Boyle county, asking time to collect and pay in balance revenue for 1862.

4. Also, the petition of William Herrin, sheriff of Fulton county, praying relief.

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

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 the constable in the Blandville district, in Ballard county.

An act for the benefit of the police judge of the town of Hartford.

An act to amend an act entitled, an act to amend the jury laws of this Commonwealth.

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

An act for the benefit of W. R. Dewees, late sheriff of Grayson county.

An act for the benefit of school district No. 36, in Livingston county.

An act to amend an act concerning pauper idiots.

An act accepting the donation of lands to Kentucky for the endowment of agricultural colleges.

An act for the benefit of the sheriffs of Scott county for the years 1860 and 1861.

An act for the benefit of John R. Cargile, late sheriff of Hopkins county.

An act for the benefit of the several clerks of courts of this Commonwealth.
An act for the benefit of the Paris and Clintonville turnpike road company.

An act to legalize the proceedings of the county judge of Hickman county at the called term of the county court in December, 1862.

An act for the benefit of the towns of Franklin and Scottsville.

An act to restore the chartered rights of the town of Sharpsburg, in Bath county.

An act for the benefit of E. M. Brank, late surveyor of Muhlenburg county.

An act to establish an additional justices' and voting district in Allen county.

An act repealing an act entitled, an act creating an additional election precinct and justices' district in Greenup county.

An act for the benefit of Wm. R. Mize, of Pulaski county.

And had concurred in a resolution providing for the sale of certain public documents.

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

An act for the benefit of Peter Longshore.

An act for the benefit of Lewis S. Lee, sheriff of Ballard county.

An act for the benefit of Dr. Samuel M. Bemiss.

An act to change the lines of Districts Nos. 4 and 7, in Whitley county.

Ordered, That the following members of this House have leave of absence, viz:

Mr. Cooper, indefinitely; Mr. Desha, indefinitely; Mr. Chambers, till Tuesday next; and Messrs. Morrow and Lisenby till Tuesday next.

The following bills were reported, viz:

By Mr. Botts, from the committee on the Judiciary—
1. A bill for the benefit of Stitts & Campbell, of the county of Nicholas.

By Mr. Poindexter, from the committee on Religion—
2. A bill to legalize the marriages between Hanson Cock and Vian Lawson, and between John Pierat and Margaret Nicholl.

By Mr. Burnam, from the committee on Education—
3. A bill for the benefit of school district No. 1, in Taylor county.

By same—
4. A bill for the benefit of school district No. 50, in Allen county.
By same—
5. A bill for the benefit of common school commissioner and trustees, in the county of Wayne.
By Mr. Taylor, from the committee on Ways and Means—
6. A bill in relation to the settlement of the public revenue for the county of Trimble for the year 1862.
By Mr. Burnam—
7. A bill for the benefit of Isaac N. Hill.
By Mr. Beazley—
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 the 1st, 2d, 3d, 4th, 6th, and 7th bills were severally ordered to be engrossed and read a third time.

On motion of Mr. Conklin, the 5th bill was referred back to the committee on Education, with instructions to report a general law on the subject.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, and 7th bills having been dispensed with,

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

Mr. Allen, from the committee on the Sinking Fund, to whom was referred the resolution offered by Mr. R. J. Browne, in relation to an adjournment of the present General Assembly, reported the same without amendment.

Mr. Heady moved to postpone the further consideration thereof indefinitely.

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

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

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) John B. Cochran, H. S. Powell,
Alfred Allen, William L. Conklin, Larkin J. Proctor,
E. B. Bacheller, John W. Finnell, F. D. Rigney,
Jonathan R. Bailey, William J. Heady, Wm. Roberts,
Elisha Beazley, John Humphries, James A. Rousseau,
J. W. Boone, John B. Huston, George S. Shanklin,
Those who voted in the negative, were—

Jas. W. Anderson, Daniel E. Downing, John S. McFarland,
R. C. Anderson, Elijah Gabbert, David P. Mears,
Joshua Barnes, Evan M. Garriott, William Mercer,
Joshua F. Bell, Remus Gibson, William S. Rankin,
John W. Blue, Henry Griffith, Nicholas A. Raper,
William A. Brann, Geo. M. Hampton, John B.,
Leroy Brinkly, Jacob Hawthorne, M. Smith,
R. J. Browne, John M. Henry, Harrison Taylor,
Curtis F. Burnam, Wm. C. Ireland, Joshua Tevis,
James Calvert, Daniel W. Johns, John R. Thomas,
Cyrus Campbell, Urban E. Kennedy, Alex. T. White,
Brutus J. Clay, Perry S. Layton, Nathaniel Wolfe—40,
Francis L. Cleveland, Alexander Lusk,
Albert A. Curtis.

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

Whereas, the hopes of the conservative and patriotic Union people of the nation are fixed on the next incoming Congress—be it, therefore, Resolved by the General Assembly of the Commonwealth of Kentucky, That the President of the United States be requested to assemble that Congress as early as the first of May next.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Binder cause to be delivered to each member of the present General Assembly a copy of the acts of its last session.

The rules being dispensed with, said resolution was rejected.

Mr. Bell, by unanimous consent of the House, withdrew his appeal taken from the decision of the Chair, in relation to the rejection of the bill entitled,

An act to authorize the appointment of agents to guard the interests of discharged soldiers, and to enable them to collect their arrearages of pay.

The House, thereupon, on motion of Mr. Lusk, took up his motion to reconsider the vote by which said bill was rejected.

And the question being taken thereon, it was decided in the affirmative.
On motion of Mr. Lusk,

Ordered, That the further consideration of said bill be postponed for the present.

Mr. John B. Cochran moved the following resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, The fact that our fathers lived together in peace and harmony is proof sufficient that we, their children, can do so, if we will learn to do equal and exact justice to each other.

2. That the war now desolating our land is a disgrace to the age, and an outrage upon humanity, and that it should cease.

3. That the people of Kentucky, bound, alike, to our brethren of the North and the South, by the sacred ties of a common blood and common traditions, a dead ancestry and a living interest, do make the following propositions to our unhappy countrymen with a view to reunite them once more in fraternal affection under one common and beneficial Government, to-wit: That the Federal and Confederate authorities be requested to appoint each, three commissioners, who shall meet at Mt. Vernon, the late residence of Washington, who shall then and there agree upon such constitutional amendments or other propositions, as will prove satisfactory to each section; and that we, in advance, pledge Kentucky, in good faith, to ratify any proposition that will once more unite our unhappy country.

4. That this General Assembly will appoint two commissioners, whose duty it shall be to wait on the Presidents of the United States and the Confederate States, and urge upon them the adoption of the proposition herein contained.

5. That this General Assembly appoint a commissioner to visit the Legislatures of Illinois, Indiana, and Ohio, with a view to urge upon them the adoption of similar resolutions to these, and a like commissioner to visit the Legislatures of Pennsylvania, New Jersey, and New York for the same purpose.

6. That if said authorities accede to the propositions herein, and appoint commissioners as suggested, we recommend a cessation of hostilities, pending any negotiation that may be initiated.

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

Mr. Thomas S. Brown read and laid on the table the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky. That in the formation of the Federal Government, the people of the States delegated to said Government certain limited powers, which are plainly set forth in the Constitution of the United States.

2. And all the powers not specially granted are reserved to the States respectively, or to the people; therefore, we believe that the Federal Government, under no pretext whatever, has the right or constitutional sanction to interfere with their rights reserved by the States under the Constitution.

3. That the Federal Government was formed for the purpose of pro-
ecting the States from rebellion, invasion, insurrection, and, where the
public safety demands it, to see that the laws are faithfully executed in
each of the States of this Confederacy; and in case there should be rebel-
liiion, invasion, or insurrection, and endanger the life, liberty, or prop-
erty of any of the States, and said States have not sufficient force to
enforce her laws and insure protection to her citizens—
4. That it is a part and parcel of the Federal compact, entered into
by the States, that the Federal Government should aid in the enforce-
ment of the laws of all the States, when said States have not the abil-
ity to execute her laws for the protection of her citizens.
5. And that the strict observance of these great constitutional pro-
visions is the only safeguard to human liberty and the pursuit of hap-
inness and the protection of property, without which there is no guar-
antee for any of the great constitutional blessings vouchsafed to us
under the Constitution; and that we are desirous of handing down to
generations yet unborn, unimpaired, the inestimable blessings be-
queathed to us by our fathers.
6. That the Legislature solemnly protests against any usurpation of
power by the Federal Government, so that these inestimable blessings
of life, liberty, and property shall not be enjoyed by the citizens of all
the States with perfect equality.
7. That there does now exist a rebellion, one of the most damnable
in form and powerful in magnitude ever witnessed by any civilized
nation upon the face of the earth—a rebellion that has not the slightest
constitutional sanction.
8. And all those States that have withdrawn their allegiance from
the Federal Government have done so without the slightest excuse
whatever, and therefore have openly denounced the Constitution, and
set at defiance the laws, both of the State and of the Federal Govern-
ment, which they have demonstrated by their repeated raids made in
Kentucky and other loyal States of this Confederacy.
9. And that they deny owing any allegiance to the Government
of the United States, and claim no protection thereunder, and that
they are arrayed in hostility against said Government, and have pre-
vented the faithful execution of the laws of the same, and have or-
ganized a kind of Government of their own, separate and apart from
that of the Government of our fathers.
10. That Kentucky is, as ever, in favor of putting down this rebel-
liion, by using all honorable means, as speedily as possible, and the
Government has the right to use all honorable means at its command
to suppress the same, observing strictly the Constitution of the United
States, and the different States of this Confederacy, and maintain in-
violable those great principles inculcated therein, and restore the old
order of things as they existed before the rebellion broke out—the
Constitution as it is, the Union as it was—perfect equality among the
States and the citizens thereof, no exclusive privileges to any.
11. These great fundamental principles lie at the very foundation
of our Government, and without their maintenance the Government
is a farce, and human liberty is a mock and a by-word.
12. And further, that a Democratic Government cannot be main-
tained with the acknowledged right of secession; whenever we admit
the right of a State to secede or withdraw her allegiance from the Government, away goes a Republican Government; if one State has a right to go, so has another, until all are gone; the principle will lead to the establishment of a monarchical or some other despotic form of Government.

13. And further, for the sake of society, there must be a Government; and for the protection of life, liberty, and property, what now, upon the principle that a State can secede at will, all State lines must be blotted out, and form a consolidated Government, and then you have a monarchical Government or some other despotism.

14. And further, that we deplore the necessity for the present civil war that is now waged upon us by the rebellion, and for an honorable settlement of the unfortunate difficulty, Kentucky would, as ever, more than act her part.

15. And the President of the United States is not warranted, by the Constitution of the United States, in the prosecution of the war for the suppression of the rebellion in interfering with the local institutions of any of the States of this Union; neither is he authorized, under the plea of necessity, to override the Constitution of the United States, nor the right reserved under the Constitution to the States or to the people.

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. Bush moved the following resolution, viz:

Resolved, That it is the deliberate purpose and fixed determination of the people of Kentucky to prohibit slaves, freed by the proclamation of the President, from coming into or residing within this State; and the committee on the Judiciary is hereby instructed to prepare and report a bill to accomplish this object.

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

Mr. Bailey moved the following resolution, viz:

Resolved, That the committee on Public Offices be instructed to inquire if there be any life term offices created by law in this Commonwealth, and if so what legislative action is necessary in remedy thereof; and report by bill or otherwise.

Which resolution was adopted.

Mr. Bush moved the following resolution, viz:

Resolved, That the Auditor of Public Accounts furnish to this House a statement showing the several amounts of money which have been drawn from the Treasury of this State, out of the several appropriations made by this General Assembly for military purposes; showing the date, upon whose order, and by whom the same was drawn.

Mr. Bush moved to dispense with the rule of the House requiring a reference of all resolutions to a standing committee.
And the question being taken thereon, 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—


Those who voted in the negative, were—


Said resolution was adopted.

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

On motion of Mr. Hawthorne—1. A bill to repeal in part an act approved February 28, 1861, in relation to quarterly and justices' courts.

On motion of same—2. A bill to incorporate the Evangelical St. Paul's Church, in the city of Newport.

On motion of Mr. Henry—3. A bill to amend section 150, of the Criminal Code of Practice.

On motion of same—4. A bill to amend section 171, chapter 5, article 2, title 6, of the Criminal Code of Practice.

On motion of Mr. J. W. Boone—5. A bill for the benefit of the police judge of Paducah.

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On motion of Mr. Sparks—6. A bill to amend the charter of the town of Guestville, in Henry county.

On motion of Mr. Kennedy—7. A bill for the benefit of common school districts in Todd county.

On motion of Mr. Heady—8. A bill for the benefit of N. P. Sanders, late police judge of Shepherdsville, Bullitt county.

Ordered, That the committee on County Courts prepare and bring in the 1st, 5th, and 8th; the committee on Corporations the 2d and 6th; the committee on the Codes of Practice the 3d and 4th, and the committee on Education the 7th.

The House then, according to order, resolved itself into a committee of the whole, on the bill to lay off the State into nine Congressional Districts, Mr. Tevis in the Chair.

And after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration the bill aforesaid, and had made some progress therein, but not having time to go through with the same, had instructed him to ask leave to sit again.

Which was granted.

On motion of Mr. Allen,

Ordered, That the Public Printer forthwith print 150 copies of said substitute and amendments for the use of the members of this General Assembly.

On motion of Mr. Ireland,

Ordered, That said bill, aforesaid, be made the special order for Monday next, at 11 o'clock A. M.

And then the House adjourned.
SATURDAY, JANUARY 24, 1863.

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 George T. Halbert, late clerk of the Lewis circuit and county courts.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of J. E. Bacon, of Edmonson county.
An act to extend the provisions of an act entitled, an act for the benefit of Webber Harris, of Estill county.
An act to incorporate Greve Grove, No. 4, United Ancient Order of Druids, in Covington.
An act to amend the charter of the town of Bowling green.
An act to repeal the charter of the Deposit Bank of Cynthiana.
An act to amend the original and amended charters of the Versailles and Anderson turnpike road company.

That they had passed bills of the following titles, viz:
An act for the benefit of the sureties of John A. Hays, late sheriff of Butler county.
An act to amend 3d section of the 10th article of the 28th chapter of the Revised Statutes.
An act to incorporate the Kentucky Book, Job, and News Printing Association.

Mr. Rankin, from the committee on the Judiciary, reported the following bill, viz:
A bill in relation to the circuit and appellate judges and chancellors 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. Bush moved to add the following to the 2d section, viz:
"Also the additional cost to the State arising from such failure."
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 aforesaid.

Mr. Rankin, from the same committee, reported a bill entitled, A bill in relation to the arrest of runaway slaves. Which was read the first time, and ordered to be read a second time. The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,

Mr. Turner moved an amendment. On motion of Mr. Bush,

Ordered, That the Public Printer forthwith print 150 copies of said bill and amendment for the use of the members of this General Assembly, and the further consideration thereof was postponed.

Mr. Ricketts, from the same committee, to whom was referred a bill from the Senate entitled, An act for the relief of persons who have violated an act, approved August 30, 1862, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office,

Reported the same with expression of opinion that the same ought not to pass.

On motion of Mr. Conklin,

Ordered, That said bill be recommitted back to the committee on the Judiciary.

The House resumed the consideration of the unfinished business of yesterday, viz:

Resolution in relation to an adjournment of the General Assembly. Mr. Ireland moved to strike out the 2d day of February, 1863, and insert the 23d February, 1863.

Mr. Cleveland moved to insert the 9th February, 1863.

Mr. Ricketts moved to insert the 6th February, 1863.

The question was taken on striking out the 2d February, 1863 in the resolution, and it was decided in the affirmative.

On motion of Mr. Allen,

Ordered, That the further consideration of said resolution be postponed.
The House then took up the special order entitled, An act to increase jailers fees.
Mr. J. W. Anderson 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. J. W. Anderson and White, were as follows, viz:

Those who voted in the affirmative, were—

Joshua F. Bell, Wm. Bowling, Elijah Gabbert, Evan M. Garriott, George Poindexter, William S. Rankin,
Leroy Brinkley, R. J. Browne, Henry Griffith, Jacob Hawthorne, John Ray,
Curtis F. Burnam, W. P. D. Bush, John M. Henry, Joseph Ricketts,
James Calvert, W. P. D. Bush, John Humphries, William Roberts,
J. W. Campbell, Robert A. Spalding, Leroy Brinkley, Henry Griffith, Harrison Taylor,
Robert Cochran, John Ray,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Felix G. Murphy,
Alfred Allen, John W. Finnell, Hiram S. Powell,
R. C. Anderson, Remus Gibson, Larkin Proctor,
Jonathan R. Bailey, Geo. M. Hampton, F. D. Rigney,
Elisha Beazly, William J. Heady, J. C. Sayres,
John C. Beeman, John B. Huston, James P. Sparks,
J. W. Boone, William C. Ireland, Joshua Tevis,
William S. Botts, J. M. Jones, John R. Thomas,
William A. Brann, Urban E. Kennedy, Wm. H. Van Pelt,
Thomas S. Brown, Perry S. Layton, John S. Van Winkle,
Brutus J. Clay, Jas. M. C. Lisenby, W. W. Waring,
Francis L. Cleveland, Jonas Martin, Nathaniel Wolfe—33.
John B. Cochran, David P. Mears,

Said bill was read a third time.
The question was then taken, "Shall the bill pass?" and it was decided in the negative, the Speaker deciding that its passage required a majority of all the members elected to this House.
The yeas and nays being required thereon by Messrs. Ward and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Hiram S. Powell,
Alfred Allen, Elijah Gabbert, Larkin Proctor,
R. C. Anderson, Remus Gibson, Nicholas A. Rapier,
Jonathan R. Bailey, Geo. M. Hampton, F. D. Rigney,
Elisha Beazley, William J. Heady, J. C. Sayres,
Those who voted in the negative, were.

Jas. W. Anderson, Robert Cochran, William Mercer,
E. B. Bacheller, William L. Conklin, Thomas Z. Morrow,
Joshua Barnes, Albert A. Curtis, Richard Neel,
Joshua F. Bell, Evan M. Garriott, William S. Rankin,
William S. Botts, Henry Griffith, John Ray,
Wm. Bowling, Jacob Hawthorne, Joseph Ricketts,
Leroy Brinkley, John Humphries, Wm. Roberts,
R. J. Browne, John M. Henry, Robert A. Spalding,
Curtis F. Burnam, Daniel W. Johns, Harrison Taylor,
W. P. D. Bush, J. M. Jones, Zeb. Ward,
J. W. Campbell,

Mr. Bell, from the committee on the Judiciary, to whom was referred a Senate bill entitled,

An act for the benefit of H. P. Melton, guardian of Josephine Cothes,

Reported the same with the expression of opinion that it ought not to pass.

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.

Bills of the following titles were reported, viz:

By Mr. Cleveland, from the committee on County Courts—
1. A bill for the benefit of the late clerks of this Commonwealth.
By same—
2. A bill for the benefit of the late sheriffs of this Commonwealth.
By Mr. Ireland, from the same committee—
3. A bill allowing John Jones, of Lawrence county, to erect a mill-dam across Wolfe creek.
By same—
4. A bill to repeal in part an act entitled, an act regulating the times of holding quarterly and other courts inferior in jurisdiction to circuit courts.
By Mr. Cleveland, from the same committee—

5. A bill to amend the 7th section of an act entitled, an act to establish a levy and county court for Jefferson county.

By same—

6. A bill to confer certain powers upon the clerk of the Kenton county court, and his deputies.

By same—

7. A bill to repeal an act, entitled, an act regulating the time of holding quarterly courts so far as the same is applicable to the county of Union.

By Mr. J. B. Cochran, from the committee on Corporate Institutions—

8. A bill to amend the charter of the Springfield Union Agricultural and Mechanical Association.

By same—

9. A bill to incorporate the United Evangelical St. Paul's Church of Newport.

By same—

10. A bill to charter the Right Worthy Grand Lodge of the United Order of Ancient Fellows of the State of Kentucky.

By Mr. Ireland, from the committee on Privileges and Elections—

11. A bill changing the name of the county of Magoffin, and the name of the county seat of said county.

By Mr. Huston, from the committee on the Judiciary—

12. A bill to amend the charter of the Paris and Jackstown 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 being dispensed with.

Ordered, That the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, and 12th bills be engrossed and read a third time, and the 2d and 11th were 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, 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.
Mr. J. B. Cochran, from the committee on Corporate Institutions, to whom was referred a bill from the Senate entitled,
An act to amend an act to incorporate the city of Paris.
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. Powell read and laid on the table the following joint resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky,
That whereas, the Federal Government of the United States being engaged in a terrible war for the suppression of a wicked rebellion, brought upon us without any just cause, which aims to sunder the Union and destroy the Government, Kentucky being a part and parcel of that Government, a loyal State thereof, and having long since pledged her devotion thereto to aid in putting down the wicked and causeless rebellion, for the restoration of the Union, with the rights and immunities of all the States; that notwithstanding she holds opinions adverse to the policy set forth by the men now in power, believing they have no constitutional power to confiscate the property of disloyal men for a longer time than during their own natural lives; but still, as we hold that one man is not the Government, she is still unwavering in her devotion and attachment to the Government of her illustrious sires, she again reiterates her pledge of fidelity to the Union, and will, with all her means, continue to help put down the rebellion, for the restoration of the Constitution; that she will never give up the old ship because she is not steered aright, but will refit her, and bring her again into port.

The rules of the House being dispensed with,
Ordered, That they be referred to the committee on Federal Relations.

Mr. Martin moved the following resolution, viz:
Resolved, That the committee on Military Affairs be requested to bring in a bill making a law providing for the payment of all persons that acted as recruiting officers for this State.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Burnam moved the following resolution, viz:
Resolved, That the committee on the Judiciary be instructed to inquire and report whether any and what additional legislation is necessary to protect the interests of the State by the use of our jails in keeping the slaves escaped from rebel owners in the seceded States.
Ordered, That said resolution be referred to the committee on the Judiciary.

Mr. R. J. Browne read and laid on the table the following joint resolutions, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our representatives requested, to urge upon Congress the passage of an act increasing the pay of the private soldiers in the Federal army.

Resolved, That the Governor be requested to transmit to our Senators and Representatives, copies of these resolutions.

1. Mr. Botts presented the petition of Smith, Wilson, & Co., bankers of Flemingsburg.
2. Also, the petition of T. T. Moore, trustee of common school district No. 39, in Fleming county.
3. Mr. Johns presented the petition of sundry citizens of Lawrence county, praying that the privilege be granted to John Johns to erect a mill-dam across Wolfe creek, in said county.
4. Also, the petition of the trustees of the town of Catlettsburg, praying for an amendment of the charter of said town.
5. Mr. T. S. Brown presented the petition of sundry citizens of Magoffin county, praying that the name of said county, and the name of the county seat of said county, be changed.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Ways and Means; the 2d to the committee on Education; the 3d to the committee on County Courts; the 4th to the committee on Corporate Institutions, and the 5th to the committee on Privileges and Elections.

Leaves was given to bring in the following bills, viz:
On motion of Mr. Proctor—1. A bill to make it a penal offense to pass as money counterfeit Confederate scrip or bank paper.
On motion of Mr. Bowling—2. A bill for the benefit of James W. Johnson, late sheriff of Rowan county.
On motion of same—3. A bill for the benefit of John Armstrong, collector of the revenue and county levy of Carter county for the year 1861.
On motion of Mr. Rankin—4. A bill for the benefit of the sheriff of Grant county.
On motion of Mr. T. S. Brown—5. A bill legalizing the acts of the clerk of the Johnson county and circuit courts.

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On motion of same—6. A bill authorizing the officers elect in Johnson county to execute bond and take the oath required by law.

On motion of Mr. J. W. Anderson—7. A bill to extend the limitations for bringing actions upon merchants' accounts and official bonds in Knox, Harlan, Whitley, Perry, and Letcher counties.

On motion of Mr. Layton—8. A bill to incorporate the Vanceburg Male and Female Seminary.


On motion of same—10. A bill to change the time of holding the Lewis quarterly court.

On motion of Mr. Thomas—11. A bill for the benefit of school district No. 17, in Marion county.

On motion of Mr. J. W. Boone—12. A bill for the benefit of the jailer of McCracken county.


On motion of Mr. J. B. Cochran—14. A bill further to regulate forfeited recognizances.

On motion of Mr. Garriott—15. A bill to change the spring term of the circuit court of Trimble county.

On motion of same—16. A bill to change the time of holding the Trimble quarterly court.

On motion of Mr. Spalding—17. A bill regulating the time of holding the Union quarterly court.

On motion of same—18. A bill to legalize the appointment by the judge of the Union county court of Thomas S. Chapman, as clerk of the Union quarterly court.

On motion of same—19. A bill to authorize the court of claims of Union county to increase the county levy.

On motion of Mr. Curtis—20. A bill to clean out certain fish-dams in the Kentucky river.

On motion of Mr. R. G. Anderson—21. A bill allowing free negroes, at their own petition, to be remanded to slavery.

On motion of Mr. Blue—22. A bill regulating the time of holding the quarterly and other inferior courts in Crittenden county.


On motion of Mr. Speaker, (Buckner) 24. A bill to amend the charter of the city of Lexington.
On motion of Mr. Curtis—25. A bill for the benefit of the late sheriff of Owsley county.

Ordered, That the committee on Banks prepare and bring in the 1st; the committee on Ways and Means the 2d, 3d, and 25th; Messrs. Rankin, Cleveland, and Proctor the 4th; the committee on County Courts the 5th, 6th, 10th, 12th, 15th, 16th, 17th, 18th, 19th, and 22d; the committee on the Revised Statutes the 7th, 14th, and 24th; the committee on Corporate Institutions the 8th, 9th, and 13th; the committee on Education the 11th; Messrs. Curtis, Burnam, and White the 20th; the committee on Propositions and Grievances the 21st, and the committee on the Codes of Practice the 23d.

On motion of Mr. Ireland,

Ordered, That Mr. Proctor have leave of absence until Thursday next.

And then the House adjourned.

MONDAY, JANUARY 26, 1863.

A message was received from the Senate announcing that they had disagreed to a bill which originated in this House, of the following title, viz:

An act for the benefit of B. S. Coffey, marshal of the town of Columbia.

That they had passed bills which originated in this House, of the following titles, viz:

An act to amend the 19th section of the 1st article, 37th chapter of the Revised Statutes.

An act to extend the March term, 1863, of the Madison circuit court.

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

An act to amend the 3d section of the 10th article of the 28th chapter of the Revised Statutes.
An act to amend an act entitled, an act establishing a voting place in Campbell county.

1. Mr. Burnam presented the petition of the President, Directors and Company of the Richmond, Otter Creek and Boonsboro' turnpike road company, praying the passage of an act authorizing a tax to be collected pro rata of stockholders' shares.

2. Mr. Bacheller presented the petition of William P. Evans, sheriff of Laurel county, praying relief.

3. Mr. Rankin presented the petition of B. N. Carter, commissioner of common schools for Grant, in relation to schools in said county.

4. Mr. Martin presented a communication from N. G. Berry, praying a change in the attachment laws as against sureties, &c.

5. Mr. Mercer presented the petition of sundry citizens of Ballard county, praying the passage of an act allowing Rev. Jesse Birkhead to peddle without license.

6. Mr. Cleveland presented a communication from David Brooks, of Bracken county, recommending changes in school laws, &c.

7. Mr. Turner presented a communication from George H. Morrow and L. D. Husbands, attorneys of Paducah, suggesting changes in regard to sale of land of decedents' estates, &c.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement; the 2d to the committee on Ways and Means; the 3d and 6th to the committee on Education; the the 4th to the committee on the Codes of Practice, and the 7th to the committee on the Judiciary.

The following bills were reported, viz:

By Mr. Burnam, from the committee on Education—
1. A bill authorizing the Kentucky University to loan out its funds.

By same—
2. A bill for the benefit of school district No. 46, in Crittenden county.

By same—
3. A bill for the benefit of school district No. 4, in Owen county.

By Mr. Cleveland, from the committee on County Courts—
4. A bill to authorize the county court of Union county to increase the county levy of said county.

By same—
5. A bill to repeal an act entitled, an act to fix the time of holding the quarterly courts inferior in jurisdiction to the circuit courts.
Which were read the first time, and ordered to be read a second time.

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

The 1st, 2d, 3d, and 4th bills were severally ordered to be engrossed and read a third time, and the 5th was placed in the orders of the day.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, and 4th bills having been dispensed with, and the same being engrossed,

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

Mr. Burnam, from the committee on Education, to whom was referred the resolution offered by Mr. Lisenby, in relation to a proposed change in the school laws in regard to commissioners of common schools visiting districts, &c., asked to be discharged from the further consideration thereof.

Which was granted.

The House again resolved itself into a committee of the whole, on the bill to lay off the State into nine Congressional Districts—Mr. Tevis in the Chair—and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis 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.

TUESDAY, JANUARY 27, 1863.

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

An act to regulate the time of holding the Edmonson quarterly courts, and to regulate and define the duties of the jailer of said county.
An act to change the time of holding the quarterly courts in Madison county.

An act to repeal an act entitled, an act regulating the time of holding the quarterly and other courts inferior in jurisdiction to the circuit courts, so far as the same is applicable to the county of Pendleton.

An act to incorporate Fox Lodge, No. 386, of Free and Accepted Masons, of Dover, Mason county, Kentucky.

An act applying the mechanics lien law to Lincoln and Bracken counties.

With an amendment to the last named bill.

That they had passed a bill entitled,

An act to legalize the acts of J. G. Hamilton, deputy clerk of the Boone county court.

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

An act for the benefit of Eliza Catharine McIntosh.

An act to amend article 2, chapter 83, of the Revised Statutes, title Revenue and Taxation.

An act allowing the sheriffs and collectors of the public revenue and county levies in this Commonwealth for the year 1862 further time to return their delinquent lists.

An act to amend section 440, Civil Code of Practice.

An act to change the county line between the counties of Lyon and Caldwell.

An act to legalize the acts and orders of the county court of Estill county at its November term, 1862.

An act to change the time of holding the quarterly courts of Simpson county.

An act changing the time of holding the Morgan quarterly court.

An act to change the time of holding the quarterly courts of Warren and Clay counties.

An act to provide for procuring a house for the accommodation of the courts when the court house cannot be used.

An act to amend an act entitled, an act to incorporate the trustees of the Kentucky Baptist Educational Society, approved November 25, 1851.
An act creating an additional voting place in Enterprise precinct, in Greenup county, and for other purpose.

An act for the benefit of John M. Dallas, jailer of Nicholas county.

An act to change the place of voting in election district No. 7, in Whitley county.

An act in relation to the taxation of costs in suits and actions at law or in equity.

An act for the benefit of the sureties of John Shawhan, late sheriff of Harrison county, and for the benefit of the administrator of said Shawhan.

An act to prevent the destruction of fish in Salt river, and its tributaries.

An act to amend an act entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts.

Also, the following resolutions, to-wit:

Resolutions on the death of Judge Milton Young.

Resolutions to appoint a committee to make arrangements for the interment of the remains of the late Major General William Nelson at Camp Dick Robinson.

Resolution for the benefit of Wm. Thompson and others.

Resolution instructing the State Librarian to purchase three copies of the Holy Bible.

Resolutions on the death of Wm. H. Edmunds.

Also, the report of the Managers of the Western Lunatic Asylum.

[For Report—see Legislative Document, No. 17.]

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

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills which originated in the Senate, of the following titles, viz:

An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes.

An act for the benefit of school district No. 4, in Owen county.

An act to authorize the late judge of the Louisville chancery court to approve and sign certain records and proceedings in said court.

An act for the benefit of Herman Bowmar, late clerk of the Woodford county court.
An act to amend an act, entitled, an act to establish a police court in the town of Caseyville.

An act for the benefit of the Odd Fellows Hall Association of Covington.

An act to allow the judge of the McCracken circuit court to hold said court at any place within the corporate limits of Paducah.

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

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

An act for the benefit of Wm. R. Duwees, late sheriff of Grayson county.

An act for the benefit of school district No. 36, in Livingston county.

An act for the benefit of A. C. Tanner, late clerk of the McLean county and circuit courts.

An act to amend an act concerning pauper idiots.

An act accepting the donation of lands to Kentucky for the endowment of agricultural colleges.

An act for the benefit of J. E. Bacon, of Edmonson county.

An act for the benefit of the sheriffs of Scott county for the years 1860 and 1861.

An act for the benefit of John R. Cargile, late sheriff of Hopkins county.

An act for the benefit of the several clerks of courts of this Commonwealth.

An act to extend the provisions of an act entitled, an act for the benefit of Webber Harris, of Estill county.

An act for the benefit of the Paris and Clintonville turnpike road company.

An act to legalize the proceedings of the county judge of Hickman county at the called term of the county court in December, 1862.

An act for the benefit of the towns of Franklin and Scottsville.

An act to restore the chartered rights of the town of Sharpsburg, in Bath county.

An act for the benefit of E. M. Brank, late surveyor of Muhlenburg county.

An act to establish an additional justices' and voting district in Allen county.
An act repealing an act, entitled, an act creating an additional election precinct and justices' district in Greenup county.

An act to incorporate Greve Grove, No. 4, United Ancient Order of Druids, in Covington.

An act in relation to the surveyor of Clay county.

An act for the benefit of Wm. R. Mize, of Pulaski county.

An act to amend the charter of the town of Bowling green.

An act to repeal the charter of the Deposit Bank of Cynthiana.

An act to amend the original and amended charters of the Versailles and Anderson turnpike road company.

And had concurred in a resolution providing for the sale of certain public documents.

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 report of the State Treasurer for 1862.

[For Report—see Legislative Document, No. 17.]

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

1. Mr. R. C. Anderson presented a petition from A. W. Dudley, in relation to injuries committed by the Federal army.

2. Mr. Powell presented the petition of the trustees of school district No. 14, in Harlan county.

3. Mr. Martin presented a communication from L. Ward and son, of Carville, Kentucky, in relation to small change.

4. Mr. R. J. Browne presented the petition of the citizens of Springfield, praying an amendment to their charter.

5. Mr. Wolfe presented the petition of H. C. Shiville, of 10th Kentucky Cavalry, praying compensation.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the committee on Military Affairs; the 2d to the committee on Education; the 3d to the committee on Banks, and the 4th to the committee on Incorporated Institutions.

Mr. Ward moved to reconsider the vote by which the bill was rejected by this House, on Saturday last, entitled,

An act to increase the fees of jailers.

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On motion of Mr. Bell,
Leave was granted to withdraw from the Senate their disagreement to a bill, entitled,
An act for the benefit of H. P. Melton, guardian of Josephine Cothes.
Mr. Bell then moved to reconsider the vote by which this House rejected said bill.

The House again resolved itself into a committee of the whole on the bill to lay off the State into nine Congressional Districts—Mr. Tevis in the Chair—and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had instructed him to report the original bill and proposed amendment back to the House.

On motion of Mr. Taylor,
Ordered, That said bill be recommitted to the select committee, who reported the same.

On motion of Mr. Tevis,
Leave was given, and referred to the committee on County Courts, to bring in a bill for the benefit of Wm. R. Hervey, late clerk of the Louisville chancery court.

The following bills were reported, viz:
By Mr. Cleveland, from the committee on County Courts—
1. A bill conferring certain powers upon Thomas S. Chapman, deputy clerk of the county court of Union county.
By same—
2. A bill for the benefit of N. P. Sanders.
By same—
3. A bill for the benefit of the sheriff of Grant county.
By Mr. Garriott, from same committee—
4. A bill to change the time of holding the quarterly courts in Trimble county.
By Mr. J. B. Cochran, from the committee on Corporate Institutions—
5. A bill to incorporate Flemingsburg College.
By Mr. Proctor, from same committee—
6. A bill to incorporate the Vanceburg Male and Female School.
By same—
7. A bill to incorporate the Salt Lick Bridge Company.
By same—
8. A bill to amend an act, entitled, an act to regulate the town of Falmouth.
By Mr. Morrow, from the committee on Propositions and Grievances—
9. A bill to establish an additional voting precinct in Hickman county.
By Mr. John R. Thomas, from the committee on the Judiciary—
10. A bill concerning the office of the sheriff of Marion county.
By Mr. Bell, from same committee—
11. A bill for the benefit of the Clark's Run and Salt River 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 being dispensed with,
The 1st was referred to the committee on the Judiciary; the 11th to the committee on Banks; the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, and 10th bills were severally ordered to be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of the 2d, 3d, 4th, 5th, 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. Van Winkle, from the committee on the Codes of Practice, to whom was referred a bill, entitled,
An act to amend section 614, Civil Code of Practice,
Reported a substitute therefor, by way of amendment.
Ordered, That said bill, as amended, be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. R. J. Browne, from the same committee, to whom was referred a bill, entitled,
An act to regulate the service of attachments,
Reported a substitute therefor, by way of amendment.
Ordered, That said bill, as amended, be engrossed and read a third time.

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

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

Mr. Morrow, from the committee on Propositions and Grievances, to whom was referred leave to bring in a bill for the benefit of Sarah Godshaw, asked to be discharged from the further consideration thereof.

Which was granted.

Ordered, That said leave be referred to the committee on the Judiciary.

Mr. Van Winkle, from the committee on the Judiciary, to whom was referred leave, reported

A bill authorizing the appointment of coroners in certain 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. Huston moved an amendment, viz:

Amend by adding the following additional section, viz:

§. It shall be the duty of the coroner and his deputies, if he appoint such deputy, to collect and account for the revenue of the State in said counties, in all respects as sheriffs are required to collect and account for the same by existing laws.

Mr. Ward 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. Van Winkle and Rankin, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were.

Mr. Speaker, (Buckner,) Francis L. Cleveland, Thomas Z. Morrow,
R. C. Anderson, Daniel E. Downing, Richard Neel,
Joshua Barnes, John W. Finnell, Larkin Proctor,
Elisha Beazley, Elijah Gabbert, F. D. Rigney,
John W. Blue, John H. Harney, J. C. Sayres,
J. W. Boone, Joseph W. Heeter, Robert A. Spalding,
William S. Botts, John Humphries, Joshua Tevis,
Wm. Bowling, William C. Ireland, John R. Thomas,
William A. Brann, Daniel W. Johns, Thomas Turner,
R. J. Browne, J. M. Jones, J. S. Van Winkle,
Thomas S. Brown, Perry S. Layton, Alex. T. White,
James Calvert, Jonas Martin.

The bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the coroners of the counties of Wayne, Pulaski, and Cumberland may, by and with the approval of the county courts of said counties, each appoint a deputy, and revoke the same at his pleasure. Before said deputies of either of them shall act as such they shall take the same oath of office required to be taken by the coroner.

§ 2. The deputies so appointed shall have power to serve the same writs, and discharge the same duties as the coroner is now by law authorized to serve and perform; and said deputies shall be subject to the same penalties and proceedings in reference to process placed in their hands as might be had against the coroner.

§ 3. The coroners aforesaid shall be severally responsible for the acts of the persons appointed by them under this act; and said persons shall, in all matters, sustain the same relation to their principals, as far as applicable, as deputy sheriffs bear to the sheriff.

§ 4. This act shall take effect from and after its passage.

Mr. Ward moved to postpone the further consideration of said bill for the present.

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

The amendment was then adopted.

On motion of Mr. Van Winkle,

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

Mr. Taylor, from the committee on Ways and Means, to whom was referred a petition, reported a bill, entitled,

An act for the benefit of James E. Wright, clerk of the Logan county court.

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—


Those who voted in the negative, were—


R. J. Browne,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That James E. Wright, clerk of the county court of Logan county, in any future settlement of his accounts with the treasury, shall have credit for the sum of one hundred and ninety-nine dollars and ninety cents, being the amount of public revenue in his hands, as clerk, which he was compelled to pay to H. E. Read, commissioner of the so-called Provisional Government of Kentucky, on the 6th day of January, 1861.

§ 2. This act to take effect from and after its passage.
Mr. Taylor, from the same committee, reported the following bills, viz:

1. A bill for the benefit of William Herrin, late sheriff of Fulton county.
2. A bill for the benefit of B. T. Shepherd, late sheriff of Carter 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, and the 2d bill was ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of said 2d 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 said bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Remus Gibson, James P. Sparks, John R. Thomas—3.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Benjamin F. Shepherd, late sheriff of the county of Carter, be and he is hereby allowed a credit for the sum of four hundred and forty-four dollars, the amount of public revenue collected by him in said county for the year 1862, and of which he was robbed by Witcher's band of guerrillas, at Grayson, Carter county, on the 20th October, 1862.*

§ 2. This act shall take effect from and after its passage.

Bills from the Senate of the following titles, viz:
1. An act for the benefit of Mary J. York, of Logan county.
2. An act for the benefit of school districts Nos. 17, 18, 35, and 57, in Whitley county.
3. An act for the benefit of the Rough Creek Navigation and Manufacturing Company.
4. An act to incorporate the German American School Association of Owensboro.
5. An act to incorporate Home Lodge, No. 29, Independent Order of Odd Fellows, Louisville, Kentucky.
6. An act to amend an act to incorporate the Deposit Bank of Paris approved March 7, 1851.
7. An act for the benefit of Peter Longshore.
8. An act for the benefit of Lewis S. Lee, sheriff of Ballard county.
9. An act for the benefit of Dr. Samuel M. Bemiss.
10. An act to change the lines of districts Nos. 4 and 7, in Whitley county.
11. An act for the benefit of John A. Hays, late sheriff of Butler county.
12. An act to amend 3d section of the 10th article of the 28th chapter of the Revised Statutes.
13. An act to repeal 17th section of the 4th article of the 47th chapter of the Revised Statutes.
15. An act to amend an act, entitled, an act establishing a voting precinct in Campbell 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, 7th, 8th, and 11th were referred to the committee on Ways and Means; the 2d, 4th, and 14th to the committee on Education; the 3d and 5th to the committee on Corporate Institutions; the committee on Banks the 6th; the committee on Claims the 9th; the committee on Propositions and Grievances the 10th and 15th; the committee on Revised Statutes the 12th and 13th, and the committee on County Courts the 16th.

On motion of Mr. Conklin,
Ordered, That Messrs. Curtis, Griffith, and Ricketts have leave of absence.

On motion of Mr. Allen,
Ordered, That Mr. McFarland have leave of absence.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Representatives in Congress be requested, and our Senators instructed, to oppose the passage of a bankrupt law by the Congress of the United States; and that the Governor transmit a copy of this resolution to our Representatives and Senators in Congress.

And then the House adjourned.

WEDNESDAY, JANUARY 28, 1863.

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

An act allowing further time to the late sheriffs and their deputies to collect their fee bills and arrears of taxes.

An act for the benefit of the executor and devisees of Moses Robinson, a free man of color.

An act for the benefit of pauper idiots.
An act for the benefit of the estate of James Ferguson dec'd.
An act for the benefit of Margaret Purvis, of Green county.
An act for the benefit of Lawrence P. N. Landrum.
An act for the benefit of Stitts & Campbell, of the county of Nicholas.
An act to legalize the marriage between Harrison Cock and Vian Lawson, and between John Piezat and Margaret Nicholl.
An act for the benefit of Isaac N. Hill.

That they had passed bills from this House, of the following titles:
An act providing for the collection of the tax upon the enrolled militia for the year 1862.
An act allowing further time to certain sheriffs to return their delinquent lists in the collection of the revenue and county levy for the year 1861.
An act for the benefit of A. D. Kennedy.
An act providing for the collection of the uncollected revenue for 1862, in the county of Fleming.
An act to provide certain public books for the use of the Morgan circuit and county courts.
An act for the benefit of the town of Somerset.
An act in relation to the settlement of the public revenue for the county of Trimble, for the year 1862.

That they had passed bills of the following titles, viz:
An act repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860.
An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.

And 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 to change a portion of the State road leading from Wadesboro' to Mayfield.
An act to provide for the election of trustees for the Padueah Female Seminary, and for other purposes.
An act to incorporate Germania Lodge, No. 143, Independent Order of Odd Fellows.
An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county.

An act to authorize the increase of the county levy in Fulton county.

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 Isaac N. Hill.

Which was granted.

1. Mr. Gabbert presented the petition of the President and Board of Managers of the Oregon turnpike road company, praying an act authorizing a sale of said road.

2. Mr. Botts presented the petition of James M. Bowman, jailer of Fleming county, praying compensation for keeping a lunatic.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Internal Improvement, and the 2d to the committee on Ways and Means.

Mr. Taylor, from the committee on Ways and Means, to whom was referred

A bill for the benefit of William Herrin, late sheriff of Fulton 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.

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

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, Richard Neel,
Alfred Allen, Evan M. Garrett, Larkin J. Proctor,
Jonathan R. Bailey, Geo. M. Hampton, Wm. Roberts.
Joshua F. Bell, John M. Henry, James A. Rousseau,
J. W. Boone, John Humphries, J. C. Sayres,
William S. Botts, John B. Huston, George S. Shanklin,
Wm. Bowling, Wm. C. Ireland, Robert A. Spalding,
William A. Brann, William Johnson, Harrison Taylor,
Curtis F. Burnam, Perry S. Layton, Joseph R. Underwood,
W. P. D. Bush, Jenas Martin, Wm. H. Van Pelt,
James Calvert, John S. McFarland, Zeb. Ward,
Francis L. Cleveland, William Mercer, Nathaniel Wolfe—37.
William L. Conklin,
Those who voted in the negative, were—

Jas. W. Anderson, John Draffin, Jas. M. C. Lisenby,
Joshua Barnes, Elijah Gabbert, H. S. Powell,
Ellisha Beazley, Remus Gibson, William S. Rankin,
Leroy Brinkley, John H. Harney, Nicholas A. Rapier,
R. J. Browne, Jacob Hawthorne, John Ray,
Thos. S. Browne, William J. Heady, P. D. Rigney,
Cyrus Campbell, Joseph W. Heeter, Joshua Tevis,
Brutus J. Clay, Daniel W. Johns, John R. Thomas,
John B. Cochran, J. M. Jones, W. W. Waring,

Said bill reads as follows, viz:

Be in enacted by the General Assembly of the Commonwealth of Kentucky, That William Herrin, late sheriff of Fulton county, shall have credit with the Auditor of Public Accounts for the sum of nine hundred and four dollars and ninety-four cents, collected by him on an execution in favor of the Commonwealth of Kentucky against T. E. Reed, and others, for the revenue due from said county for the year 1859, the same having been paid over by him, under duress, to A. B. Cole, Captain of Pontotoc Dragoons, No. 1, by the orders of Major General Leonidas Polk of the Confederate Army.

§ 2. This act to take effect from and after its passage.

Mr. Taylor, from the same committee, to whom was referred leave, reported a bill entitled,

An act for the benefit of William G. Waide, late sheriff of Simpson 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, Robert Cochran, John S. McFarland,
Alfred Allen, William L. Conklin, William Mercer,
James W. Anderson, Daniel E. Downing, Felix G. Murphy,
E. B. Bacheller, John W. Finnell, Richard Neel,
Jonathan R. Bailey, Evan M. Garriott, Larkin Proctor,
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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 in the settlement which the Auditor may make with William G. Waide, late sheriff of Simpson county, for the revenue due from that county for the year 1861, the said Waide shall have credit for the sum of one thousand dollars, which, by duress, he was compelled to pay to William B. Clarke, a commissioner of the so-called provisional government of Kentucky.

§ 2. This act shall take effect from and after its passage.

Mr. Taylor, from the same committee, to whom was referred leave, reported a bill entitled,

An act for the benefit of Thomas B. Harrison, late sheriff of Logan 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—


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 Auditor of Public Accounts, in his settlement with Thomas B. Harrison, late sheriff of Logan county, for the revenue from that county due for the year 1861, shall allow the said Harrison credit for the sum of six thousand two hundred and twenty-one dollars and seventy-six cents, which he was forcibly compelled to pay to H. E. Read, commissioner for the so-called provisional government of Kentucky.

§ 2. This act shall take effect from and after its passage.

Mr. Taylor, from the same committee, to whom was referred leave, reported a bill entitled,

An act for the benefit of Pleasant J. Potter, sheriff of the county of Warren.
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. Warring moved to amend said bill by striking out $1,000.

On motion of Mr. Underwood,

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

The following bills were reported, viz:

By Mr. Taylor, from the committee on Ways and Means—
1. A bill for the benefit of Frank Catron, sheriff of Knox county.
   By same—
2. A bill authorizing the Governor to offer rewards for the apprehension of persons indicted for stealing slaves.
   By same—
3. A bill providing for the unpaid taxes for the year 1862, from the county of Boyle.
   By same—
4. A bill authorizing sheriffs and other collecting officers to attach for the payment of the State revenue and county levy.
   By Mr. Bailey, from the same committee—
5. A bill for the benefit of the sheriff of Laurel county.
   By same—
6. A bill for the benefit of Lewis S. Lee, sheriff of the county of Ballard.
   By same—
7. A bill for the benefit of Joseph R. Witty, sheriff of the county of Metcalfe.
   By same—
   By Mr. Finnell, select committee—
9. A bill concerning the penitentiary.
   By Mr. Rapier—
10. A bill for the benefit of the town of Hodgenville.

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, and 10th bills were severally ordered to be engrossed and read a third time; the 2d was referred to the committee on the Judiciary; the 9th was ordered to be printed and placed in the orders of the day.

The rule of the House, constitutional provision, and third reading of 1st, 3d, 4th, 5th, 6th, 7th, 8th, and 10th bills being 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 6th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, William Mercer,
Alfred Allen, John Drayfin, Felix G. Murphy,
Jas. W. Anderson, John W. Finnell, Richard Neel,
R. C. Anderson, Elijah Gabbert, Thomas W. Owings,
E. B. BacheUer, Evan M. Garriott, Hiram S. Powell,
Jonathan R. Bailey, Remus Gibson, Larkin Proctor,
Joshua Barnes, Henry Griffith, William S. Rankin,
Elisha Beazly, George M. Hampton, Nicholas A. Rapier,
Joshua T. Bell, Jacob Hawthorne, John Ray,
J. W. Blue, William J. Heady, Joseph Ricketts,
William S. Botts, Joseph W. Heeter, F. D. Rigney,
Wm. Bowling, John M. Henry, Wm. Roberts,
William A. Brann, John Humphries, James A. Rousseau,
Leroy Brinkley, John B. Huston, J. C. Sayres,
R. J. Browne, William C. Ireland, Geo. S. Shanklin,
Thomas S. Brown, Daniel W. Johns, M. Smith,
Curtis F. Burnam, Wm. Johnson, Robert A. Spalding,
W. P. D. Bush, James M. Jones, Harrison Taylor,
James Calvert, Urban E. Kennedy, Joshua Tevis,
Cyrus Campbell, Perry S. Layton, Thomas Turner,
Francis L. Cleveland, Jas. M. C. Lisenby, Jos. R. Underwood,
John B. Cochran, Jonas Martin, Zeb. Ward,
William L. Conklin, John S. McFarland, W. W. Waring,
Lucius Desha, David P. Mears, Alex. T. White—72.

Those who voted in the negative, were—

James P. Sparks,

Said 6th bill reads as follows, viz:

§ 1 Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in the settlement for the revenue due from the county of Ballard for the year 1862, Lewis S. Lee, sheriff of that county, shall have credit for the sum of one hundred and sixty-four dollars and thirty-four cents, the amount of interest charged to him by the Auditor
of Public Accounts, and paid by him into the public treasury, on the revenue due from that county for the year 1861.

§ 2. This act to take effect from and after its passage.

Mr. Taylor, from the committee on Ways and Means, to whom was referred leave, reported

A bill for the benefit of William I. Thomas, clerk of the Henry county court.

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. Sparks moved to fill to fill the blank in the bill with seventy-five dollars.

Mr. Ward moved to fill said blank with fifty dollars.

The motion of Mr. Sparks was adopted, and the blank was filled with seventy-five dollars.

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 same committee, to whom was referred a Senate bill, entitled,

An act to amend an act, entitled, an act to amend the revenue laws of this Commonwealth, approved February 28, 1862.

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

Mr. Taylor, from the same committee, to whom was referred a Senate bill, entitled,

An act for the benefit of M. M. Lyon, late sheriff of Lyon county.

Reported the same without amendment, with the expression of opinion that said bill ought not to pass.

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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. Taylor, from the same committee, to whom was referred the petition of Smith, Wilson & Co., of Flemingsburg.

Also, the petition of J. E Wright, of Todd county;

Asked to be discharged from the further consideration thereof.
Which was granted.

The Speaker laid before the House a report of the President of the Board of Internal Improvement.

[For Report—see Legislative Document, No. 20.]

Ordered, That said report be referred to the committee on Internal Improvement.

Ordered, That the chairman of the select committee, on the bill to lay off the State into nine Congressional Districts, be authorized to have printed any bill they may desire to report.

Mr. Finnell moved the following resolutions, viz:

The Proclamations of the President of the United States, of September 24th, 1862, declaring martial law, and suspending the writ of habeas corpus throughout all the loyal States, and that of January 1, 1863, declaring free all the slaves within certain of the States of the Union, the people of which are in rebellion against the Government of the United States, we declare to be most dangerous assumptions of power, in conflict with the fundamental law of the land, and utterly null and void. That the plea of "military necessity" urged by the President is specious and delusive—neither excusing nor palliating a violation of the Constitution—nor can it justify any assumption of power not clearly warranted by that instrument. We declare that the proclamations and other acts of the President, attempted to be justified under the plea of "military necessity," have had, and can have, the effect alone to unite more firmly and closely the people of the rebellious States—to distract the people of the loyal States, divide them into political parties, and lead them to distrust the sincerity of the purposes of the administration in the prosecution of the war—therefore,

The General Assembly of the Commonwealth of Kentucky, in the name of the loyal people of the Commonwealth, protest against these unwarrantable assumptions of power on the part of the Chief Magistrate of the United States, and declare them to be subversive of the great principles lying at the foundation of our government, and in direct contravention of the letter and spirit of the Federal Constitution!

And we declare that while the people of Kentucky see much in these and kindred acts of the administration that is well calculated to shake their confidence in the wisdom and patriotism of the President
and his chosen advisers, Kentucky will not, because of the unwise, unpatriotic, and unconstitutional acts of the administration—guided and controlled as it is by a radical and fanatical political party—swerve from her fixed and often declared purpose to stand unalteringly by "the Constitution as it is and the Union as it was." To that Constitution and to that Union all Kentucky is, or has, or hopes for, is solemnly and irrevocably pledged, now and forever!

The terrible lessons taught our people in the progress of this wicked rebellion severe but to give strength to their convictions, that the supremacy of the Constitution and the integrity of the Union are essential to the preservation of the liberties of the people! Kentucky abhors secession. Her people regard its necessary consequence—the inauguration of this most unnatural rebellion—as the crime of all history. Her devotion to the Government has been nobly illustrated by her soldiers wherever they have met the enemies of the Government in arms. But we here distinctly declare that the mission of the Kentucky soldier is to aid in the suppression of the rebellion, that peace may be restored, the supremacy of the Constitution vindicated, and the Union of our fathers perpetuated.

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

Mr. Blue moved the following resolutions, viz:

Whereas, in the opinion of this General Assembly, the President of the United States has assumed the exercise of powers nowhere delegated to him by the Constitution. In this he has shown a want of regard for the limitations existing between the State and national jurisdiction—has attempted, under the plea of military necessity, to destroy, by proclamations, State institutions in violation of their constitutions, legislative enactments, and judicial decisions—has encouraged and sanctioned the dismemberment of their territory, and has overawed and silenced the judiciary department of the government, making it subservient to the military—therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That we, the Representatives of the people of Kentucky, in view of the great and solemn responsibilities resting upon us in this dark hour of our country's peril, declare for ourselves and our State an unaltering devotion to the Union as it was, and the Constitution as it is, and that it is our mature and deliberate determination to use all our energies to maintain the integrity of each, with all their guaranties and blessings unimpaired.

2. That while we view, with jealousy and alarm, the encroachments of the Executive of the United States upon the liberties and rights of the States, we are not unmindful of the tyranny and usurpations of the so-called Confederate authorities over the lives, liberty and property of its citizens, and we admonish both, that Kentucky does not intend to be driven from her proud position in favor of constitutional law and freedom, by the mad fanaticism of either; but lifting herself
above the prejudices of the hour, she intends to stand firm in her chosen position.

3. That the constitutions of the several States must be respected as the fundamental law of each, when not at variance with the Constitution of the United States, and they must be held sacred and inviolate as the great sheet-anchors of society, and the only sure safeguard of life, liberty and property, and all that is nearest and dearest to a free and enlightened people.

4. That the domestic institutions of the several States created and existing under the organic laws thereof, when sanctioned by the national Constitution, are above and beyond the Executive power of the President, or the control of Congress; and any acts done by either, whether by proclamation or otherwise, with a view to change or abolish those institutions, are encroachments upon the rights of the States, an infringement of the national Constitution, dangerous to the liberties of the people, and should be so treated and held by the State authorities.

5. That those great and fundamental maxims of free Government announced in the Constitution: that the writ of habeas corpus shall not be suspended; that the people shall be secure in their persons, houses, papers, and possessions, from unreasonable seizures and searches; that justice shall be administered without sale, delay, or denial; that no man shall be punished without a fair and impartial trial by a jury of his peers; that private property shall not be taken or public uses without just compensation; that the obligations of contracts shall not be impaired; that ex post facto laws shall not be passed; that there shall be no attainder or corruption of blood, nor forfeiture of property, for a longer period than the lifetime of the party attainted; that the freedom of the press and the liberty of speech and conscience shall be secure, can only be preserved and their blessings secured to the citizens by maintaining the independence of the Judiciary free from the control of the Executive and military authorities.

6. That however much Kentucky may love the Union she cannot, and will not, consent that this war shall become an abolition crusade against the institutions of the South, whatever may be the pretext, and she here announces that the interests and sentiment of her people, as well as the justice, honor, and plighted faith of the nation, demand that the President shall withdraw his proclamation of emancipation, and that the war be prosecuted in a constitutional manner for the restoration of the Union and the preservation of the Constitution, with all the rights, dignity, and honor of the several States unimpaired.

7. That Kentucky is devotedly attached to her domestic institutions, and has no present intention of changing their relations, she believing, in the language of her Constitution, 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 as inviolable as the right of the owner of any property whatever," and she, therefore, respectfully, but firmly, declines to accept the President's proposition of compensated emancipation.
8. That while we would hail with joy and delight the return of peace to our once happy, but now distracted country, we do not seek, nor will we consent, to a peace that would be dishonorable to us as a people and a nation. But we are now ready, as we at all times heretofore have been, to meet in a national council with our sister States, in order to adjust, in an honorable and equitable manner, all our difficulties and dissensions, and to this end we invite the co-operation of all the other States, for the holding of a National Convention, to meet at such time and place as the Governors of the States may agree upon.

9. That we tender to our Senators and Representatives in Congress, and the noble and conservative men of the North, our thanks for the bold and patriotic stand which they have taken in behalf of constitutional freedom.

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

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

On motion of Mr. Thomas S. Brown—1. A bill for the benefit of school district No. 6, in Johnson county.

On motion of same—2. A bill for the benefit of school district No. 25, in Johnson county.

On motion of same—3. A bill for the benefit of school district No. 21, in Johnson county.

On motion of Mr. Warring—4. A bill to establish a commission to assess the damages sustained by the citizens of this State by the Federal and Confederate forces during the present war.

Ordered, That the committee on Education prepare and bring in the 1st, 2d, and 3d, and the committee on Federal Relations the 4th.

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

- An act to change the time of holding the quarterly, police and justices' courts of Butler county.
- An act for the benefit of Henri F. Middleton.
- An act for the benefit of the collector of revenue of Franklin county.

That they had passed bills which originated in this House, of the following titles, viz:

- An act in relation to school districts Nos. 4 and 21, in Campbell county.
- An act to authorize the county court of Union county to increase the county levy of said county.
- An act to repeal in part an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to circuit courts.
- An act to repeal an act, entitled, an act regulating the time of holding quarterly courts, so far as the same is applicable to the county of Union.
- An act conferring certain powers upon the clerk of the Kenton county court, and his deputies.
- An act allowing John Jones, of Lawrence county, to erect a mill-dam across Wolfe creek.
- An act to amend the charter of the Springfield Union Agricultural and Mechanical Association.
- An act for the benefit of N. P. Sanders.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills which originated in this House, of the following titles, viz:

- An act to amend the 19th section of the 1st article, 37th chapter of the Revised Statutes.
- An act to extend the March term, 1863, of the Madison circuit court.
An act to regulate the time of holding the Edmonson quarterly courts and to regulate and define the duties of the jailer of said county.

An act to change the time of holding the quarterly courts in Madison county.

An act to repeal an act entitled, an act regulating the time of holding the quarterly and other courts inferior in jurisdiction to the circuit courts, so far as the same is applicable to the county of Pendleton.

An act to incorporate Fox Lodge, No. 386, of Free and Accepted Masons, of Dover, Mason county, Kentucky.

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

An act to amend an act to incorporate the city of Paris.
An act for the benefit of the jailer of McCracken county.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

1. Mr. McFarland presented the petition of Wm. Sweeney, &c., praying changes in the law in relation to sales of infants' estates, &c.

2. Mr. Turner presented the petition of the Home Guards, of Wolfe county, praying compensation for services rendered.

3. Mr. Neel presented the petition of M. W. Galloway, late sheriff of Graves county, praying relief.

4. Mr. Harney presented the petition of B. F. D. Griffey, praying a change in the time of holding the Butler quarterly and justices' courts.

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

Mr. Burnam, from the committee on Education, to whom was referred Senate bills, viz:

An act for the benefit of school districts Nos. 17, 18, 35, and 57, in Whitley county.

An act to incorporate the German American School Association of Owensboro'.

An act to incorporate the Kentucky Book, Job, and News Printing Association.

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 bills having been dispensed with,

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 the bill, entitled,

An act for the benefit of common school commissioner and trustees for the county of Wayne,

Reported the same with a substitute therefor, by way of amendment.

Ordered, That said amendment be engrossed and read and 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 follows:

An act for the benefit of common school commissioners and trustees of this Commonwealth.

The following bills were reported, viz:

By Mr. Burnam, from the committee on Education—

1. An act for the benefit of school district No. 14, in Harlan county.

By same—

2. An act to repeal an act, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office.

By Mr. Underwood, from the committee on Military Affairs—

3. An act to provide for claims against the State, contracted under the State Guard Law.

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 being dispensed with,

The 1st, 3d, and 4th bills were severally ordered to be engrossed and read a third time; the consideration of the 2d bill was postponed for the present, and placed in the orders of the day.

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

The yeas and nays being required on the passage of the 3d bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Richard Neel,
Alfred Allen, John Draffin, Thomas W. Owings,
Jas. W. Anderson, John W. Finnell, George Poindexter,
R. C. Anderson, Elijah Gabbert, Hiram S. Powell,
E. B. Bacheller, Evan M. Garriott, Larkin Proctor,
Jonathan R. Bailey, Remus Gibson, Wm. S. Rankin,
Joshua Barnes, Henry Griffith, Nicholas A. Rapier,
Elisha Beazley, Geo. M. Hampton, Joseph Ricketts,
Joshua F. Bell, John H. Harney, F. D. Rigney,
John W. Blue, Jacob Hawthorne, William Roberts,
J. W. Boone, William J. Heady, James A. Rousseau,
William S. Botts, Joseph W. Heeter, J. C. Sayers,
Wm. Bolling, John M. Henry, George S. Shanklin,
William A. Brann, John Humphries, M. Smith,
Leroy Brinkley, William C. Ireland, R. A. Spalding,
R. J. Browne, Daniel W. Johns, James P. Sparks,
Thomas S. Brown, William Johnson, Harrison Taylor,
Curtis F. Burnam, James M. Jones, Joshua Tevis,
W. P. D. Bush, Urban E. Kennedy, John R. Thomas,
James Calvert, Perry S. Layton, Thomas Turner,
Cyrus Campbell, Jas. M. C. Lisenby, Jos. R. Underwood,
A. B. Chambers, Alexander Lusk, Wm. H. Van Pelt,
Ertus J. Clay, Jonas Martin, John S. Van Winkle,
Francis L. Cleveland, John S. McFarland, Zeb. Ward,
John B. Cochran, David P. Mears, W. W. Waring,
Robert Cochran, William Mercer, Alex. T. White,
William L. Conlin, Thomas Z. Morrow, Nathaniel Wolfe,
Lucius Desha, Felix G. Murphy, Bryan R. Young—84.

Said 3d bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the Adjutant General to settle and liquidate all claims against the State of Kentucky for property which may have been taken for public use by order of the Governor; and the amount found due shall be reported to the Governor, who, if he approve the settlement, shall direct the Auditor to issue his warrant upon the treasury for the payment of each claim allowed; and it shall be the duty of the Adjutant General to file with the Auditor, for his government, a list of all claims allowed by him, showing the amount and the name of the person or persons to whom the same is to be paid, and what property was taken, and in what county the same was taken; all which claims shall be paid out of any money in the treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.
Mr. Underwood, from the committee on Military Affairs, reported the following resolution, viz:

Whereas, the people of Kentucky have been greatly injured by the taking of their property for military purposes, by our various companies, regiments, brigades and divisions, and in many cases the individual sufferer, instead of receiving just compensation, has not been furnished even with a proper receipt or certificate or account showing the kind and quantity and value of the property taken, or amount of damage done; and in many cases where the citizen has been furnished with a stated account showing the kind, quantity, and value of the property taken, it has been certified in such manner by the officers whose duty it was to furnish a proper voucher, that when presented for payment no money could be drawn, in consequence of alleged formalities and objections of different kind—therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senator in Congress be instructed, and our Representatives requested, to use their best efforts to secure the speedy payment of all the just claims of our citizens against the National Government; and to that end they are desired to have one or more commissioners appointed, who are citizens of Kentucky, with full authority to take proof and assess the amount of damages sustained by any citizen from the seizure and appropriation of his property to public use, and to sanction the claims of our citizens where informal vouchers have been granted to them, so that they may be paid without further delay.

Which was adopted.

Mr. Underwood, from the same committee, reported a bill, entitled, An act to provide for paying in advance one month's pay to soldiers enlisting for nine months.

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 to amend said bill by striking out the words "or may hereafter."

Mr. Rousseau moved to amend said amendment by adding "unless it is necessary to fill up companies and regiments now being organized."

Mr. Owings moved to postpone the further consideration of said bill and amendments till Tuesday next at 11 o'clock, and that the same be made a special order.

Which motion was rejected.

Mr. Ricketts moved to postpone for the present the further consideration of said bill and amendments.

Which motion was rejected.
The question was then taken on adopting the amendment of Mr. Rousseau, and it was decided in the negative.

The question was then taken on adopting the amendment of Mr. Conklin, and it was decided in the negative.

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

Those who voted in the affirmative, were—

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<th>W. P. D. Bush</th>
<th>Evan M. Garrett</th>
<th>Felix G. Murphy</th>
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<tr>
<td>A. B. Chambers</td>
<td>Geo. M. Hampton</td>
<td>Nicholas A. Rapier</td>
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<td>Francis L. Cleveland</td>
<td>John Humphries</td>
<td>William Roberts</td>
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<td>Robert Cochran</td>
<td>William Johnson</td>
<td>Robert A. Spalding</td>
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<td>William L. Conklin</td>
<td>Jonas Martin</td>
<td>Thomas Turner</td>
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<td>Lucius Desha</td>
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Those who voted in the negative, were—

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<th>Mr. Speaker, (Buckner)</th>
<th>John B. Cochran</th>
<th>Richard Neel</th>
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<td>Alfred Allen</td>
<td>Daniel E. Downing</td>
<td>Thos. W. Owings</td>
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<td>Jas. W. Anderson</td>
<td>John Duffin</td>
<td>George Poulter</td>
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<td>R. C. Anderson</td>
<td>John W. Fannell</td>
<td>Hiram S. Powell</td>
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<td>E. B. Bacheller</td>
<td>Elijah Gabbett</td>
<td>Lackin Proctor</td>
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<td>Jonathan K. Bailey</td>
<td>Remus Gibson</td>
<td>Joseph Ricketts</td>
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<td>Joshua Barnes</td>
<td>Henry Griffith</td>
<td>F. D. Rigney</td>
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<td>Elisha Beazly</td>
<td>John H. Harney</td>
<td>James A. Rousseau</td>
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<td>Joshua F. Bell</td>
<td>Jacob Hawthorne</td>
<td>J. C. Sayres</td>
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<td>William J. Heady</td>
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<td>William S. Botts</td>
<td>John M. Henry</td>
<td>James P. Sparks</td>
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<td>Wm. Bowling</td>
<td>William C. Ireland</td>
<td>Harrison Taylor</td>
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<td>William A. Bramm</td>
<td>Daniel W. Johns</td>
<td>Joshua Tevis</td>
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<td>Leroy Brinkley</td>
<td>J. M. Jones</td>
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<td>R. J. Brown</td>
<td>Urban E. Kennedy</td>
<td>J. R. Underwood</td>
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<td>Thomas S. Brown</td>
<td>Perry S. Layton</td>
<td>John S. Van Winkle</td>
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<td>Curtis F. Burnam</td>
<td>Jas. M. C. Lisenby</td>
<td>Zeb. Ward</td>
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<td>James Calvert</td>
<td>Alexander Lusk</td>
<td>W. W. Waring</td>
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<td>Cyrus Campbell</td>
<td>John S. McFarland</td>
<td>Alex. T. White</td>
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<td>J. W. Campbell</td>
<td>David P. Mears</td>
<td>Nathaniel Wolf</td>
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<td>Joseph H. Chandler</td>
<td>William Mercer</td>
<td>Bryan R. Young</td>
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<td>Brutus J. Clay</td>
<td>Thomas Z. Morrow</td>
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Mr. Ward moved an amendment.

On motion of Mr. Wolfe,

Ordered, That said bill and amendments be recommitted to the committee on Military Affairs.

On motion of Mr. Ireland,

Ordered, That said committee be instructed to report said bill tomorrow at 10 ½ o'clock.
Mr. Finnell, from the committee on Banks, to whom was referred leave, reported

A bill to amend the charter of the Deposit Bank of Owensboro'.
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 recommit said bill to the committee on Banks.
Which motion was rejected.
The question was then 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. R. J. Browne and Draffin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Richard Neel,
Alfred Allen, Elijah Gabbert, Thomas W. Owings,
R. C. Anderson, Evan M. Garriott, George Poindexter,
Jonathan R. Bailey, Remus Gibson, Hiram S. Powell,
Joshua Barnes, Henry Griffith, Larkin Proctor,
Elisha Beazley, Joseph W. Heeter, F. D. Rigney,
John W. Blue, John M. Henry, James P. Sparks,
William S. Botte, Urban E. Kennedy, John R. Thomas,
Wm. Bowling, Jonas Martin, John S. Van Winkle,
Leroy Brinkley, John S. McFarland, Zeb. Ward,
Francis L. Cleveland, William Mercer, Nathaniel Wolfe,

Those who voted in the negative, were—

James W. Anderson, Alexander Lusk,
Joshua F. Bell, David P. Mears,
Wm. A. Brann, Nicholas A. Rapier,
R. J. Browne, Joseph Ricketts,
Thomas S. Brown, Wm. Roberts,
Curtis F. Burnam, George S. Shanklin,
W. P. D. Bush, M. Smith,
James Calvert, Robert A. Spalding,
Cyrus Campbell, Harrison Taylor,
J. W. Campbell, Joshua Tevis,
A. B. Chambers, Thomas Turner,
Joseph H. Chandler, Jos. R. Underwood,
Brutus J. Clay, James M. Jones,
John B. Cochran, Wm. H. Van Pelt,
Robert Cochran, W. W. Waring,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the charter of the Deposit Bank of Owensboro' be so
amended that section 33d be and the same is hereby repealed, and said bank may and shall have the right to issue one, two, and three dollars' promissory notes, which shall be signed by the president and countersigned by the cashier thereof: Provided, Said bank shall not issue her promissory notes for a larger sum in the aggregate than her capital stock actually paid in.

§ 2. That said bank shall redeem her notes in the usual banking hours, in the current bankable fund of the State, when presented in sums of five dollars and upwards.

§ 3. That said bank shall, within twenty days after the general resumption of specie payments by the Kentucky banks, redeem her circulation in gold and silver when presented at her counter; and on her failure to do so, shall be liable to all the penalties imposed on other banks.

§ 4. That the stockholders of said bank shall be liable, in their individual and private estates, for the redemption of every dollar of her circulation: Provided, That before the acceptance of this amendment, it shall be the duty of the president of said bank to file in the office of the county court clerk a list of the stockholders of said deposit bank, verified by affidavit.

Mr. Underwood, from the select committee, to whom was recommitted the bill and amendments proposed to the bill, entitled,

An act to lay off the State into nine Congressional Districts,

Reported the same with a substitute therefor, by way of amendment.

On motion of Mr. Cleveland,

Ordered, That said bill be made the special order for 11 o'clock tomorrow.

Mr. Finnell, from the committee on Banks, to whom was referred a Senate bill, entitled,

An act to amend an act to incorporate the Deposit Bank of Paris, approved March 7, 1851,

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. Finnell, from the same committee, to whom was referred a bill, entitled,

An act for the benefit of the Clark's Run and Salt River turnpike road company,

Reported the same without amendment.
Mr. Huston moved to amend said bill, by making its provisions apply to all the turnpikes and plank roads in Kentucky.
And the question being taken thereon, said amendment was adopted.
The question was then taken, "Shall said bill, as amended, be engrossed and read a third time?" and it was decided in the negative.
And so said bill was rejected.
Mr. Warring moved to reconsider the vote by which the bill was rejected on yesterday, entitled,
An act for the benefit of William Herren, late sheriff of Fulton county.
And then the House adjourned.

FRIDAY, JANUARY 30, 1863.

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 certain of Morrison's heirs.
An act imposing a tax on dogs in Franklin county.
That they had passed bills which originated in this House, of the following titles, viz:
An act for the benefit of the late clerks of this Commonwealth.
An act to incorporate the United Evangelical St. Paul's Church, of Newport.
An act to amend the charter of the Paris and Jackstown turnpike road company.
A message was received from the Governor by Mr. Wickliffe, Secretary of State, announcing that he had signed and approved sundry enrolled bills which originated in this House, of the following titles, viz:
An act in relation to the surveyor of Clay county.
An act for the benefit of A. C. Tanner, late clerk of the McLean county and circuit courts.
An act to establish an additional justices' and voting district in Allen county.
An act for the benefit of the sureties of John R. Cargile, late sheriff of Hopkins county.
An act to restore the chartered rights of the town of Sharpsburg, in Bath county.
An act for the benefit of E. M. Brank, late surveyor of Muhlenburg county.
An act for the benefit of Wm. R. Mize, of Pulaski county.
An act for the benefit of the towns of Franklin and Scottsville.
An act for the benefit of school district No. 36, in Livingston county.
An act for the benefit of Wm. R. Duwees, late sheriff of Grayson county.
An act to amend an act concerning pauper idiots.
An act for the benefit of the Paris and Clintonville turnpike road company.
An act for the benefit of the sheriffs of Scott county for the years 1860 and 1861.
An act to legalize the proceedings of the county judge of Hickman county at the called term of the county court in December, 1862.
An act repealing an act, entitled, an act creating an additional election precinct and justices' district in Greenup county.
An act to amend the charter of the town of Bowlinggreen.
An act to extend the provisions of an act entitled, an act for the benefit of Webber Harris, of Estill county.
An act to incorporate Greve Grove, No. 4, United Ancient Order of Druids, in Covington.
An act for the benefit of J. E. Bacon, of Edmonson county.
An act to amend the original and amended charters of the Versailles and Anderson turnpike road company.
An act to repeal the charter of the Deposit Bank of Cynthiana.
An act for the benefit of the several clerks of courts of this Commonwealth.
An act accepting the donation of lands to Kentucky for the endowment of agricultural colleges.
An act to change the time of holding the quarterly courts in Madison county.
An act to regulate the time of holding the Edmonson quarterly courts, and to regulate and define the duties of the jailer of said county.

An act to extend the March term, 1863, of the Madison circuit court.

An act to incorporate Fox Lodge No. 386, Free and Accepted Masons of Dover, Mason county, Kentucky.

An act to amend the 19th section, article 1, of the 37th chapter of the Revised Statutes.

An act to repeal an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts, so far as the same is applicable to the counties of Graves and Pendleton.

Also, enrolled resolution providing for the sale of certain public documents.

1. Mr. Sparks presented the petition of the trustees of school district No. 30, of Henry county, asking time to report and teach school.

2. Mr. McFarland presented the petition of the Vanover Home Guards, praying compensation for services rendered.

3. Mr. Poindexter presented the petition of James M. Harper, late sheriff of Caldwell county, praying relief.

4. Mr. Ireland presented the petition of sundry citizens of Fayette county, praying repeal of an act approved 1st March, 1854, being an act to amend the road law.

5. Also, the petition of sundry citizens of Fayette, praying repeal of the act of 28th February, 1862, regulating holding of inferior courts so far as applicable to Fayette county.

6. Mr. Bell presented a petition from John B. Bowman, praying amendment to the charter of the Kentucky University.

Which were received, the reading dispensed with, and referred—the 1st and 6th to the committee on Education; the 2d to the committee on Military Affairs; the 3d to the committee on Ways and Means, and the 4th and 5th to the committee on County Courts.

Mr. Tevis moved a reconsideration of the vote rejecting the bill, entitled,

An act to amend the charter of the Deposit Bank of Owensboro'.

Mr. Sparks asked and obtained leave to withdraw from the Senate their disagreement to a bill from the Senate, entitled,

An act for the benefit of M. M. Lyon, late sheriff of Lyon county.
The following bills were reported, viz:

By Mr. Ireland, from the committee on Circuit Courts—
1. A bill changing the time of holding the June term of the Trimble circuit court.

By same, from the committee on County Courts—
2. A bill repealing in part an act regulating the time of holding the quarterly and other courts inferior in jurisdiction to the circuit courts.

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

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

The 1st was ordered to be engrossed and read a third time, and the 2d was placed in the orders of the day.

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. Ireland, from the committee on County Courts, to whom was referred leave, reported a bill, entitled,

An act for the benefit of Jesse Burkhead, of Ballard 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. Neel moved to amend said bill, by striking out the county of Graves.

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 aforesaid.

The yeas and nays being required on the passage of said bill by Messrs. White and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

E. B. Bacheller, Remus Gibson, Felix G. Murphy,
Joshua Barnes, Henry Griffith, Richard Neel,
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Elisha Beazley, John H. Harney, Thomas W. Owings,
J. W. Blue, William J. Heady, George Poindexter,
J. W. Boone, John M. Henry, John Ray,
Wm. Bowling, Wm. C. Ireland, F. D. Rigney,
Leroy Brinkly, Daniel W. Johns, Wm. Roberts,
James Calvert, William Johnson, James A. Rousseau,
Cyrus Campbell, Urban E. Kennedy, J. C. Sayres,
Joseph H. Chaudier, Jas. M. C. Lisenby, Joshua Tervis,
Brutus J. Clay, Jonas Martin, John R. Thomas,
Francis L. Cleveland, John S. McFarland, Joseph R. Underwood,
John B. Cochran, David P. Mears, John S. Van Winkle,
Daniel E. Downing, William Mercer, W. W. Warring,

Those who voted in the negative, were—

Alfred Allen, William L. Conklin, Nicholas A. Rapier,
Jas. W. Anderson, Lucius Desha, Joseph Ricketts,
R. C. Anderson, John Drafhin, George S. Shanklin,
Jonathan R. Bailey, Evan M. Garriott, M. Smith,
William S. Botts, Geo. M. Hampton, Robert A. Spalding,
William A. Brann, Jacob Hawthorne, James P. Sparks,
R. J. Browne, John Humphries, Harrison Taylor,
Thos. S. Browne, John B. Huston, Thomas Turner,
Curtis F. Burnam, J. M. Jones, Wm. H. Van Felt,
W. P. D. Bush, Perry S. Layton, Zeb. Ward,
J. W. Campbell, H. S. Powell, Alex. T. White,

Robert Cochran, William S. Rankin,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Jesse Burkhead, of Ballard county, is hereby authorized and permitted to peddle goods, wares, and merchandize in the counties of Ballard and Hickman, without obtaining license therefor.

§ 2. This act to take effect from and after its passage.

Mr. Underwood, from the committee on Military Affairs, according to order, reported the bill and amendment referred to him on yesterday, entitled,

An act to provide for paying in advance one month's pay to soldiers enlisting for nine months,

With the expression of opinion that the amendment offered by Mr. Ward is unconstitutional, not being germane to the bill.

The question was then taken on concurring in the report of the committee in regard to their opinion of the amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ward and Martin, were as follows, viz:
Those who voted in the affirmative, were—

Alfred Allen, William L. Conklin, Thos. W. Owings,
Jas. W. Anderson, Daniel E. Downing, George Poindexter,
R. C. Anderson, John Draffin, Hiram S. Powell,
E. B. Bacheller, Elijah Gabbert, Larkin Proctor,
Jonathan R. Bailey, Remus Gibson, William S. Rankin,
Joshua Barnes, Henry Griffith, Nicholas A. Rapier,
Elisha Beazley, John H. Harney, John Ray,
Joshua F. Bell, Jacob Hawthorne, Joseph Ricketts,
John W. Blue, William J. Head, F. D. Rigney,
William S. Botts, John M. Henry, James A. Rousseau,
Wm. Bowling, John B. Huston, J. C. Sayres,
William A. Brann, William C. Ireland, George S. Shanklin,
Leroy Brinkley, Daniel W. Johns, M. Smith,
R. J. Browne, J. M. Jones, James P. Sparks,
Thomas S. Brown, Urban E. Kennedy, Harrison Taylor,
Curtis F. Burnam, Perry S. Layton, Joshua Tevis,
James Calvert, Jas. M. C. Lisenby, Thomas Turner,
Cyrus Campbell, Jonas Martin, Joseph R. Underwood,
J. W. Campbell, John S. McFarland, J. S. Van Winkle,
Brutus J. Clay, David P. Mears, W. W. Warring,
Francis L. Cleveland, William Mercer, Alex. T. White,
John B. Cochran, Thomas Z. Morrow, Nathaniel Wolfe,

Those who voted in the negative, were.

J. W. Boone, Evan M. Garriott, Wm. Roberts,
W. P. D. Bush, Geo. M. Hampton, Robert A. Spalding,
A. B. Chambers, John Humphries, John R. Thomas,
Joseph H. Chandler, Wm. Johnson, Wm. H. Van Pelt,

The amendment of Mr. Ward reads as follows:

Amend by inserting: That the Legislature of Kentucky does not expect any of her soldiers provided for by this bill, nor any that are now in the field, to aid in enforcing the unconstitutional proclamation of the President of the 1st of January, 1863, nor any proclamation that he may issue, the enforcement of which would make our soldiers commit an act which would be felony by the laws of our own State, but to fight for the sole object of putting down the rebellion.

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—

Alfred Allen,  Daniel E. Downing,  George Poindexter,
Jas. W. Anderson, John Draffin,  Hiram S. Powell,
E. C. Anderson, Elijah Gabbert,  Larkin Proctor,
E. B. Bacheller, Remus Gibson,  William S. Rankin,
Jonathan R. Bailey, Henry Griffith,  Nicholas A. Rapier,
Joshua Barnes, John H. Harney,  John Ray,
Elisha Beazley, Jacob Hawthorne,  Joseph Ricketts,
Joshua F. Bell, William J. Head,  F. D. Rigney,
John W. Blue, John M. Henry,  James A. Roussea,
William S. Betts, John B. Huston,  J. C. Sayres,
Wm. Bowling, Wm. C. Ireland,  George S. Shanklin,
Leroy Brinkley, Daniel W. Johns,  M. Smith,
R. J. Browne, J. M. Jones,  James P. Sparks,
Thomas S. Brown, Urban E. Kennedy,  Harrison Taylor,
Curtis F. Barnam, Perry S. Layton,  Joshua Tevis,
James Calvert, Jas. M. C. Liscoby,  John R. Thomas,
Cyrus Campbell, Alexander Lusk,  Joseph R. Underwood,
J. W. Campbell, John S. McFarland,  J. S. Van Winkle,
Brutes J. Clay, William Mereer,  W. W. Warring,
Francis L. Cleveland, Thomas Z. Morrow,  Alex. T. White,
John B. Cochran, Richard Neel,  Nathaniel Wolfe,

Those who voted in the negative, were—

J. W. Boone,  Evan M. Garriott,  Felix G. Murphy,
William A. Brann, Geo. M. Hampton,  Wm. Roberts,
W. P. D. Bush, John Humphries,  Robert A. Spalding,
A. B. Chambers, William Johnson,  Thomas Turner,
Lucius Desha,

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there be and is hereby appropriated out of any money in the treasury not otherwise appropriated, a sum not exceeding fifty thousand dollars, to be used for the purpose of paying each soldier who has or may hereafter enlist for nine months, one month's pay in advance. The money shall be drawn from the treasury from time to time on the requisitions of the Governor, who may appoint a proper person to receive the same, and pay it over to the soldiers: Provided, however, That no such payment shall be made to any soldier until the company to which he belongs shall have been duly organized and sworn into service.

The Speaker laid before the House the response of the Auditor of Public Accounts to the resolution of this House in relation to military expenditures.

[For Report—see Legislative Document, No. 23.]
Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of this General Assembly.

The House, according to order, then took up the substitute offered to the bill, entitled,

An act to lay off the State into nine Congressional Districts.

Mr. J. W. Boone moved to amend said substitute, by striking the county of Hopkins from the 1st, and adding it to the 2d district.

Which amendment was adopted.

Mr. Rankin moved to amend as follows:

"Strike Owen from the 6th and add to the 5th; Harrison from the 7th and add to the 6th; Trimble from the 5th and add to the 6th; Shelby from the 5th and add to the 4th."

Mr. Cleveland called for a division of the question.

The question was then taken upon striking Owen from the 6th, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Rankin, by consent of the House, then withdrew the balance of his amendment.

Mr. Turner moved to strike Powell from the 8th and adding it to the 9th district.

Which amendment was adopted.

Mr. Draffin moved to amend by striking Mercer and Anderson from the 7th district and adding them to the 4th district, and striking Garrard and Lincoln from the 8th and adding them to the 7th district.

Which amendment was adopted.

Mr. Chandler moved to amend by striking Adair from the 3d and adding it to the 4th district, and striking Hart from the 4th district and adding it to the 3d district.

Which amendment was rejected.

And then the House adjourned.

SATURDAY, JANUARY 31, 1863.

A message was received from the Senate announcing that they had passed bills and adopted a resolution which originated in this House, of the following titles, viz: 

An act providing for the payment of the judgment of Martin Looker & Co. against the Commonwealth.

An act to amend section 614, Civil Code of Practice.

An act for the benefit of Wiley Dycus, of Ballard county.

An act to amend 7th section of an act, entitled, an act to establish a levy and county court for Jefferson county.

An act to charter the Right Worthy Grand Lodge of the United Order of Ancient Fellows of the State of Kentucky.

An act for the benefit of the sheriff of Grant county.

An act to incorporate Flemingsburg College.
An act to incorporate the Vanceburg Male and Female School.
An act to incorporate the Salt Lick Bridge Company.
An act to amend an act, entitled, an act to regulate the town of Falmouth.
An act concerning the office of the sheriff of Marion county.
Resolution concerning claims of our citizens against the National Government.

That they had passed bills of the following titles, viz:
An act for the benefit of H. F. Turner.
An act to repeal an act, entitled, an act regulating the time of holding the quarterly and other courts inferior in jurisdiction to the circuit courts.
An act authorizing the Board of Managers of the Western Lunatic Asylum to appoint a Superintendent of said Institution.

And 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 school district No. 4, in Owen county.
An act to authorize the late judge of the Louisville chancery court to approve and sign certain records and proceedings in said court.
An act for the benefit of Herman Bowmar, late clerk of the Woodford county court.
An act for the benefit of the Odd Fellows Hall Association of Covington.
An act to allow the judge of the McCracken circuit court to hold said court at any place within the corporate limits of Paducah.
An act to amend an act, entitled, an act to establish a police court in the town of Caseyville.
An act for the benefit of the jailer and others, of Whitley county.
An act to extend the civil jurisdiction of the police court of the city of Hickman, and for other purposes.
An act to amend an act to incorporate the city of Paris.
An act for the benefit of the jailer of McCracken county.
Also, asking leave to withdraw from this House their disagreement to a bill, entitled,

An act for the benefit of Stitts & Campbell, of the county of Nicholas.

Which leave was granted.

1. Mr. Warring presented the petition of sundry citizens of Metcalfe, praying to be added to the county of Barren.
2. Mr. Allen presented the petition of Mrs. R. A. Pearman, of Meade county, praying compensation for necessaries furnished troops, &c.

3. Mr. R. J. Browne presented a petition of members of the Franklin county bar, &c., praying a change in the February term of said court.

4. Mr. J. W. Campbell presented a petition from E. F. Chappell, school commissioner for Nicholas county, in regard to schools in said county.

5. Mr. Botts presented the petition of the officers of Sherburne Chapter of Royal Arch Masons, of the county of Fleming, praying an act of incorporation.

6. Mr. Underwood presented a communication from N. Craig, in relation to a lot of ground in Frankfort.

7. Mr. Curtis presented the petition of sundry citizens of Estill county, in relation to Kentucky river within said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Propositions and Grievances; the 2d to the committee on Claims; the 3d to the committee on Circuit Courts; the 4th to the committee on Education; the 5th to the committee on Corporations; the 6th to the committee on the Sinking Fund, and the 7th to the committee on Internal Improvement.

On motion,

Leave of absence was granted Messrs. Clay and Sayres till Tuesday next; Mr. Burnam till Thursday next, and Messrs. Proctor and Thos. S. Brown indefinitely.

The House, on motion of Mr. Hawthorne, took up the amendments proposed by the Senate to a bill from this House, entitled,

An act to amend the laws and charter of the city of Newport, in Campbell county.

Which amendment was concurred in.

The House took up the motion to reconsider the vote by which the bill from the Senate, entitled,

An act for the benefit of M. M. Lyon, late sheriff of Lyon county, Was rejected.

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.

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—

R. C. Anderson, John Draffin, Richard Neel,
E. B. Bacheller, Elijah Gabbert, George Poinsett,
Joshua Barnes, Evan M. Garriott, John Ray,
Elisha Beasley, Remus Gibson, Joseph Ricketts,
John W. Blue, Geo. M. Hampton, F. D. Rigney,
Wm. S. Botts, John H. Harney, William Roberts,
Leroy Brinkley, W. J. Heady, James A. Rousseau,
Thomas S. Brown, Joseph W. Heeter, R. A. Spalding,
W. P. D. Bush, John M. Henry, James P. Sparks,
James Calvert, John Humphries, John R. Thomas,
J. W. Campbell, William C. Ireland, Thomas Turner,
A. B. Chambers, Daniel W. Johns, Wm. H. Van Pelt,
Joseph H. Chandler, Perry S. Layton, Jno. S. Van Winkle,
Francis L. Cleveland, Jonas Martin, W. W. Warrington,
John B. Cochran, John S. McFarland, Alex. T. White,
Wm. L. Conklin, William Mercer, Nathaniel Wolf,
Ludius Desha, Felix G. Murphy, Bryan R. Young—51.

Those who voted in the negative, were—

Alfred Allen, Henry Griffith, Hiram S. Powell,
Jas. W. Anderson, Jacob Hawthorne, William S. Rankin,
Jonathan R. Bailey, John B. Haston, Nicholas A. Rapier,
Wm. Bowling, James M. Jones, Geo. S. Shanklin,
R. J. Browne, Urban E. Kennedy, M. Smith,
Cyrus Campbell, Jas. M. C. Linsenby, Harrison Taylor,
Robert Cochran, David P. Mears, Joshua Tevis,
Albert A. Curtis, Thomas Z. Morrow, Joseph R. Underwood,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That M. M. Lyon, late sheriff of Lyon county, be and he is hereby released from all damages for which he and his sureties are by law liable upon two judgments of the Franklin circuit court against him and his sureties; the one for thirty-eight hundred and fifty-one dollars and fifty-six cents, with interest from the 1st day of June, 1859, and seven dollars and fifty-four cents costs; and the other for thirty-four hundred and twenty-five dollars and sixty-four cents, with interest from the 1st day of June, 1858, and eight dollars and fifteen cents cost, for balance of revenue which he failed to collect and pay over in accordance with law, for said years, it appearing that such failure was the result of his misfortune and not of any culpable neg-
ject of duty: Provided, The said M. M. Lyon, or some one for him, shall, or cause to be paid to the proper officer, within ninety days from the approval hereof, the balance of the principal, interest, and cost upon said judgments.

§ 2. This act to take effect from its passage.

The House then took up the motion to reconsider the vote by which this House rejected the bill from the Senate, entitled,

An act for the benefit of H. P. Melton, guardian of Josephine Cothes.

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.

The following bills from the Senate were reported by the several committees to whom they were referred, viz:

By Mr. Cleveland, from the committee on County Courts—

By Mr. Huston, from the committee on Revised Statutes—
2. An act to amend 3d section of the 19th article of the 28th chapter of the Revised Statutes.

By same—
3. An act to repeal the 17th section of the 4th article of the 47th chapter of the Revised Statutes.

By Mr. J. B. Cochran, from the committee on Incorporated Institutions—

By same—
5. An act for the benefit of the Rough Creek Navigation and Manufacturing Company,

Without amendments.

The 3d was referred to the committee on Circuit Courts; the 2d to the committee on Banks; the 3d was placed in the orders of the day.

Ordered, That the 4th and 5th bills be read a third time.

The rule of the House, constitutional provision and third reading of the said 4th and 5th bills being dispensed with,
Resolved, That said 4th and 5th bills do pass, and that the titles thereof be as aforesaid.

Mr. Robert Cochran, from the committee on Propositions and Grievances, to whom was referred sundry petitions from citizens of Barren and Allen, praying a change in their county lines, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. John B. Cochran, from the committee on Incorporated Institutions, reported a bill, entitled,
An act to amend an act incorporating the town of Catlettsburg.
Which was read the first time.
Mr. Ireland 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. Allen, from the committee on the Sinking Fund, to whom was referred a resolution offered by Mr. Huston, made the following report, viz:

The committee on the Sinking Fund beg leave to report in writing, in response to the resolution of inquiry submitted to us heretofore by this House. The resolution is as follows:

"Resolved, That the committee on the Sinking Fund inquire into the constitutional power and expediency of selling the stocks of the State, in the several banks of this State, at a sum not less than their par value, and applying the proceeds to the discharge of the debts of the State; and that they report by bill or otherwise."

There are two questions submitted to us by this resolution: 1st. The constitutionality; and 2d. The expediency of selling the stocks of the State in the various banks of the State, with a view of applying the proceeds of the sales to the discharge of the public indebtedness, as far as the sum realized will go. The committee had but little difficulty in responding to the first inquiry. The Constitution provides that the General Assembly shall have no power to pass laws to diminish the resources of the Sinking Fund, as now established by law, until the debt of the State be paid, but may increase them, &c. (See it, article 2d, section 34.) This prohibition would be violated only in case the Sinking Fund resources were diminished, by using them for other purposes than the payment of the interest and principal of the public debt. It was for this purpose that this fund was wisely created, and the declaration in the Constitution that it shall be used for no other purpose than the discharge of the public indebtedness, establishes the fact clearly, that when it is used in this way you are carrying out the objects of the Constitution, and the design for which the fund was created. In a word, although, by a sale of these stocks, you diminish the resources of this fund, you at least, to this extent, discharge the
public debt, which was the paramount object in the creation of the
fund.

Nor have the committee had much difficulty in coming to a conclu-
sion upon the second inquiry. Those who favor the proposition argue
that these stocks are not now yielding a dividend, or if any, not
equal to pay the interest on the bonds of the State held by the
banks, and executed for this stock. The committee believe that this
is not strictly true, and that although dividends are not declared for
6 per cent., yet a greater profit than that is realized by the banks, and
set apart from them in what is called the contingent fund, which is as
much profit as if a dividend was declared of it, and that, in truth, our
bank stocks are still yielding a profit. But say that we are not real-
izing a profit on these investments, the inquiry arises, are these things
to endure forever, and cannot we bear this loss for a time, in the hope
of the better time coming? It may be that the sun of our prosperity
has set forever, and that the affairs of commerce and trade will never
again resume their wonted course. If so, it is folly to trouble our-
seives with affairs of State, or financial schemes for the State, and all
in it are overwhelmed in a common ruin and disgrace. But this com-
mittee are hopeful for the future, and believe that if we can endure
for a time the evils of the present, and strive, like brave, wise, and
patetic men against them, we will have our reward in a glorious
future.

The friends of this proposition urge further, that under existing cir-
cumstances, the fund is not only unproductive, but insecure; that in
some of the innumerable raids by the rebels into the State the gold
and silver of the banks, and the other moveable property thereof, may
be seized upon and borne away, to the great loss of the banks and of
those owning stock in them. To this we can only answer, that there
have been raids heretofore, and that the banks, by a prudent foresight,
have been able to move their property and funds to a place of safety,
and that what has been done once can be again. But they say that it
may be unsafe to deposit it in the North, for that it may become the
policy of the State to withdraw or secede from the General Govern-
ment, and that in such an event it would be difficult, if not impossible,
to recover the property. To this we can but say, that we cannot con-
template the possibility of such a state of horrors as this would pro-
duce, nor can we conceive the possible loss of either reason, faith or
honor on the part of the Kentucky people. There are so many rea-
sions why Kentucky should cling to the Union, despite the unlawful
acts of those in power, and so few why she should abandon her faith
and position so deliberately taken, that it would be the folly of mad-
ness to dream that such a case as has been supposed to the committee
can ever exist. It is, therefore, useless to argue the point whether this
property could be recovered or not in such a contingency.

This committee are of opinion that the wisdom exhibited in the
establishment of the Sinking Fund, for the purpose of extinguishing
a large public debt, has been made manifest by its history, and that it
would be folly, if not worse, to abandon the scheme until the debt has
been discharged, the stocks permanently unproductive, or the fund itself
fail to carry out the objects of its creation. An anxiety on the part of
bank men to dissolve the partnership between the State and the banks by the sale of the stock of the State in them to the banks, who are most likely to be the purchasers and only bidders therefor, can be readily understood when we look a little into the history of these stocks. Accompanying this you will find a statement of the Auditor, showing a part of the profit arising to the State from the stock owned by it in the several banks of this Commonwealth:
A Statement of Stocks held by the State in the several Banks of Kentucky, and of Dividends paid to the State from 1st July 1853, to 1st January, 1863.

<table>
<thead>
<tr>
<th>Bank Stock and Dividends</th>
<th>Stock held by State</th>
<th>July, 1853</th>
<th>January, 1854</th>
<th>July, 1854</th>
<th>January, 1855</th>
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$1,942,000 00  $81,697 00  $77,012 00  $91,206 00  $77,012 00  $75,997 00

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$98,846 00  $97,200 00  $98,044 15  $91,200 00  $79,200 00  $161,242 00
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Attest: GRANT GREEN, Auditor.
But this paper does not show all, or near all, the profit derived from the investment. There is her share in the contingent fund; the increase in the value of the gold and silver, forming the capital stock of the concern, and which could be sold at a premium of from 40 to 50 per cent; the real and personal property acquired by the bank, &c., all of which would be lost to the State by a sale of the stocks. If sales should be made, surely they would, or ought to, realize a larger sum than the nominal or par value of the bonds in the hands of banks, and the surplus payment to the State would be made in the depreciated green-backed currency of the country, by which alone we would incur a loss of about 50 per cent on that surplus. And when the stocks are disposed of, what other stocks can be found that would be more secure or more yielding than these? It has been said by some favoring this project, that the debts of the State are fast maturing, and that within the next two years a large number of her bonds will fall due, for which no provision has been or can be made except by the sale of these stocks. Statement No. 9, of the Condensed Report of the Auditor, made January 19, 1863, "shows the receipts and expenditures of the Sinking Fund for the year ending on the 10th of October, 1862," and that this fund "will sustain itself fully, and will be amply sufficient to pay all interest due by the State, and pay off her bonds as they fall due."

From these and various other considerations, which we deem unnecessary to mention here, the committee are of opinion, that while we admit the constitutionality of the measure, we are satisfied that it would be inexpedient and unwise, at this time, to pass any law authorizing the sale of the State's bank stock.

This report is accompanied by an act furnished us, authorizing the Commissioners of the Sinking Fund to sell these stocks at any time they may deem it advisable for the interest of the State. The committee report it to the House, that it may do with the act as to it seems best, but with the distinct and unanimous expression of opinion that it ought not to pass.

ALF. ALLEN, Chairman.

Also, a bill, entitled,

An act authorizing the Commissioners of the Sinking Fund to sell the Bank of the State.

With the expression of opinion that said bill ought not to pass.

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

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

The same was placed in the orders of the day.

Ordered, That said bill, together with the report accompanying the same, be printed.

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

On motion of Mr. Rigney—1. A bill for the benefit of Madison Miller, late constable of Adair county.
On motion of Mr. Barnes—2. A bill for the benefit of the widow of
Maj. James M. Suddith, of Bath county.
On motion of same—3. A bill to amend the act creating the school
for the education of feeble-minded children.
On motion of Mr. R. C. Anderson—4. A bill compelling turnpike
companies to fence dangerous places in their roads.
On motion of same—5. A bill for the benefit of school district No.
41, in Franklin county.
On motion of Mr. B. R. Young—6. A bill to amend an act, entitled,
an act to incorporate Petroleum Sulphur Spring and Manufacturing
Company, in Meade county.
On motion of Mr. Sparks—7. A bill for the benefit of R. L. Tinsley,
and others.
On motion of same—8. A bill to amend the charter of the New
Castle and Carrollton turnpike road company.
On motion of Mr. Rapier—9. A bill for the benefit of school district
No. 28, in Larue county.
On motion of Mr. Bacheller—10. A bill for the benefit of S. C.
Jackson, late sheriff of Laurel county.
On motion of Mr. Tevis—11. A bill to increase the salaries of cir­
cuit judges.
On motion of Mr. Wolfe—12. A bill to incorporate the Cherokee
Tribe of Independent Order of Red Men, No. 36.
On motion of same—13. A bill for dividing Jefferson county into
three assessment districts.
On motion of Mr. John R. Thomas—14. A bill to amend section 5,
article 5, chapter 93, Revised Statutes.
On motion of same—15. A bill for the benefit of the sureties of the
late sheriff of Marion county.
On motion of same—16. A bill for the benefit of school district No.
35, in Marion county.
On motion of Mr. Owings—17. A bill for the benefit of R. R. Jones,
late sheriff of Meade county.
On motion of Mr. J. W. Campbell—18. A bill empowering the cor­
oner of Nicholas county to collect taxes.
On motion of Mr. John B. Cochran—19. A bill for the benefit of
school district, No. 48, in Shelby county.
On motion of same—20. A bill for the benefit of John Davis, of
Shelby county.
On motion of Mr. Underwood—21. A bill to provide for erecting a house for headquarters of Adjutant General, and safekeeping records, &c.

On motion of Mr. Warring—22. A bill for the benefit of M. H. Dickerson, late sheriff of Barren county.

Ordered, That the committee on Ways and Means prepare and bring in the 1st, 2d, 3d, 10th, 15th, 17th, 18th, and 22d; the committee on Internal Improvement the 4th and 8th; the committee on Education the 5th, 9th, 16th, and 19th; the committee on Revised Statutes the 6th and 8th; the committee on the Judiciary the 11th, 13th, and 14th; the committee on Incorporated Institutions the 12th; the committee on Propositions and Grievances the 20th, and the committee on Military Affairs the 21st.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That this Legislature will adjourn at 12 o'clock M., on the 13th day of February next, without day.

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 the Sinking Fund.

Mr. Heady moved the following resolution, viz:

Resolved, That the committee on Military Affairs be instructed to inquire into the cost and expediency of establishing an armory in connection with the penitentiary, and report to this House as soon as practicable.

Ordered, That said resolution be referred to the committee on Military Affairs.

Mr. Sparks moved the following resolution, viz:

Resolved, That the Public Printer be directed to print and put up, in wrappers, 5,000 copies of the message of Governor Seymour, of the State of New York, for the use of the members of this House.

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

Mr. John R. Thomas moved the following resolutions, viz:

Whereas, The entire programme of the war has been changed by the President of the United States, and from a war to maintain the Constitution and the Union, it has been prostituted to a war for the purpose of destroying the local institutions of one section of the country; and whereas, Kentucky can have no sympathy with the purposes
of the Administration, or the objects of the war, as now prosecuted; and seeing no prospect of a change of policy on the part of the Administration—therefore, be it

Resolved, That the Governor of this State be and he is hereby authorized by the Legislature to issue his proclamation to recall the troops of Kentucky from the armies of the United States to the limits of the State, for the purpose of maintaining the laws of this State, whenever the Governor may deem the interests of Kentucky require the recall of said troops.

Ordered, That the Governor of this State be and he is hereby authorized by the Legislature to issue his proclamation to recall the troops of Kentucky from the armies of the United States to the limits of the State, for the purpose of maintaining the laws of this State, whenever the Governor may deem the interests of Kentucky require the recall of said troops.

Mr. Owings moved the following resolution, viz:

Resolved, That the Governor of this State be and he is hereby authorized by the Legislature to issue his proclamation to recall the troops of Kentucky from the armies of the United States to the limits of the State, for the purpose of maintaining the laws of this State, whenever the Governor may deem the interests of Kentucky require the recall of said troops.

Ordered, That the Governor of this State be and he is hereby authorized by the Legislature to issue his proclamation to recall the troops of Kentucky from the armies of the United States to the limits of the State, for the purpose of maintaining the laws of this State, whenever the Governor may deem the interests of Kentucky require the recall of said troops.

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

Mr. Owings moved the following resolution, viz:

Resolved, That the committee on County Courts be instructed to inquire into the expediency of passing a law to prevent the holding of called terms of the county courts.

Ordered, That said resolution be referred to the committee on County Courts.

Mr. Chandler moved the following resolutions, viz:

Resolved by the House, (the Senate concurring,) that the thanks of the General Assembly of the Commonwealth of Kentucky are due, and are hereby tendered to the Hon. Horatio Seymour, Governor of New York, for the able and patriotic defense of the Constitution, the laws, and liberties of the American citizen, contained in his late message to the Legislature of that State, and that we assure him that the conservative people of the State of Kentucky are looking, with deep solicitude and confidence, to his Executive action, believing that they will find in it a firm and determined resistance to the encroachments of a despotic Administration upon the liberties of the American people, as well as a bold defense of the independent sovereignty of the several States of this Union, and that such action will receive the warm sympathies and hearty co-operation of all conservative citizens of this State.

Resolved, That the Speaker of this House be directed to forward copies of these concurrent resolutions to his Excellency, Governor Seymour, and to the Legislature of that State.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

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

Mr. Cleveland moved the following resolution, viz:

Resolved, That the committee on the Revised Statutes be instructed to inquire what legislation, if any, is necessary in regard to runaway slaves now confined in the various county jails in this Commonwealth; and to report to this House, by bill or otherwise.
Ordered, That said resolution be referred to the committee on the Judiciary.

Mr. Allen moved the following resolution, viz:

Resolved, That the committee on Ways and Means be requested to inquire into the expediency and propriety of passing a law requiring the collectors of our State taxes to receive in discharge thereof, receipts given by the officers of the national armies for goods, &c., appropriated by such officers, and that they report by bill or otherwise.

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

The following bills were reported, viz:

By Mr. Cleveland, from the committee on County Courts—

1. A bill to authorize the use of the Rockcastle county jail to the county of Laurel.

By same—

2. A bill for the benefit of Wm. R. Hervey.

By same—

3. A bill to legalize the acts of the clerk of the Johnson circuit and county courts.

By same—

4. A bill to extend the time in which the county officers elect for Johnson county may qualify and give bond.

By Mr. Ireland, from the same committee—

5. A bill regulating the holding of quarterly and other inferior courts in Fayette county.

By same—

6. A bill in relation to the road law in Fayette county.

By same—

7. A bill for the benefit of Fayette county.

By Mr. Draffin, from the committee on Revised Statutes—

8. A bill to regulate the Board of Internal Improvement of Anderson county.

By same—

9. A bill to legalize the records of the Anderson county court.

By Mr. Huston, from the same committee—

10. A bill to amend chapter 2 of the Revised Statutes, title "Concerning Convicts."

By same—

11. A bill to amend the charter of the city of Lexington.
By same—
12. A bill for the benefit of Caroline Openheimer.
By same—
13. A bill to suspend the limitation laws in Knox, Harlan, Perry, Letcher and Whitley counties.
By same—
14. A bill to amend chapter 99 Revised Statutes, title "Taverns and Tippling Houses, &c."
By same—
15. A bill to amend section 239, subdivision 4, of article 1, chapter 4, of the Civil Code of Practice.
By Mr. Bush, from the same committee—
16. A bill to amend an act, entitled, an act to amend chapter 83 Revised Statutes, title "Revenue and Taxation."
By Mr. J. B. Cochran, from the committee on Incorporated Institutions—
17. A bill to amend the charter of the city of Maysville.
By same—
18. A bill to enlarge the town boundary of Dover, in Mason county.
By same—
19. A bill for the benefit of the marshal of Campbellsville.
By same—
20. A bill to incorporate the 1st and 2d street horse railroad company.
By Mr. R. Cochran—
21. A bill to change the county lines between Henry and Trimble 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 being dispensed with,
The 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 17th, 18th and 19th, were severally ordered to be engrossed and read a third time; the 5th, 16th, 20th, and 21st were placed in the orders of the day.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th,
17th, 18th, and 19th bills being dispensed with, and the same being engrossed,

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

And then the House adjourned.

MONDAY, FEBRUARY 2, 1863.

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 G. Wade, late sheriff of Simpson county.

An act for the benefit of Thomas B. Harrison, late sheriff of Logan county.

An act to regulate the service of attachments.

With an amendment to the last named bill.

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

An act appropriating money to the Western Lunatic Asylum.

An act limiting the time for presenting appeals to the Court of Appeals.

An act to amend an act, entitled, an act to provide a more efficient police department of the city of Louisville.

Resolution requesting Congress to pass laws providing for paying Kentucky home Guards.

1. Mr. M. Smith presented the petition of sundry citizens of Minerva, Mason county, praying a repeal of their town charter.

2. Mr. Warring presented the petition of C. J. Hargrove, praying compensation for arresting three deserters of the 21st regiment Kentucky volunteers.

Which were received, the reading dispensed with, and referred—
the 1st to the committee on Incorporated Institutions, and the 2d to
the committee on Military Affairs.

The following bills were reported, viz:

By Mr. Conklin, from the committee on Claims—
1. A bill for the benefit of Richard Reynolds.

By same—
2. A bill for the benefit of the citizens of Augusta.

By Mr. Morrow, from the committee on Propositions and Griev-
ances—
3. A bill to amend an act, entitled, an act for the benefit of the
town of Dyersburg, in Crittenden county.

By Mr. Rankin, from the committee on the Judiciary—
4. A bill to amend section 3, article 10, charter 28, of the Revised
Statutes—

By Mr. J. R. Thomas, from same committee—
5. A bill to change the time of holding the Marion quarterly courts.

By Mr. Taylor, from the committee on Ways and Means—
6. A bill for the benefit of F. M. Demumbrum, late sheriff of Ed-
emonson county.

By same—
7. A bill for the benefit of John A. Scroggin.

By same—
8. A bill to amend chapter 83 of the Revised Statutes, title Revenue
and Taxation.

By Mr. McFarland, from the committee on Internal Improvement—
9. A bill providing for the removal of a fish dam in Kentucky river
at the mouth of Paint Lick creek.

By same—
10. A bill for the benefit of the Louisville and Bardstown turnpike
road company.

By Mr. Curtis, from same committee—
11. A bill for the benefit of certain citizens of Estill county who
reside 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, 3d, 4th, 5th, 6th, 7th, 9th, and 10th bills were severally
ordered to be engrossed and read a third time; the 2d was referred to
the committee on Claims; the 8th and 11th were placed in the orders
of the day, and the Public Printer was directed to print 150 copies of said 8th bill for the use of the members of this General Assembly.

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

The yeas and nays being required on the passage of the 7th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said 7th bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one hundred and forty-five dollars be paid to John A. Scrogin, out of any money in treasury not otherwise appropriated, on account of money paid by him into the treasury for the license of two billiard tables granted him in the city of Lexington on the 16th January, 1862, and which he surrendered on the 25th day of June, 1862, and were immediately relicensed.

The following Senate bills were reported by the committees to whom they were referred, viz:

By Mr. Conklin, from the committee on Claims—

1. An act for the benefit of Dr. Samuel M. Bemiss.
By Mr. Morrow, from the committee on Propositions and Grievances—

2. An act to amend an act, entitled, an act establishing a voting precinct in Campbell county.

By same—

3. An act to change the lines in districts Nos. 4 and 7, in Whitley county.

Without amendments.

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 yeas and nays being required on the passage of the 1st bill the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Said bill 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 upon the treasury, in favor of Dr. Samuel
M. Bemiss, for the sum of eleven hundred and fifty dollars, to be paid out of any money in the treasury not otherwise appropriated, compensation in full to said Bemiss for his services as Registrar of the State.

§ 2. That this act be in force from and after its passage.

Mr. Morrow, from the committee on Propositions and Grievances, to whom was referred the petition of J. A. Bell, in relation to negroes emancipated desires of returning to slavery, asked to be discharged from the further consideration thereof.

Which was granted.

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

Mr. Morrow, from the same committee, to whom was referred the petition of the sureties of A. Wynn, sheriff of Harlan 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.

Mr. Botts, from the committee on the Judiciary, to whom was referred the petition of H. L. Anderson, reported a bill for the benefit of H. L. Anderson, of Graves county.

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.

Mr. Huston, from the committee on the Judiciary, to whom was referred a bill, entitled,

An act to amend the law concerning executions,

Reported the same with an amendment.

Which was adopted.

Mr. Bush moved the following amendment:

"Provided, That such executions shall have been issued on the 10th day after the rendition of the judgment."

Which amendment was rejected.

Mr. Taylor moved an amendment.

Ordered, That said bill and amendments be recommitted to the committee on the Judiciary.

Mr. Taylor, from the committee on Ways and Means, to whom was recommitted the bill and amendments proposed, reported the same.
A bill for the benefit of Pleasant J. Potter, late sheriff of Warren county,
Without amendment.
Mr. Waring moved 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 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, Richard Neel,
R. C. Anderson, Evan M. Garriott, Thos. W. Owings,
Jonathan R. Bailey, Henry Griffith, George Poindexter,
John W. Blue, Geo. M. Hampton, John Ray,
J. W. Boone, John H. Harney, Joseph Ricketts,
Wm. S. Bouts, W. J. Heady, William Roberts,
Wm. Bowling, Joseph W. Heeter, Gen. S. Shanklin,
Thomas S. Brown, John M. Henry, M. Smith,
W. P. D. Bush, John Humphries, R. A. Spalding,
James Calvert, John B. Huston, Harrison Taylor,
A. B. Chambers, William C. Ireland, Thomas Turner,
Joseph H. Chandler, William Johnson, Joseph R. Underwood,
Francis L. Cleveland, Urban E. Kennedy, Wm. H. Van Pelt,
John B. Cochran, Perry S. Layton, Jno. S. Van Winkle,
Robert Cochran, Jonas Martin, Zeb. Ward,
Ludius Desha, John S. McFarland, W. W. Waring,
Daniel E. Downing, William Mercer, Nathaniel Wolf—52.
John Draffin.

Those who voted in the negative, were—
Alfred Allen, Albert A. Curtis, Thomas Z. Morrow,
Jas. W. Anderson, Elijah Gabbert, William S. Rankin,
Elisha Beazly, Jacob Hawthorne, Nicholas A. Raper,
Leroy Brinkley, Daniel W. Johns, F. D. Rigney,
R. J. Browne, James M. Jones, John R. Thomas,
Cyrus Campbell, Jas. M. C. Linsenby, Alex. T. White—18.

Said bill reads as follows, viz:

Whereas, it has been made satisfactorily to appear to this Legisla-
tive Assembly, that Pleasant J. Potter, sheriff of the county of War-
ren, on the 28th September, 1861; paid into the Branch of the Bank
of Kentucky, at Bowlinggreen, to the credit of the branch of the
same bank, at Frankfort, the sum of one thousand dollars of the State revenue collected by him in the county of Warren for the year 1861; and that afterwards, on the 20th December, 1861, the said sheriff, under the orders of the so-called "Provisional Government of the State of Kentucky," paid, under protest, to John Burnam, the Treasurer thereof, the sum of nine hundred and forty-one dollars and sixty-seven cents more of said revenue; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts shall and he hereby directed to enter a credit to the said Pleasant J. Potter, sheriff of the county of Warren, for the sum of one thousand nine hundred and forty-one dollars and sixty-seven cents, on account of the revenue due from the said county for the year 1861, being the amount of said revenue paid by him as recited in the preamble to this act: Provided, however, That nothing herein shall be so construed as to exempt any other person or persons from liability for the improper seizure or appropriation of said revenue: Provided further, That nothing in this act shall be construed to release the Bank at Bowling Green, or Bank in Frankfort, from the payment of one thousand dollars deposited in the Bank at Bowling Green.

§ 2. This act to take effect from and after its passage.

Mr. Taylor, from the same committee, reported
A bill allowing additional clerk hire to the Auditor of Public Accounts.
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—


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 sum of five hundred dollars annually, for two years, from and after the passage of this act, be allowed to the Auditor of Public Accounts out of any money in the treasury not otherwise appropriated, to pay for the services of an additional clerk, to be employed in his office, and to be so expended by him.

§ 2. That the sum of two hundred dollars out of the treasury, not otherwise appropriated, be paid to the Auditor of Public Accounts to defray the necessary additional clerk hire and other expenses incurred by the removal of the books and papers of his office to the city of Louisville in September last.

Mr. McFarland, from the committee on Internal Improvement, reported the following joint resolutions, viz.:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives requested, to procure the passage of an act directing the payment of tolls to the State on her slack-water navigation, turnpike roads, and bridges, where the same have been used for the transportation of troops, forage, or army stores.

Resolved, That his Excellency, the Governor of the Commonwealth, be requested to forward to each of our Senators and Representatives in Congress a copy of these resolutions.

The rules of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee, having been dispensed with.

Said resolutions was adopted.

Mr. Underwood, from the committee on Military Affairs, to whom was referred the resolution offered by Allen, in relation to the restoration of Col. John H. McHenry, Jr., made the following report, viz.:

The committee on Military Affairs, to which was referred a resolution relative to the removal of Col. John H. McHenry, Jr., from office
by the President of the United States, reports: That on the 13th of March, 1862, Congress passed an act making an additional Article of War, in these words: "All officers or persons in the military or naval service of the United States, are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor, who may have escaped from any persons to whom such service is claimed to be due; and any officer who may be found guilty by a court martial of violating this article, shall be dismissed from the service."

On the 27th of October, 1862, Col. McHenry issued an order to his regiment, being the 17th of Kentucky Volunteers, forbidding the officers and soldiers of his regiment to employ fugitive slaves, ordering such slaves to leave his regiment within two weeks, and declaring that any such fugitive within his regiment "will be delivered to his owner or agent appointed, upon application." For issuing and publishing this order to his regiment, Col. McHenry has been dismissed from the service by General Order No. 199, which is as follows:

WAR DEPARTMENT.
WASHINGTON CITY, Dec. 1, 1862.

Col. John H. McHenry, Jr., 17th Regiment Kentucky Volunteers, having issued an order dated October 27th, 1862, to his regiment, which order is in violation of the "additional Article of War" approved March 13th, 1862, is, by direction of the President, hereby dismissed the service of the United States.

By order of the Secretary of War,

E. D. TOWNSEND, A. A. G.

Thus a most gallant man, born in our State, and bearing his commission as one of its officers, and sent into the service of the United States, and who, while in that service, shed his blood for his country, and distinguished himself in a pre-eminent manner upon the fields of Donelson, Shiloh, and Corinth, has been dismissed from service for no other offense than refusing to allow fugitive slaves to be harbored in his regiment, and declaring that all those who did not leave his regiment within two weeks would be delivered up to their owners or agent, upon application.

By our State laws, any "free person guilty of harboring a runaway slave, with the intention to prevent the owner from obtaining possession of such runaway, shall, on conviction, be confined in the Penitentiary for not less than two nor more than twenty years." (See Stanton's Digest of Statutes, 2d volume, page 371.)

The committee are of opinion that Col. McHenry would have rendered himself amenable to the penalties of this law, had he prevented the owner of a fugitive slave from reclaiming him in his camp. It was his duty to respect and obey the constitution and laws of his own State, by delivering up fugitive slaves to their owners, instead of risking the infliction of the penalties of a violated law. In so acting he would likewise have fulfilled the spirit of the National Constitution, which requires that fugitive slaves escaping into another State shall be delivered up to their owners. The order of Col. McHenry declares that he will respect the rights of property in slaves, and for
that, your committee think, his conduct is highly commendable, instead of meriting a dishonorable dismissal from service.

The additional Article of War prohibits the employment of the military or naval forces by any officer, "for the purpose of returning fugitives." It does not appear nor is it pretended, that Col. McHenry ever did so employ any of the troops under his command. The extent of his offense, if any, is prohibiting the employment of fugitive slaves by those under his command, and ordering the fugitives to leave his camp. Suppose hundreds of slaves, consisting of men, women, and children, were to seek employment among the officers and soldiers of Col. McHenry's regiment, was it his duty to allow the introduction and detention of the whole? Was it his duty, by any law, to harbor women and children, and to feed them at public expense when upon a march, or if attacked, instead of rendering any service, they would be a positive disadvantage, and might be the cause of a defeat? Was it Col. McHenry's duty to place himself and his regiment under such incumbrances? A negative answer to these questions is the first suggestion of the least reflection.

But there is a question growing out of Col. McHenry's case, of vast importance, which we will merely suggest, without arguing it. The Constitution of the United States declares that Congress shall have power "to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." Col. McHenry is an officer commissioned by Kentucky, and not by the President of the United States. He is a State officer, called into the service of the United States, and as such is to be governed by the laws of the United States, while so employed. Now the question is, do the constitution and laws made under it, give the President the power to dismiss a State officer from service at his discretion, without trial by court martial? Can the State be deprived of her right under the Constitution to appoint and commission such officers for her troops, and to keep them in service as long as she pleases, or shall the President, at his pleasure, dismiss from service, without trial, as many State officers as he thinks proper? Without arguing so grave a constitutional question, your committee will only say that if such power is legitimately vested in the President, the right reserved to the State, of appointing its officers, may easily be rendered of no avail.

Under all the circumstances, your committee is of opinion, that the President of the United States would promote the public service, and highly gratify the people of Kentucky, by ordering Col. McHenry to report himself for duty at the head of his regiment. The adoption of the following resolutions is therefore recommended:

Resolved, That the President of the United States be respectfully requested to rescind so much of General Order No. 199 as purports to dismiss Col. John H. McHenry, Jr., from the service of the United States.

Resolved, That the Governor be requested to send a copy of the foregoing report and resolution to the President of the United States.
Mr. Allen moved an amendment:

Resolved further, That the President of the United States be requested to attend to the early promotion of Col. McHenry.

Which amendment was adopted.

Said report and resolution, as amended, were then unanimously adopted.

And then the House adjourned.

TUESDAY, FEBRUARY 3, 1863.

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

An act in relation to the circuit and appellate judges and chancellor in this Commonwealth.

That they had passed a bill, entitled,

An act to amend an act, entitled, an act to amend the charter of the city of Paducah.

A message was received from the Governor, by Mr. Wickliffe, Secretary of State, transmitting the reports of the Adjutant General and Quartermaster General.

[For Report—see Legislative Document, No. 21.]

Also, the report of the Commission appointed to visit the sick and wounded at Murfreesboro'.

Said report reads as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, February 3, 1863.

Shortly after the late bloody battle of Stone River, in front of Murfreesboro', in which a large number of the Kentucky soldiers took a prominent part, I appointed a Commission to visit the hospitals in that vicinity to look to the interests of our sick and wounded troops, and minister to their wants and comforts.

The commission was composed of P. Swigert, Esq., of Frankfort, and Dr. W. S. Chipley, of Lexington. They promptly accepted the
trust confided to them, and hastened to the performance of the duties thereby imposed.

Acting as they did in conjunction with the United State Sanitary Commission—a noble, philanthropic and patriotic institution located at Louisville—and as their temporary agents in the distribution of their noble charities, they were the means of doing immense good and of diffusing an amount of substantial beneficence that is incalculable.

This commission returned last week from their labors of philanthropy and patriotism, and communicated to me the result of their mission in a report, which is herewith submitted for your consideration.

I take occasion to add that the Commonwealth is under lasting obligations to Messrs. Swigert and Chipley for thus promptly obeying its summons to a work involving, at a most inclement season of the year, so much of toil, care and responsibility; and that too without the hope or expectation of any other reward than that of duty faithfully performed towards their suffering fellow-countrymen.

The report of the Commission accompanies this communication.

J. F. ROBINSON.

FRANKFORT, January 30, 1863.

His Excellency, J. F. Robinson, Governor:

The enclosed is submitted as our report under your Commission to visit the sick and wounded Kentucky soldiers in the army of the Cumberland, &c. Respectfully yours,

W. S. CHIPLEY,
P. SWIGERT.

His Excellency, J. F. Robinson, Governor:

Having received your instructions, the undersigned proceeded at once to Nashville and Murfreesboro', Tenn., for the purpose of ascertaining the sanitary condition of the patriotic volunteers who represent in the field the valor and loyalty of Kentucky. Wherever our mission brought us in contact with the military authorities we were cordially received, and every facility afforded for discharging the duties assigned us.

On our arrival at Louisville we found that the Sanitary Commission of that city had anticipated our coming, and had already procured transportation for us on board of the steamer Lady Franklin. There was committed to our charge, for distribution to the sick and wounded of the Army of the Cumberland, over three hundred boxes and packages of sanitary stores, consisting of clothing suitable for the sick and wounded, fruits, jellies, solidified milk, etc. These were turned over
to the Agent of the U. S. Sanitary Commission at Nashville, and ere this, we trust, a large portion of these offerings to patriotism and humanity have been so dispensed as to afford comfort to hundreds who are languishing on beds of sickness, or who are, for the time, disabled by wounds received while struggling for the maintenance of constitutional government and the preservation of the integrity of the Union. Nine wagon loads of sanitary goods were sent to the hospitals at Murfreesboro' while we were in Nashville.

We take the liberty of saying that it would be difficult to overestimate the extent and value of the operations of the U. S. Sanitary Commission. The branch of the association at Louisville alone has dispatched to the Army of the Cumberland over one thousand boxes and packages of stores for the sick and wounded since the battle of Stone River. To these generous offerings, and to the ministration of State and sanitary agents, the unfortunate sufferers of the army have been greatly indebted for many comforts that would not otherwise have been at hand, and could not have been purchased on the spot at any price.

The rations allowed by the Government are exceedingly liberal—far more bountiful and varied than those furnished by any other nation—but they do not include many of the delicacies so palatable and serviceable to the sick. It is, perhaps, not practicable for the Government to do more than is now required by existing regulations, nor can they dispense with certain forms which are at times the cause of unfortunate delays. This opens a wide field for the exercise of benevolence on the part of States, voluntary associations and individuals. Freed, in a great measure, from the tedious forms necessary to the systematic operations of the Government, prompt and effectual relief is secured in all cases as they present themselves. Thus the U.S. Sanitary Commission and State agents have afforded relief to thousands who might otherwise have suffered the consequences of unavoidable delay.

We allude thus to the operations of the above named noble and philanthropic association because we saw the sick and wounded enjoying their gifts, and because we have reason to believe that much of the neatness and comfort of our military hospitals are due to the care and attention bestowed upon them by the members and agents of the association.

We visited many of the hospitals, and it affords us great pleasure to say that we found their accommodations far better than we had been taught to expect. Many of them are models of neatness and comfort, and we cannot call to mind any instance of palpable neglect on the part of those having charge of these institutions. Gentleness and kindness seemed to prevail in a remarkable degree. All the patients are provided with cots or bedsteads and an abundant supply of bed-clothes. We found the surgeons in charge and their assistants courteous and obliging; and the condition of the patients, the skillful and careful manner in which their wounds were dressed, and the cheerful and buoyant disposition manifested by the sick and wounded, impressed us very favorably in regard to the qualifications, industry and watchfulness of the medical gentlemen to whose care they had
been confided. There need be no apprehension at home that our sick and wounded soldiers of the Army of the Cumberland will be neglected. If it is possible for an incompetent, unkind, or negligent surgeon to obtain a place in one of the hospitals, he cannot long retain it under the administration of the Medical Directors, whose sleepless vigilance is ever active in behalf of the afflicted soldier.

The wants of the sick and wounded of no army in the world were ever so bountifully supplied as in the army of the United States. In making this observation we do but repeat the observation of distinguished foreign officers and surgeons who have visited the Army of the Cumberland. Individual instances of hardship will be found where such immense numbers are concerned, and those alone would offer sufficient inducement for the continued efforts of the philanthropic to guard against a single occurrence of the kind.

We did not confine our attention wholly to the hospitals. We visited the camps and had the pleasure of meeting many of the noble and valiant sons of Kentucky. We found them cheerful and eager to meet the foe, confident of the ability of the army to win a victory that may close the contest in the West. Rations are now abundantly supplied, and the Kentucky troops, to whom our attention was particularly directed, were generally well supplied with clothing, blankets, etc. There was a deficiency in some of the regiments—shirts, drawers and socks especially were needed. We doubt not these wants will be soon supplied, as a large shipment of these articles have been recently made by the Government, and at Louisville, on our return, we were gratified to meet an agent from the Sanitary Commission of Lexington on his way to Murfreesboro' with a large quantity of the same articles. These are already on board of a steamer, and we hope they will speedily reach their destination.

Both in camp and in the hospitals we heard many expressions of gratification when the soldiers were informed that we were commissioned by your Excellency to visit them and to inquire into their welfare and to ascertain their wants. These expressions increased our regret that time did not permit us to visit every regiment in the field. Such evidence of official and kindly interest in the welfare and comfort of our soldiers affords them much pleasure, and is well calculated to encourage them amid the hardships incident to war.

We are pleased to have been made the bearers to your Excellency of the tattered remains of three flags that were nobly borne amidst the storm of battle by the gallant sons of Kentucky. They are no longer fit for use in the field, and are sent to your Excellency with the hope that they may not be thought unworthy of a place of honor in the archives of the State. There are interesting incidents connected with each one of these standards.

It will be observed that the colors of the 8th Regiment, Col. Barnes, is almost completely destroyed. It was upheld amid showers of shot and shell by Edgar Park, Company O, until the missiles of the foe had pierced, again and again, its every fold. Finally the staff was twice struck and shivered to pieces—the enemy was crowding closely around the undaunted standard-bearer, the broken staff could no longer be grasped, but he quickly gathered the remnants of the flag and bore
them safely to those who had defended it with an intrepidity rarely equalled and never surpassed.

The colors of the 9th Regiment, Col. Grider, have waved in triumph in many brilliant skirmishes—at Shiloh and in the battle of Stone River. In the latter engagement the standard-bearer, John T. Raglan, was killed at his post. In a moment the colors were seized by Private Moses Roach, who begged the Colonel, then near at hand, to permit him to retain them, declaring that he would plant and defend them wherever the Colonel might desire. He redeemed his pledge, and the remnants now returned to the State exhibit many marks of the terrible encounter through which they passed.

The third flag is that of the 21st Regiment, Col. Price. It was borne in the battle by Corporal E. C. Hockersmith. At one time the Corporal seemed to be within the grasp of the enemy, who were vigorously pushing our troops back. There appeared to be no hope of escape, and he was summoned to surrender. His reply was worthy of the brave and undaunted soldier: "I surrender my person, but my flag never!" At the same time he threw the flag by a vigorous effort far into the river. This did not escape the notice of another gallant soldier. Sergeant John T. Gunn rushed forward and promptly recovered the colors, from which he did not part until he had planted them on some captured pieces of artillery at the time of the capture. We are happy to say that by some sudden turn in the tide of battle, Corporal Hockersmith had the good fortune to escape capture.

These standards around which cluster so many glorious memories, it is hoped will be placed in the archives of the State as mementoes of the daring of our soldiers, while others will be furnished to take their places in the field, inscribed with the name of "Stone River," where the bravery and endurance of the sons of Kentucky were so conspicuously displayed.

It is proper to say that we heard of interesting incidents connected with the defense and preservation of the colors of other regiments, but we regret to say that we did not have an opportunity to visit the regiments to which they belong. They will doubtless be returned accompanied by a history of their adventures in the field.

We cannot forbear to refer to the present desolate condition of that portion of Tennessee over which we passed. The once beautiful city of Nashville wears a dilapidated appearance, and is fast falling into ruins. The magnificent country around the city, once so charming for its elegant suburban residences and its expensive and tasteful landscape gardening, is a waste.

Between Nashville and Murfreesboro' no fences remain, and few houses relieve the appalling desolation which everywhere strikes the eye of the observer. We did not see a single domestic animal or fowl in the whole distance of thirty miles. Would that our misguided fellow-citizens who have sympathized with our enemies, and have given encouragement to an invasion of our State, could have an opportunity to witness the scenes that have fallen under our observation. We think if patriotism has failed to exert a salutary influence, the lower motive of self-interest, and the ordinary impulses of humanity, might prove effective. Under a successful invasion of our State we could
not hope to evade the sad fate of Tennessee. There the evidences of civilization are rapidly fading away, and a vast proportion of her people are already reduced to want and wretchedness. May our beloved Commonwealth escape so terrible a calamity.

Your obedient servants,

W. S. CHIPLEY,
P. SWIGERT.

FRANKFORT, January 27, 1863.

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

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 school districts Nos. 17, 18, 35, and 57, in Whitely county.

An act to incorporate the German American School Association of Owensboro.

An act to amend an act to incorporate the Deposit Bank of Paris, approved March 7, 1851.

An act to incorporate the Kentucky book, job and news printing association.

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

An act providing for the payment of a judgment of Martin Looker & Co. against the Commonwealth.


An act to amend the charter and laws of the city of Newport, in Campbell county.

An act to amend section 614, Civil Code of Practice.

An act providing for the collection of the tax upon the enrolled militia for the year 1862.

An act allowing further time to certain sheriffs to return their delinquent lists in the collection of the revenue and county levy.

An act in relation to school districts Nos. 4 and 21, in Campbell county.

An act for the benefit of A. D. Kennedy.

An act providing for the collection of the uncollected revenue of 1862, in the county of Fleming.

An act to provide certain public books for the use of the Morgan circuit and county courts.
An act for the benefit of the town of Somerset.

An act in relation to the settlement of the public revenue for the county of Trimble for the year 1862.

An act for the benefit of the late clerks of this Commonwealth.

An act allowing John Jones, of Lawrence county, to erect a mill-dam across Wolfe Creek.

An act to repeal in part an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts, approved February 28, 1862.

An act to amend the 7th section of an act, entitled, an act to establish a levy and county court for Jefferson county, approved February 25th, 1854.

An act to confer certain powers upon the clerk of the Kenton county court, and his deputies.

An act to repeal an act, entitled, an act regulating the time of holding quarterly courts, so far as the same is applicable to the county of Union, and establishing four terms of said court in said county.

An act to amend the charter of the Springfield Union Agricultural and Mechanical Association.

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

An act for the benefit of N. P. Sanders.

An act to incorporate Flemingsburg College.

An act to incorporate the Vanceburg Male and Female School.

An act to amend an act, entitled, an act to regulate the town of Falmouth, approved February, 1836.

An act concerning the office of the sheriff of Marion county.

Also, a resolution which originated in this House, entitled, Resolution concerning claims of our citizens against the National Government.

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 Pearson & King, praying compensation for coffins, hearse, &c., for General James S. Jackson, Col. Jouett, and Major Campbell.

2. Mr. Rigney presented the petition of sundry citizens of Columbia, praying an amendment to their charter.

3. Mr. Martin presented the petition of John G. Anderson, in relation to schools taught in Livingston county in 1861.
4. Mr. Poindexter presented the petition of John P. Ritter, Regimental Adjutant of the 25th Regiment of Kentucky Volunteer Infantry, praying compensation for services rendered.

5. Also, the petition of Young J. Means, assessor of Christian county, praying an amendment to the revenue laws.

6. Mr. Mercer presented the petition of sundry citizens of Ballard county, praying an act of incorporation, &c.

Which were received, the reading dispensed with, and referred—the 1st and 4th to the committee on Military Affairs; the 2d to the committee on Corporations; the 3d to the committee on Education, and the 5th and 6th to the committee on Ways and Means.

On motion of Mr. Poindexter,

Leave was given to bring in a bill for the benefit of John W. Campbell, late surveyor of Christian county.

Ordered, That said leave be referred to the committee on Propositions and Grievances.

Mr. Underwood, from the committee on Military Affairs, reported a bill, entitled,

An act 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.

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 fill the blank in said bill with the word "three."

On motion of Mr. Ireland,

Ordered, That the Public Printer forthwith print 150 copies of said bill for the use of the members of this General Assembly, and that the same be made the special order for Thursday next, at 11 o'clock.

Mr. Underwood, from the same committee, reported a bill, entitled,

An act to provide for taking proof to establish claims against the United States or this State, for personal services.

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

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

Ordered, That said bill be made the special order for Thursday next, at 11 o'clock.
Mr. Underwood, from the same committee, also reported a bill, entitled,
An act for the benefit of E. J. Wilson.
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 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 same committee, to whom was referred the resolution offered by Mr. Rousseau, on the 15th January last, reported the same without amendment.
Which was adopted.

Mr. Underwood, from the same committee, to whom was referred leave to bring in a bill to provide for erecting a house for Headquarters of Adjutant General and Quartermaster General, and for the safe-keeping of the military records of the State, asked to be discharged from the further consideration thereof.
Which was granted.

Mr. Finnell, from the committee on Banks, to whom was referred the petition of L. Ward and son, of Carrsville, Ky., in regard to small change, asked to be discharged from the further consideration thereof.
Which was granted.

Mr. Chandler, from the committee on County Courts, to whom was referred the resolution offered by Mr. Owings, in regard to called terms of the County Courts, asked to be discharged from the further consideration thereof.
Which was granted.

Mr. Finnell, from the committee on Banks, to whom was referred a bill from the Senate, entitled,
An act to amend 3d section of the 10th article of the 28th chapter of the Revised Statutes,
Reported the same without amendment.
Ordered, That said bill be recommitted to the committee on Banks.

Mr. Allen, from the committee on the Sinking Fund, to whom was referred the petition of Newton Craig, reported a bill, entitled,
An act to authorize the Commissioners of the Sinking Fund to purchase a lot in Frankfort for the State

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

Mr. Ward 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. Chandler moved the following resolution, viz:

Resolved, That the Speaker of this House be requested to appoint a special committee, composed of five members, whose duty it shall be to immediately enter into a correspondence with the Legislatures of Ohio, Indiana, and Illinois, with a view to a conference, by this Legislature, with those bodies, on the present alarming condition of the country.

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

Mr. Wolfe moved the following resolution, viz:

Resolved, That the committee on Federal Relations inquire into the expediency of requesting the Legislatures of the several States now in session, to appoint committees or commissioners to meet a committee on behalf of this Legislature, to meet at Louisville, on the 22d inst., to confer together on the present condition of our national affairs.

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

The following bills were reported, viz:

By Mr. R. J. Browne, from the committee on Banks—
1. A bill to amend the charter of the Springfield Deposit Bank.

By Mr. Chandler, from the committee on County Courts—
2. A bill to change the time of holding the Butler county court.

By Mr. Cleveland, from the same committee—
3. A bill to amend an act incorporating the Bracken Academy.

By Mr. John B. Cochran, from the committee on Incorporated Institutions—
4. A bill to incorporate Sherburn Chapter of Royal Arch Masons, in the county of Fleming.

By same—

By same—

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6. A bill to amend the charter of the town of Springfield.
Which were read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bills having been dispensed with,
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 for the relief of persons who have violated an act approved August 30, 1862, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office,
Reported the same with a substitute, by way of amendment.
Which amendment was adopted.
Mr. Wolfe moved to postpone the further consideration of said bill till the first day of March next.
Which motion the Speaker (Mr. Shanklin in the Chair) decided was not in order.
And then the House adjourned.

WEDNESDAY, FEBRUARY 4, 1863.

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 Howard Todd, sheriff of Owen county.
An act changing the time of holding the June term of the Trimble circuit court.
An act for the benefit of Stitts & Campbell, of the county of Nicholas.
An act for the benefit of the town of Hodgenville.
With amendments to the last named bills.
That they had passed bills of the following titles, viz:
An act for the benefit of R. L. Ellison, late clerk of the Calloway circuit court.
An act for the benefit of the sheriff of Whitley county.
An act for the benefit of the Sinking Fund of the Louisville and Nashville railroad for Hart county.
Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills which originated in this House, of the following titles, viz:
An act to incorporate the United Evangelical St. Paul’s Church, of Newport.
An act to charter the Right Worthy Grand Lodge of the United Order of Ancient Fellows, of the State of Kentucky.
An act in relation to the circuit and appellate judges and chancellors of this Commonwealth.
An act to amend the charter of the Paris and Jackstown turnpike road company.
An act for the benefit of the sheriff of Grant county.
An act to incorporate the Salt Creek Bridge Company.
An act for the benefit of William G. Wade, late sheriff of Simpson county.
An act for the benefit of Thomas B. Harrison, late sheriff of Logan county.
Also, bills which originated in the Senate of the following titles, viz:
An act for the benefit of H. P. Melton, guardian for Josephine Cothes.
An act for the benefit of M. M. Lyon, late sheriff of Lyon county.
An act for the benefit of the Rough Creek Navigation and Manufacturing Company.
An act to incorporate Home Lodge, No. 29, Independent Order of Odd Fellows of Louisville, Kentucky.
1. Mr. R. C. Anderson presented the petition of L. Hord, A. W. Dudley, and Joseph Belt, praying compensation for acting as arbitrators in Franklin circuit court in case Commonwealth against N. Craig, &c.
2. Mr. Rousseau presented the petition of citizens of school districts in Metcalfe county, in relation to common schools, &c.
3. Mr. Barnes presented the petition of school district No. 1, of Bath county, in relation to a school in said district.
4. Mr. Burnam presented the petition of Moses Burnet, Esq., of Louisville, in relation to taxation of costs.

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

The House then proceeded to the consideration of the unfinished order of yesterday, viz:

An act for the relief of persons who have violated an act approved August 30, 1862, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office.

The Speaker (Mr. Buckner being in the Chair) decided that the motion of Mr. Wolfe, on yesterday, was in order.

The question was then taken upon postponing the further consideration of said bill until the 1st day of March next, 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, Remus Gibson, George Poindexter,
Jas. W. Anderson, John H. Harney, Nicholas A. Rapier,
E. B. Bachelder, William C. Ireland, M. Smith,
John C. Beeman, Urban E. Kennedy, Harrison Taylor,
Thomas S. Brown, Perry S. Layton, Alex. T. White,
John Draffin, Thomas Z. Morrow,

Those who voted in the negative, were—

Mr. Speaker. (Buckner,)John C. Cooper, Richard Neel,
R. C. Anderson, Daniel E. Downing, Thos. W. Owings,
Joshua Barnes, Elijah Gabbert, Hiram S. Powell,
Elisha Beazly, Evan M. Garrett, William S. Rankin,
John W. Blue, Henry Griffith, John Ray,
J. W. Boone, Geo. M. Hampton, Joseph Ricketts,
Wm. S. Botts, Jacob Hawthorne, F. D. Rigney,
Wm. Bowling, W. J. Heady, William Roberts,
Leroy Brinkley, John M. Henry, James A. Rousseau,
R. J. Browne, John Humphries, J. C. Sayres,
W. P. D. Bush, John B. Huston, R. A. Spalding,
James Calvert, Daniel W. Johns, James P. Sparks,
Cyrus Campbell, James M. Jones, John R. Thomas,
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. Rankin, from the committee on the Judiciary, to whom was referred

A bill authorizing the Governor to offer rewards for the apprehension of persons indicted for stealing slaves,

Reported the same without amendment.

The question was then taken on ordering said bill to be read a second time, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) George M. Hampton, John Ray,
Alfred Allen, John H. Harney, Wm. Roberts,
Joshua Barnes, William J. Heady, James A. Rousseau,
J. W. Blue, John M. Henry, J. C. Sayres,
J. W. Boone, John Humphries, Geo. S. Shanklin,
W. P. D. Bush, Jonas Martin, M. Smith,
J. W. Campbell, John S. McFarland, Robert A. Spalding,
A. B. Chambers, David P. Mears, Harrison Taylor,
Jos. H. Chandler, William Mercer, Joshua Tevis,
Francis L. Cleveland, Felix G. Murphy, Thomas Turner,
Robert Cochran, Richard Neel, Wm. H. Van Pelt,
William L. Conklin, Thomas W. Owings, Zeb. Ward,
John C. Cooper, George Poindexter, W. W. Warring,
Daniel E. Downing, Larkin Proctor, Nathaniel Wolfe—46,
Evan M. Garriott, Nicholas A. Rapier,
Henry Griffith,

Those who voted in the negative, were—

Jas. W. Anderson, John B. Cochran, Perry S. Layton,
R. C. Anderson, John Drafen, Jas. M. C. Lisenby,
E. B. Bacheller, John W. Finnell, Alexander Lusk,
Elisha Beazly, Elijah Gabbert, Thomas Z. Morrow,
William S. Botts, Remus Gibson, Hiram S. Powell,
Wm. Bowling, Jacob Hawthorne, William S. Rankin,
Leroy Brinkley, Joseph W. Heeter, Joseph Ricketts,
Mr. John B. Cochran moved to amend said bill by inserting after word "slaves," "or other property."

Which amendment was adopted.

Mr. Botts moved to amend by adding:

"When it shall be certified to the Governor by the jailer of the county that the party indicted has been lodged in the jail of the county where the offense was committed."

Which amendment was adopted.

Mr. Huston, from the committee on Revised Statutes, to whom was referred a bill, entitled,

An act to amend the law concerning executions,

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 having been dispensed with, and the same being engrossed,

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

Mr. John R. Thomas, from the committee on the Judiciary, to whom was referred the petition of George H. Morrow and L. D. Husbands, in regard to conferring additional powers on the county courts in relation to settlement of decedents' estates, asked to be discharged from the further consideration thereof.

Which was granted.

The following bills were reported, viz:

By Mr. Rankin, from the committee on the Judiciary—

1. A bill to amend an act, entitled, an act to amend the 9th section, chapter 47, of the Revised Statutes, title Husband and Wife, approved August 31, 1862.

By same—

2. A bill to amend an act, entitled, an act to charter the Union turnpike road company.

By Mr. Ricketts, from the same committee—
3. A bill for the benefit of the executors of William Ricketts, deceased.
   By Mr. Botts, from the same committee—
4. A bill for the benefit of Sarah Godshaw.
   By Mr. Taylor, from the committee on Ways and Means—
5. A bill to amend an act, entitled, an act to establish an Institution for the Education of Idiots and Feeble-minded children.
   By same—
   By same—
7. A bill for the benefit of Isaac Gastineau, late sheriff of Pulaski county.
   By same—
8. A bill for the benefit of the widow of James Sudduth, dec'd.
   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 dispersed 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 dispersed 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 8th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Comklin, Alfred Allen, Wm. L. Conklin, John C. Cooper, Richard Neel,
Jas. W. Anderson, Daniel E. Downing, John Draffin, Thos. W. Owings,
R. C. Anderson, John W. Finnell, Elijah Gabbert, George Poindexter,
E. B. Bacheller, Remus Gibson, John W. Finnell, Hiram S. Powell,
Joshua Barnes, Elijah Gabbert, Remus Gibson, Larkin Proctor,
Elisha Beazly, R. C. Anderson, John W. Finnell, Wm. S. Rankin,
John C. Beeman, Henry Griffith, John W. Finnell, John Ray,
William S. Botts, John H. Harney, Reuben Gibson, Joseph Ricketts,
Wm. Bowling, Jacob Hawthorne, John B. Huston, F. D. Rigney,
Leroy Brinkley, William J. Headly, James A. Rousseau, J. C. Sayres,
R. J. Browne, John B. Huston, James P. Sparks, George S. Shanklin,
Thomas S. Brown, William C. Ireland, James P. Sparks, James A. Rousseau,
Curtis F. Burnam, Daniel W. Johns, Harrison Taylor, J. C. Sayres,
James Calvert, J. M. Jones, Joshua Tevis, George S. Shanklin,
Cyrus Campbell, Urban E. Kennedy, Thomas Turner,
Those who voted in the negative, were—

J. W. Boone, John M. Henry, Felix G. Murphy,
W. P. D. Bush, John Humphries, Nicholas A. Rapier,
A. B. Chambers, Jas. M. C. Lisenby, William Roberts,
Joseph H. Chandler, Alexander Lusk, Robert A. Spalding,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of five hundred dollars, out of any money in the treasury not otherwise appropriated, be paid to Mrs. Ellen Sudduth, the widow of James Sudduth, deceased, late of the county of Bath, who was wilfully murdered in that county by a band of guerrillas in the month of October, 1862, to compensate her for the money expended by her husband, and services rendered by him to the State, in defending it against the invasion of lawless bands of guerrillas and robbers that infested that part of it.

§ 2. This act to take effect from and after its passage.

The House then took up the bill, entitled,
An act to change the county lines between Henry and Trimble counties.

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. Garriott and Hampton, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, John Draffin, Perry S. Layton,
Jas. W. Anderson, John W. Finnell, Alexander Lusk,
E. B. Bacheller, Elijah Gabbert, Jonas Martin,
Joshua Barnes, Remus Gibson, William Mercer,
Elisha Beazley, Henry Griffith, William S. Rankin,
John C. Beeman, John H. Harney, Nicholas A. Rapier,
William S. Botts, Jacob Hawthorne, John Ray,
Wm. Bowling, John M. Henry, Joseph Ricketts,
R. J. Browne, John B. Huston, F. D. Rigney,
Thos. S. Browne, Daniel W. Johns, James P. Sparks,
James Calvert, J. M. Jones, Harrison Taylor,
Cyrus Campbell, Urban E. Kennedy, Nathaniel Wolfe—37.
Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Larkin J. Proctor,
J. W. Blue, Evan M. Garriott, Wm. Roberts,
J. W. Boone, Geo. M. Hampton, James A. Rousseau,
Curtis F. Burnam, William J. Heady, George S. Shanklin,
W. P. D. Bush, John Humphreys, Robert A. Spalding,
A. B. Chambers, Wm. C. Ireland, Thomas Turner,
Joseph H. Chandler, John S. McFarland, Joseph R. Spalding,
John B. Cochran, David P. Mears, W. W. Warring,
Robert Cochran, Felix G. Murphy, Alex. T. White—32.
William L. Conklin, Richard Neel,
John C. Cooper, George Poindexter.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the county line, as now existing between the counties of Henry and Trimble, shall be so changed as to run down the East Fork of Dougerty's creek, to where the first or original line of Trimble county crosses said creek; thence southwest, near the old line, so as to include W. T. Lucas and the residence of the late James Moore, and to Mrs. Martha Garriott's, excluding her; thence near the old line, so as to include the residence of Wilis Oliver and James M. Slaton, to the Bedford and Louisville road; thence with said road to the present line of Henry county; also, to include Lewis N. Hancock and his farm, near Sligo, in Henry county.

§ 2. This act to take effect from and after its passage.

The House then took up the resolution offered by Mr. Underwood, from the committee on Military Affairs.

On motion of Mr. Heady,

The further consideration thereof was postponed for the present.

The following bills were taken up, viz:

An act to authorize guardians, trustees of wards and cestui que trust to make investments in real estate.

An act to amend an act, entitled, an act to amend the law in relation to runaway slaves, approved December 19, 1861.

An act for the benefit of Geo. Long, a free man of color of Christian county.

An act to amend section 9, article 3, chapter 91, of the Revised Statutes.

An act for the benefit of Robert H. Emmerson, clerk of the Hickman county court.

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 House then took up the amendment of the Senate to a bill from this House, entitled,

An act applying the mechanics’ lien law to Lincoln, Bracken and Ohio counties.

Which amendment was concurred in.

The House then took up the resolution of Mr. Allen, viz:

Whereas, the hopes of the conservative and patriotic Union people of the nation are fixed on the next incoming Congress—be it therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That the President of the United States be requested to assemble that Congress as early as the 1st of May next.

Mr. Owings moved to strike out "May" and insert "5th March."

Which amendment was rejected.

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. Bush and Allen, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Wm. Bolling, Alexander Lusk, Wm. S. Rankin,
Elijah Gabbert, Hiram S. Powell, M. Smith—7.
James M. Jones,

The question was then taken upon adopting the preamble to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burnam and Jas. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Geo. M. Hampton, Nicholas A. Rapier,
Alfred Allen, John H. Harney, John Ray,
John C. Beeman, William J. Heady, F. D. Riggey,
John W. Blue, John M. Henry, Wm. Roberts,
J. W. Boone, John Humphries, George S. Shanklin,
W. P. D. Bush, John B. Huston, Robert A. Spalding,
A. B. Chambers, Urban E. Kennedy, Harrison Taylor,
Joseph H. Chandler, Jonas Martin, Joshua Tevis,
Francis L. Cleveland, John S. McFarland, John R. Thomas,
Robert Cochran, David P. Mears, Thomas Turner,
William L. Conklin, William Mercer, Joseph R. Underwood,
John C. Cooper, Felix G. Murphy, Zeb. Ward,
John Draffin, Thos. W. Owings, W. W. Waring,
Evan M. Garrett, Larkin Proctor, Nathaniel Wolfe—43.

Those who voted in the negative, were,

Jas. W. Anderson, Cyrus Campbell, Perry S. Layton,
R. C. Anderson, J. W. Campbell, Alexander Lusk,
Joshua Barnes, John B. Cochran, Thomas Z. Morrow,
Elisha Beazley, Daniel E. Downing, George Poindexter,
William S. Botts, John W. Fianell, Hiram S. Powell,
Wm. Bowling, Elijah Gabbert, William S. Rankin,
Leroy Brinkley, Remus Gibson, Joseph Ricketts,
R. J. Draffin, Jacob Hawthorne, J. C. Sayres,
Thomas S. Brown, William C. Ireland, M. Smith,
Curtis F. Burnam, Daniel W. Johns, James P. Sparks,
James Calvert, J. M. Jones, Alex. T. White—33.

The question was then taken upon adopting said preamble and resolution, and it was decided in the affirmative.

Bills from the Senate of the following titles, viz:

2. An act repealing the 3d section of chapter 320 of an act, entitled, an act to incorporate the Library Association, approved February 18, 1860.
3. An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.
4. An act to change the time of holding the quarterly, police, and justices' courts of Butler county.

5. An act for the benefit of Henri F. Middleton.

6. An act for the benefit of the collector of revenue of Franklin county.

7. An act to repeal an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts.

8. An act authorizing the Board of Managers of the Western Lunatic Asylum to appoint a Superintendent of said Institution.

9. An act appropriating money to the Western Lunatic Asylum.

10. An act limiting the time for prosecuting appeals to the court of appeals.

11. An act to amend an act, entitled, an act to provide a more efficient police department in the city of Louisville.

12. An act to amend an act, entitled, an act to amend the charter of the city of Paducah.

13. An act for the benefit of the sheriff of Whitley county.


15. An act for the benefit of R. Ellison, late clerk of the Calloway 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 being dispensed with,

The 1st, 5th, 6th, 13th and 15th were referred to the committee on Ways and Means; the 2d to the committee on Education; the 3d to the committee on Revised Statutes; the 4th, 7th, and 14th to the committee on County Courts; the 8th, 11th, and 12th to the committee on Corporations; the 10th to the committee on the Judiciary, and the 9th was made the special order for Friday next, at 11 o'clock.

The House then took up the resolution from the Senate requesting Congress to pass laws providing for paying Kentucky Home Guards.

Ordered, That said resolution be referred to the committee on Military Affairs.

And then the House adjourned.
THURSDAY, FEBRUARY 5, 1863.

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 Isaac N. Hill.
An act for the benefit of B. T. Shepherd, late sheriff of Carter county.
An act for the benefit of William I. Thomas, clerk of the Henry county court.
An act to provide for paying in advance one month's pay to soldiers enlisting for nine months.
An act to legalize the acts of the clerk of the Johnson county and circuit courts.
An act for the benefit of Fayette county.
An act to amend the charter of the city of Lexington.
An act to amend the charter of the city of Maysville.
An act to enlarge the town boundary of Dover, in Mason county.
An act for the benefit of the marshal of Campbellsville.
An act to amend an act, entitled, an act for the benefit of the town of Dycensburg, in Crittenden county.
An act authorizing sheriffs and other collecting officers to attach for the payment of the State revenue and county levy.
With an amendment to the last named bill.

That they had concurred in the amendment adopted by this House to a bill from the Senate, entitled,

An act to amend an act, entitled, an act to amend the revenue laws of this Commonwealth, approved February 25, 1862.

Mr. Neel presented a petition of sundry citizens of Limestone District, in Graves county, praying a division of said district.

Which was received, the reading dispensed with, and referred to the committee on County Courts.

The following bills were reported by Mr. Turner, from the committee on Ways and Means, viz:
1. A bill for the benefit of John S. Wyatt, late sheriff of Montgomery county.
2. A bill for the benefit of Madison Stewart and John R. Ewin, sureties of the late sheriff of Powell 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.

The yeas and nays being required on the passage of said 1st bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

Said 1st bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John S. Wyatt, late sheriff of Montgomery county, be and he is hereby entitled, in the settlement of his revenue account for 1862, to a credit of $182 07, for interest paid upon a judgment against him for the revenue of 1861.

§ 2. This act shall take effect from and after its passage.
Mr. Taylor, from the committee on Ways and Means, to whom was referred sundry petitions of citizens of Louisville, reported
A bill to amend the law in relation to tax on billiard tables.
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 to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Martin and Morrow, 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 the tax to be paid into the public treasury on a license to keep a billiard table, shall be fifty dollars on each table, in-
stead of the tax now required by law: Provided, however, That this act shall not include any billiard table now licensed, until the time for which such license was granted shall expire.

§ 2. This act shall take effect from and after its passage.

Mr. Chambers moved to reconsider the vote rejecting the bill, entitled,

An act to authorize the Commissioners of the Sinking Fund to purchase a lot in Frankfort for the State.

The House took up the special order, viz:

An act 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. Rankin moved to amend said bill by filling the blank with "5."

Which amendment was rejected.

The question was then taken upon adopting Mr. Underwood's amendment, and it was decided in the affirmative.

And the blank was filled with "3."

Mr. Rankin then moved an amendment, viz:

Amend 3d section by striking out, after the word "any," in the 5th line, and all of the 6th line, and inserting, "commissioner appointed by the Governor; and such commissioner is hereby authorized."

Amend 4th section by striking out the word "examiner," wherever it occurs, and inserting the word "commissioner."

Add the following additional section:

§ 5. The Governor shall have power to appoint one commissioner in each county, to take the proof provided for in this act, who shall take an oath faithfully to discharge the duties of his office.

Which amendment was rejected.

Mr. Harney moved the following amendment, viz:

After the word "witnesses," in the 25th line, insert, "and he shall also, if possible, give the name or names, or description of person or persons who took away or destroyed such property."

Which amendment was adopted.

Mr. Underwood moved the following amendment, viz:

§ 5. The witnesses summoned to testify in behalf of the State or United States, shall be allowed the same fees as are now allowed by law to witnesses in civil cases pending in circuit courts; and the examiner shall certify the number of days each witness attended, and the number of miles traveled, upon the affidavit or deposition of such witness; and their fees shall be paid on the certificate of the Adjutant General, which being filed with the Auditor, he shall draw his warrant on the treasury for the amount in favor of the witness.

Which amendment was adopted.
Mr. Turner moved to recommit the bill to the committee on Military Affairs, with the following instructions, viz:

Enquire into and report what class of claims it is right and proper for the State of Kentucky to pay; and that they so shape the bill as to provide for taking proof alone in the class of cases which the State ought to pay.

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

Mr. Ireland moved to amend the bill, viz:

Amend 3d section by adding after the word “testifies,” in the 4th line, “and whether or not he has any interest, directly or indirectly, in the claims, and if so, what that interest is.”

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 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,
Alfred Allen, John Draffin,
Jas. W. Anderson, John W. Finnell,
R. C. Anderson, Elijah Gabbert,
E. B. Bacheiler, Evan M. Garrett,
Joshua Barnes, Remus Gibson,
Elisha Beazley, Henry Griffith,
John C. Beeman, Geo. M. Hampton,
John W. Blue, John H. Harney,
J. W. Boone, Jacob Hawthorne,
William S. Botts, William J. Heady,
Wm. Bowling, John M. Henry,
Leroy Brinkley, John Humphries,
R. J. Browne, John B. Huston,
Thomas S. Brown, Wm. C. Ireland,
Curtis P. Burnam, Daniel W. Johns,
W. P. D. Bush, William Johnson,
James Calvert, J. M. Jones,
Cyrus Campbell, Urban E. Kennedy,
J. W. Campbell, Perry S. Layton,
A. B. Chambers, Jas. M. C. Lissaby,
Jos. H. Chandler, Alexander Lusk,

Richard Neel, James A. Rousseau,
Thos. W. Owings, J. C. Sayres,
George Poindexter, George S. Shanklin,
Hiram S. Powell, M. Smith,
William Proctor, Robert A. Spalding,
Nicholas A. Rapier, James P. Sparks,
John Ray, Harrison Taylor,
Joseph Ricketts, Joshua Tevis,
F. D. Rigney, John R. Thomas,
Wm. Roberts, Joseph R. Underwood,
James P. Sparks, Wm. H. Van Pelt,
In the negative—none.

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 of 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,
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:

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 to my personal property, to-wit:
One horse (or more, giving the number) taken off and used and never returned, or killed, wor h $__________
(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; and he shall also, if possible, give the name or names, or description, of the person or persons who took away or destroyed such property. 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 Adjutant General, on or before the 24th day of October next. It shall be the duty of the Adjutant General 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. The Adjutant General 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; and whether or not he has any interest, directly or indirectly, in the claim, and if so, what that interest is. 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 of any fact which may tend to show that the claimant gave aid and comfort to those engaged in rebellion; which deposition or depositions shall be returned to the Adjutant General; and for taking such deposition or depositions in behalf of the State, the examiner shall be allowed the same fees as are allowed for similar services in a civil suit, to be paid him on the certificate of the Adjutant General; on the production of which certificate to the Auditor, he shall draw his warrant on the treasury for the amount allowed in behalf of the claimant: Provided, however, That not more than three depositions shall be taken for the State in relation to the claim of the same person or party. For taking the affidavit or deposition of any witness in behalf of any claimant, the examiner shall be allowed the same fees as are allowed by law in similar cases, to be paid by such claimant.

§ 5. The witnesses announced to testify in behalf of the State, or United States, shall be allowed the same fees as are allowed, by law, to witnesses in civil cases, pending in circuit courts; and the examiner shall certify the number of days each witness attended, and the number of miles traveled, upon the affidavit or deposition of such witness; and their fees shall be paid on the certificate of the Adjutant General; which being filed with the Auditor, he shall draw his warrant on the treasury for the amount in favor of the witness.

§ 6. This act to be of force from its passage.
The House then took up the bill, entitled,
An act to authorize the appointment of agents to guard the interests of discharged soldiers, and to enable them to collect their arrear-ages of pay.

On motion of Mr. Underwood,
Ordered, That said bill be recommitted to the committee on Military Affairs.

The House then took up from the orders of the day the substitute to the bill to lay of the State into nine Congressional Districts.

Mr. Underwood moved to take Wayne, Clinton, and Russell from the 3d district, and add them to the 8th.

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

The yeas and nays being required thereon, 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, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Rigney and Proctor, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said substitute reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That for the purpose of choosing nine members of the House of Representatives in the Congress of the United States, under the eighth census, the State shall be divided into nine districts, in each of which one member shall be elected.

DISTRICT No. 1—Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Trigg, Lyon, Caldwell, Livingston, Crittenden, Union and Webster, shall compose the first district.

DISTRICT No. 2—Hopkins, Christian, Muhlenburg, Henderson, Daviess, McLean, Ohio, Hancock, Breckinridge, Grayson, Edmonson and Butler, shall compose the second district.

DISTRICT No. 3—Wayne, Russell, Adair, Cumberland, Clinton, Monroe, Metcalfe, Barren, Allen, Simpson, Warren, Todd and Logan, shall compose the third district.

DISTRICT No. 4—Anderson, Mercer, Meade, Hardin, Bullitt, Larue, Marion, Washington, Nelson, Spencer, Taylor, Green, Hart and Casey, shall compose the fourth district.

DISTRICT No. 5—Jefferson, Shelby, Oldham, Henry and Trimble, shall compose the fifth district.

DISTRICT No. 6—Gallatin, Boone, Owen, Grant, Kenton, Campbell, Pendleton, Bracken and Carroll, shall compose the sixth district.
DISTRICT No. 7—Garrard, Lincoln, Nicholas, Bourbon, Harrison, Clarke, Fayette, Jessamine, Woodford, Franklin, Scott, and Boyle, shall compose the seventh district.

DISTRICT No. 8—Perry, Breathitt, Letcher, Harlan, Knox, Clay, Owsley, Wolfe, Whitley, Laurel, Jackson, Estill, Madison, Rockcastle, and Pulaski shall compose the eighth district.

DISTRICT No. 9—Powell, Lewis, Greenup, Boyd, Fleming, Rowan, Carter, Lawrence, Morgan, Johnson, Floyd, Pike, Magoffin, Montgomery, Mason and Bath, shall compose the ninth district.

Mr. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" 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.

And then the House adjourned.

FRIDAY, FEBRUARY 6, 1863.

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 John A. Scroggin.

That they had passed bills which originated in this House, of the following titles, viz:

An act to authorize the use of the Rockcastle county jail to the county of Laurel.

An act in relation to the road law in Fayette county.

An act to legalize the records of the Anderson county court.

An act for the benefit of the Louisville and Bardstown turnpike road company.
An act for the benefit of William R. Hervey.
With an amendment to the last named bill.
Resolution concerning tolls due the State of Kentucky by the United States.

That they had passed a bill and adopted a resolution of the following titles, viz:
- An act for the benefit of the sureties of L. D. Owens, late sheriff of Henry county.
- Resolution in relation to the hire of convicts in the penitentiary.

Mr. Kennedy presented the petition of John P. Sullivan, of Todd county, in relation to his bar-room and hotel.
Which was received, the reading dispensed with, and referred to the committee on Ways and Means.

On motion,
Leave of absence was granted Messrs. Garriott and McFarland till Wednesday next; and Messrs. Desha and Morrow indefinitely.

On motion of Mr. Mercer,
Leave was given him to withdraw from the Senate a bill which passed this House, entitled,
- An act to change the county lines between Henry and Trimble counties.

Mr. Mercer then moved to reconsider the vote by which said bill was passed.

Mr. Cleveland presented a communication from F. A. Savage, in relation to coal oil.
Which was received, the reading dispensed with, and referred to the committee on Revised Statutes.

Mr. Taylor, from the committee on Ways and Means, to whom was referred Senate bills, reported the same without amendments, viz:
- An act for the benefit of the collector of revenue for Franklin county.
- An act for the benefit of Peter Longshore.
- An act for the benefit of R. L. Ellison, late clerk of the Calloway circuit court.
- An act for the benefit of the sheriff of Whitley 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.

Mr. Taylor, from the same committee, to whom was referred a bill from the Senate, entitled,
An act for the benefit of Lewis S. Lee, sheriff of Ballard county.
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.

The following bills were reported, viz:

By Mr. Taylor, from the committee on Ways and Means—
1. A bill for the benefit of John H. Allison, late sheriff of Lawrence county.
   By same—
2. A bill for the benefit of Joel W. Sallee, late sheriff of Pulaski county.
   By same—
3. A bill for the benefit of M. W. Galloway, late sheriff of the county of Graves.
   By same—
4. A bill to amend the revenue laws, allowing the sheriffs additional commissions for collecting the public revenue.
   By same—
5. A bill for the benefit of Andrew W. Foster, late sheriff of Allen county.
   By Mr. McFarland, from the committee on Internal Improvement—
6. A bill for the benefit of the Oregon turnpike road company.
   By same—
7. A bill concerning the Richmond, Otter Creek, and Boonsboro' turnpike road company.
   By Mr. Burnam, from the committee on Education—
8. A bill for the benefit of certain school districts in this State.
   By same—
9. A bill for the benefit of school district No. 48, in Shelby county.
   By same—
10. A bill for the benefit of school districts Nos. 8 and 26, in Campbell county.
By same—
11. A bill for the benefit of school district No. 16, in Wayne county;
By same—
12. A bill for the benefit of certain school districts in Fleming coun-
ty.

By Mr. Shanklin, from the committee on Circuit Courts—
13. A bill to abolish the June term of the Franklin circuit court, and to change the time of holding the February term of said court.

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

time.

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

The 1st, 2d, 3d, 5th, 6th, 7th, 9th, 10th, 11th, and 12th bills were
severally ordered to be engrossed and read a third time; the 4th, 8th, and 13th were placed in the orders of the day.

The 4th bill was ordered to be printed.

The rule of the House, constitutional provision, and third reading of
the 1st, 2d, 3d, 5th, 6th, 7th, 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.

The yeas and nays being required on the passage of said 5th bill by
the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John C. Cooper, Richard Neel,
Alfred Allen, Daniel E. Downing, George Poindexter,
Jas. W. Anderson, John Draffin, Hiram S. Powell,
R. C. Anderson, Elijah Gabbert, Larkin Proctor,
Jonathan R. Bailey, Remus Gibson, Wm. S. Rankin,
Joshua Barnes, Henry Griffith, John Ray,
John C. Beeman, Geo. M. Hampton, Joseph Ricketts,
John W. Blue, John H. Harney, F. D. Rigney,
J. W. Boone, William J. Heady, William Roberts,
William S. Botts, Joseph W. Heeter, James A. Rousseau,
Wm. Bolling, John M. Henry, J. C. Sayres,
Leroy Brinkley, John Humphries, George S. Shanklin,
R. J. Browne, John B. Huston, M. Smith,
Thomas S. Brown, William C. Ireland, R. A. Spalding,
Curtis F. Burnam, Daniel W. Johns, Harrison Taylor,
W. P. D. Bush, William Johnson, Joshua Tevis,
James Calvert, James M. Jones, Jos. R. Underwood,
J. W. Campbell, Urban E. Kennedy, Wm. H. Van Pelt,
A. B. Chambers, Perry S. Layton, John S. Van Winkle,
Joseph H. Chandler, James M. C. Lisenby, Zeb. Ward,
Those who voted in the negative, were—

Elisha Benzley, Alexander Lusk, James P. Sparks,

Said bill reads as follows, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,*

That in the settlement with Andrew W. Foster, late sheriff for the county of Allen, for the revenue due from that county for the year 1861, the Auditor of Public Accounts is directed to allow the said Foster a credit for the sum of seven hundred and eighty-five dollars, which the said Foster was compelled to pay to W. B. Clarke, commissioner of the Provisional Government of Kentucky, on the 16th day of January, 1862.

Mr. Wolfe, from the committee on Federal Relations, to whom was referred sundry resolutions, in reference to national affairs, made the following report as the report of a majority of said committee, viz:

Your committee, to whom was referred that portion of the Governor's message which treats of Federal Affairs, report, that they concur in the general spirit and purpose of the views expressed by His Excellency, and commend them to the consideration of the people of Kentucky.

We regret to observe that the present administration, and the party in power, have drifted away from their promises and pledges made at the commencement of the present deplorable contest, and have adopted a system of measures and practices that aid the rebels, multiply their numbers, and augment their determination.

Originally, the majority in all the seceded States, except one, perhaps, preferred the Union, and disapproved the rebellion. It was the obvious duty of the Government to cherish this love for the Union, and disprove, by its conduct, the charges made by the conspirators to precipitate the rebellion. They charged that the constitution, in the hands of the anti-slavery party, would afford no protection to the South; that the object of that party was the destruction of slavery, and that they would seek opportunities, that would afford pretexts, to strike at slavery everywhere. Instead of disproving this charge, by a course of justice and moderation, and showing to the Southern people, and the world, that the charge was false, and that there was no cause for the rebellion, they have assumed that slavery is both the cause and the strength of the Southern Confederacy, and that it is necessary to destroy it; and they have adopted a series of measures designed to accomplish this object.

By an act approved March 17th, 1862—a terrible bill of pains and penalties—the traitor is condemned to death, and his slaves are to be emancipated!
All who incite to rebellion, or give aid and comfort, are to suffer long imprisonment, and their slaves are to be emancipated.

All who don't, in sixty days after the President's proclamation, abandon the rebellion, are to forfeit all their property, which is to be seized and sold, by a summary process not justified by the constitution, and their slaves are to be emancipated.

Wherever the army goes the slaves are to be emancipated, if they belong to rebels; and it is easy to assume, that all in the seceded States are rebels.

These penalties, which fall with terrible effect, if inflicted, are made for the people of the seceded States, who are under a de facto government, able to command their obedience, and force them to bear arms against the United States, whether they will it or not.

The government assumes to punish the disloyalty of men whose loyalty it does not and cannot protect.

The administration and its party have admitted into the Union a part of the State of Virginia, without any warrant in the constitution, for the avowed object of obtaining another free-soil State.

They have emancipated the slaves in the District of Columbia, without the consent of their owners, and taxed the people of the United States to pay the expenses, without their consent.

They have taken advantage of the distracted State of Missouri, to effect the emancipation of slaves there, by offering the State twenty millions of dollars to compensate her for the sacrifice, without the consent of the loyal States, already overburdened with taxes.

The President has conceived the wild scheme of ending the rebellion by buying all the slaves, and presses it with as much zeal as if he were in real earnest in believing, that the whole rebellion is to be subdued by dollars and cents.

And, as if all this were not enough, the president has issued a proclamation, by his own authority, setting all the slaves free in the seceded States, with some exceptions in particular localities, and proposes to arm them against their owners.

Regarding these acts as matters of policy, they unite the sentiment of the seceded States in a determined resistance. They silence those who were friends of the Union in the rebel States; they confirm the charge made by the conspirators at the start, instead of disproving it, that the constitution, in the hands of the abolitionists, would afford no protection to the Southern people. They will not make one rebel less, but tens of thousands more; and show clearly that the present party in power is incompetent to deal with the rebellion.

In this State, part of the Federal troops seem to have been inspired by the same anti-slavery fanaticism that rules the councils of the government, and it has here, as elsewhere, deeply injured the cause of the Union, and strengthened the rebellion.

We shall not boast of the loyalty of Kentucky. Half her loyal population, fit to bear arms in the field against the rebellion, are her witnesses, and let the world be her judge. And whilst we acknowledge the obligations of the State to the constitution and laws of the United States, the latter is bound to respect the constitution and laws of Kentucky; and the Federal troops in this State cannot be allowed
to entice slaves from their masters, and protect them in their camps, against civil process.

The constitutions and laws of the States are a part of the system composing this Union, as well as the constitution and laws of the United States, and the violation of the former can never be a legitimate means of preserving the latter.

We shall notice but briefly the unconstitutional features of some of these acts and pretensions. We leave the confiscation bill to stand on its own basis of folly and barbarity.

Western Virginia was called the State of Virginia until her consent was obtained to her own admission into the Union, and the deed was done. So shallow the subterfuge to evade the charge of a palpable violation of the constitution.

The offer to buy the slaves of Missouri is an offer to buy a State's right, or to put a State under bonds not to exercise it. The Federal Government has no power to buy such a right, and a State has no power to sell it. The proposition is contrary to the whole theory of our constitution.

It is marvelous that a whole party or faction can be found to sustain the validity of the President's proclamation of the 1st of January, 1863. The right is claimed for the President in virtue of his power as Commander-in-Chief of the army and navy. It is a war measure to put down the rebellion. The principle is, that he can select any means that, in his judgment, will answer the purpose. If so, he can abolish States, dispense with Congress, seize the purse and sword, and proclaim himself supreme dictator. Indeed, in pursuance of this idea, the President did issue another proclamation threatening to try men for certain vaguely defined offenses unknown to the law, not by a jury, but by a military commission.

This same party have found out that it belongs to the President to suspend the privilege of the writ of habeas corpus. The idea is born of the emergency. The privilege of this writ was torn from the executive in the mother country by revolution, and ever after considered the sacred right of the citizen. We cannot suppose that our fathers, so jealous of personal liberty, would replace in the hands of an executive a power so much abused. This writ, whilst it is implied in the constitution as already existing, is moreover provided for by acts of Congress passed both houses and approved by the President. It is absurd to suppose that an executive has power, under our constitution, to dispense with a law of Congress in any emergency, of which he is to be the judge.

But what is the remedy for these evils? If our executive were for life, supported by a law making power of the same description, revolution would be the only remedy. The men at Washington are, however, temporary trustees of power that belongs to the people. The government is ours, and we shall not surrender it for their ill conduct. As long as the political morality of the people remains, there is an unsubdued power in the ballot-box to arrest such evils. It has asserted itself, and is advancing to control this government with resistless step. Kentucky can wait with the Democrats of the North, and the patriotic men who have joined them for the Constitution as it is, and the Union
as it was; and reject all lawless and unconstitutional remedies which would only prove worse than the disease.

Kentucky cannot compromise with disunionists. Their success would not remove any of the evils we have described. It would render them chronic and perpetual. The two sections would never live in peace; and out of the necessities of war, would grow up systems of despotism, in which every vestige of civil liberty would disappear. Kentucky would be a border State, with no power to overrule the wicked ambition of either section. She would be the victim of their contests; and her limits would be desolate, torn and ragged, drenched with the blood of generations. We cannot accept such a destiny for those who are to come after us.

The authors of the rebellion had as well understand that Kentucky is the natural enemy of their scheme. Their wicked ambition has brought these calamities on us and themselves, and their success would but multiply and aggravate them.

Much as we find to condemn in the acts and pretensions of the present party in power in the United States, the Southern horizon is still darker and more forbidding. A few ambitious men literally precipitated the people of the seceded States into a bloody rebellion. They began by the confiscation of all the debts within their reach due to citizens of other States; and by the confiscation of all the property of those in the seceded States, who desired to stand by their old government. Through vigilance committees and otherwise they banished from his home, the citizen who loved the old flag under which his fathers lived and died. Instead of having the citizen to fight for what they call independence, they have only been able to fill their armies by a remorseless conscription. They have burned and destroyed the private property of their people, under the pretense of keeping it out of the hands of the Government. They claim absolute power over the persons and property of their dominions to use for their own purposes. They have invaded Kentucky, destroyed her property and robbed and murdered her people. But it is needless to enumerate further outrages.

This they have done under the necessities of war; but, in time of peace, their constitution gives power to the Executive that is inconsistent with the perpetuity of republican institutions.

This State will submit to such a despotism only when she has no power to resist it.

In the meantime it would be as idle to appeal to the men at Washington as to the men at Richmond. The former have adopted their policy against the well-known wishes of this State. They would listen to no reason from us, however sound, no considerations, however just, no counsels however wise. Against their unconstitutional schemes we appeal to the constitution. We can submit to neither of these extremes, either of which is fatal to the Union, whilst there are bullets for one and ballots for the other.

In conclusion we recommend the adoption of the following resolutions:

1. Resolved, That our institutions are assailed by an armed rebellion on one side, which can only be met by the sword; and on the other
by unconstitutional acts of Congress, and startling usurpations of
power by the Executive, which, we have seen by experiment, can be
corrected by the ballot-box. Policy, as well as principle, requires that
Kentucky shall await the process of reform, which is slow but sure,
and refrain from all unlawful and unconstitutional acts which have
already brought terrible calamities upon the country; whilst we in-
voke the aid of all patriotic men, to avert the evils that threaten our
free institutions.

2. Resolved, That this General Assembly declares, as before it has
often times declared, that the State of Kentucky hath ever been, and
is, loyal to the Government of the United States of America, and is
determined to maintain that loyalty against both domestic and foreign
foes.

3. Resolved, That this General Assembly recognizes a manifest dif-
terence between any administration of the Government and the Gov-
ernment itself—the one is transitory, limited in duration only to that
period of time for which the officers elected by the people are charged
with the conduct of the same; the other is permanent, intended by its
founders to endure forever.

4. Resolved, That this General Assembly now, in the exercise of its
right to differ in opinion with the National Executive, enters its sol-
emn protest against the Proclamation of the President of the United
States, dated 1st of January, 1863, by which he assumes to emanci-
pate all slaves within certain States, holding the same to be unwise,
unconstitutional and void.

5. Resolved, That this General Assembly declares that the power
which has recently been assumed by the President of the United
States, whereby, under the guise of military necessity, he has pro-
claimed and extended martial law over the States where war did not
exist, and has suspended the writ of habeas corpus, is unwarranted by
the Constitution, and its tendency is to subordinate civil to military
authority, and to subvert constitutional and free government.

6. Resolved, That this General Assembly declines to accept the
President's proposition for emancipation, as contained in his Proclamation
of the 19th May, 1862.

7. Resolved, That this General Assembly deems it proper further to
declare, that it, together with all the loyal people of the State, would
hail with pleasure and delight any manifestation of a desire on the part
of the seceded States to return to their allegiance to the Government of
the Union, and would, in such event, cordially and earnestly co-operate
with them in the restoration of peace, and the procurement of such
guarantees as would give security to all their interests and rights.

8. Resolved, That Kentucky will adhere to the Constitution and the
Union, as the best, it may be the last, hope of popular freedom; and
for all wrongs which may have been committed, or evils which may
exist, will seek redress under the Constitution and within the Union,
by the peaceful, but powerful and irresistible, agencies of the suffrages
of a free people.

9. Resolved, That this General Assembly hails with pleasurable hope
the recent manifestations of conservative sentiment among the people
of the non-slaveholding States in their late elections, and regard the
same as the earnest of a good purpose on their part to co-operate
with all other loyal citizens—give security to the rights of every sec-
tion, and maintain the Union and the Constitution as they were or-
dained by the founders of the Republic.
10. **Resolved,** That in the judgment of this General Assembly, a
convention should be called for the purpose of proposing such amend-
ments to the National Constitution as experience has proved to be ne-
cessary to maintain that instrument in the spirit and meaning of its
founders; and to that end we reaffirm and adopt the resolutions rec-
ommending a call for a Convention of the United States, approved
January 25th, 1861.

11. **Resolved,** That it is expedient for the Mississippi Valley States,
as soon as practicable, to hold a convention of advice and consulta-
tion, with a view to determine what is best to be done for the preser-
vation of the whole Government, and the further purpose of main-
taining their integrity and Union, and to prevent any one or more
States from seizing and appropriating to themselves the exclusive use
of the mouths of the Mississippi river, and imposing export and import
duties on the commerce and navigation of the other States.

12. **Resolved,** That the laws of this State must be maintained and
enforced, and that it is the duty of the constituted authorities of the
State to see to it, that by all constitutional means this indispensable
end shall be attained.

13. **Resolved,** That the Governor be requested to forward a copy of
this address and resolutions to the President of the United States and
to the Governor of each State, with a request that he lay the same
before the Legislature of his State, and to each of our Senators and
Representatives in Congress. Our Senators are instructed, and our
Representatives requested, to use their best efforts to accomplish the
objects of these resolutions.

On motion of Mr. Wolfe,

**Ordered,** That said report be made the special order for Tuesday
next, at 10½ o'clock, and that the Public Printer forthwith print 150
copies of said report for the use of the members of this General As-
bembly.

Mr. Chambers, of the committee on Federal Relations, asked and
obtained leave till Tuesday next to make a minority report.

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

Whereas, the Federal Government of the United States, being en-
gaged in a terrible war for the suppression of a causeless and wicked
rebellion, which aims to sunder the Union and destroy the Govern-
ment, Kentucky, being an integral portion of the Government—a loyal
State thereof—and having long since plighted her faith to the Govern-
ment, to aid in the suppression of the rebellion, and the restoration
of the Government, with the rights of all the States; that notwithstanding
she holds opinions adverse to the policy and constitutional power
of some of the war measures of the Chief Executive of the Nation;
still, unwavering in her devotion and attachment to the Government of her illustrious ancestors and revolutionary sires, she again reiterates her pledges of fidelity to the great common cause, and with all her energies, with all her power, and with all her means, will advance steadily forward in the prosecution of the war, to the crushing of the rebellion and the restoration of the Union and the Constitution—therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly declares, as before it has often times declared, that the State of Kentucky hath ever been, and is, loyal to the Government of the United States of America, and is determined to maintain that loyalty against both domestic and foreign foes.

2. That the General Assembly recognizes a manifest difference between any administration of the Government and the Government itself—the one is transitory, limited in duration only to that period of time for which the officers elected by the people are charged with the conduct of the same—the other is permanent, intended by its founders to endure forever.

3. That the General Assembly now, in the exercise of its right to differ in opinion with the National Executive, enters its solemn protest against the Proclamation of the President of the United States, dated 1st of January, 1863, by which he assumes to emancipate all slaves within certain States, holding the same to be unwise, unconstitutional and void.

4. That the General Assembly further declares that the power which has recently been assumed by the President of the United States, whereby, under the guise of military necessity, he has proclaimed and extended martial law over States where war did not exist, is unwarranted by the Constitution, and its tendency is to subordinate civil to military authority, and to subvert constitutional and free government.

5. That the General Assembly declines to accept the President's proposition for emancipation, as contained in his Proclamation of the 19th May, 1862.

6. That the General Assembly deems it proper further to declare, that it, together with all the loyal people of the State, would hail with pleasure and delight any manifestation of a desire on the part of the seceded States to return to their allegiance to the Government of the Union, and would, in such event, cordially and earnestly co-operate with them in the restoration of peace, and the procurement of such guarantees as would give security to all their interests and rights.

7. That Kentucky will adhere to the Constitution and the Union, as the best, it may be the last, hope of popular freedom; and for all wrongs which may have been committed, or evils which may exist, will seek redress under the Constitution and within the Union, by the peaceful, but powerful and irresistible, agencies of the suffrages of a free people.

8. That the General Assembly hails with pleasurable hope the recent manifestations of conservative sentiment among the people of the non-slaveholding States, and regard the same as the earnest of a
good purpose on their part to co-operate with other loyal citizens—
give security to the rights of every section, and maintain the Union
and the Constitution as they were ordained by the founders of the Re-
public.

The rule of the House requiring joint resolutions to lie one day on
the table being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said
resolutions for the use of the members of this General Assembly, and
that the same be made the special order for 10½ o'clock on Tuesday
next.

Mr. Turner read and laid on the table the following joint resolu-
tions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky,
That as patriots and legislators it is our duty to accept the practicali-
ties of the hour, to-wit: The rebellion cannot be conquered upon the
programme of the President and his party.

2. If that programme be persisted in until the 1st of December
next, it will result in division of the nation.

3. The true question of statesmanship that is now presented to the
country is, how can we coerce the President and his party from their
rash policy, secure an early call of the Congress, and save our
bleeding country? None will deny that we should use all the constitu-
tional means at our command to effect this much desired end.

4. The disregard of our former resolves, and of public sentiment as
expressed in the recent elections, leave us no room to hope that we
can effect this end by mere resolutions and moral influence.

5. That we have the constitutional right to refuse our support to a
war carried on to subvert the Constitution of the United States, the
Constitution of Kentucky, and to destroy our State institutions; and
will unite with the conservative Union Democracy in so doing, unless
the President and Congress abandon their rash policy, call the
Congress elect together, retract the Emancipation Proclamation, and
restore the conflict of the war to the principles of enlightened modern
civilization, and prosecute it for the sole purpose of restoring the
Union as it was, with the rights, institutions, and equality of the
States unimpaired.

6. The aggressive and unconstitutional course of the President and
Congress have made it impossible to restore the Union without telei-
ging to our misguided Southern brethren additional constitutional guar-
antees for their institutions and personal security, and we are willing
to give them any reasonable constitutional guarantees that they may
desire.

7. That the Proclamations of the 22d and 24th of September, 1862,
and of the 1st of January, 1863; the alleged war power of the Presi-
dent; the suspension of the writ of habeas corpus; the arrest and incar-
ceration of citizens without warrant or charges; the division of sov-
ereign States; military interference with the freedom of elections,
and their disobedience of law process, and arbitrary assessment of damages upon those prejudged as guilty, without the intervention of court, jury or trial, are acts of tyranny and unconstitutional assumptions of power, to which no free, brave and enlightened people will permanently submit.

8. That the President and his party have violated the Constitution and trampled under foot our civil liberties; but a brave people, who love their Government, can and ought to submit to the temporary oppressions of those in power so long as they are left in the possession of their political liberties, through which they can apply the corrective in the manner pointed out by the laws and Constitution; but whenever a tyrant, or set of tyrants, in addition to encroaching upon their civil liberties, attempt to perpetuate their usurpations by taking away the political liberties of the people, no honorable resource is left them but to resist.

9. That the arming of slaves to fight in the Federal cause is at once a confession of weakness, a stupendous folly, an insult to our brave soldiery, and a crime against humanity and civilization.

10. We have no alternative left but to co-operate with the Abolitionists, the Disunionists, or the Northern Democracy; and we intend to co-operate with the great conservative Union Democracy of the free States in preserving the Union, the Constitution and our liberties.

11. We invite the people of all the loyal State, who favor the general purposes and principles of these resolutions, to meet us in consultation, either through their legislatures, or by delegates in convention, at an early day, at some convenient point, to take into consideration the best means of preserving our loved Union, and of securing a change in the conduct and policy of the war, a call of the Congress elect, and the perpetuation of our liberties.

12. Kentucky is still, as she has ever been, devoted to the Union, and can see no desirable future for herself except as a part of it as it was.

13. We approve of the sentiments and principles contained in the messages of Governor Robinson and Governor Seymour.

14. That the Governor be requested to communicate a copy of these resolutions to the Governors of each of the loyal States, and to the presiding officers of the legislatures thereof.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said resolutions for the use of the members of this General Assembly, and that the same be made the special order for Tuesday next, at 10½ o'clock.

Mr. Wolfe, from the committee on Federal Relations, to whom was referred a resolution, reported the following resolutions, viz:

The committee on Federal Relations, to whom was referred resolutions respecting the appointment of Commissioners by this Legislature to meet Commissioners to be appointed by other States to confer
together about the condition of our National Affairs, recommend the adoption of the following resolutions:

1. Resolved, That nine commissioners, six on the part of the House of Representatives, and three on the part of the Senate, be elected by the respective Houses, whose duty it shall be to proceed to Louisville, Kentucky, on the 16th day of March, 1863, and there meet and confer with Commissioners, who may be appointed by the States named in the subjoined resolution, to consult together as to the state of the Nation, and its present exigencies, and report the result thereof to the Governor of this State, or to the Legislature if it shall then be in session.

2. Resolved, That the States of New York, Pennsylvania, Illinois, Ohio, Indiana, and Missouri be and they are hereby invited to appoint commissioners, to meet commissioners elected by this Legislature, at the time and place, and for the purposes mentioned in the foregoing resolution.

3. Resolved, That the Governor of this Commonwealth is requested to transmit copies of these resolutions to the Governors of the States mentioned in the foregoing resolution.

The rules of the House being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said resolutions for the use of the members of this General Assembly, and that the same be made the special order for 11 o’clock Monday next.

Mr. McFarland, from the committee on Internal Improvement, read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Philip Swigert, President of the Board of Internal Improvement, be and he is hereby authorized and requested to visit the city of Washington, for the purpose of presenting the unpaid claims for tolls against the United States, for the use of our turnpike roads and slack-water navigation; and that said Swigert be allowed his necessary expenses, to be charged by him, and retained out of the Internal Improvement fund.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

Said resolution was adopted.

Mr. Burnam, from the committee on Education, reported
A bill for the benefit of school districts in Johnson 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. Gradlin moved to amend said bill by striking out “1st May,” and inserting “1st March.”

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 having been dispensed with, and the same being engrossed,

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

Mr. Shanklin, from the committee on Circuit Courts, reported
A bill to repeal an act, entitled, an act to amend an act, entitled, an act to reduce into one the laws in relation to changes of venue.

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. Huston,

Ordered, That said bill be recommitted to the committee on the Judiciary.

Mr. R. J. Browne, from the committee on Circuit Courts, to whom was referred a bill from the Senate, entitled,

An act to legalize the acts of J. G. Hamilton, deputy clerk of the Boone circuit court,

Reported the same with an amendment, by way of substitute.

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 took up the bill entitled,

An act for the benefit of the late sheriffs of this Commonwealth.

Mr. John B. Cochran moved to amend said bill by making its provisions apply to presiding judges of county courts and all justices of the peace.

Which was adopted.

Mr. Ronsonneau moved to add "circuit and county court clerks."

Which amendment was adopted.

Mr. Kennedy moved to add "and all the surveyors of 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.

The House then took up the resolution from the Senate in relation to the hire of the convicts in the penitentiary, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That during the existence of the present war the keeper of the penitentiary be and he is hereby authorized to employ the convicts under his charge to fill the ice houses at the city of Frankfort upon such terms as he and the persons for whom the services are rendered may agree upon.

This resolution shall take effect from its passage.

And the question being taken on concurring in said resolution, it was decided in the negative.

And so said resolution was rejected.

The resolution in relation to increasing the pay of private soldiers was taken up and referred to the committee on Military Affairs.

The House then took up the bill, entitled,

An act in relation to the arrest of runaway slaves.

The question was taken on adopting the amendment offered by Mr. Turner, and it was decided in the negative.

Mr. Bush moved amendments by way of additional sections to said bill.

Which amendments 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.

The House took up the resolution offered by Mr. Warring, in relation to the passage of a bankrupt law by Congress.

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

The House then took up the amendment of the Senate to a bill from this House, entitled,

An act to regulate the service of attachments.
On motion of Mr. Huston,

Ordered, That said amendment and bill be recommitted to the committee on the Codes of Practice.

The House then took up the bill, entitled,

An act regulating the holding the quarterly and other courts inferior in jurisdiction to the circuit courts in Fayette county.

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 repeal an act, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office.

Ordered, That said bill be recommitted to the committee on the Judiciary.

The House then took up the bill concerning the penitentiary.

Ordered, That said bill be made the special order for Monday next, at 11 o'cloke.

The House then took up the bill, entitled,

An act to repeal 17th section of the 4th article of the 47th chapter of the Revised Statutes.

On motion of Mr. Turner,

Ordered, That said bill be recommitted to the committee on the Judiciary.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills 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 25, 1862.
An act for the benefit of Dr. Samuel M. Bemiss.
An act to change the lines of districts Nos. 4 and 7, in Whitley county.
An act to amend an act, entitled, an act establishing a voting precinct in Campbell county.
Also, bills which originated in this House, of the following titles, viz:
An act for the benefit of Howard Todd, sheriff of Owen county.
An act applying the mechanics' lien law to Lincoln and Ohio counties.

An act for the benefit of Wiley Dycus, of Ballard county.
An act for the benefit of Isaac N. Hill.
An act for the benefit of B. T. Shepherd, late sheriff of Carter county.
An act for the benefit of Wm. I. Thomas, clerk of the Henry county court.
An act to provide for paying in advance one month's pay to soldiers enlisting for nine months.
An act changing the time of holding the June term of the Trimble circuit court.
An act to legalize the acts of the clerk of the Johnson circuit and county courts.
An act for the benefit of Fayette county.
An act to amend the charter of the city of Lexington.
An act to enlarge the town boundary of Dover, in Mason county.
An act for the benefit of the marshal of Campbellsville.
An act to amend an act, entitled, an act for the benefit of the town of Dycusburg, in Crittenden county.
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

And then the House adjourned.

SATURDAY, FEBRUARY 7, 1863.

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 authorizing the Kentucky University to loan out its funds.
An act to establish an additional voting precinct in Hickman county.

An act providing for the unpaid taxes for the year 1862 from the county of Boyle.

An act to amend an act incorporating the Bracken Academy.

An act for the benefit of the sureties of J. S. Roberts, late sheriff of Shelby county.

An act for the benefit of Richard Reynolds.

With an amendment to the last named bill.

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

- An act to lay off the State into nine Congressional Districts.
- An act to amend the charter of the Louisville and Nashville railroad.
- An act to authorize the holding a levy and court of claims in Webster county.
- An act to change the lines of a magistrates' and constable's district in Carter county.
- An act amendatory to the act incorporating Crab Orchard Seminary.
- An act allowing the sheriff of Webster county further time to collect and pay in the revenue and county levy for the year 1862.
- An act for the benefit of James R. Gordon, of Calloway county.

1. Mr. Ireland presented the petition of the joint owners of church property in Catlettsburg, praying an act authorizing a sale thereof.

2. Mr. Sparks presented the petition of the trustees, &c., of certain school districts in Henry and Trimble counties, in relation to schools therein.

3. Mr. Van Winkle presented the petition of sundry citizens of Monticello, Wayne county, in relation to sale of spirituous liquors.

4. Mr. Thomas S. Brown presented the petition of Robert S. Huey, of Floyd county, praying compensation for services rendered as special sheriff.

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

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

On motion of Mr. Rigney—1. A bill to change a line of a voting precinct in Adair county.
On motion of same—2. A bill to fix the time of holding the quarterly courts in Adair county.

On motion of Mr. Heady—3. A bill to give the enrolled militia of Bullitt county a credit by $50 05, for 1862.

On motion of Mr. White—4. A bill for the benefit of Asa Gilbert, sheriff of Clay county.

On motion of same—5. A bill for the benefit of the sheriff of Owsley county.

On motion of Mr. Speaker Buckner—6. A bill to amend the law.

On motion of same—7. A bill to amend the charter of the city of Lexington, chartering a hotel company in the city of Lexington.

On motion of Mr. Draffin—8. A bill to amend the law in relation to frauds.

On motion of Mr. Bush—9. A bill to prevent the military and armed bodies of men from interfering with the freedom of elections, and declaring null and void all elections procured or controlled by such unlawful interference.

On motion of Mr. Powell—10. A bill for the benefit of school district No. 20, in Perry county.

On motion of Mr. J. W. Anderson—11. A bill for the benefit of Isaac Dean, surveyor of Knox county.

On motion of Mr. Cooper—12. A bill to authorize the clerk of Lincoln county court to make a general cross index to wills, settlements of administrators, &c.

On motion of Mr. J. W. Campbell—13. A bill empowering the agent of John Moxey to make a deed to land in Nicholas county.


On motion of Mr. Underwood—15. A bill to amend chapter 388, of the Statute Laws.

On motion of Mr. Sayers—16. A bill to increase the pay of night-watch of Kenton county and Covington jail.

On motion of Mr. Desha—17. A bill for the benefit of W. B. Glave, late sheriff of Harrison county.

On motion of Mr. Sayers—18. A bill for the benefit of school district No. 58, in Kenton county.

On motion of Mr. Ward—19. A bill for the benefit of citizen soldiers wounded at the battle of Cynthiana.
On motion of same—20. A bill to increase the jurisdiction of county judges.

Ordered, That the committee on County Courts prepare and bring in the 1st, 2d, and 12th; the committee on Ways and Means the 3d, 4th, 5th, 11th, 14th, 16th, and 17th; the committee on Revised Statutes the 6th, 7th, 8th, and 20th; the committee on Military Affairs the 9th and 19th; the committee on Education the 10th and 18th; the committee on the Judiciary the 13th; Messrs. Underwood, Clay, and Ward the 15th.

Mr. Mears moved the following resolution, viz:

Resolved by the House of Representatives, That, in order to expedite the business of this Legislature, and therefore procure an early adjournment, which is apparently necessary, that after this week this House will hold two sessions each day, commencing at 9½ o'clock, A. M., and 2 o'clock, P. M.

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

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

In times of war, as in peace, the Constitution of the United States is the supreme law of the land; it prescribes the powers of Government no less in its executive than in other departments, and is the only legal bond of union between the States.

The Federal Government, as defined by the Constitution, when exercising the powers granted to it, is entitled to the allegiance and full support of every good citizen, and loyalty to the Government imposes the strongest obligations to support the administration in the enforcement of the laws, and it is the duty of all good citizens to resist all encroachments upon their liberties, and to defend the Constitution of their country and the Union of these States, from the assaults of foreign and domestic traitors, and he who violates this principle is disloyal to the Constitution and an enemy to the freedom of his country.

The Federal Government derives all its legitimate powers from the Constitution, and, in obedience to it, is bound to use every effort to suppress the rebellion now existing in the seceded States; and if the administrators of the Government fail to perform this duty, they will, themselves, sooner or later, be overthrown by an intelligent, virtuous, and free people by the peaceful exercise of their sovereign powers at the ballot box. The Government that has no power to punish armed rebels against its laws cannot afford proper protection to its citizens.

The history of the present administration of the so-called Confederate Government is a history of repeated injuries and usurpations tending directly to the overthrow of the liberties of the people, and a consolidation of all political power in the hands of a few, and the erection of a great military despotism, as tyrannical and despotic at the worst government of Europe, to prove which we refer to the following facts.

The President of the so-called Confederate States has, without au-
authority, suspended the writ of *habeas corpus*, thus striking a deadly blow at the liberties of the people.

He has caused loyal citizens to be arrested and transported to distant States, and incarcerated in loathsome prisons, without charge or accusation against them.

He has denied to citizens thus arrested and imprisoned a trial by jury, or, indeed, any trial, and has withheld from them all knowledge or information as to their accusers or the causes of their arrest.

He has subjected his prisoners, thus held, to barbarous and inhuman treatment, endangering both life and health, and has required hundreds of them, so held, as a condition upon which they might be released, to take illegal oaths, arbitrarily prescribed by himself or his agents.

He has attempted to destroy the freedom of the press by the forcible suppression of newspapers, because they saw proper to criticise the measures of his administration; and such as have escaped suppression have been subjected to a censorship wholly incompatible with freedom of thought or expression of opinion.

He has attempted to destroy the freedom of speech by arresting citizens who animadverted upon the measures of his administration.

He has caused to be arrested persons engaged in circulating petitions for the signatures of the people, thus interfering with the right of petition.

He has wholly disregarded the right of the people to be "secure in their persons, houses, papers and effects against unreasonable searches and seizures."

He has, in some of the States, (among which Virginia and Tennessee may be particularly mentioned,) forcibly wrested from the citizen his right to be a candidate for office within the gift of the people, thus striking down the elective franchise; and eminent citizens of this and other States are now in confinement in distant prisons for no other known reason than that they were *loyal* to the Government of our fathers.

He has quartered his troops in the houses of our citizens against their will; and he has permitted them to overrun the State, destroying houses and the fencing of farms and lots; they have sacked the houses of peaceful and loyal citizens, destroying their furniture, family pictures, carpets, clothing, and other articles of household goods, and robbed them of their silver-ware, stock and provisions.

He has permitted his wagon-masters and others, with armed soldiers, to seize the corn, oats, and hay, &c., of our loyal citizens for the rebel army, without their consent, fixing their own price upon them, and making their own estimate as to the value and quantity taken, and giving no receipt, name or voucher, whereby the owner could successfully seek his pay, or paid in Confederate money of small value.

He has permitted his officers and soldiers to entice slaves from loyal masters and owners, take them within their camps, and by force protect them from reclamation; and when the owner has attempted to recover and protect his property he has been maltreated and imprisoned.

He has permitted his officers and soldiers, without authority of law, to levy large contributions of money upon unoffending citizens, under
the pretense of reimbursing other citizens for losses sustained by the casualties of war.

He has, by force of arms, taken possession of large quantities of wheat, and taken possession of mills to grind his stolen breadstuffs, and refused to permit our citizens to grind on them wheat or corn necessary for their families.

He has signed bills of confiscation, confiscating all of the property of loyal citizens and foreigners who refused allegiance to his new Confederacy.

He has signed bills to prevent citizens of the so-called Confederate States from paying their just and honest contracts to citizens and merchants of the Northern States; putting them under bonds and compelling them to be dishonest, whether they will it or not.

He has permitted his officers and soldiers, with impunity, to murder the peaceable and loyal citizens of the State of Kentucky.

He has utterly set aside the Constitution of the United States, and is engaged in an armed rebellion for the avowed purpose of overthrowing the Government, trampling the Constitution under foot, and thus depriving the people of their priceless liberties. In conjunction with many once highly honored citizens of Kentucky, he has raised his partial hand against the Government and country that educated him, in its bounty protected him all his past life, bestowed upon him many honorable positions, and would still delight to honor him were he not engaged in a monstrous iniquitous rebellion, and deserving of a traitor's doom.

In view of the foregoing facts, the truth of which cannot be denied, we do firmly believe, and solemnly declare, that any countenance furnished the Executive of the so-called Confederate States, in the prosecution of this unholy war, tends immediately and directly to the overthrow of both the Federal and State Governments—wherefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That Kentucky will, by all constitutional means in her power, protect her citizens in the enjoyment of the elective franchise, the benefits of writ of habeas corpus, the security of their persons and property, against the unconstitutional edict of the Confederate Executive and their enforcement by the army under his control.

2. Resolved, That the Constitution of the United States is the supreme law of the land, and every citizen of Kentucky ought to yield full and implicit obedience to it; and that "Kentucky understands her own interests too well to be thankful for gratuitous advice as to the mode in which she should manage them, and when she wants the assistance of any outside administration of her affairs, she claims the privilege of originating the suggestion"—consequently the propositions of the Confederate States for Kentucky's alliance is hereby scornfully rejected.

3. Resolved, That the Proclamations of the President of the United States, dated September 22d, 1862, and January 1st, 1863, purporting to emancipate the slaves in certain States and parts of States, set forth therein, are unwarranted by any code, either civil or military, and of such character and tendency as not to be submitted to by a people jealous of their liberties.

4. Resolved, That Kentucky will cordially unite with the Democracy
of the Northern States in an earnest endeavor to bring about a speedy
termination of the existing war.
5. Resolved, That Kentucky's interest and duty urge her to cling to
the Union with tenfold tenacity, now that both the extreme sectionals
parties of the country are arrayed against it, and that she intends to do
so regardless of any sacrifice other than her honor.

6. Resolved, That Kentucky fondly sympathizes with all her citizens
who have been afflicted during the progress of this unfortunate war,
and while she mourns her illustrious dead who have fallen on many
battle fields, she has the consolation of knowing that they fell nobly
fighting in the cause of Union and Freedom.

7. Resolved, That Kentucky is now asked to cling to
the Union with
tenfold tenacity, now that the extreme sectional
parties of the country are arrayed against it, and that she
intends to do
so regardless of any sacrifice other than her honor.

8. Resolved, That the Governor of Kentucky is hereby requested to
forward a copy of the foregoing preamble and resolutions to the Presi-
dent of the United States, and to each of our Senators and Represent-
atives in Congress.

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

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

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

**Resolved by the General Assembly of the Commonwealth of Kentucky,**
That it is the duty of Kentucky soldiers in the field to fight with their
acustomed valor for the restoration of the Union, and that it is the
bounden duty of us not in the army to maintain the Constitution and
keep it inviolate.

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 on Fed-
eral Relations.

Mr. Rousseau read and laid on the table the following joint resolu-
tions, viz:

**Resolved by the House of Representatives,** That the act of Congress
which passed the House of Representatives in Congress on the 21st
instant, which authorizes the President to organize 300 regiments of
negroes, for the purpose of mustering them into the service of the Uni-
ted States Army and Navy, is no where warranted by the Constitution
of the United States, but is a flagrant violation thereof, and inconsis-
tent with the theory of our Government, and contrary to the habits and
customs of the American people, and unprecedented in the history of
America, or any other civilized nation; and that it is directly arming
and equipping the negro for the purpose of making war upon the
white man for his freedom.

Resolved further, That it is the opinion of this House that such a
mode of warfare would demoralize the whole army of the United
States, and prove destructive to the Union cause.

Resolved further, That whilst Kentucky is truly loyal, and will use
every honorable effort to suppress the rebellion and restore the Gov-
ernment, based upon the Constitution, that she cannot tolerate or sub-
mit to such a mode of warfare

Resolved, That the Governor be requested to transmit a copy of these
resolutions to the President of the United States.

Mr. Rousseau moved to dispense with the rule of the House requir-
ing joint resolutions to lie one day on the table, in order to put said
resolutions upon their passage.

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—

Alfred Allen, R. C. Anderson, Jonathan R. Bailey, John W. Blue,
J. W. Boone, William S. Botts, Wm. Bowling, James Calvert,
Jos. H. Chandler, Francis L. Cleveland, William L. Conklin,
John C. Cooper, Lucius Desha, Geo M. Hampton, John M. Henry,
Jonas Martin, David P. Mears, Felix G. Murphy, George Pindexter,
Larkin Proctor, Nicholas A. Rapier, John Ray,
Joseph Ricketts, James A. Rousseau, J. C. Sayres, George S. Shanklin,
Robert A. Spalding, John R. Thomas, Thomas Turner,

Those who voted in the negative, were—

Jas. W. Anderson, Joshua Barnes, Elias Beazley, John C. Beeman,
Leroy Brinkley, R. J. Browne, Thomas S. Brown, Curtis F. Burnam,
W. P. D. Bush, Cyrus Campbell, J. W. Campbell, A. B. Chambers,
Brutus J. Clay, Daniel E. Downing, John W. Finnell, Elijah Gabbert,
William J. Heady, Joseph W. Heeter, John B. Huston, Wm. C. Ireland,
Daniel W. Johns, J. M. Jones, Urban E. Kennedy, Perry S. Layton,
Jas M C. Lisenby, William Mercer.

Ordered, That the Public Printer forthwith print 150 copies of said
resolutions for the use of the members of this General Assembly, and
that they be referred to the committee on Military Affairs.
Mr. Martin read and laid on the table the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That we rejoice at the success of our Northern conservative Democratic brethren in their late elections in the States of New York, New Jersey, Ohio, Indiana, Illinois, Pennsylvania, and Wisconsin.

2. Resolved, That we look forward with feelings of confidence and delight to the time when they are to become the rulers of the government of our fathers, for then we are confident that we will have the Constitution with all of its guarantees, the Union as it was, and the negro where he legitimately belongs.

3. Resolved, That we pledge our lives, our property, and our most sacred honors, to co-operate with them in every effort they may make that has for its object peace, and a restoration of the Union, accompanied by the Constitution as construed by the Supreme Court of the United States.

4. Resolved, That neither Congress, nor the people, nor governments of non-slaveholding States have a constitutional right to legislate upon or interfere with slavery in any slaveholding State of the Union.

5. Resolved, That the Constitution and laws made in pursuance thereof are and must remain the supreme law of the land, and as such must be preserved and maintained in their proper and rightful supremacy.

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

Whereas, the present Legislature has passed various resolutions touching our Federal relations and will doubtless pass many more, and in the opinion of this Legislature, its wishes will be more likely to have weight with the President if they should be presented to, and urged upon him, by a committee in person. Be it therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five be raised under the appointment of the Speakers of the two Houses, three from the House of Representatives and two from the Senate, to carry out the objects indicated in the preamble to this resolution.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

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

Mr. Rankin moved a reconsideration of the vote rejecting the adoption of the resolution in relation to the hire of the convicts in the penitentiary.

And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. T. S. Brown and Wolfe, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. R. C. Anderson moved to amend said resolution by striking out "during the war," and inserting for the "present winter."

Which amendment was adopted.

Mr. T. S. Brown moved to amend said resolution by adding after the word "city of Frankfort," "Louisville, Lexington, Covington and Paintsville."

Which amendment was rejected.

Mr. Headly moved the following amendments, viz:

Provided, That not more than fifty of said convicts shall be so worked on any one day at a time.

Which amendment was adopted.

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

The yeas and nays being required on the passage of said resolution, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Francis L. Cleveland, George Poindexter,
Alfred Allen, William L. Conklin, Hiram S. Powell,
R. C. Anderson, John C. Cooper, Larkin Proctor,
Jonathan R. Bailey, Lucius Desha, William S. Rankin,
Elisha Beazly, John W. Finnell, John Ray,
John C. Beeman, Elijah Gabbert, Joseph Ricketts,
J. W. Blue, George M. Hampton, James A. Rousseau,
William S. Botts, Jacob Hawthorne, J. C. Sayers,
Leroy Brinkley, William J. Heady, Geo. S. Shanklin,
Curtis P. Burnam, John B. Huston, M. Smith,
W. P. D. Bush, William C. Ireland, Harrison Taylor,
James Calvert, Daniel W. Johns, Thomas Turner,
Cyrus Campbell, James M. Jones, Wm. H. Van Pelt,
J. W. Campbell, Urban E. Kennedy, Nathaniel Wolfe,
Jos. H. Chandler, Perry S. Layton, Bryan R. Young—47,
Brutus J. Clay, Richard Neel,

Those who voted in the negative, were—

Jas. W. Anderson, Henry Griffith, F. D. Rigney,
Joshua Barnes, Joseph W. Heeter, Wm. Roberts,
J. W. Boone, John M. Henry, Robert A. Spalding,
Wm. Bowling, Jas. M. C. Lisenby, James P. Sparks,
R. J. Browne, Jonas Martin, John R. Thomas,
Thomas S. Brown, David P. Mears, Jos. R. Underwood,
A. B. Chambers, William Mercer, John S. Van Winkle,
Daniel E. Downing, Felix G. Murphy, W. W. Warring,
John Draffin, Nicholas A. Rapier, Alex. T. White—27.

The following bills were reported, viz:

By Mr. B. R. Young—
1. A bill for the benefit of William Huff and others.

By Mr. Heeter—
2. A bill for the benefit of common school district No. 50, in Allen

By Mr. Cleveland, from the committee on County Courts—
3. A bill for the benefit of James R. Garland, late sheriff of Lewis

By same—

By Mr. Huston, from the committee on Revised Statutes—
5. A bill to amend chapter 25, Revised Statutes, title Costs.

By Mr. Rankin, from the committee on the Judiciary.—
6. A bill to amend chapter 93, of the Revised Statutes.

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

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

The 1st, 2d, 3d, 4th and 5th bills were severally ordered to be engrossed and read a third third; the 6th was placed in the orders of the day, and the usual number of copies were ordered to be printed for the use of the members of this General Assembly.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, and 5th bills having been dispensed with, and the same being engrossed,

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

The following bills from the Senate were reported by the several committees to whom they were referred, viz:

By Mr. Chandler, from the committee on County Courts—
1. An act for the benefit of the Sinking Fund of the Louisville and Nashville railroad, for Hart county.

By same—
2. An act to change the time of holding the quarterly, police, and justices' courts of Butler county.

By same—
3. An act to repeal an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to circuit courts.

By Mr. Proctor, from the committee on Incorporated Institutions—
4. An act authorizing the Board of Managers of the Western Lunatic Asylum to appoint a Superintendent of said Institution.

By same—
5. An act to amend an act, entitled, an act to provide a more efficient police department in the city of Louisville.

By same—
6. An act to amend an act, entitled, an act to amend the charter of the city of Paducah.

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 a bill from the Senate, entitled,
An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes,
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. Conklin, from the committee on Claims, to whom was recommit-ted the bill, entitled,
An act for the benefit of the citizens of Augusta,
Reported the same, with the former expression of opinion, that the same ought not to pass.
Which bill was placed in the orders of the day.
The House took up the bill from the Senate, entitled,
An act appropriating money to the Western Lunatic Asylum.

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, viz:

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) William L. Conklin, John C. Cooper, Thomas W. Owings,
Alfred Allen, Lucius Desha, George Poindexter, Larkin Proctor,
Jas. W. Anderson, Daniel E. Downing, Wm. S. Rankin, John Ray,
R. C. Anderson, John W. Finnell, Joseph Ricketts, William Roberts,
Jonathan R. Bailey, Elijah Gabbert, James A. Rousseau, J. C. Sayres,
Joshua Barnes, Henry Griffith, George S. Shanklin, M. Smith,
Elisha Beazley, Geo. M. Hampton, R. A. Spalding, James P. Sparks,
John C. Beeman, William J. Heady, Harrison Taylor, James R. Thomas,
John W. Blue, Joseph W. Heeter, Thomas Turner,
J. W. Boone, John M. Henry, Wm. H. Van Pelt,
William S. Botts, John B. Huston, John S. Van Winkle,
Wm. Bolling, William C. Ireland, James C. Lisenby,
Those who voted in the negative, were—

Hiram S. Powell, Nicholas A. Rapier, F. D. Rigney—3.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of thirty-five thousand dollars is hereby appropriated for the purpose of carrying on the reconstruction of the Western Lunatic Asylum.

§ 2. That the same shall be paid upon the warrant of the Auditor of Public Accounts to the Board of Managers of said Asylum, in quarterly installments, commencing 1st of April, 1863.

§ 3. This act shall take effect from its passage.

The House then took up the motion to reconsider the vote by which the bill was rejected, entitled,

An act for the benefit of William Herrin, late sheriff of Fulton county.

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

The House then took up the bill, entitled,

An act to amend an act, entitled, an act to amend chapter 83, 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 repealing in part an act regulating the time of holding the quarterly and other courts inferior in jurisdiction to the circuit courts.

Mr. Ireland moved to lay said 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, entitled,

An act authorizing the Commissioners of the Sinking Fund to sell the bank stock of the State.
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 bill, entitled,

An act to amend title chapter 3, of the Revised Statutes, title Revenue and Taxation.

Mr. Desha called for a division of the question.

The question was then taken on striking out the 1st section of the bill, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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. Bush and Ward, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William L. Conklin, Thos. W. Owings,
Alfred Allen, John C. Cooper, George Poindexter,
Jas. W. Anderson, Daniel E. Downing, Hiram S. Powell,
Jonathan R. Bailey, John W. Finnell, Larkin Proctor,
Joshua Barnes, Elijah Gabbett, Wm. S. Rankin,
Elisha Beazly, Henry Griffith, John Ray,
John C. Beeman, William J. Heady, F. D. Rigney,
J. W. Blue, Joseph W. Heeter, M. Smith,
William S. Botts, William C. Ireland, Harrison Taylor,
Wm. Bowling, Daniel W. Johns, Thomas Turner,
Leroy Brinkley, J. M. Jones, J. R. Underwood,
R. J. Browne, Urban E. Kennedy, John S. Van Winkle,
Thomas S. Brown, Perry S. Layton, Zeb. Ward,
Curtis F. Burnam, Jas. M. C. Lisenby, W. W. Waring,
James Calvert, Jonas Martin, Alex. T. White,
Cyrus Campbell, David P. Mears, Nathaniel Wolfe,

Those who voted in the negative, were—

R. C. Anderson, Geo. M. Hampton, William Roberts,
J. W. Boone, John M. Henry, J. C. Sayres,
W. P. D. Bush, John B. Huston, George S. Shanklin,
A. B. Chambers, Felix G. Murphy, Robert A. Spalding,
Joseph H. Chandler, Nicholas A. Rapier, James P. Sparks—17.
Lucius Desha, Joseph Ricketts,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 2d section of article 1, chapter 58, of the Revised Statutes, title "Revenue and Taxation," be so amended, that instead of the tax of thirty cents upon each one hundred dollars in value of the personal estate mentioned in said section, there shall be levied and collected, annually, commencing with the year 1863, the sum of forty cents on each one hundred dollars worth.

§ 2. That section 2, of article 2, of said chapter, be so amended, that instead of five per cent. there shall be paid a tax of eight per cent. on the gross amount of sales of drugs, medicines, and nostrums, as provided in said section, commencing with the year 1863.

§ 3. That section 3, of article 2, of said chapter, be so amended, that on a licence to keep a tavern there shall be paid an annual tax of twenty dollars; and on a license to keep a coffee house, or other license by a city or town to retail spirituous liquors, there shall be paid an annual tax of twenty dollars.

§ 4. That section 4, of article 2, of said chapter, be so amended, that on a license to a merchant to sell spirituous liquors, there shall be paid an annual tax of twenty dollars.

§ 5. This act to take effect from and after its passage.
The House then took up the amendment of the Senate to a bill, entitled,
An act for the benefit of the town of Hodgenville,
Which was concurred in.

The House then took up the amendment proposed by the Senate to a bill from this House, entitled,
An act for the benefit of Stitts & Campbell, of the county of Nicholas,
Which was concurred in.

The House then took up the bill, entitled,
An act authorizing the Governor to offer rewards for the apprehension of persons indicted for stealing slaves.

Mr. James W. Anderson 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. Proctor and Jas. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Ordered, That said bill be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,

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

The Constitution requiring a majority of all the votes of the members elected to this House.

The yeas and nays being taken thereon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Backner,) Geo. M. Hampton, John Ray,
Joshua Barnes, William J. Heady,
John C. Beam, John B. Huston,
W. Bowman, Daniel W. Johns,
R. J. Brown, John C. Bellan,
W. P. D. Bush, Jonnas Martin,
A. B. Chambers, David P. Mears,
Joseph H. Chandler, William Mercer,
Francis L. Cleveland, Felix G. Murphy,
William L. Conklin, Richard Neel,
John C. Cooper, Larkin Proctor,
Lucius Desha, George Poindexter,
Henry Griffith, Nicholas A. Rapier,

Those who voted in the negative, were—

Alfred Allen, James Calvert, Perry S. Layton,
James W. Anderson, Cyrus Campbell, Jas. M. C. Lisenby,
R. C. Anderson, Brutus J. Clay, Hiram S. Powell,
Jonathan R. Bailey, Daniel E. Downing, William S. Rankin,
Elisha Beazley, John W. Fennell, F. D. Rigney,
Wm. S. Botts, Elijah Gabbert, J. C. Sayres,
Wm. Bowling, Joseph W. Heeter, James P. Sparks,
Leroy Brinkley, John M. Henry, Jos. R. Underwood,
Thomas S. Brown, William C. Ireland, W. W. Warrington,
Curtis E. Burnam, James M. Jones, Alex. T. White—30.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That where any one has been, or may hereafter be, indicted in any of the courts of this Commonwealth, for the crime of stealing slaves or other property, and may have fled from the State, it shall and may be lawful for the Governor, upon the recommendation of the Attorney for the Commonwealth, to offer a reward for the apprehension of the person thus indicted, and his delivery into the custody of the proper authorities in this State, not exceeding the sum of five hundred dollars, to be paid out of the public treasury, upon the order of the Governor to the Auditor of Public Accounts, when it shall be certified to the Governor by the jailer of the county that the party indicted has
been lodged in the jail of the county where the offense was committed.

§ 2. This act shall take effect from its passage.

Mr. Martin moved to reconsider the vote by which the bill was rejected, entitled,

An act for the benefit of the late sheriffs of this Commonwealth.

Mr. Conklin moved to reconsider the vote by which the bill was rejected, entitled,

An act to amend chapter 83, of the Revised Statutes, title Revenue and Taxation.

And then the House adjourned.

MONDAY, FEBRUARY 9, 1863.

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 Robert H. Emmerson, clerk of the Hickman county court.

That they had passed bills which originated in this House, of the following titles, viz:

An act concerning the estate of Edmund Bayne, free man of color, late of Shelby county.

An act for the benefit of Lewis S. Lee, sheriff of the county of Ballard.

An act to amend section 329, subdivision 4, of article 1, chapter 4, of the Civil Code of Practice.

An act providing for the removal of a fish-dam in Kentucky river, at the mouth of Paint Lick creek.

An act to provide for claims against the State contracted under the State Guard law.

With amendment to the last named bill
That they had concurred in the amendment adopted by this House to a bill from the Senate, entitled,
An act to legalize the acts of J. G. Hamilton, deputy clerk of the Boone circuit court.

That they had passed a bill and adopted a resolution of the following titles, viz:
An act to authorize a judicial sale of the Leesburg and Newtown turnpike road.
Resolution concerning adjournment of the General Assembly.

1. Mr. Rankin presented the petition of sundry citizens of Woodford county, praying the passage of an act allowing N. P. Porter to qualify as clerk of said Woodford county court.
2. Mr. Taylor presented the petition of trustees of school district No. 6, in Mason county, praying relief.
Which were received, the reading dispensed with, and referred—the 1st to the committee on the Judiciary, and the 2d to the committee on Education.

Mr. Barnes read and laid on the table the following joint resolutions, viz:
After the sentence ending with the word “rebellion,” on 4th page, add—
The conspirators to break up the Government, succeeded in disrupting the Democratic organization at Charleston as the first step in the programme.
The election of the present Chief Executive and his administration was the legitimate result of these divisions.
A majority of the Senate and House of Representatives, opposed to the President’s proposed policy, still remained, until this majority was converted into a minority by the secession of the Southern States. There then remained the Supreme court, true to the Constitution and the Union.
Every law relative to slavery then on the statutes of Congress had been enacted at the behest of the slave States, none of which desired a repeal or asked a modification of these laws. Had these States stood by Kentucky in the Union, the President would have been powerless, and we should have been a free, happy, and prosperous people.
It was a mere rebellion on the election of a President, and has no justification in the Constitution or facts.
Many of the States were driven into secession, by fraud and force, against the will of a majority of their people.
A Government de facto, called the Confederate States of America, with Jefferson Davis as its President, was instituted; the despotism and iniquity of which stands to-day without a parallel. It has confiscated the estates of its own citizens without a crime, because they pre-
ferred the old Union. It has confiscated the estates of citizens of the
loyal States because of their residence.
It has imprisoned for months, in the most loathsome dungeons, with­
out process of law or charges preferred, our non-combatant citizens
of the loyal States.
It has trampled under foot the sacred right of habeas corpus.
It has ousted courts and trial by jury, and substituted in its stead ir­
responsible military tribunals, who have condemned to ignominious
death citizens, without notice, and without the privilege of confronting
their witnesses, and carried the sentence into execution in a few
hours.
It has unconstitutionally seized the private property of the citizen,
and destroyed it without remuneration.
It has, in the most despotic manner, conscripted its citizens, exempt­
ing only the aged and infirm, the officeholders, or the owner of a given
number of slaves.
It has, with armed bands, surrounded the private dwellings of the
citizen, and forced him into armed rebellion against that Government
to which his feelings and devotion adhered.
It has respected the rights of neither sex, age, or condition of its op­
posers.
It has made war on the Federal Government, drenched the land in
blood, sacrificed the lives of hundreds of thousands of the young and
middle-aged men of the nation, filled the country with shattered con­
istutions, and maimed men, and covered the land with sadness and
sorrow.
It has entailed on us and our posterity an exhausting public debt.
Finally, contrary to the repeated overwhelming sentiment of the
people of Kentucky, and to subjugate them, the Confederacy seized
the guns and arms of the State, invaded her soil, possessed a portion of
territory, inaugurated a hostile power, called the Provisional Govern­
ment of Kentucky, which levied unconstitutional and burdensome taxes
on her people; made war on the legitimate State Government, took
her revenues, robbed her banks and citizens and officers, and murdered
her people, burnt her towns and dwellings, destroyed their railroads,
and desolated their farms.
For all these acts of atrocity, we hold the Southern Confederacy, its
friends and sympathizers, responsible before and enlightened and
Christian country.
This State will submit to no such a despotism, only when she has no
power to resist it.
The rule of the House requiring joint resolutions to lie one day on
the table being dispensed with,

Ordered, That the Public Printer forthwith print 150 copies of said
resolutions for the use of the members of this General Assembly, and
and that they be referred to the committee on Federal Relations.
The following bills were reported, viz:

By Mr. Rankin, from the committee on the Judiciary—
1. A bill to establish an office for recording deeds and mortgages at Newport.

By Mr. Botts, from the same committee—
2. A bill declaring the office of county attorney and common school commissioner incompatible.

By Mr. Ricketts, from the same committee—
3. A bill for the benefit of John B. Holliday, late sheriff of Nicholas 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 being 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. Botts, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,

An act limiting the time for prosecuting appeals to the court of appeals,

Reported the same without amendment.

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

And so said bill was rejected.

Mr. Thomas, from the committee on the Judiciary, to whom was recommitted the bill, entitled,

An act to confer certain powers upon Thomas S. Chapman, deputy clerk of the Union county court,

Reported the same, with an amendment, by way of substitute.

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. Bailey, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled,
An act for the benefit of Mary J. York, of Logan 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 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 C. Cooper, George Poindexter,
Alfred Allen, Lucius Desha, H. S. Powell,
Jos. W. Anderson, Daniel E. Downie, Larkin Proctor,
R. C. Anderson, John W. Fintell, Wm. S. Rankin,
E. B. Bacheller, Elijah Gabbert, Nicholas A. Rapier,
Jonathan R. Bailey, Remus Gibson, John Ray,
Joshua Barnes, Henry Griffith, Joseph Ricketts,
Elisha Beasley, Geo. M. Hampton, F. D. Rigney,
John W. Blue, William J. Headly, William Roberts,
J. W. Boone, Joseph W. Hectors, James A. Rousseau,
William S. Botts, John M. Henry, J. C. Sayres,
Wm. Bolling, John Humphries, George S. Shanklin,
William A. Brann, William C. Ireland, M. Smith,
Leroy Brinkley, Daniel W. Johns, R. A. Spalding,
R. J. Browne, William Johnson, James P. Sparks,
Thomas S. Brown, James M. Jones, Harrison Taylor,
Curtis F. Burnam, Urban E. Kennedy, Joshua Tevis,
W. P. D. Bush, Perry S. Layton, John R. Thomas,
James Calvert, James M. C. Lisenby, Thomas Turner,
Cyrus Campbell, Alexander Lusk, Jos. R. Underwood,
J. W. Campbell, Jonas Martin, John S. Van Winkle,
Joseph H. Chandler, David P. Mears, W. W. Waring,
Brutus J. Clay, William Mercer, Alex. T. White,
Francis L. Cleveland, Felix G. Murphy, Nathaniel Wolfe,

In the negative—none.

Said bill reads as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor is hereby directed to draw his warrant in favor of Mary J. York, for the sum of one hundred and fifty-six dollars and eighty-three cents, to be paid out of any money in the treasury not otherwise appropriated, the same being compensation to said Mary J. York for supporting Susan N. York, a pauper idiot, of the county of
Logan, from the 9th day of October, 1859, to the 25th day of November, 1862, as owing to informality in judicial proceedings the allowance fixed by statute in such cases has not heretofore been drawn from the treasury for the benefit of said Susan N. York.

§ 2. This act to take effect from its passage.

The House then took up the special order, entitled,

Resolutions proposing conference of Legislatures through commissioners.

Mr. Taylor moved to postpone the further consideration of said resolutions until to-morrow.

Which motion was rejected.

Mr. Burnam moved to lay the resolutions 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 Turner, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Rousseau moved to amend by adding, “and all the other States loyal and disloyal.”

Which amendment was adopted.

Mr. Rousseau moved to reconsider the vote by which his amendment was adopted.

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

Mr. Rousseau, on motion, by consent of the House, then withdrew his amendment.

Mr. Ward moved to amend by adding “New Jersey, Maryland, and Delaware.”

Which amendment was adopted.

Mr. Bush moved to insert after the word “exigencies,” the following:

“And also, as to the best and most speedy means of bringing about a cessation of hostilities, and restoring peace to the country.”

Mr. Allen moved the following amendment by way of substitute for Mr. Bush’s amendment:

“And the speedy restoration of the Union.”

And the question being taken thereon said substitute was adopted.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, Hiram S. Powell,
Alfred Allen, Wm. l. Conklin, Larkin Proctor,
Jas. W. Anderson, John C. Cooper, William S. Rankin,
R. C. Anderson, Daniel E. Downing, Nicholas A. Rapier,
Jonathan R. Bailey, John W. Finnell, John Ray,
Joshua Barnes, Elijah Gabbett, Joseph Ricketts,
Elisha Beazly, Henry Griffith, F. D. Rigney,
John C. Beeman, W. J. Heady, James A. Rousseau,
John W. Blue, Joseph W. Heeter, J. C. Sayres,
J. W. Boone, John M. Henry, George S. Shanklin,
Wm. S. Botts, John B. Huston, M. Smith,
Wm. Bowling, William C. Ireland, James P. Sparks,
William A. Brann, Daniel W. Johns, Harrison Taylor,
Leroy Brinkley, James M. Jones, Joshua Tevis,
R. J. Browne, Urban E. Kennedy, John R. Thomas,
Thomas S. Brown, Perry S. Layton, Thomas Turner,
Curtis F. Buram, Alexander Lusk, Joseph R. Underwood,
James Calvert, Jonas Martin, Jno. S. Van Winkle,
Cyrus Campbell, David P. Mears, Zeb. Ward,
J. W. Campbell, William Mercer, W. W. Warring,
Joseph H. Chandler, Richard Neel, Alex. T. White,
Mr. Bush moved to amend the amendment of Mr. Allen by adding, "And restoring peace to the country." Which was adopted.

Mr. John B. Cochran then moved the previous question.

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

The question was then taken on adopting the amendment of Mr. Allen, as amended, and it was decided in the affirmative.

Said resolutions, as amended, were then taken up, twice read, and adopted.

Said resolutions, as adopted, reads as follows, viz:

The committee on Federal Relations, to whom was referred resolutions respecting the appointment of Commissioners by this Legislature, to meet Commissioners to be appointed by other States, to confer together about the condition of our National Affairs, recommend the adoption of the following resolutions:

1. Resolved, That nine Commissioners, six on the part of the House of Representatives, and three on the part of the Senate, be elected by the respective Houses, whose duty it shall be to proceed to Louisville, Kentucky, on the 16th day of March, 1863, and there meet and confer with Commissioners, who may be appointed by the States named in the subjoined resolution, to consult together as to the state of the Nation, and its present exigences, and the speedy restoration of the Union, and restoring peace to the country, and report the result thereof to the Governor of this State, or this Legislature if it shall be then in session.

2. Resolved, That the States of New York, Pennsylvania, Illinois, Ohio, Indiana, New Jersey, Maryland, Delaware, and Missouri be and they are hereby invited to appoint Commissioners to meet Commissioners elected by this Legislature, at the time and place, and for the purposes mentioned in the foregoing resolution.

3. Resolved, That the Governor of this Commonwealth is requested to transmit copies of these resolutions to the Governors of the States mentioned in the foregoing resolution.

The House then took up the special order, entitled, An act concerning the penitentiary.

Mr. Finneil moved to fill the blank in the 8th section with "one hundred dollars."
Mr. Ward moved to postpone the further consideration of said bill till Wednesday next.

Which motion was rejected.

Mr. Ward moved to fill the blank in the 8th section with "one hundred and fifty dollars."

Which motion was rejected.

The question was then taken, and the motion of Mr. Finnell to fill the blank with "one hundred dollars," was adopted, and the blank was filled with "one hundred dollars."

Mr. Bush moved to amend the 3d section of the bill by striking out "six" and inserting "ten."

Mr. Bush called for a division of the question.

The question was then taken on striking out "six," and it was decided in the affirmative.

The 3d section reads as follows, viz:

"The keeper shall be bound to pay into the treasury, to the credit of the Sinking Fund, at the end of each year of his term of office, the sum of six thousand dollars."

The question was then taken on filling said blank with "ten," and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John W. Finnell, Alfred Allen, R. C. Anderson, Mr. Speaker, (Buckner,) John W. Finnell, Alfred Allen, R. C. Anderson, 174

Thomas W. Owings, George Poindexter, John Ray,
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 Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Lucius Desha, Hiram S. Powell,
Alfred Allen, Daniel E. Downing, Larkin Proctor,
R. C. Anderson, John W. Finnell, Nicholas A. Rapier,
Jonathan R. Bailey, Elijah Gabbert, John Ray,
Joshua Barnes, Geo. M. Hampton, Joseph Ricketts,
Elisha Beazly, William J. Heady, F. D. Rigney,
John C. Beeman, Joseph W. Heeter, William Roberts,
J. W. Blue, John M. Henry, James A. Rousseau,
William S. Botts, John Humphries, J. C. Sayres,
Wm. Bowling, John B. Huston, George S. Shanklin,
William A. Brann, William C. Ireland, M. Smith,
Leroy Brinkley, Daniel W. Johns, Robert A. Spalding,
R. J. Browne, William Johnson, James P. Sparks,
Thomas S. Brown, J. M. Jones, Harrison Taylor,
Curtis F. Burnam, Perry S. Layton, Joshua Tevis,
W. P. D. Bush, Jas. M. C. Lisenby, John R. Thomas,
James Calvert, Alexander Lusk, Thomas Turner,
Cyrus Campbell, Jonas Martin, J. R. Underwood,
J. W. Campbell, David P. Mears, John S. Van Winkle,
Joseph H. Chandler, William Mercer, Zeb. Ward,
Brutus J. Clay, Felix G. Murphy, W. W. Waring,
Francis L. Cleveland, Richard Neel, Alex. T. White,
John B. Cochran, Thos. W. Owings, Nathaniel Wolfe,

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 Keeper of the Penitentiary shall hold his office for four years from the 1st day of March, 1863, subject to the liabilities, terms, and conditions; and entitled to the rights, privileges and advantages as prescribed in this act, to-wit:

First. The Commissioners of the Sinking Fund shall loan to the Keeper ten thousand dollars in raw materials, (to be secured by the State from the outgoing Keeper,) and in money during his term of office, for which he shall pay to them, annually, interest, at the rate of six per cent. per annum, until the principal is returned; and for the payment of the principal and interest shall execute bond to said Commissioners, with sufficient sureties, to be approved by them.

Second. The Keeper shall have the use and control of the Penitentiary, and all the buildings attached thereto, together with all the machinery, fixtures, tools and other property of the State therein, and receive and have all the proceeds of the labor of the convicts therein, and all the profits and emoluments from the operations of the Penitentiary; and shall be bound to keep in good order, all the buildings, machinery, fixtures, tools and other property, and return all the property, so received by him, in as good order as when the same shall have been received by him, unavoidable accidents by fire as respects the buildings and machinery only excepted.

Third. The Keeper shall be bound to pay into the Treasury, to the credit of the Sinking Fund, at the end of each year of his term of office, the sum of ten thousand dollars.

Fourth. In the event of a fire or fires occurring in the Institution, without any fault on the part of the Keeper, his assistants, or guards, the General Assembly, if in session, and if not, the Commissioners of the Sinking Fund, shall cause to be erected, as soon as practicable, such other permanent and suitable buildings as they may deem best for the interest of the State, not exceeding in cost ten thousand dollars, to be paid out of any money in the Treasury to the credit of the Sinking Fund; and the Commissioners of the Sinking Fund shall make such deduction from the annual sum to be paid by the Keeper as they may deem equitable and just, for the loss of the use of the buildings; and their decision shall be subject to the ratification of the Legislature. The cost of erecting the necessary temporary buildings shall be borne by the Keeper, and no allowance is to be made to him therefor.

Fifth. If during the term of office of the Keeper, the Commissioners of the Sinking Fund deem it necessary to cause additional machinery to be erected, the State shall not, under any circumstances, be chargeable with a sum therefor exceeding ten thousand dollars; and the Keeper shall give bond with adequate security, to be approved by the Governor, that he will return the machinery so erected in as good order as when erected, and will pay the State, annually, six per cent. per annum interest on the amount expended in erecting such machinery. The State reserves to itself the right of purchasing from the Keeper of the Penitentiary, at the termination of his term of office, at a fair cash value, any machinery which he may erect at his own cost in the Penitentiary.
Sixth. If any of the amounts herein required to be paid by the Keeper of the Penitentiary shall remain unpaid for ten days after the same shall become due and payable, it shall be the duty of the Commissioners of the Sinking Fund to cause a judgment to be rendered against the Keeper and his sureties, at the next or any succeeding term of the Franklin Circuit Court, for the amount so due and unpaid, by motion, in the manner, and with like penalties, that judgments are or shall be rendered against defaulting sheriffs or other collectors of the public money.

Seventh. The said Keeper, in addition to the payment of said sums of money, shall, at his own expense, furnish the necessary guards feed and clothe the convicts, giving them coffee at least once every day; appoint his own clerk, and pay him for his services; furnish all necessary beds and bedding for the convicts; pay the liberation money to the convicts, all necessary physicians' bills, and all the necessary expenses in maintaining and carrying on said Institution, and save the State harmless of all expense connected with the management of the same during his term of office.

Eighth. The Governor shall appoint three inspectors of the Penitentiary, one of whom shall be a practicing physician, who shall hold their offices for two years, unless sooner removed by the Governor. It shall be the duty of the inspectors to examine into all matters connected with the government, discipline, and police of the Penitentiary, and make a report thereof every three months to the Governor. The Penitentiary shall be visited at least once each week by two of said inspectors and as much oftener as shall be prescribed by the Governor or Commissioners of the Sinking Fund. Each Commissioner shall receive one hundred dollars per annum for his services, payable out of any money in the Treasury to the credit of the Sinking Fund. No inspector of this Penitentiary shall become interested, directly or indirectly, in the profits thereof or of its management.

Ninth. The Keeper shall employ one or more reputable physicians, whose duty it shall be to examine into the health and situation of each convict, and report to the Governor whether any convict is engaged in any work which is injurious to his health, or whether any convict is kept at work when, from disease, he is unfit for labor; whereupon it shall be the duty of the Governor to cause said convict to be changed to other work, or relieved from work, until said physician shall pronounce his health sufficiently restored for labor. The Keeper shall give written information to the Governor of his employment of a physician, and of each change of employment.

Tenth. If the Keeper of the Penitentiary fail or refuse to comply with the obligations imposed on him by this act, or shall be guilty of any malfeasance in office, the Governor shall have full power, and it shall be his duty, to remove him forthwith.

Eleventh. In the event of the death or removal from office of the Keeper of the Penitentiary, the Governor, Secretary of State, and Auditor shall make a contract with a suitable person to take charge of the Penitentiary, according to the provisions of this act, until the next ensuing meeting of the General Assembly, and until a new Keeper be elected and qualified.
Twelfth. Before the Penitentiary shall be placed in the charge of the Keeper elect, he shall execute bond, with sufficient sureties, to be approved by the Governor, to the Commonwealth, for his faithful performance of the duties of his office, and compliance with the provisions of this act.

Thirteenth. All laws relative to the Penitentiary, in conflict with the provisions of this act, are hereby repealed; and all laws not inconsistent with its provisions shall remain in full force until changed by the Legislature. Nothing herein contained shall prevent the Legislature from passing such laws as may be deemed necessary to the welfare and reformation of the convicts.

§ 2. The raw materials which may be on hand at the expiration of the Keeper's term of office, not exceeding eight thousand dollars in value, and which shall be suitable for the manufactures conducted in the Penitentiary, may be received by the State, at fair wholesale cash valuation, in payment of so much of the loan to said Keeper, and shall be delivered to the incoming Keeper at the same valuation, in part of the ten thousand dollars directed to be loaned him by the first subdivision of section one. The valuation shall be made by three competent and disinterested persons—one selected by the outgoing Keeper, one by the incoming Keeper, and one by the Sinking Fund Commissioners—who shall be duly sworn to discharge their duties fairly and impartially, and to the best of their skill and judgment, before proceeding to make the valuation; both the outgoing and the incoming Keepers shall have a right to be present at the valuation. If either Keeper fail to select a valuer, the Commissioners of the Sinking Fund shall make the selection in his stead.

§ 3. In order to determine the condition in which the machinery, fixtures, tools and other property may be, when received and when returned by the Keeper, a valuation of the same, at the commencement and at the termination of the Keeper's term of office, shall be made by three skillful and disinterested persons, selected by the Commissioners of the Sinking Fund, who shall be duly sworn to discharge their duties fairly and impartially, and to the best of their skill and judgment, before making the valuation. The outgoing and incoming Keepers shall be entitled to be present at the valuation.

§ 4. The clothing, beds, and bedding for the convicts and other necessary furniture of the Penitentiary, shall in like manner be valued at the commencement and termination of the Keeper's term of office, by appraisers appointed by the Commissioners of the Sinking Fund, and the Keeper shall be bound to leave at the termination of his office an equal value of clothing, beds, and bedding, and other necessary furniture with that he received at the commencement of his term of office. If there is a deficiency the Keeper shall pay the deficiency in cash. If there is an excess then the Keeper may withdraw the excess, or the Commissioners of the Sinking Fund may allow him a cash credit for the value of such excess. The appraisers shall be sworn, and both Keepers shall have the right of being present, as provided in the preceding section.

§ 5. In the event of the death or removal from office of the Keeper, valuations shall be made of all the articles of property named in the
three proceeding sections, by appraisers appointed by the Commissioners of the Sinking Fund, who shall be sworn as provided in said sections, before making said valuations; the valuations prescribed in this and the preceding sections shall be written out, and the articles so enumerated or described as to be identified, subscribed by the appraisers, and filed with the Commissioners of the Sinking Fund, and by them preserved.

§ 6. The Keeper shall employ a minister of the Gospel, whose duty it shall be to give to the convicts such religious and mental instruction as said minister may think necessary and beneficial to the convicts.

Mr. Bush moved to reconsider the vote by which the bill, aforesaid concerning the Penitentiary, was just passed.

Mr. Ward moved to lay the motion on the table.

Mr. Huston moved to postpone the motion to reconsider said vote.

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

The yeas and nays being required thereon by Messrs. Ward 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 Mr. Ward’s motion to lay said motion to reconsider on the table, and it was decided in the affirmative.

On motion of Mr. Lisenby,
Leave of absence till Wednesday next was granted Mr. J. W. Boone.

Leave was given to bring in the following bills, viz: On motion of Mr. Lisenby—1. A bill to repeal an act, entitled, an act to authorize the suspension of circuit courts in certain counties, approved September 5, 1862.
On motion of same—2. A bill to extend to the 1st day of August, 1864, the provisions of an act, entitled, an act to regulate proceedings in civil cases, approved March 8th, 1862.

Ordered, That Messrs. Lisenby, Downing, and M. Smith prepare and bring in the 1st, and Messrs. Lisenby, Heeter, and Kennedy the 2d.

At 1½ o’clock, P. M., 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. Rapier and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—
Jas. W. Anderson, George Pointdexter, R. C. Anderson, Hiram S. Powell, Joshua F. Bell, Nicholas A. Rapier, J. W. Blue, Joseph Ricketts, Wm. A. Brann, Robert A. Spalding,
TUESDAY, FEBRUARY 10, 1863.

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 guardians, trustees of wards, and cestui que trust to make investments in real estate.

An act to amend section 9, article 3, chapter 91, of the Revised Statutes.

An act to amend chapter 2, of the Revised Statutes, title Concerning Caveats.

An act to amend chapter 99 of the Revised Statutes, title “Taverns, Tippling-houses, &c.”

An act to amend section 3, article 10, chapter 28, Revised Statutes.

An act to incorporate Sherburne Chapter of Royal Arch Masons of the county of Fleming.

An act to incorporate Cherokee, Tribe No. 36, Independent Order of Red Men.

An act to amend the charter of the town of Springfield.

An act to amend an act, entitled, an act to charter the Union turnpike road company.

An act for the benefit of the Oregon turnpike road company.

An act concerning the Richmond, Otter creek and Boonsboro' turnpike road company.

That they had passed a bill, entitled,

An act concerning the Penitentiary.
Mr. Chambers, from the committee on Federal Relations, under the leave of the House, made the following report as a minority report from said committee, viz:

The undersigned, a member of the committee on Federal Relations, could not approve the report on Federal affairs, agreed upon by a majority of that committee, for the following reasons: It can be interpreted as an implied endorsement of the measures of the present administration, and its supporters, antecedent to the war.

Speaking in reprehension of the seceded States or those who guided their conduct, it declares "that their wicked ambition has brought these calamities on us and themselves," whilst no complaint is made of the earlier conduct of the party now controlling the Government. If adopted by this General Assembly, it will be in effect, to declare that the war could not have been honorably averted, and that it ought not to be suspended until the States resisting the authority of the Government are either subdued by force, or voluntarily return to their allegiance. It would assert that war, then was, and is now, the only alternative of the nation.

The correctness of this opinion or its error will be seen by a brief reference to a few passages in our recent history, and in making this it is not deemed necessary to offer proof of their truth whilst confined to the statement of notorious facts.

The central idea around which the Republican party organized, and the strongest bond of its union, was, that the institution of slavery should not go beyond the States in which it was then established by law. Another article of its creed, perhaps less generally asssented to, but still held, by very important personages, including the present President and his chief official adviser was, that there existed between the labor systems of the Northern and Southern States, a conflict so radical and irreconcilable, that it could never end until one or the other became established throughout the land. The tendency of this latter proposition, though destitute of intrinsic truth, was to precipitate the very conflict of which the proposition itself may have been the mere prediction. Taken as a whole, the policy of the Republican party was believed to be unfriendly to, and subversive of, the rights reserved in the Constitution to many of the States, and recognized in all past administrations. The animus with which this policy was supported in the Republican States, and met in the remainder, presented its tendencies in a still more alarming aspect. The result of the Presidential contest of 1860, waged upon these principles, and conducted in this spirit, could not do otherwise than cast a deep gloom over the entire land, and create the liveliest apprehension that the peaceful administration of our National affairs was at an end. Patriots everywhere sought to avert the impending crisis. Many sagacious men believed that the election of a sectional candidate to the presidency was the beginning, if not the triumph, of a revolution in the character and purpose of the Government, and that unless it could be restrained by satisfactory guarantees for the safety of en larged interests, it would either result in a dissolution of the union of the States or in a bloody
and destructive war in which the principles of civil liberty and republican government might themselves be lost. To avert these evils was the anxious desire of the statesmen and people of Kentucky, and millions of good men elsewhere. Loving constitutional government, no less than geographical unity of empire, they proposed to meet the dangers of the hour by the means our fathers employed to remedy the defects of the confederation. Their plan was to adopt the organic law to the altered circumstances of the nation. The position of Kentucky, in the heart of the republic, and the conservative sentiments of her people, made her a fit mediator between the excited and hostile sections, whilst her sense of danger to her own domestic interests enhanced her desire for constitutional amendments adapted to the emergency. Such were offered to the country by one of her own distinguished sons. Their adoption was urged by our delegation in the peace conference, and conservative men from all the States admitted their justice, and gave them an earnest support. But the olive branch of peace was cast aside, and it was announced that the Government could not compromise with traitors in arms. Suborned by Government patronage, or the hopes of it, many in our own borders echoed the fatal sentiment, and sought to secure for it the consideration of an established aphorism. Preparations were made for war, and war ensued. In the light of these facts, with our rejected propositions of compromise and peace staring us in the face, and with a full knowledge of the influences which prevented their adoption, it is not believed that this General Assembly will so far violate the truth of history as to declare of Southern men, in the language of the majority report, "that their wicked ambition, alone "has brought these calamities on us and themselves." It is not the whole truth, and hence is not suggestive of the remedies demanded by the facts as they really exist. By adopting this language we stultify our own conduct as a State, in offering and insisting on constitutional amendments as guarantees for our own safety. These proposed amendments are a standing admission of the insecurity of Southern rights under the present Constitution as interpreted by those who now control the Government. Before resorting to coercive measures then, ought not these fears to have been removed from the minds of men who were even more sensitive to the impending dangers than ourselves? They were not removed, and a desperate war ensued, and now goes on. Ought it to continue? This is the question which the practical statesmannships of this Legislature must answer.

The minority of your committee would respond with emphasis, in the negative. War was not the proper remedy for our troubles in the beginning, and every day serves to demonstrate more fully its folly and criminality. A Union held together by the sword is not such a Union as our fathers made, and for the good it can accomplish, is not worth preserving.

Another insuperable objection to the continuance of the war, is found in the now perfectly apparent purpose of the President and his party, to overlook every principle of the Constitution and every safeguard to the liberty of the people contained in it, when these stand in the way of their unlawful purposes. Shall we strengthen their hands
by placing more of the money and men of the country under their control? Probably the greatest of all the dangers which now surround us is, that whilst we strive to subdue the States in arms against us, we will ourselves become the victim of the power we have, and propose still to confide in the hands of the national Executive. Therefore, whilst there is much in the report of the majority of the committee, which meets my hearty concurrence, I dissent from it, chiefly, in the fact that it recommends a continuance of the war for other purposes than defense, and feel constrained by a sense of duty to those whose interests I more immediately represent—to the State and country at large and in behalf of humanity, to make a minority report recommending measures which look to a speedy peace.

I therefore offer the following preamble and resolutions as a substitute for the report of the majority of the committee, and recommend their adoption:

A. B. CHAMBERS.

In times of war, as in peace, the Constitution of the United States is the supreme law of the land; it prescribes the powers of the Government in its executive, no less than in its other departments, and it is the only legal bond of union between the States.

The Federal Government, as defined by the Constitution, when exercising the powers granted to it, is entitled to the allegiance of the people, but loyalty to the Government does not impose upon the citizen any obligations to support an administration in the enforcement of a policy unauthorized by the Constitution, or forbidden by its provisions; but it is the duty of all good citizens to resist encroachments upon their rights, and to defend the Constitution of their country from violence. He who upholds the executive, or any other department of the Government, in the violation of its provisions, is disloyal to the Constitution and an enemy to the freedom of his country.

The Federal Government, deriving all its legitimate powers from the Constitution, is, therefore, the creature of the Constitution, and has no power in any department to suspend any of its provisions or throw off its restrictions under any pretense whatever.

The maxim that "Governments derive their just powers from the consent of the governed," is one which we ought never to forget; it involves a fundamental principle of freedom—one asserted by our ancestors and for which they fought and won our independence of the British Crown, and which we can never surrender. It should also be borne in mind that governments were instituted for the protection of life, liberty and property, and that such as fail to perform this duty will, sooner or later, be overthrown by an intelligent, virtuous and courageous people.

The history of the present administration of the Federal Government is a history of repeated injuries and usurpations tending directly to the overthrow of State authority and State institutions, and a consolidation in the Federal Government of all political power, and the erection upon their ruins of a great military despotism as tyrannical and despotic as the worst governments of Europe, to prove which, we refer to the following facts:

The President has, without authority of Congress, suspended the
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He has caused citizens to be arrested and transported to distant States, and incarcerated in loathsome prisons, without charge or accusation against them.

He has denied to citizens thus arrested and imprisoned a trial by jury, or, indeed, any trial, and has withheld from them all knowledge or information as to their accusers or the causes of their arrest.

He has subjected his prisoners, thus held, to barbarous and inhuman treatment, endangering both life and health, and has required hundreds of them, so held, as a condition upon which they might be released, to take illegal oaths, arbitrarily prescribed by himself or his agents.

He has attempted to destroy the freedom of the press by the forcible suppression of newspapers, because they saw proper to criticise the measures of his administration; and such as have escaped suppression have been subjected to a censorship, wholly incompatible with freedom of thought or expression of opinion.

He has attempted to destroy the freedom of speech by arresting citizens who animadverted upon the measures of his administration.

He has caused to be arrested persons engaged in circulating petitions for the signatures of the people, thus interfering with the right of petition.

He has wholly disregarded the right of the people to be "secure in their persons, houses, papers and effects against unreasonable search, and seizures."

He has interfered with the administration of justice in the State courts by violently forcing the judges to adjourn and dispersing their grand juries; and by breaking open jails and releasing prisoners confined under regular judicial process for felonies and other crimes.

He has, in some of the States, (among which is Kentucky,) forcibly wrested from the citizen his right to be a candidate for office within the gift of the people, thus striking down the elective franchise; and eminent citizens of this State were for months in confinement beyond its borders for no other known reason than that they presented themselves as candidates for office before the people.

He has quartered soldiers in the houses of citizens against their will, and not in the manner prescribed by law.

He has permitted his troops to overrun this State, destroying houses and fencing of farms and lots; they have sacked the houses of peaceable citizens, destroying their furniture and family pictures, carpets, clothing, and other articles of household goods, and robbed them of their silver-ware, stock and provisions.

He has permitted his wagon-masters, and others, with armed soldiers, to seize the corn, oats, hay, &c., of our citizens for the use of the armies, without their consent, and without just discrimination as to whether the farmer could spare the articles or not, fixing their own price upon them and making their own estimate as to the value and quantity taken, and giving no receipt or name whereby the owner could successfully seek his pay, and often when vouchers were given, they were so informal that no money could be drawn upon them.
He has permitted his officers and soldiers to entice slaves, in great numbers, to leave their masters and owners, and to take them within their camps, and there with bayonets to protect them from reclamation; and when civil suits have been brought for their recovery, in many instances, the process of the court has been resisted by armed forces, and the owner of the slaves maltreated and imprisoned for no known cause, other than his attempt thus to recover and protect his property.

He has permitted his officers and soldiers, without authority of law, to levy large contributions of money upon unoffending citizens, under the pretense of reimbursing other citizens for losses sustained by the casualties of war.

He has permitted his officers and soldiers, with impunity, to murder peaceable citizens.

He has given his assent and approval to acts of Congress appropriating and proposing to appropriate immense sums of the public money to purchase the freedom of slaves and their deportation to some foreign country, and has invited the border slave States, including Kentucky, to liberate their slaves with promises of compensation from the Federal Treasury.

He has set aside the Constitution of the United States, by giving his sanction to an act of Congress creating a new State within the territory of Virginia without her consent.

He has, without constitutional authority, aided in freeing the slaves of the District of Columbia.

He has in violation of the Constitution, by proclamation, declared free all the slaves in many of the States—invited them to vindicate their freedom by force, and sought an alliance with them in a war waged against their masters—a monstrous and iniquitous act sanctioned by no law human or divine, finding no parallel in atrocity in the history of barbarous nations.

He is spending large sums of money, appropriated by Congress for the support of the army, in feeding and clothing slaves stolen from their masters.

In view of the foregoing facts, the truth of which cannot be denied, we do firmly believe and solemnly declare that any assistance furnished the Executive in the further prosecution of the war upon the basis of his present policy tends immediately and directly to the overthrow of both the Federal and State Governments—wherefore,

1. Resolved, by the General Assembly of the Commonwealth of Kentucky, That Kentucky will, by all constitutional means in her power, protect her citizens, in the enjoyment of the elective franchise, the benefits of the writ of habeas corpus, the security of their persons and property, against the unconstitutional edicts of the Federal Executive, and their enforcement by the army under his control.

2. Resolved, That by the Constitution of the State of Kentucky "the right of the owner of the slave to such slave and its increase is the same and as inviolable as the right of the owner to any property whatever," that "Kentucky understands her own interests too well to be thankful for gratuitous advice as to the mode in which she should manage them, and when she wants the assistance of any outside administration of her affairs, she claims the privilege of originating the sug-
gestion"—consequently the proposition made by President Lincoln for her to emancipate her slaves is hereby rejected.

3. Resolved, That the object and purpose of the war having been perverted by the the party now in control of the Government, in violation of its oft repeated and most solemn pledges, our Senators in Congress are instructed and our Representatives are requested to oppose any further aid in its prosecution by furnishing either men or money.

4. Resolved, That the Proclamations of the President, dated September 22, 1862, and January 1, 1863, purporting to emancipate the slaves in certain States and parts of States, set forth therein, are unwarranted by any code, either civil or military, and of such a character and tendency as not to be submitted to by a people jealous of their rights.

5. Resolved, That the act of Congress approved by the President, admitting Western Virginia as a State without the consent of the State of Virginia, is such a palpable violation of the Constitution as to warrant Kentucky in refusing to recognize the validity of such proceeding.

6. Resolved, That Kentucky will cordially unite with the Democracy of the Northern States in an earnest endeavor to bring about a speedy termination of the existing war, and to this end we insist upon a suspension of hostilities, and an armistice, to enable the belligerents to agree upon terms of peace.

7. Resolved, That Commissioners from this State be appointed, whose duty it shall be to visit the Federal and Confederate Governments, at Washington and Richmond, and urge them, respectively, to agree upon an armistice for the purposes herein contemplated.

8. Resolved, That the Governor of Kentucky is hereby requested to forward a copy of the foregoing preamble and resolutions to the President of the United States, and to each of our Senators and Representatives in Congress.

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

Mr. Clay moved to reconsider the vote on yesterday adopting resolutions regarding the appointment of commissioners from this Legislature to meet similar commissioners at Louisville, of other States.

Mr. Sparks presented the petition of the trustees of school district No. 4, of Trimble county, in relation to schools 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:

On motion of Mr. Gibson—1. A bill for the benefit of A. B. Baird, late judge of the Ohio county court.

On motion of Mr. Allen—2. A bill changing the time of the sitting of the Legislature of Kentucky.

Ordered, That the committee on Ways and Means prepare and bring in the 1st, and the committee on the Judiciary the 2d.
Leave was given to bring in a bill to amend an act, entitled, an act to incorporate the town of Mount Sterling, approved March 12, 1851.

Ordered, That the committee on Corporations prepare and bring in said bill.

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

Whereas, this Legislature, on the 7th inst., passed a resolution appointing a commissioner to repair to Washington City to arrange with the Government for the payment of tolls on the turnpike roads in the northern part of Kentucky; and whereas, the turnpike roads in the southern part of Kentucky have been used and greatly damaged by the armies of the Southern Confederacy. Therefore, be it

Resolved, That the said commissioner be required to visit also the city of Richmond, and demand of King Davis compensation for the use of said roads, and he be required to urge the said Davis to pay for bridges burned on said roads.

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.

The following bills were reported, viz:

By Mr. Rankin, from the committee on the Judiciary—

1. A bill to prevent certain negroes or mulattoes from migrating to or remaining in this State.

By Mr. Turner, from the committee on Ways and Means—

2. A bill for the benefit of John Armstrong, collector of the revenue and county levy of Carter county for the year 1861.

By Mr. Turner, from the same committee—

3. A bill for the benefit of the collector of revenue, &c., for 1861, in the county of Barren.

By same—

4. A bill for the benefit of T. W. Samuels, late sheriff of Nelson county.

By same—

5. A bill for the benefit of the Carter county court.

By same—

6. A bill to authorize the trustees of Milburn, in Ballard county, to grant coffee-house licenses.
7. A bill concerning the collection of the public revenue for the year 1863.

By same—
8. A bill for the benefit of John A. Yandell, late sheriff of Carter county.

By Mr. Sparks, from the committee on Internal Improvement—
9. A bill to amend the charter of the Carrollton and New Castle turnpike road company.

By Mr. Burnam, from the committee on Education—
10. A bill for the benefit of school district No. 58, in Kenton county.

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

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

The 1st was ordered to be printed and placed in the orders of the day; the 2d, 3d, 4th, 5th, 6th, 8th, 9th, and 10th were 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 yeas and nays being required on the passage of the 8th bill by Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Joseph H. Chandler, Jas. M. C. Lisenby, W. W. Warring,
Brutus J. Clay, Jonas Martin, Alex. T. White,
Francis L. Cleveland, David P. Mears, Nathaniel Wolfe—67.
John B. Cochran.

In the negative—

Alexander Lusk—1.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken­
tucky, That the further time of one year from and after the passage of
this act, be and the same is hereby allowed to John A. Yandell, late
sheriff of Crittenden county, for the collection and payment of the
balance of the revenue tax due for the years 1861 and 1862, and to
make out and return his delinquent lists, and for the collection of the
county levies for the years 1861 and 1862.

§ 2. That said sheriff is hereby released from the payment of dam­
ages upon a judgment rendered against him in the Franklin circuit
court, for the revenue unpaid by him for the year 1861, upon his pay­
ing the balance of the principal, interest and costs of said judgment.

§ 3. That this act shall take effect from and after its passage.

Mr. Turner, from the committee on Ways and Means, to whom was
referred leave, reported

A bill for the benefit of R. R. Jones, late sheriff of Meade 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. Martin moved to amend said bill by including R. S. Boyd, late
sheriff of Livingston county.

Which amendment was adopted.

Mr. Bush moved to amend said bill, by including W. B. Miller, late
sheriff of Hancock 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
aforesaid.

Mr. Turner, from the same committee, to whom was referred leave,
reported

A bill for the benefit of M. H. Dickerson, late sheriff of Barren
county.

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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,

Mr. Clay moved to amend the bill, making its provisions applicable to B. F. Pullen, late sheriff of Bourbon county.

Mr. Henry moved to include W. G. Waide, late sheriff of Simpson county.

Mr. Griffith moved to amend, by including Henry Lucas, late sheriff of McLean county.

Which amendments 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.

Mr. Turner, from the same committee, to whom was referred leave, reported

A bill for the benefit of W. B. Glave, late sheriff and deputy sheriff of Harrison 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 to amend said bill, by adding James Cox, sheriff of Wolfe county, and W. W. Cox, sheriff of Morgan 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 aforesaid.

The House then took up the special order, viz:

Resolutions regarding national affairs.

Mr. James W. Anderson moved the following resolutions as a substitute therefor, viz:
Whereas, the Federal Government of the United States, being engaged in a terrible war for the suppression of a causeless and wicked rebellion, which aims to sunder the Union and destroy the Government, Kentucky, being an integral portion of the Government—a loyal State thereof—and having long since plighted her faith to the Government, to aid in the suppression of the rebellion, and the restoration of the Government, with the rights of all the States; that notwithstanding she holds opinions adverse to the policy and constitutional power of some of the war measures of the Chief Executive of the Nation; still, unwavering in her devotion and attachment to the Government of her illustrious ancestors and revolutionary sires, she again reiterates her pledges of fidelity to the great common cause, and with all her energies, and with all her power, and with all her means, will advance steadily forward in the prosecution of the war, to the crushing of the rebellion and the restoration of the Union and the Constitution; therefore,

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That this General Assembly declares, as before it has often times declared, that the State of Kentucky hath ever been and is, loyal to the Government of the United States of America, and is determined to maintain that loyalty against both domestic and foreign foes.

2. That the General Assembly recognizes a manifest difference between any administration of the Government and the Government itself—the one is transitory, limited in duration only to that period of time for which the officers elected by the people are charged with the conduct of the same—the other is permanent, intended by its founders to endure forever.

3. That the General Assembly now, in the exercise of its right to differ in opinion with the National Executive, enters its solemn protest against the Proclamation of the President of the United States, dated 1st of January, 1863, by which he assumes to emancipate all slaves within certain States, holding the same to be unwise, unconstitutional and void.

4. That the General Assembly further declares that the power which has recently been assumed by the President of the United States, whereby, under the guise of military necessity, he has proclaimed and extended martial law over States where war did not exist, is unwarranted by the Constitution, and its tendency is to subordinate civil to military authority, and to subvert constitutional and free government.

5. That the General Assembly declines to accept the President's proposition for emancipation, as contained in his Proclamation of the 19th May, 1862.

6. That the General Assembly deems it proper further to declare, that it, together with all the loyal people of the State, would hail with pleasure and delight any manifestation of a desire on the part of the seceded States to return to their allegiance to the Government of the Union, and would, in such event, cordially and earnestly co-operate with them in the restoration of peace, and the procurement of such guarantees as would give security to all their interests and rights.

7. That Kentucky will adhere to the Constitution and the Union, as the best, it may be the last, hope of popular freedom; and for all wrongs which may have been committed, or evils which may exist, will seek
redress under the Constitution and within the Union, by the peaceful, but powerful and irresistible, agencies of the suffrages of a free people.

8. That the General Assembly hails with pleasurable hope the recent manifestations of conservative sentiment among the people of the non-slaveholding States, and regard the same as the earnest of a good purpose on their part to co-operate with all other loyal citizens—give security to the rights of every section, and maintain the Union and the Constitution as they were ordained by the founders of the Republic.

Mr. Chambers moved the resolutions, this day reported, as a substitute for Mr. Anderson’s resolution and those reported by the majority of the committee on Federal Relations.

Mr. Bush moved to postpone the further consideration of said resolutions till Wednesday next, at 11 o’clock.

Which motion was rejected.

Mr. Wolfe moved to postpone the further consideration of said resolutions till to-morrow, at 11 o’clock.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William J. Heady, Larkin J. Proctor,
E. B. Bacheller, John M. Henry, William S. Rankin,
John C. Beeman, John Humphries, Wm. Roberts,
J. W. Boone, John B. Huston, James A. Rousseau,
Wm. Bowling, Wm. C. Ireland, J. C. Sayres,
R. J. Browne, William Johnson, R. A. Spalding,
W. P. D. Bush, J. M. Jones, John R. Thomas,
A. B. Chambers, Perry S. Layton, Thomas Turner,
Francis L. Cleveland, Alexander Lusk, Wm. H. Van Pelt,
John C. Cooper, Jonas Martin, John S. Van Winkle,
Lucius Desha, Felix G. Murphy, Alex. T. White,
John W. Finnell, Richard Neel, Nathaniel Wolfe,
John H. Harney, Hiram S. Powell,

Those who voted in the negative, were—

Alfred Allen, Joseph H. Chandler, David P. Mears,
Jas. W. Anderson, Brutus J. Clay, William Mercer,
R. C. Anderson, John B. Cochran, George Poindexter,
Jonathan R. Bailey, William L. Conklin, Nicholas A. Rapier,
Joshua Barnes, Daniel E. Downing, John Ray,
Elisha Beazley, John Draffin, Joseph Ricketts,
J. W. Blue, Elijah Gabbert, F. D. Rigney,
Wm. A. Brann, Remus Gibson, M. Smith,
Leroy Brinkley, Henry Griffith, James P. Sparks,
Thos. S. Browne, Joseph W. Heeter, Joshua Tevis,
The House then took up the motion to reconsider the vote rejecting the bill, entitled,

An act to increase jailers fees.

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

Mr. Burnam moved to reconsider the vote ordering said bill to a third reading.

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

The question was then taken on the passage of said bill, and it was decided in the negative—the Constitution requiring a majority of all the votes elected to this House.

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—


A message was received from the Governor by Mr. Wickliffe, Secretary of State, announcing that he had signed and approved sundry enrolled bills, and also a resolution which originated in this House, of the following titles, viz:

An act for the benefit of A. D. Kennedy.

An act in relation to school districts Nos. 4 and 21, in Campbell county.


An act to confer certain powers upon the clerk of the Kenton county court, and his deputies.

An act to provide certain public books for the use of the Morgan circuit and county courts.

An act to incorporate Salt Lick Bridge Company.

An act to amend the charter of the Paris and Jackstown turnpike road company.

An act to incorporate the United Evangelical St. Paul’s Church of the city of Newport.

An act for the benefit of Thos. B. Harrison, late sheriff of Logan county.

An act for the benefit of William G. Wade, late sheriff of Simpson county.

An act in relation to the circuit and appellate judges and chancellors of this Commonwealth.

An act to repeal in part an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to the circuit courts, approved February 28, 1862.

An act for the benefit of the late clerks of this Commonwealth.

An act allowing further time to certain sheriffs to return their delinquent lists in the the collection of the revenue and county levy for the year 1861.

An act providing for the collection of the tax upon the enrolled militia for the year 1862.

An act to incorporate Flemingsburg College.

An act to incorporate the Vanceburg Male and Female School.

An act to amend the 7th section of an act, entitled, an act to establish a levy and county court for Jefferson county, approved February 25, 1854.

An act to amend section 614, of the Civil Code of Practice.

An act concerning the office of sheriff of Marion county.
An act providing for the payment of a judgment of Martin Looker & Co. against the Commonwealth.

An act to amend an act, entitled, an act to regulate the town of Falmouth, approved February, 1836.

An act for the benefit of N. P. Sanders.

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

An act to amend the charter and laws of the city of Newport, in Campbell county.

An act to amend the charter of the Springfield, Union, Agricultural and Mechanical Association.

An act to repeal an act, entitled, an act regulating the time of holding quarterly courts so far as the same is applicable to the county of Union, and establishing four terms of said court in said county.

An act allowing John Jones, of Lawrence county, to erect a mill dam across Wolfe creek.

An act in relation to the settlement of the public revenue for the county of Trimble for the year 1862.

An act for the benefit of the town of Somerset.

An act providing for the collection of the uncollected revenue of 1862, in the county of Fleming.

An act for the benefit of the sheriff of Grant county.

An act to charter the Right Worthy Grand Lodge of the United Order of Ancient Fellows, of the State of Kentucky.

An act for the benefit of Wiley Dycus, of Ballard county.

An act to legalize the acts of the clerk of the Johnson county and circuit courts.


An act to amend an act, entitled, an act for the benefit of the town of Dycusburg, in Crittenden county, approved January 7, 1862.

An act for the benefit of William J. Thomas, clerk of the Henry county court.

An act for the benefit of Isaac N. Hill.

An act for the benefit of the marshal of Campbellsville.

An act to enlarge the town boundary of Dover, in Mason county.

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

An act for the benefit of B. F. Shepherd, late sheriff of Carter county.
An act for the benefit of Fayette county.

An act for the benefit of Howard Todd, sheriff of Owen county.

An act changing the time of holding the June term of the Trimble circuit court.

An act applying the mechanics lien laws to Lincoln and Ohio counties.

An act to provide for paying in advance one month's pay to soldiers enlisting for nine months.

Resolution concerning the claims of our citizens against the National Government.

Also, the following communication, viz:

EXECUTIVE DEPARTMENT,
February 10, 1863.

Gentlemen of the Senate and House of Representatives:
The enclosed communication from the Medical Superintendent of the Eastern Lunatic Asylum officially notifies me that a vacancy in the Board of Managers of that Institution exists, by reason of the lamented death of Dr. Samuel M. Letcher. It devolves upon you to supply the vacancy.

J. F. ROBINSON.

EASTERN LUNATIC ASYLUM,
February 10, 1862.

His Excellency J. F. Robinson:
It becomes my melancholy duty to inform you that a vacancy has occurred in the Board of Managers of this Institution by the decease of Dr. S. M. Letcher.

Respectfully,
W. S. CHIPLEY,
Medical Superintendent.

Mr. Huston 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 will, on Friday next, at 12 M. by joint ballot of both Houses, proceed to elect a Commissioner for the Eastern Lunatic Asylum, to fill the vacancy occasioned by the death of Dr. Samuel M. Letcher.

Which was adopted.

Mr. Turner, from the committee on Ways and Means, to whom was referred leave, reported A bill for the benefit of R. S. Huey.
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. Mears moved to amend, by striking out "thirty" and inserting "twenty."
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 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 a Senate bill, entitled,

An act repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860,

Reported an amendment thereto.

Mr. Wolfe moved and offered the amendment of the committee as a substitute for the bill and amendment, and to recommit the same to the committee on the Judiciary.

And the question being taken on recommitting said subject to the committee on the Judiciary, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wolfe and J. W. Boone, were as follows, viz:

Those who voted in the affirmative, were—

Elisha Beazly, Daniel E. Downing, Felix G. Murphy,
John C. Beeman, John Draffin, Richard Neel,
J. W. Blue, Henry Griffith, George Poindexter,
J. W. Boone, John H. Harney, Joseph Ricketts,
Curtis F. Burnam, William J. Heady, James P. Sparks,
W. P. D. Bush, John M. Henry, John R. Thomas,
James Calvert, John Humphries, Wm. H. Van Pelt,
John B. Cochran, William Johnson, John S. Van Winkle,
William L. Conklin, Alexander Lusk, Nathaniel Wolfe,

Those who voted in the negative, were—

Alfred Allen, Jos. H. Chandler, William Mercer,
Jas. W. Anderson, Brutus J. Clay, Thomas W. Owings,
R. C. Anderson, Francis L. Cleveland, Hiram S. Powell,
E. B. Bacheiler, John C. Cooper, Larkin Proctor,
Jonathan R. Bailey, John W. Finnell, William S. Rankin,
Joshua Barnes, Elijah Gabbert, Nicholas A. Rapier,
Wm. Bowling, George M. Hampton, John Ray,
Wm. A. Brann, Joseph W. Heeter, F. D. Rigney,
Mr. Rankin moved to strike out the words "from and after 31st December, 1863," from said substitute.

Which motion was adopted.

Mr. Neel moved to postpone the further consideration of said bill and amendment till Friday next, at 11 o'clock.

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

The question was then taken upon the substitute, as amended, 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 being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows:

An act repealing all acts granting lottery privileges in this Commonwealth.

On motion of Mr. Ward,

Leave of absence was granted Messrs. Taylor and Botts.

The House then took up the resolution in relation to the defense of the State.

Mr. Proctor moved to add the following as an amendment to said resolution, viz:

"Provided, That said troops shall be employed in defense of our frontiers against rebel raids, and for the purpose of enforcing the laws of the State against all infractions coming from whatever quarter it may."

And then the House adjourned.
WEDNESDAY, FEBRUARY 11, 1863.

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 the executors of William Ricketts, deceased.

An act to amend an act, entitled, an act to establish an Institution for the Education of Idiots and Feeble-minded Children.

An act for the benefit of John S. Wyatt, late sheriff of Montgomery county.

An act for the benefit of Madison Stewart and John R. Erwin, sureties of the late sheriff of Powell county.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of Thomas J. Jones, sheriff of the county of Graves.

An act for the benefit of Pleasant J. Potter, sheriff of the county of Warren.

An act for the benefit of M. W. Galloway, late sheriff of the county of Graves.

An act for the benefit of the sheriff of Laurel county.

An act for the benefit of Isaac Gasteneau, late sheriff of Pulaski county.

With amendments to the two last named bills.

That they had concurred in the amendment of this House to a bill from the Senate, entitled,

An act for the benefit of Lewis S. Lee, sheriff of Ballard county.

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

An act for the benefit of F. A. Smith, late sheriff of Hart county.

An act for the benefit of the supervisors of tax for Calloway county.

And 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 to incorporate the Kentucky Book, Job and News Printing Associating.
An act to amend the act to incorporate the Deposit Bank of Paris, approved March 7, 1851.

An act for the benefit of school districts Nos. 17, 18, 35, and 57, in Whitley county.

An act for the benefit of the Rough Creek Navigation and Manufacturing Company.

An act for the benefit of H. P. Melton, guardian of Josephine Cothes.

An act to incorporate Home Lodge, No. 29, Independent Order of Odd Fellows, of Louisville, Kentucky.

An act to incorporate the German American School Association of Owensboro.

An act to amend an act, entitled, an act establishing a voting precinct in Campbell county.

An act to change the line of districts Nos. 4 and 7, in Whitley county.

An act for the benefit of Samuel M. Bemiss.

An act to amend an act, entitled, an act to amend the revenue laws of this Commonwealth, approved February 28, 1862.

A message was received from the Senate asking leave to withdraw from this House their disagreement to a bill, entitled,

An act for the benefit of John A. Scroggin.

Which leave was granted.

1. Mr. Underwood presented the petition of sundry citizens of Warren county, praying relief.

2. Mr. Sayers presented the petition of the clerk of the Kenton county court, in relation to increase of fees on deeds, &c., in said county.

3. Mr. Ricketts presented a petition from the assessor of Muhlenburg, in relation to the assessment of taxes, &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 County Courts, and the 3d to the committee on Ways and Means.

The following bills were reported, viz:

By Mr. Cleveland—
A bill to amend the charter of the town of Germantown.
By Mr. Huston—
A bill to incorporate a hotel company in the city of Lexington, to be called the Dudley House.

By Mr. Underwood—
A bill to amend an act, entitled, an act to amend chapter 83, of the Revised Statutes, title Revenue and Taxation.

By Mr. Burnam, from the committee on Education—
A bill for the benefit of school district No. 6, in Mason county.

By same—
A bill for the benefit of school district No. 41, in Perry county.

By same—
A bill for the benefit of school district No. 105, in Pulaski county.

By Mr. Lisenby—
A bill for the benefit of Wm. M. Green, late judge of the Russell county court.

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

The rule of the House, constitutional provision, and second reading of said bills being 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 afore-said.

On motion of Mr. Draffin,
Leave was granted him to bring in a bill for the benefit of the sheriff of Anderson county.

Ordered, That the committee on Ways and Means prepare and bring in the same.

Mr. Owings moved the following resolution, viz:

Resolved, That in the discussion on Federal Relations members be limited to one hour.

The rule of the House requiring a reference to a standing committee being dispensed with,

Said resolution was adopted.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Elijah Gabbert, Richard Neel,
Joshua F. Bell, Evan M. Garriott, Thos. W. Owings,
Those who voted in the negative, were—


Mr. Proctor moved the following resolution, viz:

Resolved, That this House will take a recess at 1¼ o'clock until 3 o'clock, on this day, and that they will take a like recess on to-morrow, (Thursday,) the 12th inst., for the purpose of considering and acting on the resolutions reported from the committee on Federal Relations; and that on Friday, the 13th inst., at 11 o'clock, this House will proceed to take the vote on said resolutions and amendments.

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

Mr. Underwood, from the committee on Military Affairs, to whom was referred a bill, entitled, An act to authorize the appointment of agents to guard the interest of discharged soldiers, and to enable them to collect their arrearages of pay,

Reported the same with the following as an amendment by way of additional section, viz:

§ It shall be the duty of the Governor from time to time, as he may deem it necessary, to appoint one or more agents to visit the hospitals or lines of the army for the purpose of giving aid and assistance to the sick and wounded soldiers of Kentucky, to procure discharges for them when they are unable to render further service, and to provide for their return to their families and homes. Such agents shall keep
an accurate account of all their expenditures, which shall be reim-
bursed, and they shall be paid for their services not exceeding $ per
day. Their expenses and per diem compensation shall be settled by
the Adjutant General, which being approved by the Governor by his
indorsement on the account of the agent, as settled by the Adjutant
General, the amount so allowed shall be paid out of any money in the
treasury not otherwise appropriated. The amounts so allowed shall
remain in the Adjutant General’s office, and the Auditor shall draw his
warrant on the treasury for the amount allowed in favor of the agent,
on his filing with the Auditor a certificate of the Adjutant General,
stating how much had been allowed him, with the approval of the
Governor.

Which amendment was adopted.

Mr. Martin moved to fill the blank in said amendment with the word
“four.”

Mr. James W. Anderson moved to fill the blank with the word
“three dollars.”

Mr. Allen 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 filling the blank with “four dol-
ars,” and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) J. W. Campbell, Jonas Martin,
Alfred Allen, Brutus J. Clay, Thos. W. Owings,
R. C. Anderson, Francis L. Cleveland, Joseph Ricketts,
Jonathan R. Bailey, Robert Cochran, James A. Rousseau,
Joshua Barnes, John C. Cooper, J. C. Sayres,
Elisha Beazly, John W. Fennell, M. Smith,
John C. Beeman, Remus Gibson, Joshua Tevis,
Joshua F. Bell, John H. Harney, John R. Thomas,
J. W. Boone, Jacob Hawthorne, Thomas Turner,
Wm. Bowling, W. J. Heady, Joseph R. Underwood,
William A. Brann, Daniel W. Johns, Jno. S. Van Winkle,
Leroy Brinkley, Urban E. Kennedy, Nathaniel Wolfe,
Curtis F. Burnham,

Those who voted in the negative, were—

Jas. W. Anderson, Henry Griffith, Richard Neel,
E. B. Bacheller, Geo. M. Hampton, George Poindexter,
Thomas S. Brown, Joseph W. Heeter, Larkin Proctor,
W. P. D. Bush, John M. Henry, William S. Rankin,
James Calvert, John Humphries, Nicholas A. Rapier,
The question was then taken on filling the blank of the amendment with "three dollars." and it was decided in the affirmative.

And thereupon, said blank was filled with "three dollars."

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 follows:

An act to authorize the appointment of agents to guard the interest of discharged soldiers, and to visit hospitals.

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Lucius Desha, Richard Neel,
Alfred Allen, Thomas W. Owings,
Jas. W. Anderson, George Poynter,
R. C. Anderson, H. S. Powell,
Jonathan R. Bailey, Larkin Proctor,
Joshua Barnes, Wm. S. Rankin,
Elisha Beazley, Nicholas A. Rapier,
John C. Beeman, John Ray,
Joshua F. Bell, Joseph Ricketts,
J. W. Boone, F. D. Rigney,
Wm. Bolling, William Roberts,
William A. Brann, James A. Rousseau,
Leroy Brinkley, J. C. Sayres,
R. J. Browne, George S. Shanklin,
Thomas S. Brown, M. Smith,
Curtis F. Burnam, R. A. Spalding,
James Calvert, James P. Sparks,
Cyrus Campbell, Joshua Tevis,
J. W. Campbell, John R. Thomas,
A. B. Chambers, Thomas Turner,
Joseph H. Chandler, Jos. R. Underwood,
Brutus J. Clay, John S. Van Winkle,
John B. Huston, John Ray,
Wm. Johnson, F. D. Rigney,
James M. Jones, William Roberts,
Perry S. Layton, R. A. Spalding,
Alexander Lusk, James P. Sparks,
David P. Mears, Wm. H. Van Pelt,
William Mercer, Zeb. Ward,
Otho Miller, W. W. Warring,
Pelix G. Murphy, Alex. T. White—42.
§ 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 to appoint one or more agents, one of whom at least shall reside in the city of Louisville, whose duty it shall be, under such regulations as may be from time to time prescribed by the Governor, to look after and guard the interests of discharged soldiers; to see that the discharge papers of the Kentucky volunteers, discharged from the service of the United States, are in due form, and are prepared according to law and the regulations of the army, and to secure the speedy payment of such arrearages of pay as may be due and owing to such discharged soldier.

§ 2. That for such services no fee shall be charged or received from such discharged soldier, but, as a compensation for the services of such agents, they shall be paid, each, the sum of not exceeding two dollars per day, payable out of the military fund of the State, upon the warrant of the Adjutant General, approved by the Governor.

§ 3. That it shall be the duty of such agents, wherever located, to keep an office, open at all times of the day, for the transaction of the business of his agency; and in all cases where there are hospitals or barracks within five miles of the office of such agent, it shall be his duty to visit, at least twice every week, each of said hospitals or barracks, and seek out such discharged Kentucky soldiers as may be there confined from any cause, and give to them such aid and assistance as is contemplated by the terms of this act.

§ 4. It shall be the duty of said agents to forward to the Adjutant General of the State, at the end of every week, a statement in detail of the business transacted by them respectively, giving the name of the applicant for aid, the number of the regiment, and letter of the company to which he had been attached, the amount of arrearages of pay, together with a brief statement of the character of the defect in his discharge papers.

§ 5. All agents appointed under this act shall be removable at the pleasure of the Governor.

§ 6. It shall be the duty of the Governor from time to time, as he may deem it necessary, to appoint one or more agents to visit the hospitals or lines of the army for the purpose of giving aid and assistance to the sick and wounded soldiers of Kentucky, to procure discharges for them when they are unable to render further service, and to provide for their return to their families and homes. Such agents shall keep an accurate account of all their expenditures, which shall be reim-
bursed, and they shall be paid for their services not exceeding $3 per day. Their expenses and per diem compensation shall be settled by the Adjutant General, which being approved by the Governor by his indorsement on the account of the agent, as settled by the Adjutant General, the amount so allowed shall be paid out of any money in the treasury not otherwise appropriated. The accounts so allowed shall remain in the Adjutant General's office, and the Auditor shall draw his warrant on the treasury for the amount allowed in favor of the agent, on his filing with the Auditor a certificate of the Adjutant General, stating how much had been allowed him, with the approval of the Governor.

§ 7. This act shall take effect from its passage.

On motion of Mr. Wolfe,

The House resolved itself into the committee of the whole, with Mr. Tevis in the Chair, upon the resolutions regarding national affairs, and the various substitutes thereon, and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had had the resolutions aforesaid under consideration, but not having time to go through therewith, had instructed him to ask leave to sit again.

Which was granted.

And then the House adjourned.

THURSDAY, FEBRUARY 12, 1863.

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 repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860.

Also, in the resolution to go into an election of a Commissioner of the Eastern Lunatic Asylum.

That they had disagreed to a bill from this House, entitled,

An act concerning the penitentiary.
That they had passed a bill which originated in this House, entitled,

An act in relation to common schools.

With an amendment.

That they had passed a bill, entitled,

An act for the benefit of the town of Livermore, in McLean county.

1. Mr. Warring presented the petition of B. F. Davis, for taking lunatic to asylum at Hopkinsville:

2. Mr. Calvert presented the petition of William Anderson, of Greenup county, praying permission to peddle without license in said county.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims, and the 2d to the committee on County Courts.

Mr. Martin, from the committee on Agriculture and Manufactures, to whom was referred the communication of Thomas N. Lindsey, assignee Kentucky Military Institute, in relation to its sale to Kentucky, for the erection of agricultural colleges, asked to be discharged from the further consideration thereof.

Which was granted.

Mr. Clay, from the same committee, to whom was referred a bill from the Senate, entitled,

An act for the benefit of H. F. Turner,

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.

On motion of Mr. Ricketts,

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

An act to lay off the State into nine congressional districts.

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

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That for the purpose of choosing nine members of the House of Representatives in the Congress of the United States, under the eighth census, the State shall be divided into nine districts, in each of which one member shall be elected.
DISTRICT No. 1—Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Trigg, Lyon, Caldwell, Livingston, Crittenden, Union and Webster, shall compose the first district.

DISTRICT No. 2—Hopkins, Christian, Muhlenburg, Henderson, Daviess, McLean, Ohio, Hancock, Simpson, Logan, Todd and Butler shall compose the second district.

DISTRICT No. 3—Wayne, Warren, Allen, Monroe, Cumberland, Clinton, Pulaski, Russell, Casey, Adair, Metcalfe, Barren and Edmonson, shall compose the third district.

DISTRICT No. 4—Meade, Breckinridge, Grayson, Hart, Green, Taylor, Marion, Washington, Nelson, Larue, Hardin, Bullitt and Spencer, shall compose the fourth district.

DISTRICT No. 5—Jefferson, Shelby, Oldham, Henry and Trimble, shall compose the fifth district.

DISTRICT No. 6—Gallatin, Carroll, Owen, Grant, Scott, Franklin, Anderson, Woodford, Fayette, Clarke, Jessamine, Mercer and Boyle, shall compose the sixth district.

DISTRICT No. 7—Madison, Garrard, Lincoln, Rockcastle, Laurel, Whitley, Knox, Harlan, Letcher, Pike, Floyd, Perry, Breathitt, Clay, Owsley, Wolfe, Estill and Jackson, shall compose the seventh district.

DISTRICT No. 8—Nicholas, Bath, Montgomery, Powell, Morgan, Johnson, Lawrence, Magoffin, Carter, Boyd, Rowan, Greenup, Lewis Fleming and Mason, shall compose the eighth district.

DISTRICT No. 9—Bourbon, Harrison, Bracken, Pendleton, Campbell, Kenton, and Boone, shall compose the ninth district.

Mr. Huston moved to lay said bill on the table.

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

The yeas and nays being required thereon by Messrs. James W. Anderson and Huston, were as follows, viz:

Those who voted in the affirmative, were—

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, that the thanks of this General Assembly are hereby tendered to Major Gen. Rosecrans, and the officers and men under his command, for the skill, gallantry, and energy displayed by them in the general management of military affairs in the department of the Cumberland, and more especially for the glorious victory which crowned our arms at Stone river and Murfreesboro.

2. That their thanks are also due to Maj. Gen. Buell, his officers and soldiers, for their zeal, energy, courage, and success in expelling from the borders of the Commonwealth of Kentucky, in the autum of 1862, the Confederate invaders under the rebel Generals Bragg and Kirby Smith, and especially rejoice in the splendid triumph of our arms at Chaplin Hills.

The rule of the House requiring joint resolutions to lie one day on the table being dispensed with,

Mr. Lusk moved to amend said resolution by striking out the name of “General Buell.”

Pending which, the hour for the consideration of the special order, viz:

The resolutions in relation to Federal Relations.

When the House again resolved itself into the committee of the whole on said resolutions, Mr. Tevis in the Chair, and after some time spent therein, (Mr. Buckner,) Speaker, resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration said resolutions 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.
Leave was given to bring in the following bills, viz:
On motion of Mr. Henry—1. A bill to amend 5th article of chapter 86, of the Revised Statutes.
On motion of Mr. Mercer—2. A bill to change a place of voting in Ballard county.

Ordered, That the committee on Revised Statutes prepare and bring in the 1st, and the committee on Privileges and Elections the 2d.
And then the House adjourned.

FRIDAY, FEBRUARY 13, 1863.

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 Frank Catron, sheriff of Knox county.
An act for the benefit of Joseph R. Witty, sheriff of the county of Metcalfe.
An act for the benefit of F. M. Demumbrum, late sheriff of Edmonson county.
An act to extend the time in which the county officers elect for Johnson county may qualify and give bond.
An act to amend the charter of the Springfield Deposit Bank.
With amendments to the two last named bills.
Also, resolution concerning pay of deceased soldiers.
That they had passed bills of the following titles, viz:
An act to legalize an election held in Webster county on the 27th December, 1862.
An act to authorize the sale of property at the market-house, in Paducah.

Mr Blue, from the committee on Enrollments, reported that the committee had examined sundry enrolled resolutions and bills which originated in this House, of the following titles, viz:
Resolution to go into an election for a Commissioner of the Eastern Lunatic Asylum.
Resolution concerning tolls due the State of Kentucky by the United States.
An act for the benefit of Stitts & Campbell, of the county of Nicholas.
An act authorizing the Kentucky University to loan out its funds.
An act to establish an additional voting precinct in Hickman county.
An act providing for the unpaid taxes for the year 1862, from the county of Boyle.
An act to authorize the use of the Rockcastle county jail to the county of Laurel.
An act in relation to the road law of Fayette county.
An act to legalize the acts of the Anderson county court.
An act to amend the charter of the city of Maysville.
An act for the benefit of the Louisville and Bardstown turnpike road company.
Also, bills which originated in the Senate, of the following titles, viz:
An act for the benefit of Peter Longshore.
An act to legalize the acts of J. G. Hamilton, deputy clerk of the Boone circuit court.
An act for the benefit of the collector of revenue of Franklin county.
An act to repeal an act, entitled, an act regulating the time of holding quarterly and other courts inferior in jurisdiction to circuit courts.
An act authorizing the Board of Managers of the Western Lunatic Asylum to appoint a Superintendent of said Institution.
An act appropriating money to the Western Lunatic Asylum.
An act to amend an act, entitled, an act to provide a more efficient police department in the city of Louisville.
An act to amend an act, entitled, an act to amend the charter of the city of Paducah.
An act for the benefit of R. L. Ellison, late clerk of the Calloway circuit court.
An act for the benefit of the sheriff of Whitley county.
An act for the benefit of the Sinking Fund of the Louisville and
Nashville railroad for Hart county.
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. Wickliffe, Secretary
of State, announcing that he had approved and signed an enrolled joint resolution to go into an election of a Commissioner for
the Eastern Lunatic Asylum.

The House proceeded to the consideration of the unfinished order of
yesterday, viz:

Resolutions of thanks to General Rosecrans and Buell.

Mr. Sparks moved to postpone for the present the further considera-
tion thereof.

And the question being taken thereon, it was decided in the nega-
tive.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, Wm. L. Conklin, John M. Henry,
Jonathan R. Bailey, John C. Cooper, Jonas Martin,
Joshua Barnes, John Draffin, Thomas Z. Morrow,
Elisha Beazly, Henry Griffith, Larkin Proctor,
William A. Brann, Geo. M. Hampton, William S. Rankin,
Lucy Brinkley, Jacob Hawthorne, Nicholas A. Rapier,
Thomas S. Brown, Joseph W. Heeter, James P. Sparks,

Joseph H. Chandler,

Those who voted in the negative, were—

Alfred Allen, Remus Gibson, George Poindexter,
Jas. W. Anderson, W. J. Heady, Hiram S. Powell,
John C. Beeman, John Humphries, William Roberts,
John W. Blue, Wm. Johnson, James A. Rousseau,
R. J. Browne, James M. Jones, Joshua Tevis,
W. P. D. Bush, Urban E. Kennedy, Thomas Turner,
James Calvert, Perry S. Layton, Joseph R. Underwood,
Brutus J. Clay, John S. McFarland, Jno. S. Van Winkle,
Francis L. Cleveland, David P. Mears, W. W. Warring,
Robert Cochran, William Mercer, Alex. T. White,
Elijah Gabbert, Felix G. Murphy, Nathaniel Wolfe,

Ordered, That said resolutions be referred to the committee on Mil-
itary Affairs.
On motion of Mr. Conklin,
The House took up the motion of Mr. Clay to reconsider the vote adopting resolutions proposing a conference between commissioners of certain States.

Mr. Harney moved to lay the motion on the table.

Pending which, the hour arrived for the consideration of the special order, viz:

Resolutions on Federal Relations.

When the House again resolved itself into a committee of the whole upon the resolutions aforesaid, Mr. Tevis in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration said resolutions, and had instructed him to ask leave to sit again.

Which was granted.

A message was received from the Senate by Messrs. Bruner and Goodloe, announcing that the Senate was then ready to proceed to the election of a Commissioner for the Eastern Lunatic Asylum, to fill the vacancy occasioned by the death of Dr. Samuel M. Letcher.

On motion of Mr. Huston,

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. Benjamin Gratz as a suitable person to fill the vacancy in the office of Commissioner for the Eastern Lunatic Asylum.

After interchanging nominations between the two houses, this House proceeded to take a vote, which stood thus:

Those who voted for Mr. Gratz, were—

Mr. Speaker, (Buckner,) Lucius Desha, Thomas Z. Morrow,
Alfred Allen, Daniel E. Downing, Felix G. Murphy,
Jas. W. Anderson, John Draffin, Richard Neel,
Jonathan R. Bailey, John W. Finnell, Thos. W. Owings,
Joshua Barnes, Elijah Gabbert, George Poindexter,
Elisha Beazley, Evan M. Garriott, Hiram S. Powell,
John C. Beeman, Remus Gibson, Larkin Proctor,
Joshua F. Bell, Henry Griffith, Wm. S. Rankin,
John W. Blue, Geo. M. Hampton, Nicholas A. Rapier,
J. W. Boone, John H. Harney, Joseph Ricketts,
Wm. Bowling, Jacob Hawthorne, F. D. Rigney,
Wm. A. Brann, William J. Heady, Wm. Roberts,
Leroy Brinkley, Joseph W. Heeter, James A. Rousseau,

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Messrs. Huston and White 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. Huston, from said committee, reported that the joint vote stood thus:

For Mr. Benjamin Gratz, 112 votes.
For Dr. Hugh Rodman, 1 vote.

Whereupon, the Speaker declared Mr. Benjamin Gratz duly elected to fill the vacancy occasioned by the death of Dr. Samuel M. Letcher.

On motion of Mr. Bell,
Leave of absence was granted to Mr. Lusk indefinitely.

And then the House adjourned.

SATURDAY, FEBRUARY 14, 1863.

A message was received from the Senate announcing that they had disagreed to a bill which originated in this House, of the following title, viz:

An act to amend the law concerning executions.

That they had disagreed to the amendment of this House proposed to the bill from the Senate, entitled,
An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of George Long, a free man of color, of Christian county.

An act for the benefit of R. S. Huey.

An act authorizing the board of trustees of Milburne, in Ballard county, to grant coffee-house license.

An act to amend the charter of the New Castle and Carrollton turnpike road company.

That they had passed a bill, entitled,

An act to protect the citizens of Kentucky.

Also, asking leave to withdraw from this House a bill, entitled,

An act for the benefit of Richard Reynolds, passed by the Senate, with an amendment.

Which was granted.

Mr. R. C. Anderson presented the remonstrance of sundry citizens of Franklin county, against abolishing the June term of the Franklin circuit court.

Which was received, the reading dispensed with, and referred to the committee on circuit courts.

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

On motion of Mr. Draffin—1. A bill to regulate the duties of attorneys at law in certain cases.

On motion of Mr. Heady—2. A bill to increase jailers' fees five cents per day for keeping prisoners.

On motion of Mr. R. J. Browne—3. A bill to amend the law concerning conveyances made by sheriffs.

On motion of Mr. T. S. Brown—4. A bill for the benefit of Stephen Howard, late sheriff of Magoffin county.

On motion of Mr. J. B. Cochran—5. A bill for the benefit of Shelby county.

On motion of Mr. White—6. A bill to regulate the time for holding quarterly courts in this Commonwealth.

On motion of same—7. A bill for the benefit of Whitfield Moody.

On motion of Mr. Gabbert—8. A bill concerning the June term of justices' courts throughout this State.
On motion of Mr. Powell—9. A bill for the benefit of the sheriff of Letcher county.

On motion of Mr. Sparks—10. A bill for the benefit of the sheriff of Henry county.

Ordered, That the committee on Revised Statutes prepare and bring in the 1st and 3d; the committee on County Courts the 2d, 6th, and 8th; the committee on Ways and Means the 4th, 9th, and 10th; the committee on Incorporated Institutions the 5th; Messrs. Burnam, White, and James W. Anderson the 7th.

The following bills were reported, viz:

By Mr. Downing—
1. A bill to provide more effectually for the safe-keeping of prisoners committed to the jail of Monroe county.

By Mr. Draffin—
2. A bill to better protect the rights of married women of this Commonwealth.

By Mr. Underwood, from the committee on Military Affairs—
3. A bill giving immediate effect to an act, entitled, an act to provide for paying in advance one month’s pay to soldiers enlisting for nine months.

By Mr. Lisenby—
4. A bill to repeal an act, entitled, an act to authorize the suspension of circuit courts in certain cases, approved 5th September, 1862.

By same—
5. A bill to extend to the 1st day of August, 1864, the provisions of an act, entitled, an act to regulate proceedings in civil cases, approved March 8, 1862.

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 3d were ordered to be engrossed and read a third time; the 2d was placed in the orders of the day; the 4th was referred to the committee on Circuit Courts; the 5th was referred to the committee on the Codes of Practice.

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

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
The yeas and nays being required on the reference to the committee on the Codes of Practice of the 5th bill, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Cleveland moved the following resolution, viz:

Resolved, That after to-day, and during the continuance of the present session, this House will meet at 10 o'clock, A. M., take a recess at 1 o'clock P. M., meet again at 3 o'clock P. M., and adjourn at 5 o'clock P. M.

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

On motion of Mr. Johnson,

The House took up the motion to reconsider the vote laying the bill on the table, entitled,

An act to authorize the Commissioners of the Sinking Fund to purchase a lot in Frankfort for the State.

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

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,

Orderd, 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, (Beckner,) John C. Cooper, Jonas Martin,
Alfred Allen, Daniel E. Downing, John S. McFarland,
Jas. W. Anderson, John Draffin, David P. Mears,
R. C. Anderson, John W. Funnell, Felix G. Murphy,
Jonathan R. Bailey, Elijah Gabbert, Thomas W. Owings,
Elisha Beazley, Evan M. Garriott, H. S. Powell,
John C. Beeman, Remus Gibson, Larkin Proctor,
John W. Blue, Henry Griffith, Wm. S. Rankin,
William S. Botts, Geo. M. Hampton, F. D. Rigney,
Wm. Bolling, John H. Harney, William Roberts,
William A. Brann, Jacob Hawthorne, James A. Rousseau,
Leroy Brinkley, William J. Heady, J. C. Sayres,
R. J. Browne, Joseph W. Heeter, M. Smith,
Thomas S. Brown, John M. Henry, R. A. Spalding,
Curtis F. Burnam, John Humphries, Joshua Tevis,
W. P. D. Bush, John B. Huston, John R. Thomas,
James Calvert, William C. Ireland, Thomas Turner,
Cyrus Campbell, Daniel W. Johns, Jos. R. Underwood,
J. W. Campbell, William Johnson, John S. Van Winkle,
A. B. Chambers, James M. Jones, Zeb. Ward,
Brutus J. Clay, Urban E. Kennedy, W. W. Warring,
Francis L. Cleveland, Perry S. Layton, Nathaniel Wolfe,

Those who voted in the negative, were—

John B. Cochran, Nicholas A. Rapier,

Said bill reads as follows, viz:

§ 1 Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund be and they are hereby authorized to purchase, for the use of the State, on such terms and at such time as they may think proper, of Newton Craig, (provided he has a good title thereto,) a certain lot of ground in the town of Frankfort, binding on the street leading from the Penitentiary to the Kentucky river, and lying back of the Penitentiary warehouse, for such sum as they may deem just; and that they have the same conveyed to the State by deed with general warranty.
§ 2. That said Commissioners are hereby authorized to draw their warrant on the Treasury for the sum agreed by them to be paid for the lot of ground.

§ 3. This act is to go into effect from its passage.

On motion of Mr. Proctor,

Leave of absence till Tuesday next was granted Mr. Neel.

The House again resolved itself into the committee of the whole on Federal Relations, with Mr. Tevis in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration said resolutions aforesaid, but not having time to go through therewith, had instructed him to ask leave to sit again.

Which was granted.

And then the House adjourned.

MONDAY, FEBRUARY 16, 1863.

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

An act for the benefit of James R. Garland, late sheriff of Lewis county.

That they had passed a bill originating in this House entitled,

An act to lay off the State into nine congressional districts.

With an amendment by way of substitute.

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

An act for the benefit of the Commonwealth's attorney for the 12th judicial district.

An act to amend an act, entitled, an act to incorporate the Eminence female academy.

An act concerning the collection of tolls.

An act for the benefit of W. R. McFerran, of Barren county.

An act to legalize the acts of B. D. Winstead, county clerk of Webster county.
Mr. Conklin read and laid on the table, the following joint resolutions, viz:

Whereas, we have seen with profound regret and astonishment that a bill has passed the lower house of Congress, proposing to raise three hundred regiments of African slaves, to be mustered into the service as soldiers and become the companions in arms of our brave soldiers now in the field. Therefore,

Resolved, That, in the opinion of the General Assembly of the Commonwealth of Kentucky, such an act would be degrading to the nation—an insult to our brave soldiers—calculated to change the character of the war from that of suppressing the rebellion and enforcing the laws, as originally avowed, to a servile war a war of rapine and murder.

Resolved, That we condemn it as ill advised and impolitic as a war measure, fraught with such atrocities as civilization condemns and revolts at.

The rules 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. Bacheller, from the committee on Enrollments, reported that they had examined an enrolled bill which originated in the Senate, entitled,

An act for the benefit of Mary J. York, of Logan county.

Also, bills and a resolution which originated in this House, of the following titles, viz

An act concerning the estate of Edmund Bayne, free man of color, late of Shelby county.

An act for the benefit of Frank Catron, sheriff of Knox county.

An act for the benefit of Lewis S. Lee, sheriff of the county of Ballard.

An act for the benefit of Joseph R. Witty, sheriff of the county of Metcalfe.

An act for the benefit of the town of Hodgenville.

An act to amend section 329, subdivision 4, of article 1, chapter 4, of the Civil Code of Practice.

An act for the benefit of F. M. Demumbrum, late sheriff of Edmonson county.

An act providing for the removal of a fish-dam in Kentucky river, at the mouth of Paint Lick creek.

An act to amend an act incorporating the Bracken academy.
An act to amend an act, entitled, an act to charter the Union turnpike road company.

An act for the benefit of the sureties of J. S. Roberts, late sheriff of Shelby county.

Resolution in regard to the pay of deceased soldiers.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Bacheller inform the Senate thereof.

On motion of Mr. Botts,

Indefinite leave of absence was granted to Mr. Barnes.

1. Mr. Bush presented the petition of Ira Stout, in relation to services as deputy United States marshal in 1861.

2. Mr. Smith presented a remonstrance from citizens of Minerva, against changes in town charter.

Which were received, the reading dispensed with and referred—the 1st to the committee on Military Affairs, and the 2d to the committee on Incorporated Institutions.

The House then took up the resolution reported by the committee on Military Affairs, proposing to raise $5,000,000 for State defense.

Mr. Owings moved a call of the House.

Which motion was rejected.

Mr. Ireland moved to postpone the further consideration of said resolution until to-morrow at 10 o'clock.

Mr. Allen moved to amend said motion by postponing till Friday at 11 o'clock, and that the same be made the special order for that time.

Which amendment was adopted.

The House then took up the amendment of the Senate to the bill which originated in this House, entitled,

An act to lay off the State into nine congressional districts.

Which amendment of the Senate was rejected.

A message was received from the Senate, by Mr. Bruner, announcing that they had appointed a committee of conference to act in conjunction with a similar committee on the part of this House, to consent and agree as to a bill to lay the State off into nine congressional districts.

On motion of Mr. Burnam,

Ordered, That a committee of conference be appointed from this House to act in connection with the committee appointed by the Senate to lay off the State into nine congressional districts.
Mr. Taylor moved that said committee from the House consist of
nine members.

Which motion was adopted.

The House again resolved itself into a committee of the whole, upon
resolutions on Federal Relations, with Mr. Tevis in the Chair, and after
some time spent therein, the Speaker resumed the Chair, when Mr.
Tevis reported that the committee had had said resolutions under con-
sideration, and had made some progress therein, and instructed him to
ask leave to sit again, which was granted.

The following bills were reported, viz:

By Mr. Ireland, from committee on Circuit Courts—
A bill for the benefit of the Presbyterian and M. E. Church South, of
Catlettsburg.

By Mr. Turner, from committee of Ways and Means—
A bill for the benefit of William Williams, late sheriff of Boyd
county.

By same—
A bill for the benefit of Asa Gilbert, late sheriff of Clay county.

By same—
A bill for the benefit of John P. Sullivan, of Todd 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 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. Proctor—1. A bill for the benefit of A. H. Kinne-
moth.

On motion of Mr. Finnell—2. A bill to amend paragraph 2, section
2, article 6, of chapter 32, Revised Statutes, title, “Elections.”

On motion of Mr. Young—3. A bill to incorporate the seminary at
Elizabethtown

Ordered, That the committee on Claims peeparre and bring in the
1st; the committee on Corporations the 3d, and the committee on Re-
vised Statutes the 2d.
Bills from the Senate of the following titles, viz:
1. An act for the benefit of the securities of L. D. Owings, late sheriff of Henry county.
2. An act to amend the Louisville and Nashville railroad charter.
3. An act to authorize the holding a levy and court of claims in Webster county.
4. An act to change the lines of a magistrates' and constable's district in Carter county.
5. An act amendatory to the act incorporating Crab Orchard seminary.
6. An act allowing the sheriff of Webster county further time to collect and pay in the revenue and county levy for the year 1862.
8. An act concerning the Penitentiary.
9. An act to authorize a judicial sale of the Leesburg and Newtown turnpike road.
10. An act to legalize an election held in Webster county, on the 27th of December, 1862.
11. An act for the benefit of F. A. Smith, late sheriff of Hart county.
12. An act for the benefit of the supervisors of tax for Calloway county.
13. An act for the benefit of the town of Livermore, in McLean county.
14. An act to protect the citizens of Kentucky.
15. An act to authorize the sale of property at the market-house in Paducah.
16. An act to legalize the courts of Hart county.
17. An act for the benefit of the Commonwealth's attorney for the 12th judicial district.
18. An act to amend an act, entitled, an act to incorporate the Eminence female academy.
19. An act concerning the collection of tolls.
21. An act to legalize the acts of B. D. Winstead, county clerk of Webster 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 being dispensed with, the 1st, 6th, 7th, and 11th, be refer-
red to the committee on Ways and Means; the 2d, 5th, 13th, and 18th, to the committee on Incorporated Institutions; the committee on County Courts the 3d, 4th, 12th, 20th, and 21st; the committee on the Penitentiary the 8th; the committee on the Judiciary the 9th, 14th, and 15th; the committee on Privileges and Elections the 10th; the committee on Circuit Courts the 16th, and 17th; and the committee on Internal Improvement the 19th.

And then the House adjourned

TUESDAY, FEBRUARY 17, 1863.

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 R. R. Jones, late sheriff of Meade county.
An act for the benefit of W. B. Glave, late sheriff and deputy sheriff of Harrison county.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of John H. Allison, late sheriff of Lawrence county.
An act establishing an office for the recording of deeds and mortgages at Newport.
An act for the benefit of the collector of revenue, &c., for 1861, in the county of Barren.
An act for the benefit of Wm. M. Green, late judge of the Russell county court.
An act to provide more effectually for the safe keeping of the prisoners committed to the jail of Monroe county.
An act to give immediate effect to an act to provide for paying in advance one month's pay to soldiers enlisting for nine months.
An act for the benefit of Jacob Hilton and Reuben Patrick of Magoffin 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 W. H. Hambleton, late sheriff of Larue county.

An act for the benefit of the president and directors of the Danville, Lancaster and Nicholasville turnpike road company.

An act to change the time of holding the equity and criminal court in Monroe county.

Mr. Chambers moved the following resolution, viz:

Resolved, That when this House adjourn to-day, it will do so meet again on Thursday next at 10 o'clock, and that the use of this Hall be tendered to the Convention to assemble in this place to-morrow.

Mr. Bush moved to dispense with the rule requiring a reference to a standing committee.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Ireland moved to amend said resolution by striking out all after the words "Thursday next" in the same.
And the question being taken thereon, it was decided in the negative.

The question was then taken upon the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. M. Smith and Sparks, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John B. Cochran, Robert Cochran, Larkin Proctor,
R. C. Anderson, William L. Conklin, Joseph Ricketts,
J. W. Blue, Evan M. Garriott, Wm. Roberts,
J. W. Boone, George M. Hampton, James A. Rousseau,
William S. Botts, John H. Harney, J. C. Sayres,
Wm. Bowling, William J. Heady, Robert A. Spalding,
Wm. A. Brann, John Humphries, Harrison Taylor,
Curtis F. Burnam, William Johnson, John R. Thomas,
W. P. D. Bush, Jonas Martin, Jos. R. Underwood,
James Calvert, Otis Miller, Wm. H. Van Pelt,
A. B. Chambers, Felix G. Murphy, John S. Van Winkle,

Those who voted in the negative, were—

Alfred Allen, Daniel E. Downing, William Mercer,
Jas. W. Anderson, John W. Finnell, Thomas Z. Morrow,
E. B. Bacheller, Elijah Gabbert, George Poindexter,
Jonathan R. Bailey, Remus Gibson, Hiram S. Powell,
Joshua Barnes, Jacob Hawthorne, William S. Rankin,
Elisha Beazly, Joseph W. Hectar, Nicholas A. Rapier,
Joshua F. Bell, John M. Henry, F. D. Rigney,
Leroy Brinkley, Wm. C. Ireland, M. Smith,
R. J. Browne, Daniel W. Johns, James P. Sparks,
Thomas S. Brown, Urban E. Kennedy, Joshua Tevis,
Cyrus Campbell, Perry S. Layton, W. W. Warrington,
J. W. Campbell, Jas. M. C. Lisenby, Alex. T. White,

On motion of Mr. Bell,
Leaves of absence were granted Mr. Ricketts until Wednesday week next.

On motion of Mr. Huston,
Leaves of absence indefinitely were granted Mr. Cleveland,

The House then took up the motion of Mr. Clay to reconsider the vote adopting resolutions proposing a conference between commissioners of certain States.

The question was taken upon the motion of Mr. Harney to lay said motion upon the table, and it was decided in the negative.
The yea and nays being required thereon by Messrs. James W. Anderson and White, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen, William J. Heady, Nicholas A. Rapier,
John W. Blue, John M. Henry, F. D. Rigney,
William P. Boone, John Humphries, Wm. Roberts,
A. B. Chambers, John B. Huston, James A. Rousseau,
Jos. H. Chandler, William Johnson, Robert A. Spalding,
John B. Cochran, Jonas Martin, John R. Thomas,
Robert Cochran, David P. Mears, Joseph R. Underwood,
William L. Couklin, Otho Miller, Wm. H. Van Pelt,
John C. Cooper, George Poindexter, Nathaniel Wolfe—29.
John H. Harney, Larkin Proctor,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Cyrus Campbell,
Jas. W. Anderson, J. W. Campbell,
R. C. Anderson, Brutus J. Clay,
E. B. Bacheller, Albert A. Curtis,
Jonathan R. Bailey, Daniel E. Downing,
Joshua Barnes, John W. Finnell,
Elisha Beazley, Elijah Gabbett,
Joshua F. Bell, Evan M. Garriott,
William S. Botts, Remus Gibson,
Wm. Bowling, Henry Griffith,
William A. Brann, Geo M. Hampton,
Leroy Brinkley, Jacob Hawthorne,
R. J. Browne, Joseph W. Heeter,
Thomas S. Brown, William C. Ireland,
Curtis F. Burnam, Daniel W. Johns,
W. P. D. Bush, J. M. Jones,
James Calvert, Urban E. Kennedy,
Perry S. Layton, Jas M. C. Lisenby,
John S. McFarland, William Mercer,
Thomas Z. Morrow, Felix G. Murphy,
Hiram S. Powell, Wm. S. Rankin,
J. C. Sayres, M. Smith,
James P. Sparks, Harrison Taylor,
Joshua Tevis, J. S. Van Winkle,
Zeb. Ward, W. W. Warring,
Alex. T. White—51.

When the House again resolved itself into the committee of the whole on the resolutions on Federal Relations, Mr. Tevis in the Chair, and after some time spent therein, (Mr. Buckner,) Speaker, resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration said resolutions 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.

The House again resumed the consideration of the resolutions proposing a conference between commissioners of certain States.

On motion of Mr. Bell,

Ordered, That the further consideration of said resolutions be postponed until Saturday next.
The House took up the motion to reconsider the vote rejecting the bill, entitled,
An act for the benefit of William Herren, late sheriff of Fulton county.
And the question being taken thereon, it was decided in the affirmative.
On motion of Mr. Taylor,
Ordered, That the further consideration of said bill be postponed.
A message was received from the Governor by Mr. Wickliffe, 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 the Louisville and Bardstown turnpike road company.
An act to amend the charter of the city of Maysville.
An act to legalize the acts of the Anderson county court.
An act in relation to the road law of Fayette county.
An act to authorize the use of the Rockcastle county jail to the county of Laurel.
An act providing for the unpaid taxes for the year 1862, from the county of Boyle.
An act to establish an additional voting precinct in Hickman county.
An act authorizing the Kentucky University to loan out its funds.
An act for the benefit of Stitts & Campbell, of the county of Nicholas.
An act for the benefit of the sureties of J. S. Roberts, late sheriff of Shelby county.
An act to amend an act, entitled, an act to charter the Union turnpike road company.
An act to amend an act incorporating the Bracken Academy.
An act providing for the removal of a fish-dam, in Kentucky river, at the mouth of Paint Lick creek.
An act for the benefit of F. M. Demumbrun, late sheriff of Edmonson county, and his securities.
An act to amend section 239, sub-division 4, of article 1, chapter 4, of the Civil Code of Practice.
An act for the benefit of the town of Hodgenville.
An act for the benefit of Joseph R. Witty, sheriff of the county of Metcalfe.
An act for the benefit of Lewis S. Lee, sheriff of Ballard county.
An act for the benefit of Frank Catron, sheriff of Knox county.
An act concerning the estate of Edmund Bayne, free man of color, late of Shelby county.
Resolution concerning tolls due the State of Kentucky by the United States.
Resolution in relation to the pay of deceased soldiers.
The Speaker appointed Messrs. Underwood, Humphries, Allen, R. J. Browne, Shanklin, White, Taylor, Wolfe, and Finnell a committee, under the order adopted on yesterday, to act in conjunction with the committee from the Senate on the disagreement of the two houses upon the bill, entitled,
An act to lay off the State into nine Congressional Districts.
The following bills were reported, viz:
By Mr. Finnell, from the committee on Banks—
1. A bill concerning incorporated banks of this Commonwealth.
By Mr. Rankin, from the committee on the Judiciary—
2. A bill concerning the mayor of the city of Covington.
By Mr. Tevis—
3. A bill for the benefit of the clerk of the Jefferson circuit court.
By Mr. Chandler, from the committee on County Courts—
4. A bill to authorize the county court of Lincoln county to levy a tax to pay the county police.
By Mr. Huston, from the committee on the Judiciary—
5. A bill to confer additional powers upon county judges.
By same—
6. A bill to amend section 3, of an act to amend article 2, chapter 52, of the Revised Statutes.
By same—
7. A bill to amend the 5th chapter, article 86, of the Revised Statutes.
By same—
8. A bill to provide for establishing county courts in Newport.
By Mr. Gabbert, from the committee on Public Offices—
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 6th bills were placed in the orders of the day; the 3d was referred to the committee on Circuit Courts; the 2d, 4th, 5th, 7th, 8th, and 9th bills were severally ordered to be engrossed and read a third time.

The rule of the House, constitutional provision, and third reading of the 2d, 4th, 5th, 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.

The yeas and nays being required on the passage of the 9th bill, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of three hundred dollars, out of any money in the treasury not otherwise appropriated, be paid to Daniel McGrath, in full, for work done by him on the Senate Chamber and Hall of the House of Representatives; and the Auditor is authorized to draw his warrant on the treasury, in favor of said Daniel McGrath, for said sum of money.

§ 2. This act shall take effect from and after its passage.

Ordered, That the Public Printer forthwith print 150 copies of the 1st bill for the use of the members of the General Assembly.

Mr. Huston, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,
An act to repeal 17th section of 4th article, of the 47th chapter, of the Revised Statutes,
Reported the same with an amendment, by way of substitute.

On motion of Mr. Huston,
Ordered, That the Public Printer forthwith print 150 copies of said substitute for the use of the members of this General Assembly, and the same was placed in the orders of the day.

On motion of Mr. Huston,
Ordered, That the committee on the Judiciary be discharged from the petition of J. A. Bell, of Scott county, praying permission for certain free negroes of Brown county, Ohio, to return to slavery.

Ordered, That said petition be referred to the committee on Privileges and Elections.

Mr. Ricketts moved the following resolution, viz:

Resolved, That when this House adjourns to-day, it will adjourn to meet at half past seven o'clock, P. M., for the purpose of continuing the debate on Federal Relations, and that the House will each day hereafter adjourn to meet at the same hour.

And then the House adjourned.

WEDNESDAY, FEBRUARY 18, 1863.

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 common school district No. 46, in Crittenden county.

An act for the benefit of common school districts, Nos. 46, 15, and 3, of Muhlenburg county.

An act for the benefit of school district No. 1, in Taylor county.

An act for the benefit of school district No. 50, in Allen county.

An act for the benefit of common school commissioners and trustees of this Commonwealth.
An act for the benefit of school district No. 46, in Crittenden county.
An act for the benefit of school district No. 4, in Owen county.
An act for the benefit of school district No. 48, in Shelby county.
An act for the benefit of school districts Nos. 8 and 26, in Campbell county.
An act for the benefit of school districts in Johnson county.
An act for the benefit of school district No. 16, of Wayne county.
An act for the benefit of certain school districts in the county of Fleming.

That they had passed bills originating in this House, of the following titles, viz:
An act allowing additional clerk to the Auditor of Public Accounts.
An act for the benefit of R. R. Bolling.
That they had passed a bill, entitled,
An act for the benefit of S. K. Dameron, late clerk of the circuit and county courts of Pike county.
And had received official information from the Governor, announcing that he had signed and approved sundry enrolled bills originating in the Senate of the following titles, viz:
An act for the benefit of M. M. Lyon, late sheriff of Lyon county.
An act for the benefit of the Sinking Fund of the Louisville and Nashville railroad for Hart county.
An act authorizing the Board of Managers of the Western Lunatic Asylum to appoint a Superintendent of said Institution.
An act appropriating money to the Western Lunatic Asylum.
An act for the benefit of the sheriff of Whitley county.
An act for the benefit of R. L. Ellison, late clerk of the Calloway circuit court.
An act to amend an act, entitled, an act to amend the charter of the city of Paducah.
An act to amend an act, entitled, an act to provide a more efficient police department in the city of Louisville.
An act to repeal an act, entitled, an act regulating the time of holding quarterly and other courts, approved February 28, 1862.
An act for the benefit of the collector of revenue of Franklin county.
An act for the benefit of A. G. Winstead clerk of the Boone Circuit Court.
An act for the benefit of Peter Longshore.
An act for the benefit of Mary J. Yorke, of Logan county.
1. Mr. Curtis presented the petition of a meeting of citizens of Jackson, in relation to soldiers in the Union army voting at August next.

2. Mr. Powell presented the petition of school district No. 14, of Harlan county, praying relief.

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 Education.

The following bills were reported, viz:

By Mr. Henry, from the committee on Propositions and Grievances—

1. A bill repealing the act approved October 3, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary line between the counties of Barren and Metcalfe.

By Mr. Beeman, from the committee on the Library—

2. A bill in relation to the office of the State Librarian.

By Mr. Gabbert, from the committee on Public Offices—

3. A bill to amend an act, entitled, an act to amend the law creating a board of supervisors of tax.

By Mr. Chandler, from the committee on County Courts—

4. A bill to provide for hiring out fugitive slaves.

By same—

5. A bill for the benefit of Wm. Anderson, of Greenup county.

By same—

6. A bill to create an additional magistrates' and constable's district in Graves county.

By same—

7. A bill to authorize the county clerks of Lincoln and Washington counties to make out general cross indexes.

By same—

8. A bill to change the boundary lines of Columbia voting district, in Adair county.

By Mr. J. B. Cochran, from the committee on Incorporated Institutions—


By same—

10. A bill concerning the Bell school house property, in the county of Shelby.

By Mr. Beeman, from same committee—

11. A bill to amend the charter of the city of Louisville.
By Mr. Robert Cochran, from the committee on Propositions and Grievances—


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 being dispensed with, the 1st, 2d, 3d, 5th, 7th, 8th, 9th, 10th, and 12th bills were severally ordered to be engrossed and read a third time; the 4th was made the special order for Monday next at 11 o'clock, and ordered to be printed; the 6th was placed in the orders of the day; the 11th was referred to the committee on Propositions and Grievances.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 5th, 7th, 8th, 9th, 10th, and 12th bills having been dispensed with, and the same being engrossed,

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

The following bills from the Senate were reported by the committees to whom they were referred, viz:

By Mr. Chandler, from the committee on County Courts.

An act to authorize the holding a levy and court of claims in Webster county.

By same—

An act to change the lines of a magistrates' and constable's district in Carter county.

By same—

An act for the benefit of W. R. McFerran, of Barren county.

By same—

An act to legalize the acts of B. D. Winstead, county clerk of Webster county.

By Mr. J. B. Cochran, from committee on Incorporated Institutions.

An act to amend an act, entitled, an act to incorporate the Eminence female academy.

By same—

An act amendatory to the act incorporating Crab Orchard seminary.

An act for the benefit of the town of Livermore, in McLean county.

An act to amend the Louisville and Nashville railroad charter.
By Mr. Ireland, from the committee on Privileges and Elections—
An act to legalize an election held in Webster county, on the 27th of December, 1862.

By Mr. Rankin, from the committee on the Judiciary—
An act to authorize the sale of property at the market-house in Paducah.

By Mr. Taylor, from committee on Ways and Means—
An act for the benefit of James R. Gordon, of Calloway county.
An act for the benefit of F. A. Smith, late sheriff of Hart county.
Without amendments.

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 yeas and nays being required by the Constitution, on the passage of the bill for the benefit of James R. Gordon, of Calloway county, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

Said bill 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 James R. Gordon,
for the sum of one hundred and five dollars, payable out of any money in the treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

Mr. Taylor, from the committee on Ways and Means, to whom was referred a Senate bill, entitled,

An act allowing the sheriff of Webster county further time to collect and pay in the revenue and county levy for the year 1862.

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. Bailey moved to reconsider the vote by which the bill was passed, entitled,

An act repealing an act approved October 3d, 1861, and re-enacting the act approved May 24, 1861, relating to the county lines between the counties of Barren and Metcalfe.

The House took up the bill, entitled,

An act for the benefit of certain school districts in this State.

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 again resolved itself into a committee of the whole, upon resolutions on Federal Relations, with Mr. Tevis in the Chair; and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had had said resolutions under consideration, and had made some progress therein, and instructed him to ask leave to sit again, which was granted.

The House then took up the bill rejected by this House, upon the motion to reconsider, entitled,

An act for the benefit of the late sheriffs of this Commonwealth.

Mr. Rankin moved to lay the motion to reconsider on the table.

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

On motion of Mr. Martin.

Ordered, That the further consideration of said bill be postponed.
The House then took up the motion to reconsider the vote, passing
the bill, entitled,
An act to amend chapter 83, of the Revised Statutes, title Revenue
and Taxation.
On motion of Mr. Ireland.
Ordered, That said motion be made the special order for 10 ¼ o'clock,
to-morrow.
Mr. Conklin, from the committee on Claims, to whom was referred
leave to bring in a bill for the benefit of A. H. Kinnemoth, asked to
be discharged from the consideration thereof.
Which was granted.
Ordered, That the same be referred to the committee on Internal
Improvement.
Mr. Conklin, from the same committee reported a bill, entitled,
An act for the benefit of L. Hord, Joseph Belt and A. W. Dud-
ley.
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 afore-
said.
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, Richard Neel,
Alfred Allen, John Draffin, George Poindexter,
Joshua Barnes, Elijah Gabbert, Larkin Proctor,
Elisha Beazly, Remus Gibson, William S. Rankin,
John C. Beeman, Henry Griffith, Nicholas A. Rapier,
John W. Blue, John H. Harney, Joseph Ricketts,
William S. Botts, Jacob Hawthorne, F. D. Rigney,
Wm. Bowling, W. J. Headly, Harrison Taylor,
William A. Brann, John M. Henry, Joshua Tevis,
Leroy Brinkley, William C. Ireland, John R. Thomas,
R. J. Browne, Daniel W. Johns, Joseph R. Underwood,
Curtis F. Burnam, James M. Jones, J. S. Van Winkle,
Brutus J. Clay, Urban E. Kennedy, Zeb. Ward,
John B. Cochran, Perry S. Layton, W. W. Warring,
Wm. L. Conklin, Jonas Martin, Nathaniel Wolfe.
John C. Cooper, David P. Mears, Bryan R. Young—50.
Lucius Desha, William Mercer,

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 Auditor of Public Accounts, be and he is hereby authorized to draw his warrants on the Treasurer in favor of L. Hord, and Joseph Belt, for fifty dollars each, and in favor of A. W. Dudley, for twenty-five dollars, in full for their services as arbitrators and umpire in the action lately pending in the Franklin circuit court, in which the Commonwealth of Kentucky was plaintiff, and Newton Craig and others were defendants, to be paid out of any money in the treasury not otherwise appropriated.

§ 2. That this act be in force from its passage.

The following bills were reported, viz:

By Mr. Mears, from the committee on Claims—
1. A bill for the benefit of A. C. Cox, of Green county.

By Mr. Taylor, from the committee on Ways and Means,
3. A bill for the benefit of R. A. Pearman's administrator.
4. A bill for the benefit of certain of the enrolled militia of Bullitt county.
5. A bill further to define the duties of the agent of the Auditor.
6. A bill for the benefit of A. B. Beard, judge of the Ohio County and Quarterly 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,

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 title thereof be as aforesaid.

Mr. Rankin, from the committee on the Judiciary, to whom was referred leave to bring in a bill changing the time of the sitting of the Legislature of Kentucky, 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, reported,
A bill allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.
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 bills having been dispensed with, and the same being engrossed,
The question was taken upon the passage of said bill, and it was decided in the negative, the constitution requiring a majority of all elected to this House.
The yeas and nays being required thereon by a provision of the constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John Draffin, John W. Fennell, Otho Miller,
Alfred Allen, John W. Fennell, George Poindexter,
Jonathan R. Bailey, Elijah Gabbert, Hiram S. Powell,
Joshua Barnes, Remus Gibson, William S. Rankin,
Elisha Beazley, Henry Griffith, Nicholas A. Rapier,
J. W. Blue, Jacob Hawthorne, Joseph Ricketts,
Wm. Bowling, William J. Head, F. D. Rigney,
Wm. A. Brann, John M. Henry, James A. Rousseau,
R. J. Browne, William C. Ireland, James P. Sparks,
Curris F. Burnam, Daniel W. Johns, Harrison Taylor,
Brutus J. Clay, J. M. Jones, Joshua Tevis,
John B. Cochran, Urban E. Kennedy, Jos. R. Underwood,
Wm. L. Corklin, Perry S. Layton, J. S. Van Winkle,
John C. Cooper, Jonas Martin, W. W. Waring,
Lucius Desha, David P. Mears, Nathaniel Wolfe,

In the negative—


Mr. Ward moved a reconsideration of the vote by which the bill was rejected, entitled,
An act allowing additional compensation for collecting the public revenue for the year 1861, in the counties of Henry and Nicholas.
Leave was given to bring in the following bills, viz:
On motion of Mr. Sparks—1. A bill in relation to the town of New Castle.
On motion of Mr. Conklin—3. A bill for the benefit of the sureties of H. P. Bozarth, late sheriff of Grayson county.
On motion of Mr. Poindexter—4. A bill to change the voting place in the town of Garretsburgh, in Christian county.
On motion of Mr. Underwood—5. A bill to prescribe the duties of surviving partners.
On motion of Mr. Downing—6. A bill for the benefit of J. C. Conkin, late County Court Clerk of Monroe county.

Ordered, That the committee on Incorporated Institutions prepare and bring in the 1st; the committee on Internal Improvement, the 2d; the committee on Ways and Means, the 3d, and 6th; the committee on Privileges and Elections the 4th, and the committee on the Judiciary the 5th.

On motion of Mr. Allen,

Ordered, That Mr. Owings have indefinite leave of absence.

And then the House adjourned.

THURSDAY, FEBRUARY 19, 1863.

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 Commissioners of the Sinking Fund to purchase a lot in Frankfort for the State.
An act for the benefit of Sarah Godshaw.
An act to amend the charter of the town of Germantown.
An act to incorporate a hotel company in the city of Lexington to be called the Dudley house.
An act to authorize the county court of Lincoln county to levy a tax to pay a county police.
An act for the benefit of Caroline Oppenheimer.
That they had passed bills of the following titles, viz:

An act to amend chapter 86 Revised Statutes, title "Inclosures and Certain Trespasses."

An act providing for allowing claims against the Commonwealth in Whitley county.

An act for the benefit of Mrs. Martha W. Snead.

An act for the benefit of Fady M. Slaughter, of Todd county.

An act for the benefit of Louise Friedman, of Louisville.

An act for the benefit of Jannette Greenbaum and Maria L. Richardson.

An act to amend subdivision 2, of section 1, of article 5, chapter 86, of the Revised Statutes.

An act to incorporate Carrsville Lodge, No. 145, Independent Order of Odd Fellows, Carrsville, Livingston county, Kentucky.

An act providing for the use of the Rockcastle county jail for Whitley county.

On motion of Mr. R. J. Browne,

Mr. Rapier has indefinite leave of absence.

Mr. Botts presented the petition of sundry citizens of Elizaville, praying the renewal of the act incorporating said town.

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

Mr. Allen moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor, on the 22d of the present month, cause one hundred guns to be fired near the arsenal, in honor of the memory of Washington, the Father of the Republic; and that on the same day he cause the National Flag to be hoisted on this Capital.

The rules of the House being suspended, said resolution was adopted.

Mr. Sparks presented a petition from some unknown citizens of Simpsonville, in Shelby county, in regard to Jeff. Davis & Co.

On motion of Mr. Underwood,

The House refused to receive said petition.

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

On motion of Mr. Cooper—1. A bill to authorize the Boyle county court to subscribe stock in the Danville, Dix River, and Lancaster turnpike road.

On motion of Mr. Sayres—2. A bill to amend the charter of the town of Independence.
Ordered, That the committee on County Courts prepare and bring in the 1st, and the committee on the Judiciary the 2d.

The hour having arrived for the consideration of the special order, viz:

The motion to reconsider the vote by which the bill was passed, entitled,

An act to amend chapter 83 of the Revised Statutes, title "Revenue and Taxation."

Mr. Chambers moved to dispense with the rules of the House requiring said special order to be taken up, in order to enable him to present a petition and resolutions, which are as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

The undersigned, citizens of the State of Kentucky, respectfully represent: That they are citizens of said State, and legal voters under the laws and constitution thereof; that, in pursuance of public notification, they and many other citizens and voters, met at the Metropolitan Hall, in the city of Frankfort, on the 18th inst., for the purpose of holding a Democratic convention, and nominating candidates to be voted for at the next August election for the offices of Governor, Lieutenant Governor, and other State officers to be elected at that time, in obedience to the Constitution of the State; that they and their associates are peaceable and unarmed citizens, and in no wise connected with any military organization; that they met in a peaceable and orderly manner, and for a lawful purpose.

They further state, that soon after they had convened, Col. Gilbert, the military commandant of the post, appeared in said Hall, attended by a large military force surrounding the building, and caused to be read military order No. 3, to the effect that information had been received at his headquarters that a large number of rebel spies and emissaries were present, and requiring all persons not residents of the city, or members of the Legislature to report themselves immediately at his headquarters; but stated that, for mutual convenience, he had brought his Adjutant to the Hall, and that they could there and then report themselves, and give satisfactory reference as to their identity; that no person present would be permitted to leave the Hall, unless by his order, until all had so reported themselves. The Convention then with his permission, proceeded to elect a Chairman, and made a call of the counties of the State, the delegates present from each county reporting their names, and giving the reference as their counties were respectively called.

When this was done, the Convention was about to proceed to the business before it, when, to the astonishment of all present, Col. Gilbert arose and stated that the further business of said Convention was "arrested;" that those present would not be permitted to hold a Convention within the department under his command; that if nominations were made, the candidate would be arrested, and if elected would not be permitted to hold the office to which he might be elected. He
said he should preserve the list of names thus obtained; that in certain contingencies they might be of great importance; that he required all present to return peaceably and quietly to their homes, and to refrain from all "sedition and noisy conversation;" that whilst willing to allow the "greatest freedom consistent with the times," he should repress all conduct calculated to excite the people. He assigned as a reason for this extraordinary proceeding, that the "Conservative Democratic Legislature of the State" had refused to allow the Convention the use of its Hall, saying that had this refusal not been made he might have acted differently. He said the conservative Democratic papers of the State repudiated them as Democrats, and that said papers, as well as common rumor, assigned to them the character of rebel sympathizers.

At the conclusion of these remarks, A. B. Chambers, Esq., the Representative from Gallatin county, presented to Col. Gilbert the resolutions appended hereto, which had been adopted at a primary meeting of the Convention, as the resolutions which would be reported to this Convention, and which, in the opinion of said primary meeting and the committee on resolutions, embodied the views of this Convention, and requested that they be read, in order that the objects and views of the Convention might be understood. The proposition was declined by Col. Gilbert, who remarked that the Convention must not be hindered.

Without intending to reflect upon Col. Gilbert, or question the authority of the Federal Government within the sphere of its constitutional powers, we as citizens and freemen of the Commonwealth, submit that in the acts herein referred to, the constitutional right of citizens peaceably to assemble together, the right of suffrage and the right of free speech, as well as almost every other right dear to freemen, have been invaded by military authority, against which we enter our solemn protest, and pray your honorable body to adopt such legislation as in your wisdom will best conserve these rights, and protect the citizens of this Commonwealth from military violence.

D. MERIWETHER,
President Democratic State Convention,
G. W. WILLIAMS, of Hancock.
J. R. BUCHANAN.

FEBRUARY 19, 1863.

1. Resolved, That the political principles and views set forth and promulgated by the Democratic National Conventions, and particularly that held at Cincinnati on the 2d of June, 1856, in the form of resolutions adopted and published to the American people as containing the political faith and creed of the National Democracy, are approved by this Democratic State Convention re-asserted, and again adopted.

2. Resolved, As the leading idea in the National Democratic faith, we again assert "that the Federal Government is one of limited power, derived solely from the Constitution; and the grants of power made therein ought to be strictly construed by all the departments and agents of the Government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers."
3. Resolved, That this Convention, representing the Democratic party of Kentucky, solemnly declare that they stand opposed to the continuance and further prosecution of the civil war now existing, for the reasons and upon the grounds set forth in the preamble and resolutions presented by Messrs. Grover and Bush in the Senate and House of the Kentucky Legislature, on the 19th of January, 1863, which preamble and resolutions were unanimously approved by a meeting of the Democratic members of the Kentucky Legislature, and other citizens of the Democratic party convened at the Senate Chamber in Frankfort, on the 29th and 30th of January, 1863, and are hereby approved and adopted by this Convention.

4. Resolved, That the union of the States cannot be maintained and perpetuated, unless their constitutions and laws, not inconsistent with the Constitution of the United States, their rights and interests thereby intended to be secured, and their reserved powers, are respected and held inviolate by the General Government, and unless that Government shall refrain from the assumption and exercise of ungranted powers.

5. Resolved, That we will co-operate with such of the adhering States as shall concur in opposing the continuance of the existing war, and in the adoption of such pacific measures as may be best calculated to promote a lasting peace in the country, and a permanent union of all the States.

6. Resolved, That we hail with feelings of the liveliest satisfaction the recent victories of our Democratic brethren of the Western and Northwestern States, in defense of "the Constitution as it is and the Union as it was," and we congratulate the friends of constitutional liberty everywhere upon these signal triumphs of the true principles of Republican Government.

And the question being taken, the motion of Mr. Chambers was rejected.

The yeas and nays being required on said motion by Messrs. Bush and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Henry Griffith, Geo. M. Hampton, Felix G. Murphy, Otho Miller,
J. W. Boone, John H. Harney, Richard Neel,
William S. Botts, William J. Head, Larkin Proctor,
William A. Brann, John M. Henry, Wm. Roberts,
R. J. Browne, John Humphries, James A. Rousseau,
W. P. D. Bush, John B. Huston, George S. Shanklin,
A. B. Chambers, William Johnson, Robert A. Spalding,
Jos. H. Chandler, Alexander Lusk, John R. Thomas,
John B. Cochran, Jonas Martin, Joseph R. Underwood,
Robert Cochran, John S. McFarland, Wm. H. Van Pelt,
William L. Conklin, John S. McFarland, W. W. Warring,
John C. Cooper, David P. Mears, Nathaniel Wolfe—40,
Ludius Desha, William Mercer, John S. McFarland,
Those who voted in the negative, were—

Alfred Allen, Alfred Allen,
Jas. W. Anderson,    Albert A. Curtis,
Jonathan R. Bailey, Daniel E. Downing,
Joshua Barnes, John Draffin,
Elisha Beazley, John W. Finnell,
John C. Beeman, Elijah Gabbert,
Joshua F. Bell, Remus Gibson,
Wm. Bowling, Jacob Hawthorne,
Leroy Brinkley, Joseph W. Heeter,
Thomas S. Brown, William C. Ireland,
Curtis F. Burnam, Daniel W. Johns,
Cyrus Campbell, J. M. Jones,
J. W. Campbell, Urban E. Kennedy,
Brutus J. Clay, Perry S. Layton,
Jas. M. C. Lisenby, Thomas Z. Morrow,
Andrew P. Poindexter, Hiram S. Powell,
Wm. S. Rankin, Joseph Ricketts,
F. D. Rigney, J. C. Sayres,
M. Smith, James P. Sparks,
Harrison Taylor, Joshua Tevis,
Alex. T. White — 40.

Mr. White moved to lay the motion to reconsider the vote on the table by which the bill was passed, entitled,

An act to amend chapter 83, of the Revised Statutes, title “Revenue and Taxation.”

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

The question was then taken upon the motion to reconsider said vote, and it was decided in the negative.

The House then took up the motion of Mr. Martin to reconsider the vote rejecting the bill, entitled,

An act for the benefit of the late sheriffs of this Commonwealth.

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

Mr. Martin 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. Taylor then moved to reconsider the vote adopting the amendment including “circuit and county court clerks and all the surveyors of this Commonwealth.”

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

The question was then taken upon adopting said amendment, and it was decided in the negative.

Mr. Taylor then moved to reconsider the vote adopting the amendment including “presiding judges of county courts and all justices of the peace.”
And the question being taken thereon, it was decided in the affirmative.

The question was then taken upon the adoption of said amendment, and it was decided in the negative.

Mr. Taylor moved to amend said bill by striking out "1858" wherever it occurs therein, and inserting "1860."

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 aforesaid.

The House then took up the motion of Mr. Bailey to reconsider the vote passing the bill, entitled,

An act repealing the act approved October 3d, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary line between the counties of Barren and Metcalfe.

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

On motion of Mr. Rousseau,

Ordered, That said bill be recommitted to the committee on County Courts.

The House again resolved itself into the committee of the whole on Federal Relations, with Mr. Tevis in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration said resolutions aforesaid, but not having time to go through therewith, had instructed him to ask leave to sit again.

Which was granted.

Mr. Blue, 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 relief of persons who have violated an act approved August 30, 1862, entitled an act requiring certain officers and teachers in this Commonwealth to take an oath of office.

An act for the benefit of Lewis S. Lee, sheriff of the county of Ballard.

An act for the benefit of H. F. Turner.
Also, bills which originated in this House, of the following titles, viz:

An act to authorize guardians, trustees of wards, and cestui que trust to make investments in real estate.

An act for the benefit of George Long, a free man of color, of Christian county.

An act for the benefit of Thomas J. Jones, sheriff of the county of Graves.

An act to amend section 9, article 3, chapter 91, Revised Statutes.

An act for the benefit of Pleasant J. Potter, sheriff of the county of Warren.

An act to amend chapter 2 of the Revised Statutes, title "Caveats."

An act to amend chapter 99 of the Revised Statutes, title "Taverns, Tippling-houses, &c."

An act to amend section 3, article 10, chapter 28, Revised Statutes.

An act allowing additional clerk hire to the Auditor of Public Accounts.

An act to authorize Commissioners of the Sinking Fund to purchase a lot in Frankfort for the State.

An act to incorporate Sherburne Chapter of Royal Arch Masons of the county of Fleming.

An act to incorporate Cherokee Tribe, No. 36, Independent Order of Red Men.

An act to amend the charter of the town of Springfield.

An act for the benefit of John H. Allison, late sheriff of Lawrence county.

An act for the benefit of M. W. Galloway, late sheriff of the county of Graves.

An act for the benefit of the Oregon turnpike road company.

An act concerning the Richmond, Otter creek and Boonsboro' turnpike road company.

An act for the benefit of R. B. Bolling.

An act establishing an office for the recording of deeds and mortgages at Newport.

An act for the benefit of the collector of revenue, &c., for 1867, in the county of Barren.

An act for the benefit of R. S. Huey.

An act authorizing the board of trustees of Milburne, in Ballard county, to grant coffee-house license.
An act to amend the charter of the New Castle and Carrollton turnpike road company.

An act for the benefit of Wm. M. Green, late judge of the Russell county court.

An act to provide more effectually for the safe keeping of the prisoners committed to the jail of Monroe county.

An act to give immediate effect to an act to provide for paying in advance one month's pay to soldiers enlisting for nine months.

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Blue inform the Senate thereof.

Mr. Wolfe presented a petition from the Branch of the United States Sanitary Commission, at Louisville, asking aid in erection of buildings in aid thereof.

Which was received, the reading dispensed with, and referred to the committee on Military Affairs, with instructions to report thereon on Monday next at 10½ o'clock.

The House took up the amendment of the Senate to the bill, entitled,

An act for the benefit of Isaac Gasteneau, late sheriff of Pulaski county.

Which amendment was concurred in.

The House then took up the bill, entitled,

An act to incorporate First and Second street horse railroad company, in the city of Louisville.

Mr. Tevis 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. Ricketts obtained leave to bring in a bill for the benefit of Captain A. N. Davis.

Ordered, That the committee on Military Affairs prepare and bring in the same.

And then the House adjourned
FRIDAY, FEBRUARY 20, 1863.

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 Wm. Hough and others.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of James E. Wright, clerk of the Logan county court.

An act to amend an act, entitled, an act to amend chapter 83, Revised Statutes, title, "Revenue and Taxation," approved February, 1862.

An act for the benefit of the Presbyterian and Methodist Episcopal Church South, of Catlettsburg.

An act concerning the mayor of the city of Covington.

An act to confer additional powers upon county judges.

An act to provide for establishing county courts in Newport.

An act for the benefit of John Armstrong, collector of the revenue and county levy of Carter county, for the year 1861.

With an amendment to the last named bill.

Also, resolution requesting the Governor to cause 100 guns to be fired on the 22d, and to cause the National Flag to be hoisted on the Capital.

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

An act to amend an act, entitled, an act to amend an act, entitled, an act concerning the collection of the public revenue and county levy for the years 1861 and 1862, approved August 28th, 1862.

An act to authorize the county court of Union county to hold a court of assessment and claims for the year 1862.

An act for the benefit of Joel Martin, late sheriff of Floyd county.

An act for the benefit of the city of Louisville.

An act to authorize the county judge of Jessamine county to appoint a school commissioner.

Also, resolutions of the following titles, viz:

Resolution for the benefit of Mary J. Reese.

Resolution for the benefit of Mrs. Elizabeth Weldon.
Mr. Chambers presented a memorial and resolutions, as follows, viz:

To the General Assembly of the Commonwealth of Kentucky:

The undersigned, citizens of the State of Kentucky, respectfully represent: That they are citizens of said State, and legal voters under the laws and constitution thereof; that, in pursuance of public notification, they and many other citizens and voters, met at the Metropolitan Hall, in the city of Frankfort, on the 18th inst., for the purpose of holding a Democratic convention, and nominating candidates to be voted for at the next August election for the offices of Governor, Lieutenant Governor, and other State officers to be elected at that time, in obedience to the Constitution of the State; that they and their associates are peaceable and unarmed citizens, and in no wise connected with any military organization; that they met in a peaceable and orderly manner, and for a lawful purpose.

They further state, that soon after they had convened, Col. Gilbert, the military commandant of the post, appeared in said Hall, attended by a large military force surrounding the building, and caused to be read military order No. 3, to the effect that information had been received at his headquarters that a large number of rebel spies and emissaries were present, and requiring all persons not residents of the city, or members of the Legislature to report themselves immediately at his headquarters; but stated that, for mutual convenience, he had brought his Adjutant to the Hall, and that they could there and then report themselves, and give satisfactory reference as to their identity; that no person present would be permitted to leave the Hall, unless by his order, until all had so reported themselves. The Convention then, with his permission, proceeded to elect a Chairman, and made a call of the counties of the State, the delegates present from each county reporting their names, and giving the reference as their counties were respectively called.

When this was done, the Convention was about to proceed to the business before it, when, to the astonishment of all present, Col. Gilbert arose and stated that the further business of said Convention was "arrested;" that those present would not be permitted to hold a Convention within the department under his command; that if nominations were made, the candidate would be arrested, and if elected would not be permitted to hold the office to which he might be elected. He said he should preserve the list of names thus obtained; that in certain contingencies they might be of great importance; that he required all present to return peaceably and quietly to their homes, and to refrain from all "seditious and noisy conversation," that whilst willing to allow the "greatest freedom consistent with the times," he should repress all conduct calculated to excite the people. He assigned as a reason for this extraordinary proceeding, that the "Conservative Democratic Legislature of the State" had refused to allow the Convention the use of its Hall, saying that had this refusal not been made he might have acted differently. He said the conservative Democratic papers of the State repudiated them as Democrats, and that said pa-
pers, as well as common rumor, assigned to them the character of rebel sympathizers.

At the conclusion of these remarks, A. B. Chambers, Esq., the Representative from Gallatin county, presented to Col. Gilbert the resolutions appended hereto, which had been adopted at a primary meeting of the Convention, as the resolutions which would be reported to this Convention, and which, in the opinion of said primary meeting and the committee on resolutions, embodied the views of this Convention, and requested that they be read, in order that the objects and views of the Convention might be understood. The proposition was declined by Col. Gilbert, who remarked that the Convention must not be held.

Without intending to reflect upon Col. Gilbert, or question the authority of the Federal Government within the sphere of its constitutional powers, we as citizens and freemen of the Commonwealth, submit that in the acts herein referred to, the constitutional right of citizens peacefully to assemble together, the right of suffrage and the right of free speech, as well as almost every other right dear to freemen, have been invaded by military authority, against which we enter our solemn protest, and pray your honorable body to adopt such legislation as in your wisdom will best conserve those rights, and protect the citizens of this Commonwealth from military violence.

D. MERIWETHER,
President Democratic State Convention,
G. W. WILLIAMS, of Hancock.
J. R. BUCHANAN.

FEBRUARY 19, 1863.

1. Resolved, That the political principles and views set forth and promulgated by the Democratic National Conventions, and particularly that held at Cincinnati on the 2d of June, 1856, in the form of resolutions adopted and published to the American people as containing the political faith and creed of the National Democracy, are approved by this Democratic State Convention re-asserted, and again adopted.

2. Resolved, As the leading idea in the National Democratic faith, we again assert "that the Federal Government is one of limited power, derived solely from the Constitution; and the grants of power made therein ought to be strictly construed by all the departments and agents of the Government; and that it is inexpedient and dangerous to exercise doubtful constitutional powers."

3. Resolved, That this Convention, representing the Democratic party of Kentucky, solemnly declare that they stand opposed to the continuance and further prosecution of the civil war now existing, for the reasons and upon the grounds set forth in the preamble and resolutions presented by Messrs. Grover and Bush in the Senate and House of the Kentucky Legislature, on the 19th of January, 1863, which preamble and resolutions were unanimously approved by a meeting of the Democratic members of the Kentucky Legislature, and other citizens of the Democratic party convened at the Senate Chamber in Frankfort, on the 29th and 30th of January, 1863, and are hereby approved and adopted by this Convention.
4. Resolved, That the union of the States cannot be maintained and perpetuated, unless their constitutions and laws, not inconsistent with the Constitution of the United States, their rights and interests thereby intended to be secured, and their reserved powers, are respected and held inviolate by the General Government, and unless that Government shall refrain from the assumption and exercise of ungranted powers.

5. Resolved, That we will co-operate with such of the adhering States as shall concur in opposing the continuance of the existing war, and in the adoption of such pacific measures as may be best calculated to promote a lasting peace in the country, and a permanent union of all the States.

6. Resolved, That we hail with feelings of the liveliest satisfaction the recent victories of our Democratic brethren of the Western and Northwestern States, in defense of "the Constitution as it is and the Union as it was," and we congratulate the friends of constitutional liberty everywhere upon these signal triumphs of the true principles of Republican Government.

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

Mr. Beeman presented a resolution from the common council of Louisville, in relation to changes in their charter.

Which was received, the reading dispensed with, and referred to the committee on Incorporated Institutions.

The Speaker presented the report of the Board of Commissioners of the Institution for the Education of Idiots and Feeble-minded Children, viz:

To the Legislature of Kentucky:

In accordance with the amended act approved August 31st last, we were appointed a Board of Commissioners for said Institution, and after being sworn, proceeded to organize and enter upon the duties assigned us. Soon after we organized, Dr. James Rodman, the Superintendent, and J. W. Tate, the Treasurer, resigned, and as the Secretary, Dr. W. C. Sneed, had died in November, and no other had been elected to fill the vacancy, the first duty to which we were called was to fill these offices, which was done by appointing Rev. Wm. McD. Abett Superintendent, James R. Watson Secretary, and George W. Gwin Treasurer. We reduced the salary of the Superintendent from fifteen to twelve hundred dollars per annum.

We present the following statements to show the present condition of the Institution, and what we consider its immediate necessities, with the hope that your honorable body will give the relief needed. The building which has been erected for this great charity is yet in an unfinished state, with but a few rooms completed, and these, with the exception of a teacher's apartment and a hospital, all occupied by the children and nurses. The Superintendent and his family have to occupy an old building, at some distance from the Institute, which we
think, in view of the interests and safety of the inmates, should be remedied immediately, by finishing the building and placing the superintendent, with his family, in the main house, near to and within call of the children; and this is deemed more especially necessary at night. Increased labor and great inconvenience arises daily from the fact that all the cooking is done at the old building, and has to be carried up to the children's table, through all kind of weather.

Another difficulty under which we are now laboring is the destruction of nearly all the fences by the soldiers last fall. The garden, pastures, orchard, and all the grounds, are now used as a common.

As this was principally done by Dumont's troops, we hope soon to obtain from the Government a sum sufficient to pay for repairing the grounds; but our necessities cannot await the tedious movement of the Government in adjusting claims.

A contract had been made to put up a line of stone fence on the west side, and a portion of the work done before we were appointed; this work should be speedily finished.

To carry out the humane objects of the Legislature in the establishment of this noble charity, it is important that the building should at once be completed according to the original plan. A great part of the necessary material is on hand, ready to be worked into the building.

The following statement shows the pecuniary situation of the Institute:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Received from the late Treasurer</td>
<td>$1,433 47</td>
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<tr>
<td>Received of Dr. Rodman</td>
<td>50 00</td>
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<td><strong>$1,483 47</strong></td>
</tr>
<tr>
<td>Paid out the sum of</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>$1,257 51</strong></td>
</tr>
<tr>
<td>Balance on hand</td>
<td>225 96</td>
</tr>
<tr>
<td></td>
<td><strong>$1,483 47</strong></td>
</tr>
</tbody>
</table>

Claims paid, to-wit:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freight on coal</td>
<td>$12 00</td>
</tr>
<tr>
<td>Blacksmith's work</td>
<td>75</td>
</tr>
<tr>
<td>Cammack, for hearse and furniture</td>
<td>20 55</td>
</tr>
<tr>
<td>Graham, for groceries, &amp;c.</td>
<td>124 13</td>
</tr>
<tr>
<td>The late superintendent, two quarter's salary</td>
<td>750 00</td>
</tr>
<tr>
<td>Macklin, for flour</td>
<td>88 35</td>
</tr>
<tr>
<td>Kennedy &amp; Black, for coal</td>
<td>70 00</td>
</tr>
<tr>
<td>Hughes &amp; Co, for printing, &amp;c.</td>
<td>12 75</td>
</tr>
<tr>
<td>For butter</td>
<td>2 00</td>
</tr>
<tr>
<td>Jett, for wood</td>
<td>2 50</td>
</tr>
<tr>
<td>Tate, balance due as Treasurer</td>
<td>173 58</td>
</tr>
<tr>
<td></td>
<td><strong>$1,257 51</strong></td>
</tr>
</tbody>
</table>
Accounts presented but not paid:

<table>
<thead>
<tr>
<th>Account Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Rodman, for hire servant &amp;c</td>
<td>$250.00</td>
</tr>
<tr>
<td>Sneed, order from Brawner, in part for cistern</td>
<td>$130.00</td>
</tr>
<tr>
<td>Brawner, balance for cistern</td>
<td>$374.00</td>
</tr>
<tr>
<td>Gray, for dry goods</td>
<td>$25.25</td>
</tr>
<tr>
<td>Shaffer, for carpenter's work</td>
<td>$40.00</td>
</tr>
<tr>
<td>Shannon, for carpenter's work</td>
<td>$36.07</td>
</tr>
<tr>
<td>Shaw, shingles</td>
<td>$15.72</td>
</tr>
<tr>
<td>Gwin, hardware</td>
<td>$64.63</td>
</tr>
<tr>
<td>Burrs, groceries</td>
<td>$25.80</td>
</tr>
<tr>
<td>Gray &amp; Todd, groceries</td>
<td>$45.65</td>
</tr>
<tr>
<td>South, work at prison</td>
<td>$150.00</td>
</tr>
<tr>
<td>Wurtz, stone work</td>
<td>$2.25</td>
</tr>
<tr>
<td>Butler, balance plastering</td>
<td>$58.51</td>
</tr>
<tr>
<td>Servant woman, wages</td>
<td>$25.00</td>
</tr>
<tr>
<td>Callery, building stone fence</td>
<td>$75.00</td>
</tr>
<tr>
<td>Hire servants, yet employed</td>
<td>$111.25</td>
</tr>
<tr>
<td>Bates, coal and lumber</td>
<td>$261.21</td>
</tr>
<tr>
<td>To renew insurance on building</td>
<td>$100.00</td>
</tr>
<tr>
<td>Knight, for wood</td>
<td>$9.00</td>
</tr>
</tbody>
</table>

Total: $1,905.34

We have presented this exhibit of the pecuniary condition of the Institute to show the necessity of immediate aid to carry out this enterprise for the relief of this helpless class of our population.

We respectfully ask the Legislature to make the appropriations necessary to finish the building, fence the grounds, pay the debts, in order that the progress of this noble charity may not be obstructed.

To pay the balance for purchase of land: $1,300.00
To finish the building in a plain and substantial manner, according to the original plan, (in addition to the material on hand and paid for, excluding the three porticoes,) items will be exhibited showing what the work will cost: $3,600.00
For a large heater: $400.00
To enclosure the pasture, garden, and fields: $630.00
Outstanding debts presented, $1,905.34—claims are daily being presented, and we have no doubt they will run up so as to increase the claims to: $2,500.00

Amounting to: $8,430.00

In 1860, when the Institution was founded $150 per annum was allowed for the support of each pupil, afterwards it was reduced to $125; now, in view of the great increase of prices for clothing, provisions, and fuel, we suggest that the sum should be increased to $150. We think that they cannot be supported for a less sum.

In conclusion, we pledge ourselves to devote what time may be necessary, and our best exertions towards carrying out the noble design of the Legislature, and in placing the Institution in a situation to do great good, and be an honor to the State.

Respectfully,

FRANKFORT, February 19, 1863.

J. SWIGERT,
R. C. ANDERSON,
J. S. PRICE,
JAS. M. TODD,
A. G. CAMMACK.
Ordered, That the Public Printer forthwith print 150 copies of said report for the use of the members of this General Assembly, and that the same be referred to the committee on Ways and Means.

When the House again resolved itself into the committee of the whole on the resolutions on Federal Relations, Mr. Tevis in the Chair, and after some time spent therein, (Mr. Buckner,) Speaker resumed the Chair, when Mr. Tevis reported that the committee had, according to order, had under consideration said resolutions aforesaid, and had made some progress therein, but not having time to go through with the same had instructed him to ask leave to sit again.

Which was granted.

Mr. Taylor moved the following resolution, viz:

Resolved, That this House will this day adjourn at the hour of 1 o'clock, to afford an opportunity to the members of this body to attend the funeral of the Hon. James Harlan, and of testifying their respect for the many exalted virtues which adorned his character in all the relations of life, and inspired the love and esteem of his countrymen, who, in his lamented and untimely death, have suffered a loss so deeply to be deplored.

Which was adopted unanimously.

A message was received from the Senate, by Mr. Duke, announcing that they had disagreed to the amendment adopted by this House to the bill from the Senate, entitled,

An act repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860.

Mr. Curtis moved the following resolution, viz:

Whereas, the large portion of the loyal citizens of Kentucky are now in the army of the United States, and their term of service will not expire in time for them to return home and vote at the next August election—therefore,

Resolved, That the committee on Privileges and Elections be instructed to report a bill providing for the voting of the soldiers in the army, if the same can be done consistent with the provisions of the Constitution of Kentucky, and also of those who may return within sixty days next before the elections.

Which was adopted.

On motion of Mr. Allen,

Leave was granted him to bring in a bill for the benefit of school district No. 20, in Meade county.

Which was referred to the committee on Education.
On motion of Mr. Chandler,
Leave of absence till Tuesday next was granted Messrs. Cooper and Mears.

On motion of Mr. Ricketts,
Ordered, That the committee on the Penitentiary report the Penitentiary Senate bill to them referred, to-morrow at 10 o'clock.

And then the House adjourned.

SATURDAY, FEBRUARY 21, 1863.

A message was received from the Senate announcing that they had concurred in the amendment of this House to the bill from the Senate, entitled,

An act for the relief of persons, who have violated an act, approved August 30, 1862, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office.

That they had disagreed to a bill for the benefit of Asa Gilbert, late sheriff of Clay county.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of Richard Reynolds.

An act for the benefit of Andrew W. Foster, late sheriff of Allen county.

An act for the benefit of John P. Sullivan, of Todd county.

An act to change the boundary lines of Columbia voting district, in Adair county.

An act for the benefit of Wm. Williams late sheriff of Boyd 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 the sureties of C. A. Duncan, late sheriff of Calloway county.

An act to revive and amend the charter of the town of Mortonsville, in Woodford county.
Mr. Blue, from the committee on Enrollments, reported that they had examined an enrolled joint resolution which originated in this House, entitled,
Resolution requesting the Governor to cause 100 guns to be fired on the 22d instant, and to cause the National Flag to be hoisted on the Capitol.
And had found the same truly enrolled.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Blue inform the Senate thereof.
The House then took up for consideration the special order, viz:
An act concerning the Penitentiary.
On motion of Mr. Finnell.
Ordered, That the further consideration of said bill be postponed till Tuesday next at 10½ o'clock.
On motion of Mr. Smith,
Messrs. Rousseau and Cyrus W. Campbell had leave of absence.
Mr. Desha presented the remonstrance of citizens interested, against the bill to sell the Newtown and Leesburg turnpike road company.
Which was received, the reading dispensed with, and referred to the committee on Judiciary.
Mr. Draffin read and laid on the table the following joint resolution, viz:
Whereas, George B. McClellan, of the State of Ohio, stands in the first rank of the manly, the high principled, and the uncompromising friend of his country's interest, the Constitution of the Union, the Constitutions of the several States, and their laws. Therefore,
Resolved by the General Assembly of the Commonwealth of Kentucky, That he is hereby nominated as a fit and suitable person for the next President of the United States, and as such recommend him to the whole people thereof.
Mr. Allen read and laid on the table the following joint resolution, viz:
Resolved, That the debate on Federal Relations shall terminate on Wednesday next, and that this House will, at 1 o'clock, P. M., on that day, proceed to vote on the report of the committee, and the amendments thereto.
The rule of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee being dispensed with,
Mr. Ricketts moved to amend said resolution by striking out Wednesday, and inserting Tuesday.

Which amendment was rejected.

Said resolution was then again read and 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 this General Assembly adjourns on Monday, the 2d of March next, it shall adjourn sine die.*

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

The question was then taken on dispensing with its reference to a standing committee, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

John O. Beeman,  Jonas Martin,  James P. Sparks,  Alexander Lusk,  George S. Shanklin,  Nathaniel Wolfe.

Said resolution was then adopted.

Mr. Bush moved the following resolution, viz:

*Resolved, That the Speaker appoint a committee of three members of this House, to ascertain and report to this House the reasons why*
the Public Printer has not printed and furnished to this General Assembly the usual number of copies of the report of the Auditor, showing the amounts of money drawn from the several appropriations made by this General Assembly for military purposes, as required by this resolution, passed by this House on the—day of——, 1863.

Which was adopted.

Mr. Sparks moved the following resolution, viz:

Whereas, in the month of August, in the year 1862, the Jeff. Davis armed mob, or the rebel forces under the command of Kirby Smith, invaded the State of Kentucky, and defeated the Union forces in battle at Big Hill, near Richmond, Ky.; and whereas, the Legislature of Kentucky was then in session at Frankfort, Ky., and the most of the members of the Legislature was compelled to skedaddle to Louisville, Ky., and other places of personal safety; and whereas, the government and Governor was moved to Louisville, Ky., for safety, the government being on wheels and carried down the railroad for safety; and whereas, the Union people of this State, were informed by the former conduct of the rebels and their friends and sympathizers, that the Governor, the archives of the State and the money belonging to the State treasury, were not safe in the hands of rebels, or within their military lines, for reasons well known to this Legislature, and most especially to people of southern Kentucky, in the boundary of the Provisional Government, heretofore under Geo. W. Johnson; and whereas, one Richard Hawes was inaugurated Governor of Ky., by the rebels and their friends, at Frankfort, Kentucky; and whereas, the said Hawes and his friends left in a great hurry for the land of Dixie, or some other place more suitable to his notions and politics—therefore,

Resolved, That a committee be appointed to inquire into the conduct of the Southern Rights party, to make inquiry into the conduct of said party in trying to deprive the late Governor of a part of his term of service, Governors being usually elected for four years.

Resolved, That the Governor as aforesaid, and his Secretary, be paid by the Southern Rights party of this State, in Confederate money, and that the expenses of the late convention be paid in Confederate money.

Resolved, That the committee aforesaid, be requested to make diligent search and inquiry for the umbrella of Governor Merriwether, and the gun that John Cataline Breckinridge used when he went a hunting to the mountains in 1848, in order to place them in the State Library for the use of the people of this State.

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

Mr. Sparks moved the following resolutions, viz:

1. Resolved, That the committee on Religion be directed and requested to report to this House on all business referred to them, and most especially on the religion of the people of this State, and the people generally.

2. Resolved, That the committee on Religion make some inquiry relative to the preachers who are in the habit of opening this House with
prayer, whether they are loyal or not, whether they have taken a certain oath or not, prescribed by law.

Ordered, That said resolutions be referred to the committee on Religion.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That, profoundly grateful for the heroic fortitude and sacrifices displayed by the volunteer officers and soldiers of this State, who, throughout this war, have upheld the flag of the Union, and the honor and glory of the State, the General Assembly hereby tenders to them the homage of their unreserved gratitude, and that we hereby extend to the relations and friends of the fallen brave our heartfelt sympathy.

The rule of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee being dispensed with,

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The following bills were reported, viz:

By Mr. Ireland, from the committee on Circuit Courts—
1. A bill dispensing with the equity and criminal terms held in July in the counties of Fleming, Mason and Greenup.

By Mr. Shanklin, from same committee—
2. A bill to protect fish in the waters of Jessamine, Hickman and Paint Lick creeks.

By Mr. Underwood—
3. A bill to enlarge the powers of the Warren county court, and of the trustees of Bowling-green, to enable them to erect certain buildings.

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

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

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. Bowling—1. A bill to amend the act authorizing the sale of poor-house lands in Carter county.

On motion of Mr. R. C. Anderson—2. A bill allowing citizens of Franklin county to vote on proposition to tax dogs.

On motion of Mr. Turner—3. A bill for the benefit of the Presbyterian church at Mt. Sterling.

On motion of same—4. A bill to fix the times of holding circuit courts in the 11th judicial district.

Ordered, That the committee on County Courts prepare and bring in the 1st; the committee on the Judiciary the 2d and 4th, and the committee on Incorporated Institutions the 3d.

The House again resolved itself into the committee of the whole upon the resolutions on Federal Relations, Mr. Tevis in the Chair, and after some time spent therein, the Speaker (Mr. Huston) occupying the same, resumed the Chair, when Mr. Tevis reported that the
committee had had said resolutions under consideration, and made some progress therein, and had instructed him to ask leave to sit again. Which was granted.

On motion of Mr. Blue,

Leave was given him to withdraw from the Senate a bill which had passed this House, entitled,

An act to legalize the acts of B. D. Winstead, county clerk of Webster county.

Mr. Blue moved to reconsider the vote passing said bill.

And then the House adjourned.

MONDAY, FEBRUARY 23, 1863.

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

An act for the benefit of the late sheriffs of Barren, Bourbon, Simpson, and McLean counties.

That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of Daniel McGrath.
An act concerning the Bell school house property in Shelby county.
An act for the benefit of Joel W. Sallee, late sheriff of Pulaski county.
An act for the benefit of John A. Yandall, late sheriff of Crittenden county.

With amendments to the last two named bills.

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

An act for the benefit of Martha J. Mansfield.
An act for the benefit of Emily P. Grainger.
An act to amend an act entitled, an act to incorporate the Bell Insurance company of Louisville, approved October 3, 1861.
An act for the benefit of Barbetta Dinkelspiel.
An act changing the boundary line and voting place in Flat Woods district in Owsley county.

1. Mr. Owings presented the petition of E. O. Brown, praying compensation for services rendered the State.

2. Mr. Wolfe presented the petition of Lewis Rodgers and others, praying compensation for services rendered the State.

3. Also, the petition of John R. Redding, praying compensation for making cross index to execution books in the Jefferson circuit court.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the committee on Military Affairs, and the 3d to the committee on Ways and Means.

Mr. Bailey, from the committee on Ways and Means, to whom was referred leave, reported

A bill for the benefit of Daniel Morton, clerk of the Logan circuit court.

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,

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

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,  Elijah Gabbert,  Thos. W. Owings,
Joshua Barnes,  Remus Gibson,  Hiram S. Powell,
Elisha Beazly,  Henry Griffith,  Joseph Ricketts,
John C. Beeman,  Jacob Hawthorne,  F. D. Rigney,
Wm. Bowling,  Daniel W. Johns,  James P. Sparks,
Leroy Brinkley,  J. M. Jones,  John R. Thomas,
Thomas S. Brown,  Urban E. Kennedy,  Alex. T. White—23.
Brutus J. Clay,  Alexander Lusk,

Said bill reads as follows, viz:

Whereas, during the rebel invasion and occupancy of the Southwestern portion of the Commonwealth for the latter part of the year 1861, and the former part of the year 1862, a man calling himself H. E. Read, and styling himself "Commissioner of the so-called Provisional Government of Kentucky," in company with armed men, did force and compel Daniel Morton, clerk of the circuit court in Logan county, to pay over to him (Read) all the fines and taxes then in his (Morton's) hands; and whereas, said Morton paid over the money under protest—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be directed, in any future settlement with Daniel Morton, clerk of the circuit court for Logan county, to give said Morton credit for the sum of one hundred and eighty dollars and seventy-three cents, that being the amount of taxes and fines taken from said Morton by force, and under protest, by H. E. Read, Commissioner of the so-called Provisional Government of Kentucky.

§ 2. This act to be in force from its passage.

Mr. Thomas moved to reconsider the vote by which said bill was rejected.

Mr. Underwood, from the committee of Conference, in relation to the disagreement of the two Houses upon the bill to lay off the State into nine Congressional Districts, reported a substitute therefor, which reads as follows, viz:

The committee of Conference, to whom was referred the disagreement of the two Houses upon the bill to divide the State into nine Congressional Districts, moved the following amendment to the bill which was passed by the House of Representatives; strike out all after the words "counties of" in the 5th line of the 1st section, and insert the following:

DISTRICT No. 1—Fulton, Hickman, Ballard, McCracken, Graves, Marshall, Calloway, Trigg, Lyon, Caldwell, Livingston, Crittenden, Union and Webster, shall compose the first district.

DISTRICT No. 2—Christian, Hopkins, Muhlenburg, Henderson, Daviess, McLean, Ohio, Hancock, Breckinridge, Grayson, Butler and Edmonson, shall compose the second district.

DISTRICT No. 3—Russell, Cumberland, Clinton, Monroe, Metcalfe, Barren, Allen, Simpson, Warren, Todd, Logan and Hart, shall compose the third district.
DISTRIBUTION No. 4—Meade, Adair, Hardin, Bullitt, Larue, Marion, Washington, Nelson, Spencer, Taylor, Green, Shelby and Anderson, shall compose the 4th district.

DISTRIBUTION No. 5—Jefferson, Oldham, Henry and Owen, shall compose the fifth district.

DISTRIBUTION No. 6—Callatin, Harrison, Boone, Trimble, Grant, Kenton, Campbell, Pendleton, Bracken and Carroll, shall compose the sixth district.

DISTRIBUTION No. 7—Nicholas, Bourbon, Clarke, Fayette, Scott, Jessamine, Woodford, Franklin, Mercer, Boyle and Lincoln, shall compose the seventh district.

DISTRIBUTION No. 8—Perry, Breathitt, Letcher, Harlan, Knox, Clay, Owsley, Wolfe, Whitley, Laurel, Jackson, Estill, Madison, Rockcastle, Garrard, Pulaski, Casey and Wayne, shall compose the eighth district.

DISTRIBUTION No. 9—Mason, Lewis, Greenup, Boyd, Powell, Fleming, Rowan, Carter, Lawrence, Morgan, Johnson, Floyd, Pike, Magoffin, Montgomery and Bath, shall compose the ninth district.

J. B. BRUNER.
T. F. MARSHALL,
Committee of the Senate.

J. R. UNDERWOOD,
JOHN W. PINNELL,
H. TAYLOR,
R. J. BROWNE,
ALF. ALLEN,
G. S. SHANKLIN,
Committee of the House.

The question was then taken upon concurring in said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and James W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Daniel E. Downing,  Richard Neel,  Nathaniel Wolfe—52.
John W. Finnell,

Those who voted in the negative, were—

James W. Anderson,  Elijah Gabbert,  Hiram S. Powell,
John C. Beeman,  Evan M. Garriott,  Larkin Proctor,
Joshua F. Bell,  Geo. M. Hampton,  Joshua Tevis,
Curtis F. Burnam,  John Humphries,  Thomas Turner,
A. B. Chambers,  Wm. Johnson,  Wm. H. Van Pelt,
Albert A. Curtis,  James M. Jones,  Alex. T. White,

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. Proctor moved the following resolution, viz:

Resolved, That the committee on Military Affairs be requested to inquire into the necessity and expediency of providing by law for the appointment of an Auditor to state and settle the accounts of the several Quartermasters appointed by the Military Board, prior to the Kentucky troops being mustered into the service of the United States, and that they report by bill or otherwise.

Which resolution was adopted.

The House took up the bill, entitled,

An act to provide for taking proof to establish claims against the United States or this State for personal services.

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 revenue laws allowing sheriffs additional commission for collecting the public revenue.

Mr. Taylor moved the following amendment, viz:

This act shall continue in force two years, after which time the sheriffs shall only be entitled to the commission allowed by the laws now in force.

Which 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 section 9, of article 10, chapter 88, of the Revised Statutes, title “Revenue and Taxation,” shall be, and the same is hereby repealed, and in lieu the following is enacted: Sheriffs shall be allowed by the Auditor the following commissions upon sums collected and accounted for, or paid into the Public Treasury in each year: upon the first thousand dollars twelve per cent; on the second thousand ten per cent; on the third thousand eight per cent; on the fourth thousand six per cent; and upon all above four thousand four per cent. This act shall continue in force for two years, after which time the sheriffs shall only be entitled to the commission allowed by the laws now in force.

§ 2. This act shall take effect from and after its passage.

Mr. Conklin moved to amend the 6th, 7th, and 8th lines by striking out 12 per cent., where it occurs, and inserting 10; strike out 10, and insert 8; strike out 8, and insert 6; strike out 6, and insert 5.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Sparks moved the following amendment, viz:

Provided, That any county in this State paying over $15,000 revenue shall not be entitled to the benefits of this act.

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

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

Those who voted in the affirmative, were—


John M. Henry, John Humphries, William C. Ireland, Alexander Lusk, P. L. Maxey, R. A. Spalding,

Those who voted in the negative, were—


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

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

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Finnell moved the following resolutions, viz:

Resolved, That the committee on Military Affairs be instructed to bring in a bill to authorize the Governor to organize not exceeding three regiments of State Guards, infantry or mounted infantry, at his discretion, for the defense of the State, to serve for six or twelve months, as the Governor may order; the regiments to be raised in the counties of Lewis, Greenup, Rowan, Boyd, Carter, Magoffin, Lawrence, Johnson, Morgan, Powell, Bath, Jackson, Estill, Wolfe, Owsley, Clay, Breathitt, Perry, Floyd, Pike, Letcher, Harlan, Knox, Whitley, Laurel, Pulaski, Rockcastle, Wayne, Cumberland, Clinton, Casey, Monroe, Barren, Metcalfe, Hart, Allen and Adair.

Resolved, That these regiments be organized in the same manner as the volunteers of the army of the United States are organized.

The rule of the House requiring a reference of said resolution being dispensed with,

Mr. James W. Anderson moved the following amendment, viz:

When raised, they shall remain upon the border of the State, and in the counties where raised.

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On motion of Mr. Finnell,

Ordered, That said resolution and amendment be made the special order for 10 1/2 o'clock to-morrow.

The House again resolved itself into a committee of the whole, upon resolutions on Federal Relations, with Mr. Tevis in the Chair, and after some time spent therein, the Speaker resumed the Chair, when Mr. Tevis reported that the committee had had said resolutions under consideration, and had made some progress therein, and instructed him to ask leave to sit again.

Which was granted.

A message was received from the Senate by Mr. Duke, asking leave to withdraw from this House their announcement of disagreement to a bill from this House, entitled,

An act for the benefit of R. R. Jones, late sheriff of Meade county.

Which was granted.

And then the House adjourned.

TUESDAY, FEBRUARY 24, 1863.

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 common school district No. 50, in Allen county.
An act for the benefit of school district, No. 6, in Mason county.
An act for the benefit of school district No. 105, in Pulaski county.
An act for the benefit of school district No. 41, in Perry county.

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

An act for the benefit of school district No. 58, in Kenton county.
An act dispensing with the equity and criminal terms held in July, in the counties of Fleming, Mason and Greenup.
An act to protect fish in the waters of Jessamine, Hickman and Paint Lick creek.

An act to enlarge the powers of the Warren county court, and of the trustees of Bowlinggreen, to enable them to erect certain buildings.

An act to amend 5th chapter, article 86, of the Revised Statutes.

With an amendment to the last named bill.

And had concurred in resolutions adopted by this House, of the following titles, viz:

Resolution of gratitude to Kentucky volunteers.
Resolution of adjournment of the General Assembly.

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

An act for the benefit of the town of Shelbyville.
An act concerning the county judge of Shelby county.
Resolution relating to public acts.

1. Mr. R. J. Brown presented the petition of Thomas Badgett, jailer of Washington county, for keeping runaway slaves and compensation therefor.

2. Mr. Wolfe presented the petition of Annie Eliza Gerhart, of Louisville, praying the passage of an act to allow her to trade as a feme sole, that she may support her family.

Which were received, the reading dispensed with, and referred—the 1st to the committee on Claims, and the 2d to the committee on the Judiciary.

The House then took up the motion to reconsider the vote by which the bill passed from the Senate, entitled,

An act to legalize the acts of B. D. Winstead, county clerk of Webster county.

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

Mr. Blue 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.

Ordered, That said bill be recommitted to the committee on County Courts.

Mr. Chambers, from the committee on Education, to whom was referred leave, reported

A bill for the benefit of school district No. 20, in Meade 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. Rankin, from the select committee, to whom was referred the resolution in relation to the disloyalty of Lucius Desha, a member of this House, made the following report, viz:

To the House of Representatives of the Commonwealth of Kentucky:

The undersigned, your committee to whom was referred the following resolution, to-wit:

"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 Lieut. 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 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."

Have had the same under consideration, and taken proof in relation to said charges, which is returned herewith in writing.

Your committee would beg leave to report, that whilst there is evidence conducing to prove that the said Lucius Desha did give aid and assistance to said rebel forces during said engagement, by firing upon the Federal pickets your committee are unanimously of the opinion that the preponderance of the proof is greatly to the contrary. It is proven by one James A. Allen, a corporal in the 7th Kentucky Cavalry, that he, the said Allen, whilst on picket duty, about a half mile from Cynthiana, during said engagement, and he thinks about a half hour after it commenced was shot at twice by the said Lucius Desha, at a distance of about thirty yards; thinks Desha had a double-barrel shot-gun; witness and Desha were well acquainted with each other, and witness had on his cavalry dress; that at the time Desha shot at witness, there was a body of rebel cavalry or rebel citizens in arms near where Desha was, and had just before been firing into the railroad train as it passed. These statements are not corroborated by any other witness. On the other hand, one Michael Stapleton, a home guard, of Harrison county, and "division boss" on the railroad at Cynthiana, swears that he was before and at the time the fight begun, at
work upon the railroad where it and the Falmouth road cross each other—the point near which the witness, Allen, says he was shot at by Desha; witness had his gun with him; that about twenty minutes before the firing began some Federal pickets passed out from toward town, and in a few minutes returned, meeting some others; a number of them went back again from toward town, some twenty yards beyond where the witness was, and halted until a heavy rebel force came up, when they returned to town, and he saw no more Federal pickets pass out during the day. The hands at work with witness being unarmed then left him, and witness concealed himself behind a stone wall; in about five minutes two rebels came up, and taking up the tools, witness and his hands had abandoned, commenced tearing up the railroad track; witness fired upon them and they fled; witness was making his way to town when he was captured by the rebels about three quarters of an hour after he had seen the Federal pickets pass out and return, he escaped from the guard, and concealed himself in sight of the spot where he had been at work, and remained there until the next day. He saw nothing of Desha during the day.

In addition to this, the depositions of a number of witnesses conduces strongly to prove that the said Desha, during the entire engagement, was at least a mile distant from the point where he is said to have fired upon the picket, upon his farm, and at his own house.

Your committee would further report, that there is an entire absence of proof of the said Lucius Desha having otherwise aided or assisted the rebellion. Upon the whole of the evidence, therefore, your committee are of opinion that the said Lucius Desha, is not guilty, and ought to be exonerated from said charges, and ask that they be discharged from the further consideration of the same.

W. S. RANKIN,
WILLIAM JOHNSON,
G. S. SHANKLIN.

The deposition of James A. Allen, taken on the 27th of January, 1863, under resolution in relation to Lucius Desha, representative from the county of Harrison, who being first duly sworn, states as follows:

Question by the committee—Where do you reside; what's your occupation; were you or not at the battle of Cynthiana, in Harrison county, in July, 1862; did you or not see Gen. Lucius Desha, of said county, during the fight; if you did, where did you see him; what was he doing; what were you doing, and who, if any person, was with him?

Answer—I reside in Harrison county, six miles from Berry’s Station; I am a farmer; I was at the battle of Cynthiana; I was on picket duty part of the time; I saw Gen. Lucius Desha during the battle; he was in a pasture, when I first saw him; he was shooting the first thing I saw of him; there were some men with him, not immediately by him, however.

By same—What was he shooting at, and what did he shoot with, and how often.
Answer—He shot at me twice; and from the noise of the gun, and the looks of it, it was a shot gun; and I was getting away as soon as I could.

By same—Were you or not on picket duty when he shot at you?
Answer—I was.

By same—Was the battle then going on; and how near were you to where the main engagement was; could you hear the firing of the muskets or see the smoke of the guns?
Answer—The engagement was then going on; I could hear the report of the guns, and see the smoke; my best judgment is, that I was about a half mile from the main engagement—perhaps a little more; I was on the Falmouth road, at the railroad crossing.

By same—What command did you belong to?
Answer—I belonged to Col. Metcalfe’s regiment, but was under Lt. Col. Landrum, of the 18th Kentucky regiment.

By same—Did or not Gen. Desha know you?
Answer—He has known me ever since I was a boy.

By same—Did you have a gun or other arms with you at the time?
Answer—I had my gun.

By same—What were the men doing who you say were with him?
Answer—Just at that time they were doing nothing, but just going over the hill—or a part of them—after some of our men who were running and trying to get out of the way; I do not know whether they were rebel citizens or rebel soldiers; they had been firing into the railroad train just before he shot at me.

By same—Were they armed or not?
Answer—They were—but I can’t say with what sort of guns.

By same—Were or not the persons you call “our men,” who you say were running and trying to get away Federal soldiers, retreat from the battle?
Answer—They were.

By same—How near was you to Gen. Desha when he shot at you, and were your on horse back or on foot, and how long had you been hearing the firing of the guns?
Answer—I was on horse back, about thirty yards or more from him; I was facing one hundred rebel cavalry at the time; was ordered to hold my place until driven away, and did it; I suppose that they had been fighting a half hour or more when he shot at me.

By same—Where was he when the men fired into the railroad train?
Answer—I can’t say whether he was with them or not; I was between them and the train, and their bullets passed me.

By same—Are you certain that he shot at you or not?
Answer—I am.

By same—Did he not speak to you?
Answer—Yes, sir; I think he did.

By same—Who was with you?
Answer—No one when he shot at me.

By same—Did you know any of the men who were firing into the railroad train?
Answer—I thought I knew several of them, but would not be certain that I did; I took one of them to be Paul King's son, and I thought a couple of the Mr. Garnett's, but of this I am not certain; I suppose there were about fifty of them; they came from the direction of Gen. Desha's house.

By same—Where did Gen. Desha go when you left?
Answer—I do not know; I dismounted as soon as shot at; left him, got over a stone fence, and made my escape through a meadow; I could not get my horse over the fence.

By same—Were you struck by Gen. Desha's shots?
Answer—Only a slight shot in one leg, just grazing me, shooting a hole through my pants; there was a bullet hole in my cap and one in my stirrup—a wooden one—but I do not know when they were made; the holes in my pants were shot holes from a shot-gun.

By same—What did Gen. Desha say when he shot at you?
Answer—He said that I had been searching his house the Sunday before, if I understood the words.

By same—What time in the day were you shot at by Desha?
Answer—I can't say exactly—I believe the battle begun about 4 o'clock in the P. M. I was attacked by the cavalry in the first place from toward Kellar's mill, at the forks of the road near Indian creek bridge, and was then ordered to the railroad crossing; R. N. J. Jones and Joseph Muns were with me when attacked at the Indian creek bridge, but left me when we were attacked; I was retreating from the bridge, and on my retreat was met by a soldier who told me that Col. Landrum ordered me to the railroad crossing; who he was I cannot say; he was a Union soldier.

By same—How far is the railroad crossing from Gen. Desha's house?
Answer—I cannot say exactly how far, but my best recollection is that he lives about two miles from Cynthiana, and I suppose that it was about the same distance from his house to where I was at the crossing—perhaps not quite so far across the pastures.

By same—Had you or not searched his house the Sunday before?
Answer—I helped to do so, but was not the commander; I was under Captain Rogers, of the 18th Regiment of Kentucky Volunteers.

Cross examined by Gen. Desha:

Question—Who did you first communicate what you have sworn to before the committee, day before yesterday, where at, and who was present?
Answer—The first time I told it was to my grandmother, the widow Jones, and her family—perhaps two grand daughters were present—a widowed grand daughter, whose maiden name was Bryant, I know was present, but I am not certain as to the others; I can't recollect who Miss Bryant married. The next place I told it was at home, to my father, two brothers, and my wife; I told it the Saturday after the battle, at my grand-mother's—the Sunday after at my father's.

By same—Now tell exactly what your told you grandmother.
Answer—I told my grand-mother as follows: She asked me how I come to get away. I answered by the hardest; I told her I was out
on picket duty; was driven in part of the way; was ordered to hold my position against the rebels, and while holding the position was twice shot at by Gen. Desha. I told her that I had no load in my gun, nor to put in my gun to return the fire. I told her that when I was first fired at by Gen. Desha I jumped off my horse, jumped off at the fire of the gun; I jumped across a stone fence, and run across a meadow or pasture. Just as I was getting over Gen. Desha fired the second time. I told her I ran across the meadow towards the river, and while running across the meadow I was fired at some sixty or seventy times, or more by the rebel cavalry; I supposed it all the time to be from the rebel cavalry; when I struck the river I pitched my gun in the river, and kept around under the bank next the water, aiming for a ford I knew down the river where I had hauled sand from in 1856 for Thos. Rhorer, aiming to make my escape there from the damned rebel robbers; calculation was to cross there, but there was a picket on the other side sitting on his horse; I then turned to the right, across a beach bottom, and run through that and a cornfield and struck the river from one to two hundred yards above the Keller bridge on railroad; there I hid in weeds, and saw the bridge burnt; lay there until next day about two o'clock P. M., and went from there down the river, waded it below the mill, went up to railroad where it crosses pike at Keller's mill; there I met with couple of Irishmen, who advised me to take the railroad and go down it to my home, for they had come three miles up railroad and had not seen a single person; while talking to them, I heard the fire of a cannon; me and the two Irishmen broke for the bushes on the cliff, while laying in the bushes saw a party of men, supposed to be rebels, come down and take some guns out of the shanty the bridge guards had there; I then laid in bushes a hour or two after dark; I then got up, started and tried to make my way home; I went about two miles down the railroad, and then went down to the river and got a drink, and laid down on some rocks to rest and fell off to sleep—not sleeping any night before; when I woke up round was shining everywhere; it made it so late in the night, I did not travel any farther than the line between Bill McMurry and John Egler, without traveling in day time; I then lay there all that day until night, and then aimed to get here (that was my grandmother's) before you went to bed. Says she, why is it you wouldn't travel in day time? I did not want to be caught by the rebel robbers. That is about the amount I told her, as I now recollect it.

By same—How far was Gen. Desha when he fired from you?
Answer—About thirty yards—it might have been more, it might have been less.

By same—How was he dressed.
Answer—I did not notice how the man was dressed; I had not much time to look how he was dressed.

Interrogotories not written but answers—

About the time Desha fired he said something; I couldn't be positive; I thought he said that I was one who helped search his house the Sunday before; I made no reply. There was some men along, but not right up with him; they were not very far; I
thought I knew three of them; thought I was pretty certain but don't know whether I did or not; I took one of them to be Paul King's son Paul, and the others two of the Mr. Garnett's—I would not be positive; they were coming up a little closer just before I was fired upon; they were not coming right facing me; the body of the men Desha I suppose was with them; but don't know certainly that he was; had been firing on the railroad cars right in my sight; I saw the smoke from the guns of these men; I said I saw the smoke from the guns, but I didn't say I saw it from his gun, though he might have fired; I would have had to pick him out from the others if I had seen him; I don't know that he fired; the cars were going towards Covington, and the firing commenced upon them by these men about the time the cars were crossing the dirt road, and continued as long as they kept in sight. The distance to the crossing of dirt road is some where near quarter to half mile—not a half mile from outer edge of town. I can't tell what become of my horse; suppose rebels got him. Gen. Desha lived on the Claysville pike at that time.

[The witness here gave a diagram of positions and roads.]

We searched several houses besides Desha's the Sunday before; I helped search Mr. Whitaker's—Parker Whitaker's—Dorcas McLane's, the Widow McLane's, Napoleon Durbin and several others, who names I did not know I saw Desha and his family when we searched his house; his son-in-law was said to be, by some of the boys, there. We were searching for arms and weapons, such as was used to fight with. We got some pistols, dogged if I know now how many—not exactly two or three or three or four; two of them were old horse pistols, I think, but I am not certain; I got a rifle pistol, a small one handed me by another man—a single barrel one; I had to give up the pistol when we got to camp.

Lieut. Ashley got a sword at Desha's; a small one; Ashley was acting as Captain in the Regiment, but Sam. Rogers was acting as Captain that day; Ashley was along. Know of nothing being destroyed there that day; I think maybe we did get a gun; I would not be positive, but it appears to me we got a rifle gun. I was in the house, and went through one room; the other boys—the privates—did the searching; there were more than fifty men, but can't say certain, in the road, about the house, and in the house, belonging to our party.

The rebel pickets fired on me in about twenty yards of me, and it would push it to be twenty yards. There was six of the rebel pickets; I was little first in firing at them; one of them fired at me before I run, and then as I whirled my horse the others fired on me.

When I first saw the one hundred rebel cavalry they were two hundred yards or about that, from me.

I was between the cavalry and Cynthiana. There was some fencing, and the railroad cut where it ran around the cliff, to prevent the cavalry from pursuing me.

I was ordered by Maj. Smith to report myself here at this Capital Hotel to my Captain, Wm. Bradley, and he ordered me to report to Mr. Rankin at his room, No. 21; I was not told why I was to report, or what for. I never told Maj. Smith what I knew about Desha's
shooting at me, nor Mr. Rankin until I came to Frankfort. I told my
Captain, I think, at Cynthiana, either there or at Rogers’ by Paris,
while he lay wounded, about Desha’s shooting at me; if I told him at
Cynthiana it was the next Saturday week after the battle; if I told
him at Roger’s it was perhaps a month, may be more, may be less.
I told Thos. Rankin of it at Cynthiana the Saturday week after the
battle. I did know what day of the month the battle was fought at
Cynthiana; but don’t now recollect, but think it was the 13th or 22d July,
1862. It was fought on Thursday, and that was the day I was fired at
by Desha. I was fired at while the battle was going on. The battle
commenced about 4 P. M.; about half hour after, or between four and
five o’clock, Desha fired on me.

I did not get my saddle or any of my rigging, and never seen horse,
saddle, or rigging since. I can’t say how long I was at railroad cross­
ning; guess I was not there half an hour. I did not leave my picket
post until fired upon. I suppose the railroad crossing was about half
way between my picket post and the railroad crossing. I could see a
portion of the railroad from my picket post. I don’t know that I could see
the crossing from my picket post. My picket post, where I stood, was
in the forks of the road leading from Cynthiana to Falmouth, and the
other road leading to Kellar’s mills. I don’t know, but I suppose,
about the time I left my picket post the firing on the railroad cars com­
enced. I rode rapidly, or, in other words, I run my horse from my
picket post to the crossing of the railroad; I was halted by a man at
the crossing or somewhere near it—I think a little beyond the crossing,
and told me Col. Landrum said to hold the position at the crossing
until driven away; I don’t know the man’s name; he was a red-headed
man, and he went back towards town. When I got to crossing of
railroad the cars had passed by. I don’t know exactly how long I was
at crossing of railroad. I saw Desha and the men I have named when
I was at picket post at forks of road. I can’t tell when I first saw
Desha and the men I took to be Garretts and King, whether they were
nearer the railroad crossing than I was or not. Desha and the men
were on foot. The men commenced firing on the train; about that
time my brother-in-law came up and said he saw about one hundred
rebel cavalry coming down the hill on the other side of the river by
Kellar’s mill. I remarked to him he was scared, and just thought so;
says I, “I will go and see if it is so.” I whirled my horse, and had
not galloped towards Kellar’s mill over thirty steps, until I saw these
pickets, and then the firing took place, he has described, with the pickets.
My brother-in-law was a soldier mounted, and was with me on picket;
his name was R. M. J. Jones; there was another man also, whose
name was Joseph Munn; they both come to me at the same time;
they had each been further on, on each fork. When I was fired on by
the pickets. I did not see where Munn and my brother-in-law were;
when I turned to run the were just before me, running; they kept on
running and did not stop at the crossings. Jones is here in the regi­
ment with me; I don’t know where Munn is. I did not see either
Munn or Jones after they crossed the railroad. The orders to hold the
picket place and the crossing of railroad, was given me, and the others
were under my command. They did not halt when the red-headed man halted me.

I can't tell how long after the red-headed man halted me before Desha fired on me, but it was not long.

No one advised me at Cynthiana, to give information of the shooting by Desha, to the legislature or any member.

He does not know whether the grounds at railroad crossing, and at forks of road, belong to Dr. Frazier or not.

By Desha—Don't you know that Dr. Frazier owns the land between the Cynthiana and Falmouth road, and the Claysville turnpike road to within less than half a mile of Desha's house, on Claysville pike; and in going from Desha's house to railroad crossing, even on foot, would not a person travel a mile or more on Frazier's land.

Answer—I don't know the extent of Frazier's lands, nor how far it is from Desha's house to railroad crossing, never having measured it.

I have known young Paul King well since 1856, and had been with him about Rhorer's store often. I also knew the Garnets well. I knew them just as well as I knew Gen. Desha.

I did not know that young Paul King left the State in the fall of 1861. The last time I talked with him was in the fall of 1861; he came to where I was threshing wheat. The Garnets I took to be Perry and Alex. Garnett, sons of Ned Garnett; last fall a year ago, the same time I was threshing wheat, is the last I saw of the said Garnets; I am the son of Henry Allen, of Harrison county, Kentucky.

The man, some of the boys said was Desha's son-in-law, went to a stone house and got a gun and brought it to us on the road.

Question by committee—Did Gen. Desha know that you were a United States soldier.

Answer—I do not know, but suppose he did, as he might have guessed at it by my clothing. I had on blue pants, grey army shirt, cavalry jacket with yellow stripes, cavalry cap— that is the cavalry dress—I had a government saddle and blanket.

By Desha—I suppose Gen. Desha knew me, he had shook hands with me in Cynthiana many a time; was a very friendly man, for a rich man, with a poor man; I had voted for him; I had been at his house not often; I can't tell how long before the time I was there to help search it; one time I went there was with a cousin, who went to take a horse. That was several years ago; another time in fall 1856 I rode in to Desha's with Thos. Rhorer, who had some business with him, I don't know what; I never had any business with Gen. Desha at any time; I am going on twenty-nine years old.

The six rebel pickets who attacked me had the same kind of clothing on that our soldiers wore on the day of the fight. It is about thirteen miles from where I have lived to Gen. Desha's.

JAMES A. ALLEN.

mark.
Also, the deposition of W. W. Bradley, taken at the same place on the 2d of February, 1863, being examined by the committee, states as follows:

I reside at Berry's Station, Harrison county; I enlisted in the 7th Regiment Kentucky cavalry on the 17th of June, 1862, and am now in said regiment; I was in the battle of Cynthiana in July last, and was wounded in the engagement; I know James A. Allen—he is a corporal in the same regiment; he was at the battle; he was ordered out on picket duty before the battle commenced, but I do not know to what point; I did not see Gen. Lucius Desha on the day of the battle, but saw him the next day on horseback in front of the “Rankin House,” riding through a crowd of rebel soldiers assembled in front of the “Rankin House.” He would halt occasionally and shake hands with persons of the rebel army, as he would meet them on the way; I know they were rebel soldiers from their dress and from the being mounted and equipped, and from the fact that the Union soldiers had all been captured that did not make their escape; this was in Cynthiana. He expressed gladness to see them; gave them a hearty shake hands, but I could not hear what he said; I supposed they were acquaintances of his whom he had met; I was at the time lying in a room of the Rankin House wounded; I am not able to say what time of day it was; don't know whether it was forenoon or afternoon. The battle was fought on the 17th of July. Lieutenant Colonel Landrum, of the 18th Regiment Kentucky Volunteers, was in command of the Federal forces. I have known James A. Allen for some ten or twelve years, but have not been intimate with him; his general moral character is good in the neighborhood where he lives; as to his character I know nothing against it; he is one of the most reliable men in my company so far as discharging his duties are concerned, so much so that I gave him an office—the office of corporal—he told me about Gen. Desha shooting at him during the Cynthiana fight; I think it was at my own house, shortly after the battle, that he told me.

Question—Did he or not profess to give you a detailed account of the affair?
Answer—He did.

Cross examined:

Witness states that he is positive he saw Gen. Desha in Cynthiana on the next day after the battle at Cynthiana; cannot say whether it was in the forenoon or afternoon; my recollection is it was in the forenoon, about 10 or 11 o'clock, but am not positive, have no recollection as to how he was dressed, or what kind of horse he was riding; I was suffering from my wound at the time, and merely recognized Gen. Desha as he was riding along. He was shaking hands with persons he met on his way.

Question—Are you positive you saw Gen. Desha shaking hands with Confederate soldiers?
Answer—I am.

Question—How did you know they were Confederate soldiers?
Answer—From the fact they were mounted, armed and equipped, and from the fact that the Federal forces had been taken prisoners ex-
cept those who had escaped. Don't know at what time the Confederates left Cynthiana. Don't think I know any one with whom Gen. Desha shook hands; he was some eight or ten paces from me, in the street in front of the hotel; I was in a bed in which a wounded rebel had lain all night; after the wounded rebel had been removed I took his bed; it was by the window fronting the street. I saw Felix Ashbrook and John Bowman in the streets; saw Ashbrook shaking hands with Confederate soldiers in front of the hotel, some time the same day I saw Gen. Desha; can't say whether it was before or after seeing Gen. Desha. Saw Bowman meet some one; they both grabbed hold of their hands and jumped up as though they would shake their arms off. Witness thinks he was removed from the hotel about 4 o'clock in the evening of the same day he saw Gen. Desha as above stated. Thinks Gen. Desha had whiskers; could not say positively whether he had moustache or not; thinks he had on a wide brim hat; thinks it was a black hat; has no recollection whatever as to what kind of clothes he wore. The Confederates were dressed variously mostly grey jeans.

Witness has resided in Harrison county since his birth; is thirty-two years old; is a Captain in 7th Kentucky Cavalry; does recollect seeing other citizens of Harrison county, in conversation with the Confederate soldiers in front of the hotel besides Gen. Desha, F. Ashbrook and John Bowman but have no recollection as to their names.

W. W. BRADLEY.

Also, the deposition of Jesse Bryant, who says:

I am 1st Lieutenant in Company D, 7th Regiment Kentucky Cavalry; am intimately acquainted with James A. Allen, of the same company; have known him some five or six years; lived about four miles from him; he always bore a good character for truth and morality in the neighborhood where he lived so far as I know. I never heard anything against him.

JESSE BRYANT.

The deposition of Wm. F. Martin, taken upon the 9th of February, 1863, who being sworn states as follows:

In response to interrogatory by attorney for Gen Desha, says: I was sworn and testified as a witness upon the recent trial of Gen. Desha in the Federal court in Frankfort, and in that trial stated all that I know touching the conduct of Gen. Desha in connection with the rebellion or the war. The trial was in January last. The jury found a verdict for the defendant under the instruction of the court on the whole of the evidence.

Wm. N. Martin being sworn, made the same response to the same interrogatories.

In response to interrogatories by committee, W. F. Martin says as follows:

I do not know of Gen. Lucas Desha aiding or assisting the rebellion in any way; do not know of his recruiting for the rebel army, or assisting soldiers to go to it. I know that he went to Prestonsburg, Kentucky, in the fall of 1861, in company with some thirty persons, mostly or all from Harrison county, I being one of the number, thence to Pike-
ton, Abingdon, Knoxville, and Nashville, and I saw him once, I think, at Bowlinggreen; I don't know what any one of them went for but myself; I went because I was afraid to stay at home; it was the general rumor in the neighborhood that all who had done this, that, and the other, and voted for Desha, would be arrested and taken off, and I had voted for him; he said that he was leaving for the same reason to avoid being arrested. I saw him take no part with the rebel army; don't know of his being in any way connected with the rebel army or the rebel government. We first met at a place on North Licking, I think not a great ways from the mouth of Cedar creek in Harrison county; it was in the night; I think some of those persons have since joined the rebel army; I think W. N. Martin told me he did, and several others whose names I do not now recollect; they were sworn in at Abingdon, Virginia, I believe.

By Gen. Desha—I heard Gen. Desha state some two or three times, on our route, that he had no connection with the Southern Confederacy, and did not intend to have; that he intended to return home as soon as he thought it was safe to do so, and be free from arrest. A few days before Gen. Desha, myself, and others left, a regiment of Ohio troops came to Cynthiana and began to make arrests. They had arrested Major Curry, county judge; Glave, the sheriff; Wherrett, the county clerk; the editor, Morey, and others, and that they had been sent out of the State to Camp Chase.

I heard a number of those who went away at the same time I did, can't tell how many, say they were leaving their homes for fear of being arrested. Gen. Desha never did, by word or act, advise or counsel me to join the Confederates, nor to give them aid or assistance in any manner or form, nor did I ever hear him give any other person any advice at all about joining the Confederacy, or giving it aid or assistance; I never saw Gen. Desha do any act himself to aid or assist the Confederates.

There was no stoppage made by Gen. Desha, except to stay all night, until he got to Abingdon, Va. There was a Confederate camp at Prestonburg, but I did not see Desha go nigh it, or have anything to do with it; some of the men who went with us stopped at Prestonburg; Gen. Desha and some more of the party went on to Abingdon, Va., together; Gen. Desha stopped at the tavern, and one of the other men, Mr. Dills—I am not certain as to Dills; the other men went to other places; they were not under Gen. Desha's direction. Don't recollect whether Desha was at Bowlinggreen before his son-in-law, Dills, was sick; the first I remember to have seen of him there was attending to Dills. I separated from Gen. Desha at Nashville; he said he intended to spend his time with some relatives at or near Gallatin, Tennessee, whose names I do not remember.

I never joined the Confederate army; I did not go to join them when I started, and never did join them; I went to try and hunt a safer place than I thought my home was, to avoid being taken by the military.

WM. F. MARTIN.
Also, the deposition of W. N. Martin, who, being first duly sworn, states as follows, on examination by the committee:

I have heard the foregoing deposition of Wm. F. Martin, and corroborate his statements up to our arrival at Abingdon, Va.; but Gen. Desha went on and left me there, and I saw no more of him until I afterwards saw him at Bowling green. I joined the rebel army at Abingdon; was with it some five months, and was captured at Bowling green and paroled.

Desha did not ask or advise me to enlist, nor I never heard, nor do not know of, his ever advising any one to do so. I know he was waiting upon his sick son-in-law, Dills, at Bowling green, and that he left there after Dills got better, but I do not know when he left.

W. N. MARTIN.

The foregoing depositions of Jas. A. Allen, W. W. Bradley, Jesse Bryant, Wm. F. Martin, and W. N. Martin were taken, subscribed, and sworn to by them at the time and places in the proceedings mentioned in the caption, before select committee consisting of W. S. Rankin, Wm. Johnson, and G. S. Shanklin.

W. S. RANKIN, Chairman Committee.

The deposition of Mrs. Sarah E. Fightmaster, &c., taken at the office of J. Q. Ward, in the city of Cynthiana, on the 6th day of February, 1863, to be read as evidence before a committee appointed by the lower house of the Kentucky Legislature to investigate certain charges embraced in a preamble and resolutions offered by W. S. Rankin in said body, who states:

I resided on Gen. Desha's farm on the 17th day of last July, about one and one half miles from Cynthiana, in a stone house, on the left hand side of the turnpike leading from Cynthiana to Claysville. I heard the firing when the battle commenced in Cynthiana on the evening of that day. Gen. Desha was in the orchard at our house when the fight commenced; the orchard adjoins the yard surrounding the house where I lived. He remained a few minutes after the fight commenced. I do not know how long—he then started home. His house is about one fourth of a mile from where I then lived, in the direction of Cynthiana. He told the children before he left not to go about the tools with which he had been trimming the trees. In about a half or three fourths of an hour after Gen. Desha left my husband came home; he immediately started to Gen. Desha's; my husband's name is J. W. Fightmaster; I now live about three miles from Gen. Desha's, on the farm of Dr. J. A. Kirkpatrick.

SARAH E. FIGHTMASTER.

Also, the deposition of Miss Frances Desha, taken at the same time and place, and for the same purpose, who states:

I am a niece of Gen. Desha's, and reside at his house. I was at home on the 17th day of last July, and heard the firing when the fight commenced at Cynthiana on the evening of that day. Gen. Desha was not at the house when the fight commenced; I think he was out on the farm. It was about a half hour after the fight began that I saw him at the front gate of his residence. He stood at the gate, or
near it, some ten or fifteen minutes before he came to the house. He
remained at home the remainder of the day; after the firing ceased
he and several members of the family, including myself, went out to
the road in front of the house, some one hundred and fifty yards di-
tant. James Cromwell and Martin Hennesy were there, or came
there that evening. Gen. Desha remained at home that evening and
night, and until about 3 o'clock P.M., the next day; I do not remem-
ber who left with him at that time. Mr. Wesley Barret and lady
came to Gen. Desha's about 8 o'clock the next morning after the
fight; Mrs. Barret remained until about 5 o'clock that evening, when
she and her husband left together. Mr. Barret was away in the even-
ing, and came back; I do not know where he had been. Mr. W. G.
Kennard and lady were there a part of the day after the fight. I
think Mr. John H. Dills was there from early in the morning until in
the evening of the same day. Gen. Desha lives about one mile and
a half from Cynthiana.

FRANCES DESHA.

Also, the deposition of Miss Ann Desha, taken at the same time
and place, and for the same purpose mentioned in the caption, who
states:

I am the daughter of Gen. Desha; I am eighteen years old. My
father lives about one and one half miles from Cynthiana; I was at
home on the 17th day of July last, the day of the fight at Cynthiana,
and distinctly heard the firing during the fight. My father was not at
the house when I first heard the firing; I think he was out on the
farm. It was about twenty minutes—not over thirty minutes—after
the fight commenced before I saw him; he was at the gate, on the
turnpike road leading from Cynthiana to Claysville, immediately in
front of the house when I first saw him; he remained at the gate
some ten or fifteen minutes, and then came to the house; he remained
at home that evening, and the next day until I left, at about 10 o'clock,
and was at home when I returned about 1 o'clock; he left home about
3 o'clock that evening. Mr. and Mrs. Barret, Mr. and Mrs. Kennard,
and Mr. John H. Dills were at my father's the morning after the fight,
before I left. When I returned Mrs. Barret and Mr. Dills were there.
Mrs. Kennard left with me, and returned with me. James Cromwell,
Martin Hennesy, and J. W. Fightmaster were there the evening of the
fight, while it was going on. When my father came to the house the
evening of the fight he had a hand-saw in his hand.

ANN DESHA.

Also, the deposition of J. W. Fightmaster, taken at the same time
and place, and for the same purpose mentioned in the caption, who
states:

On the 17th day of last July, the day of the fight, I resided on the
farm of Gen. Desha, something over a quarter of a mile further from
Cynthiana than the home of Gen. Desha, and on the same road, it be-
ing something near two miles from Cynthiana. I now live on the
farm of Dr. J. A. Kirkpatrick, about three and three quarter miles
from Gen. Desha's. When I first heard the firing the evening of the
fight at Cynthiana I was mowing grass about half a mile from my
house; when I first heard the firing—and I think I heard the first mas-
ket—I paused and listened, and I suppose in about ten minutes I heard the first cannon. I started to the house as soon as I heard it. I stopped a while on the hill toward Mr. Magee's, and listened a few minutes, then went on home, making in all about half an hour from the time I first heard the firing until I reached home. I stayed at home a few minutes, and started to Gen. Desha's. When I got there Gen. Desha was at home on the porch. Martin Hennesy, Mike Dunahoe, were there, and James Cromwell road up in a few minutes afterwards hurriedly. Mr. Cromwell lives on the Falmouth road, about one mile and a half distant. At that time the firing was still going on, and I remained there until it ceased. Gen. Desha was at the house, and in the grove in front of the house, all the time I was there. I was in Cynthiana next morning about 7 o'clock, and remained until about 10 o'clock. I returned to Cynthiana that evening about 2 o'clock, and I saw Gen. Desha that evening while in town, about 4 o'clock, for the first time that I had seen him since the evening before, as above stated; he was then coming from toward home, and rode on in the direction of his farm beyond town. This farm, situated on the opposite side of town from where Gen. Desha lives, was occupied by the 7th Kentucky Cavalry for some time before the fight, and until with a day or two of the fight. I think the Confederate troops had all left when I got to town in the evening, and at 4 o'clock, when I first saw Gen. Desha, I am pretty certain that they had all gone. The lands on both sides of the Falmouth road, and also on both sides of the railroad where the railroad and Falmouth road cross, belongs to Dr. Joel C. Frazier, and the distance from that place to the house of Gen. Desha is about one mile and a half on an air line, and in going you would have to pass over about one mile of Dr. Frazier's ground, and through his inclosure. I think it is about half a mile from this railroad crossing to the forks of the Falmouth and Keller mill road. A person sitting on a horse at the forks of the road could not see any one at the railroad crossing by one hundred and thirty feet, because of a ridge that crosses the Falmouth road. I know James A. Allen, the son of Henry Allen, of this county. I was at Gen. Desha's on Sunday before the fight at Cynthiana, when a party of soldiers came to search for arms. The soldiers searched the house, and got the arms of Gen. Desha; they got too common rifles, one of which was the property of Jeremiah Foley, a farm hand, who had been in the employment of Gen. Desha; they also got three pistols, one of them was a short pocket pistol about two and a half inches in the barrel, the others were single barrel old fashioned horse pistols; they also got a very nice knife; they also got two light swords. James Allen did not come in the house; he was not with the party of soldiers that came in to search the house, nor did I see him with the men that remained outside. Cynthiana is on the direct road from Gen. Desha's residence to his farm above spoken of as the one occupied by the 7th Kentucky Cavalry. I was raised in this county, and am 28 years old the 15th
day of next July. Sarah Fightmaster is my wife, whose deposition has been taken.

J. W. FIGHTMASTER.

Attest: J. Q. WARD.

Also, the deposition of Mrs. Mary Barritt, taken at the same time and place, and in the same action mentioned in the caption, who states:

I was at the house of Gen. Desha on the 18th of last July, the day after the fight at Cynthiana. I think I got there before 8 o'clock in the morning. Gen. Desha was there when I arrived, and stayed at home until about 4 o'clock that evening. I think he left there in company with Mr. Barritt.

MARY M. BARRITT.

Also, the deposition of Emma V. Kennard, taken at the same time and place, and for the same purpose mentioned in the caption, who states:

My husband, W. G. Kennard, and myself went to Gen. Desha's the morning after the fight at Cynthiana; we got there about 9 o'clock; he was at home at that time; I stayed about an hour, and then came to town, and found him at home when I returned, which was about 12 o'clock of that day. I remained there until about 6 o'clock; it was sun-down when I left. Gen. Desha left his home about 4 o'clock that evening, in company with my father, Wesley Barritt. I did not see Gen. Desha anywhere else that day, except at home as above stated.

EMMA V. KENNARD.

Also, the deposition of Wesley Barritt, taken at the same time and place, and for the same purpose mentioned in the caption, who states:

In company with my wife I went to the house of Gen. Desha, and got there about 8 o'clock in the morning after the fight in July last, or sooner. I remained there but a short time—not more than a half an hour. I left Gen. Desha at home, and came on to Cynthiana, and remained in town until about dinner. I went back to Gen. Desha's; I think they were done dinner when I got there. Gen. Desha was then there. I did not see Gen. Desha while I was in town. I was on the streets most of the time, nor did I hear of his being in town. I stayed at Gen. Desha's in the evening until about 4 o'clock, and then came back to town, and the Gen. came to town with me; it was about 4 o'clock when we got to town as near as I remember. He did not stop where I did, but rode on in the direction of his farm beyond town, and said he was going over there. There were no Confederate soldiers in town at that time. I returned to Gen. Desha's that evening about sun-set, and he was there at that time.

W. BARRITT.

Also, the deposition of W. G. Kennard, taken at the same time and place, and for the same purpose mentioned in the caption, who says:

On the morning of the 18th of July last, the day after the fight at Cynthiana, I went with my wife, Emma V. Kennard, to Gen. Desha's;
we got there between 8 and 9 o'clock; Gen. Desha was at home at that time. I stayed there until about 10 o'clock; Gen. Desha was there all the time I was, and I left him at home when I started for Cynthiana at about 10 o'clock, as above stated. I stayed in Cynthiana until about 12 o'clock, and returned to Gen. Desha's and found him at home. I saw nothing of him in town, nor did I hear of his being there. I left his house about 2 o'clock, and left him at home. When I got to Gen. Desha's that morning I found Mr. and Mrs. Barritt there; they remained there during the day, or were there when I left.

WM. G. KENNARD.

Also, the deposition of Martin Hennesy, taken at the same time and place, and for the same purpose mentioned in the caption, who says:

On the evening of the 17th of July last, the day of the fight at Cynthiana, I was engaged cutting weeds, with Gen. Desha's hands some quarter of a mile from his house, when I first heard the firing. In less than half an hour from that time I reached the house of Gen. Desha; I found Gen. Desha sitting on the porch, with other members of his family when I got there. Mr. J. W. Fighmaster came in about a quarter of an hour afterward, and Mr. J. W. Cromwell in a few minutes after him. I remained at Gen. Desha's until about the time the firing ceased, and he was at home as long as I remained. I came to town about 7 o'clock next morning and remained in town all day, and was upon the street most of the time; I did not see Gen. Desha in town that day.

his
MARTIN HENNESY.
mark.

Attest: J. Q. WARD.

Also, the deposition of James W. Cromwell, taken at the same time and place, and for the purpose mentioned in the caption, who states:

On the 17th day of last July, the day of the fight at Cynthiana, I resided on the road leading from Cynthiana to Falmouth, about two miles or upwards from the former place; I was plowing that day some quarter of a mile from my house; as soon as I heard the firing I concluded that there was something wrong; I went to the house, got a fresh horse; I put spurs to my horse and went to Gen. Desha's about one mile distant. I think it was a little upward of half an hour from the time I first heard the firing until I reached the house of Gen. Desha; I found him (Gen. Desha) at home; I suppose I stayed there about a quarter of an hour, and left him there; I went there to see if I could find out what the firing meant, knowing I could go there through the farm without coming in contact with the pickets; and when I got there Gen. Desha knew no more about it than I did. I was in town from an early hour next day, until late in the evening; I saw nothing of Mr. Desha until late in the evening, and then he was on his horse going in the direction of his farm beyond town. I know the Confederate forces had all left before I saw Gen. Desha.

JAMES W. CROMWELL.
Also, the deposition of M. Stapleton, taken at the same time and place, and for the purpose mentioned in the caption, who states:

On the 17th day of July last I was engaged in putting in cross-ties at the place where the Falmouth road crosses the railroad; I was there when the firing first commenced between Morgan’s forces and the forces at Cynthiana; I was and am division boss on that part of the railroad, and as there was little or no travel on the Falmouth road I thought it a good time to repair the same; I was also one of the home guards, and had my gun with me at the time. About twenty minutes before the firing three of the 7th Kentucky Cavalry passed out, and said Morgan’s forces were coming in on the Georgetown road; they got barely out of sight, and returned very rapidly; they did not go more than three hundred yards beyond me, to the top of the first hill; they come back over the road, and went in the direction of town, about the same distance, there they met about five of the same regiment, and come back again, crossing the railroad, and went about twenty yards; they halted suddenly; my attention was called to their stopping so sudden by seeing the Confederate forces coming on the hill; the Confederate pickets were about three hundred yards distant, on the top of the hill; the men of the 7th Kentucky Cavalry halted a few minutes, until a large number of Confederates came in sight, they then wheeled and went back to town as hard as they could go; they did not fire a gun. The men that were working with me had no guns, and as soon as they saw the Confederate pickets they went down toward the river. I did not see any more of the Federal forces there. I being left alone, wanted to get to town with the rest of the home guards; I got over in Dr. Frazier’s pasture, on the left hand side of the Falmouth road coming to town, and on the east side of the same, behind the stone fence; I had not been there more than five minutes when two of the Confederate pickets came up, and with the tools I had left on the road commenced tearing up the road; I fired at them, and they left; I still stayed there for some five minutes, and then got over in the road, and started in the direction of town. There had some Confederate pickets come up on the other side of the road, behind the stone fence, and finding myself surrounded I surrendered; this must have been some three quarters of an hour from the time the firing first commenced. They took me over on the east side of the Falmouth road, and between the Falmouth road and the railroad, and marched me to the branch, a distance of about one hundred and fifty yards, in the direction of town. Seeing some Federal infantry in the direction of the river, they left me in charge of two of their number, and the rest started after the Federals. I made my escape from the guard, and concealed myself in a brier patch, near the cemetery, and in full view of the Falmouth road, the railroad, and the crossing of the two roads, and I saw no more Federal soldiers pass out that road after the eight above spoken of. A large number of Confederate soldiers passed in and out. I remained in that brier patch until the next day. I did not see Gen. Desha that day; I had not seen him for a month before, nor did I see him for a month afterward. I am acquainted with the topography of the country about the railroad crossing and north of that place, as far as the Kellar’s mill road fork, and know
that it would be impossible for a man standing at the forks of the road to see any one on the railroad, in the direction of town, by a distance of 150 feet—-a ridge intervening between the two points.

MICHAEL STAPLETON.

Also, the deposition of Paul King, taken on the 7th day of February, 1863, at the same place, and for the same purpose mentioned in the caption, who states:

On the morning of the 3d of October, 1861, I left my home in Harrison county; and fell in company with Gen. Desha, two Martin's, and several others near the mouth of Cedar creek; in this county, and went with them out through Pound Gap, and on as far as Abingdon, Virginia. I had frequent conversation with Gen. Desha, and he told me that he had left home for fear of being arrested; that he did not intend to take a position in the Confederate army, nor would he advise any one else to do so; that he intended to find a place of safety, and remain there until it was safe for him to come home, and that as soon as it was he intended to return home to his family. I did not, at any time, hear Gen. Desha persuade any one to go into the Confederate army—on the contrary, he said that he never had persuaded any one to join the Confederate army. I had reason to believe that I would be arrested, because a number of the citizens of this county had been arrested by the military and taken off and imprisoned, and for this reason I left home as above stated. My son, Paul King, Jr., has not been at home since the fall of 1861 to the present time, nor in the county of Harrison, to my knowledge.

PAUL KING.

Also, the deposition of James Bean, taken on the 7th day of February, 1863, at the same time and place, for the same purpose mentioned in the caption, who states:

I left home on the morning of the 2d of October, 1861, and went out as far as Prestonsburg with Gen. Desha, Paul King, William Nelson, and William F. Martin, and others, and have heard the statements of Mr. King above, and fully concur in the reasons there stated for Desha's leaving, having frequently heard him say the same. He persuaded me to come home; said he did not think I would be arrested. He said he had left home to avoid arrest; that he had never persuaded any one to go into the Confederate army; that he did not intend to take any position in the Confederate army, nor would he persuade any one else to do so, and intended to return home as soon as he thought it would be safe to do so.

JAMES BEAN.

Also, the deposition of R. W. Robertson, taken on the 7th February, 1863, at the same time and place, and for the same purpose mentioned in the caption, who states:

That he lives in Harrison county, Kentucky, about ten miles from Cynthiana, and about three miles from the mouth of Cedar creek. That Gen. Desha staid at my house on the 1st of October, 1861. Many persons were being arrested, and I feared they would arrest me,
and thought I would leave the State. Gen. Desha said that he did not like to advise any one, for fear they would blame him, but he said he did not think I would be arrested, and advised me to stay at home, and I did stay. He further said that he was not going to go in the army, but was going away for personal safety. I told him of two or three that wanted to leave the State, and he told me not to let them know that he was going; he did not want to be the means of any man's going to the South; he wanted them to rely upon their own judgment, if they went at all. 

R. W. ROBERTSON.

Also, the deposition of Elijah Myers, taken on the 7th day of February, 1863, at the same time and place, and for the same purpose mentioned in the caption, who says:

On the 3d of October, 1861, as well as I remember, I started, in company with Gen. Desha, the two Martins' and others, from near the mouth of Cedar creek, in Harrison county, in the direction of Prestonburg. Desha stated to me that he was going away to avoid arrest and imprisonment, and that he did not intend to join the Confederate army. I also left for fear of arrest, and he said he did not think I would be arrested, and I acted upon his judgment and did return. He did not advise any one to join the Confederate army that I know of. I was forty years old at that time, and was as stout and healthy as any one. 

Elijah Myers.

Also, the deposition of Wm. M. Taylor, taken on the 7th day of February, 1863, at the same place, and for the same purpose mentioned in the caption, who says:

About the last of September, or the 1st of October 1861, the evening before William Nelson and William F. Martin left home, they were at Joseph Martin's, in this county, and a note was handed to Mrs. Martin, stating that Gen. Desha was going to leave the State, and if any one wished to go they could with him and some others that were going out of the State. I saw the note, and am acquainted with the handwriting of Gen. Desha, and know that it was not his handwriting. It was miserably written, and the General writes a very good hand. I have not seen the note since, and do not know what has become of it.

Wm. M. TAYLOR.

Also, the deposition of Duncan Taylor, taken on the 7th day of February, 1863, at the same place, and for the same purpose mentioned in the caption, who states:

On the 3d of October, 1861, the evening before W. N. and W. F. Martin left home, I was at Wyatt Martin's, and a note was handed to me stating that Gen. Desha was going to leave the State, and would be at Oddville about dusk that evening, and that those that wished to leave the State could have a chance to go with him. I am acquainted with the handwriting of Gen. Desha, and know that the note was not in his handwriting. It was badly written, and Gen. Desha writes a good hand. This is the same note that was spoken of by W. N. and W. F. Martin in their testimony before the Federal Court in the case of the United States against Gen. Desha. I have not seen the note since; it was torn up.

F. D. TAYLOR.
Also, the deposition of Edward Garnett, taken on the 7th day of February, 1863, at the same time and place, and for the same purpose mentioned in the caption, who states:

I had two sons, Perry and Alexander; Perry died the 17th of November, 1861. I have no idea that Alexander was any where within five miles of Cynthiana at the time of the Morgan fight. He was teaching school in the vicinity of Kentontown, some ten or twelve miles from Cynthiana. He is now in Garrard county, teaching school.

EDWARD GARNETT.

Also, the deposition of Felix G. Ashbrook, taken on the 7th day of February, 1863, at the same place, and for the same purpose mentioned in the caption, who states:

That he was in Cynthiana on Friday and Saturday, the 18th and 19th of last July, the days after the Morgan fight. That he staid in town on Friday until about 1 o'clock, and did not see Gen. Desha or hear of his being in town. On Saturday I saw him pass through town, but did not see him off of his horse. I was at the “Rankin House” on Friday, and did not see Gen. Desha there; I think I would have seen him if he had been there.

F. G. ASHBROOK.

Also, the deposition of John White, taken at the same place, and on the 7th day of February, 1863, and for the same purpose mentioned in the caption, who states:

The night before Gen. Desha left the mouth of Cedar creek I was telling him of my fears of being arrested, and looking upon him as a man of judgment, and an older man than myself, I wanted his advice. He told me that if he was situated as I, he would stay at home; he thought there were persons along that were unnecessarily alarmed; that he had heard from three authentic sources that he would be arrested, and that his family and friends had prevailed upon him to go, and under those circumstances he was going. He advised me to stay at home as stated, and I did stay.

JOHN WHITE.

Also, the deposition of John H. Dills, taken on the 7th day of February, 1863, at the same place, and for the same purpose mentioned in the caption, who says:

That he was at Gen. Desha’s on the 18th of July last, the day after the Morgan fight at Cynthiana; I got there early in the morning. The Gen. was at home when I got there, and staid at home until about 3 or 4 o’clock that evening, when he and several others from the neighborhood and myself came to town. He refused to go until he learned that all the Confederates had left town. I wanted to go in the morning, and he persuaded me not to go, said he thought it would be best under the circumstances.

JNO. H. DILLS.

Also, the deposition of Willis T. Zilar, taken on the 7th day of February, 1863, at the same place, and for the purpose mentioned in the caption, who states:

I was in Cynthiana on the 18th of last July, the day after the Morgan fight. I did not see Gen. Desha until about 4 o’clock that evening; he was coming in the direction of his home, and going toward his farm
on the opposite side of town from where he lives; the rebel soldiers had all left town at that time, or I did not see any about. He stopped a few moments in front of the court-house to talk with some citizens, and rode on. He had an Irish hand living in his house over the river, that worked for him on the farm and the farms was under his control. In a very short time afterward I saw him come back and go toward home; said he was going home, and asked me if I was ready to go.

WILLIS T. ZILAR.

Also, the deposition of Thomas V. Ashbrook, taken on the 7th day of February, 1863, and at the same place, and for the same purpose mentioned in the caption, who states:

That he was in Cynthiana on the 18th of last July, the day after the Morgan fight. I was in town all day; did not see Gen. Desha in town until very late in the evening; he was then in front of the court-house, on his horse, and stopped but a few moments, and went in the direction of his farm beyond the bridge. I was about the street all day, and think I would have seen Desha if he had been here. I am acquainted with the situation of the country around Cynthiana, and know that a man at the Kellar’s mill fork of the Falmouth road, on a horse, cannot see the railroad in the direction of town or any other point.

THOMAS V. ASHBROOK.

I, J. Q. WARD, examiner for Harrison county, do certify that the foregoing depositions of Sarah E. Fightmaster, Francis Desha, Ann Desha, J. W. Fightmaster, Mary M. Barritt, Emma V. Kennard, Wesley Barritt, Wm. G. Kennard, Martin Hennesy, James W. Cromwell, Michel Stapleton, Paul King, James Bean, R. W. Robertson, Elijah Myers, Wm. M. Taylor, E. D. Taylor, Edward Garnett, F. G. Ashbrook, John White, John H. Dills, Willis T. Zilar, and Thomas V. Ashbrook, were taken before me, and were read to and subscribed by them in my presence, at the times and place, and for the purpose mentioned in the caption, the said S. E. Fightmaster, F. Desha, A. Desha, J. W. Fightmaster, M. M. Barritt, E. V. Kennard M. Hennesy, J. W. Cromwell, M. Stapleton, Paul King, James Bean, R. W. Robertson, Elijah Myers, Wm. M. Taylor, E. D. Taylor, Edward Garnett, F. G. Ashbrook, John White, John H. Dills, Willis T. Zilar, and T. V. Ashbrook having been first sworn by me that the evidence they should give in the action should be the truth, the whole truth, and nothing but the truth, and their statements reduced to writing by me in their presence—Gen. Desha and attorney being present at the examination.

Given under my hand this 9th day of February, 1863.

J. Q. WARD, Examiner Harrison county.

The question was then taken upon adopting said report, and it was decided in the affirmative.

Mr. Young, from the committee on the Penitentiary, reported the bill from the Senate heretofore referred to them, entitled,

An act concerning the penitentiary.
With an amendment, proposing to strike out "six" and insert "eight" in the third section of the bill.

Mr. Bush moved to amend said amendment, by inserting "nine," instead of "eight."

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

The yeas and nays being required thereon by Messrs. Bush and Martin, were as follows, viz:—

Those who voted in the affirmative, were—

Jonathan R. Bailey, Lucius Desha, Felix G. Murphy,
R. J. Browne, Geo. M. Hampton, Nicholas A. Rapier,
Thomas S. Brown, John M. Henry, Robert A. Spalding,
W. P. D. Bush, John Humphries, James P. Sparks,

Mr. Speaker, (Buckner,) Elijah Gabbert, George Poindexter,
Alfred Allen, Remus Gibson, Hiram S. Powell,
R. C. Anderson, Henry Griffith, Larkin Proctor,
Joshua Barnes, John H. Harney, William S. Rankin,
Elisha Beazley, Jacob Hawthorne, Joseph Ricketts,
Joshua F. Bell, William J. Heady, F. D. Rigney,
J. W. Blue, Joseph W. Heeter, Wm. Roberts,
J. W. Boone, John B. Huston, Jas. A. Rousseau,
William S. Botts, William G. Ireland, J. C. Sayres,
Wm. Bowling, Daniel W. Johns, George S. Shanklin,
Leroy Brinkley, William Johnson, M. Smith,
Curtis F. Burnam, James M. Jones, Harrison Taylor,
J. W. Campbell, U. E. Kennedy, Joshua Tevis,
A. B. Chambers, Perry S. Layton, Thomas Turner,
Joseph H. Chandler, Jonas Martin, J. R. Underwood,
Brutus J. Clay, P. L. Maxey, Jno. S. Van Winkle,
John B. Cochran, John S. McFarland, W. W. Warring,
Robert Cochran, Otho Miller, Alex. T. White,
Albert A. Curtis, Richard Neel, Nathaniel Wolfe,
Daniel E. Downing, Thomas W. Owings, John W. Finnell,
John W. Finnell.

Mr. Taylor asked for a division of the question.

The question was then taken on striking out "six" in the 3d section of the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and Martin, were as follows, viz:—

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Lucius Desha, George Poindexter,
Jas. W. Anderson, Daniel E. Downing, Larkin Proctor,
189.
Those who voted in the negative, were—


The question was then taken on filling the blank with "eight," as reported by the committee, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

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

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

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

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,) Lucius Desha, William Mercer, Thomas Z. Morrow,
Alfred Allen, Daniel E. Downing, Thomas Z. Morrow,
Jas. W. Anderson, John Draffin, Felix G. Murphy,
R. C. Anderson, John W. Finnell, Richard Neel,
Jonathan R. Bailey, Elijah Gabbert, George Poindexter,
Joshua Barnes, Evan M. Garriott, Hiram S. Powell,
Elisha Beazly, Remus Gibson, Larkin Proctor,
John C. Beeman, Henry Griffith, William S. Rankin,
Joshua F. Bell, George M. Hampton, Nicholas A. Rapier,
J. W. Blue, John H. Harney, Joseph Ricketts,
J. W. Boone, Jacob Hawthorne, F. D. Rigney,
William S. Botts, William J. Heady, Wm. Roberts,
Wm. Bowling, Joseph W. Heeter, James A. Rousseau,
Leroy Brinkley, John M. Henry, J. C. Sayres,
R. J. Browne, John H. Humphries, George S. Shanklin,
Thomas S. Brown, John B. Huston, James P. Sparks,
Curtis F. Burnam, Wm. C. Ireland, Harrison Taylor,
W. P. D. Bush, Daniel W. Johns, Joshua Tevis,
J. W. Campbell, William Johnson, John R. Thomas,
A. B. Chambers, J. M. Jones, Thomas Turner,
Jos. H. Chandler, Urban E. Kennedy, Wm. H. Van Pelt,
Brutus J. Clay, Perry S. Layton, John S. Van Pelt,
John B. Cochran, Jonas Martin, W. W. Waring,
Robert Cochran, P. L. Maxey, Alex. T. White,
William L. Conklin, John S. McFarland, Nathaniel Wolfe,
Albert A. Curtis, David P. Mears, Bryan R. Young—78.
Those who voted in the negative, were—

Otho Miller, M. Smith, Robert A. Spalding—4.
Thos. W. Owings,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Keeper of the Penitentiary shall hold his office for four years from the 1st day of March, 1863, subject to the liabilities, terms, and conditions, and entitled to the rights, privileges, and advantages as prescribed in this act to-wit:

First. The Commissioners of the Sinking Fund shall loan to the Keeper ten thousand dollars in raw materials, (if so much be secured by the State from the outgoing Keeper,) and in money, during his term of office, for which he shall pay to them, annually, interest at the rate of six per cent. per annum, until the principal is returned; and for the payment of the principal and interest shall execute bond payable on or before the termination of his term of office, providing thereon for the payment of the interest annually to said Commissioners, with sufficient sureties, to be approved by them.

Second. The Keeper shall have the use and control of the Penitentiary, and all the buildings attached thereto, together with all the machinery, fixtures, tools and other property of the State therein, and receive and have all the proceeds of the labor of the convicts therein, and all the profits and emoluments from the operations of the Penitentiary; and shall be bound to keep in good order all the buildings, machinery, fixtures, tools and other property, and return all the property so received by him, in as good order as when the same shall have been received by him unavoidable accidents by fire as respects the buildings and machinery only excepted.

Third. The Keeper shall be bound to pay into the Treasury, to the credit of the Sinking Fund, at the end of each year of his term of office, the sum of six thousand dollars.

Fourth. In the event of a fire or fires occurring in the Institution, without any fault on the part of the Keeper, his assistants, or guards, the General Assembly, if in session, and if not, the Commissioners of the Sinking Fund, shall cause to be erected, as soon as practicable, such other permanent and suitable buildings as they may deem best for the interest of the State, not exceeding in cost ten thousand dollars, to be paid out of any money in the Treasury to the credit of the Sinking Fund; and the Commissioners of the Sinking Fund shall make such deduction from the annual sum to be paid by the Keeper as they may deem equitable and just, for the loss of the use of the buildings; and their decision shall be subject to the ratification of the Legislature. The cost of erecting the necessary temporary buildings shall be borne by the Keeper, and no allowance is to be made to him therefor.

Fifth. If, during the term of office of the Keeper, the Commissioners of the Sinking Fund shall deem it necessary to cause additional machinery to be erected, the State shall not, under any circumstances, be chargeable with a sum therefor exceeding ten thousand dollars; and the Keeper shall give bond with adequate security, to be approved by
the Governor, that he will return the machinery so erected in as good order as when erected, and will pay the State, annually, six per cent. per annum interest on the amount expended in erecting such machinery. The State reserves to itself the right of purchasing from the Keeper of the Penitentiary, at the termination of his term of office, at a fair cash value, any machinery which he may erect at his own cost in the Penitentiary.

Sixth. If any of the amounts herein required to be paid by the Keeper of the Penitentiary shall remain unpaid for ten days after the same shall become due and payable, it shall be the duty of the Commissioners of the Sinking Fund to cause a judgment to be rendered against the Keeper and his sureties, at the next or any succeeding term of the Franklin Circuit Court, for the amount so due and unpaid, by motion, in the manner, and with like penalties, that judgments are or shall be rendered against defaulting sheriffs or other collectors of the public money.

Seventh. The said Keeper, in addition to the payment of said sums of money, shall, at his own expense, furnish the necessary guards, feed and clothe the convicts, giving them coffee at least once every day; appoint his own clerk, and pay him for his services; furnish all necessary beds and bedding for the convicts; pay the liberation money to the convicts, all necessary physicians' bills, and all the necessary expenses in maintaining and carrying on said Institution, and save the State harmless of all expense connected with the management of the same during his term of office.

Eighth. The Governor shall appoint three Inspectors of the Penitentiary, one of whom shall be a practicing physician, who shall hold their offices for two years, unless sooner removed by the Governor. It shall be the duty of the Inspectors to examine into all matters connected with the government, discipline, and police of the Penitentiary, and make a report thereof every three months to the Governor. The Penitentiary shall be visited at least once each week by two of said Inspectors, and as much oftener as shall be prescribed by the Governor or Commissioners of the Sinking Fund. Each Commissioner shall receive one hundred dollars per annum for his services, payable out of any money in the treasury to the credit of the Sinking Fund. No Inspector of this Penitentiary shall become interested, directly or indirectly, in the profits thereof, or of its management.

Ninth. The Keeper shall employ one or more reputable physicians, at his own expense, whose duty it shall be to examine weekly into the health and situation of each convict, and report to the Governor whether any convict is engaged in any work which is injurious to his health, or whether any convict is kept at work when, from disease, he is unfit for labor; whereupon it shall be the duty of the Governor to cause said convict to be changed to other work, or relieved from work, until said physician shall pronounce his health sufficiently restored for labor. The Keeper shall give written information to the Governor of his employment of a physician, and of each change of employment. For failure to comply with the provisions of this section he shall forfeit one thousand dollars to be recovered by suit on his bond in the Franklin Circuit.
Court and applied by the Commissioners of the Sinking Fund, to carry
out this provision.

Tenth. If the Keeper of the Penitentiary fail or refuse to comply
with the obligations imposed on him by this act, or shall be guilty of any
malfeasance in office, the Governor shall have full power, and it shall
be his duty, to remove him forthwith.

Eleventh. In the event of the death or removal from the office of the
Keeper of the Penitentiary, the Governor, Secretary of State, and Audi-
tor shall make a contract with a suitable person to take charge of
the Penitentiary, according to the provisions of this act, until the next
ensuing meeting of the General Assembly, and until a new Keeper be
elected and qualified.

Twelfth. Before the Penitentiary shall be placed in the charge of the
Keeper elect, he shall execute bond, with sufficient sureties, to be ap-
proved by the Governor to the Commonwealth, for his faithful per-
formance of the duties of his office, and compliance with the provis-
ions of this act. And if at any time before his term of service shall
expire, his sureties shall be considered by the Commissioners of the
Sinking Fund insufficient to secure the State from loss, he shall be
compelled to give additional sufficient security.

Thirteenth. All laws relative to the Penitentiary, in conflict with the
provisions of this act, are hereby repealed; and all laws not inconsis-
tent with its provisions shall remain in full force until changed by the
Legislature. Nothing herein contained shall prevent the Legislature
from passing such laws as may be deemed necessary to the welfare
and reformation of the convicts.

§ 2. The raw materials which may be on hand at the expiration of
the Keeper's term of office, not exceeding eight thousand dollars in
value, and which shall be suitable for the manufactures conducted in
the Penitentiary, may be received by the State, at fair wholesale cash
valuation, in payment of so much of the loan to said Keeper, and
shall be delivered to the incoming Keeper at the same valuation; in
part of the ten thousand dollars directed to be loaned him by the first
subdivision of section one. The valuation shall be made by three com-
petent and disinterested persons—mutually selected and agreed on by
the outgoing Keeper, the incoming Keeper, and the Commissioners of
the Sinking Fund—who shall be duly sworn to discharge their duties
fairly and impartially, and to the best of their skill and judgment, be-
fore proceeding to make the valuation; both the outgoing and incom-
ing Keepers shall have a right to be present at the valuation. If the
parties fail to agree, the Governor shall make the selection.

§ 3. In order to determine the condition in which the machinery,
fixtures, tools and other property may be, when received and when re-
turned by the Keeper, a valuation of the same, at the commencement
and at the termination of the Keeper's term of office, shall be made
by three skillful and disinterested persons, mutually selected by the
outgoing and the incoming Keepers and the Commissioners of the
Sinking Fund, who shall be duly sworn to discharge their duties fairly
and impartially, and to the best of their skill and judgment, before
making the valuation. The outgoing and incoming Keepers shall be
entitled to be present at the valuation.
§ 4. The clothing, beds, and bedding for the convicts, and other necessary furniture for the Penitentiary, shall in like manner be valued at the commencement and termination of the Keeper's term of office, by appraisers appointed by the Commissioners of the Sinking Fund, and the Keeper shall be bound to leave, at the termination of his office, an equal value of clothing, beds, and bedding, and other necessary furniture, with that he received at the commencement of his term of office. If there is a deficiency, the Keeper shall pay the deficiency in cash; if there is an excess, then the Keeper may withdraw the excess, or the Commissioners of the Sinking Fund may allow him a cash credit for the value of such excess. The appraisers shall be sworn, and both Keepers shall have the right of being present, as provided in the preceding section.

§ 5. In the event of the death or removal from office of the Keeper, valuations shall be made of all the articles of property named in the three preceding sections, by appraisers appointed by the Commissioners of the Sinking Fund, who shall be sworn as provided in said sections, before making said valuations; the valuations prescribed in this and the preceding sections shall be written out, and the articles so enumerated or described as to be identified, subscribed by the appraisers, and filed with the Commissioners of the Sinking Fund, and by them preserved.

§ 6. The Keeper shall employ, at his expense, a minister of the Gospel, whose duty it shall be to give to the convicts such religious and mental instruction as said minister may think necessary and beneficial to the convicts.

The House took up the resolution offered on yesterday, by Mr. Finnell, together with the amendment offered by Mr. J. W. Anderson, proposing raising three regiments of mounted infantry to protect State borders.

Mr. Powell moved to amend as follows, viz:

"Subject to the order of their commanders."

Mr. Smith moved to lay the resolution and amendments on the table.

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

Mr. Burnam moved to postpone the further consideration thereof, and to take up the resolution proposing to raise $5,000,000 for State defense.

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

The question was then taken upon adopting the amendment of Mr. Powell, and it was decided in the affirmative.

The question was then taken upon the amendment of Mr. J. W. Anderson, as amended, and it was decided in the negative.
Mr. Heady then moved to amend, viz:

Strike out the word “three,” and insert the word “five,” in lieu thereof; strike out the counties named, and insert the words “in this State;” and insert the words “for the defense of the frontier counties.”

Mr. Allen moved to amend the amendment, by adding the following, viz:

“The troops raised to remain on the border of the State except when in case of invasion they may be needed for the protection of the State in other parts thereof.”

Which amendment was rejected.

Mr. Huston moved the following amendment by way of substitute for the original resolution and amendments, viz:

Resolved, That the committee on Military Affairs prepare and report to this House a bill to raise not exceeding five thousand State troops, for twelve months’ service, to act as mounted infantry in the defense of the State, either under the existing laws or by other organization, and that the necessary means be raised by the State.

Mr. Martin moved to add by way of amendment:

“And execution of the laws, whether they be violated by the abolitionists of the North or the secessionists of the South.”

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

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

Those who voted in the affirmative, were—

A. B. Chambers, Geo. M. Hampton, Wm. Johnson,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John W. Finnell,
Alfred Allen, Elijah Gabbert,
James W. Anderson, Henry Griffith,
Jonathan R. Bailey, John H. Harney,
Joshua Barnes, Jacob Hawthorne,
Joshua F. Bell, William J. Heady,
J. W. Blue, Joseph W. Heeter,
Wm. S. Botts, John M. Henry,
Wm. Bowling,
Leroy Brinkley,
R. J. Browne,
Thomas S. Brown,
Curtis F. Burnam,
J. W. Campbell,
Joseph H. Chandler,
Brutus J. Clay,

Hiram S. Powell,
Larkin Proctor,
William S. Rankin,
Nicholas A. Rapier,
Joseph Ricketts,
F. D. Rigney,
James A. Rousseau,
J. C. Sayres,
George S. Shanklin,
James P. Sparks,
Harrison Taylor,
John R. Thomas,
Thomas Turner,
Jos. R. Underwood,
J. S. Van Winkle,
Zeb. Ward,
The substitute of Mr. Huston was then adopted.

Mr. Blue, from the committee on Enrollments, reported that they had examined sundry enrolled bills which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Louisville and Nashville railroad.

An act to authorize the holding a levy and court of claims in Webster county.

An act to change the lines of a magistrates' and constable's district in Carter county.

An act amendatory to the act incorporating Crab Orchard seminary.

An act allowing the sheriff of Webster county further time to collect and pay in the revenue and county levy for the year 1862.

An act for the benefit of James R. Gordon, of Calloway county.

An act to legalize an election held in Webster county, on the 27th of December, 1862.

An act for the benefit of F. A. Smith, late sheriff of Hart county.

An act for the benefit of the town of Livermore, in McLean county.

An act to authorize the sale of property at the market-house in Paducah.

An act to amend an act, entitled, an act to incorporate the Eminence female academy.

An act for the benefit of W. R. McFerran, of Barren county.

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

An act for the benefit of James E. Wright, clerk of the Logan county court.

An act for the benefit of Caroline Oppenheimer.

An act to amend an act, entitled, an act to amend chapter 83, Revised Statutes, title, "Revenue and Taxation," approved February, 1862.

An act for the benefit of Richard Reynolds.

An act for the benefit of Sarah Godshaw.

An act for the benefit of Isaac Gasteneau, late sheriff of Pulaski county.
An act for the benefit of Andrew W. Foster, late sheriff of Allen county.
An act to amend the charter of the town of Germantown.
An act to incorporate a hotel company in the city of Lexington to be called the Dudley house.
An act for the benefit of John P. Sullivan, of Todd county.
An act concerning the mayor of the city of Newport.
An act to authorize the county court of Lincoln county to levy a tax to pay a county police.
An act to confer additional powers upon county judges.
An act to provide for establishing county courts in Newport.
An act to change the boundary lines of Columbia voting district, in Adair county.
And had found the same truly enrolled.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Blue inform the Senate thereof.
And then the House adjourned.

WEDNESDAY, FEBRUARY 25, 1863.

A message was received from the Senate announcing their concurrence in the report of the committee on Conference, in the disagreement of the two houses upon the bill to lay off the State into nine Congressional Districts.
That they had passed bills which originated in this House, of the following titles, viz:
An act further to define the duties and compensation of the agent of the Auditor.
An act to incorporate the First and Second Street Horse railroad company.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:

An act prohibiting the masters of slaves from permitting said slaves to buy and sell marketing and produce.

An act regulating itinerant dealers in skins and hides.

An act for the benefit of ministers of the gospel and justices of the peace.

Also, asking leave to withdraw from this House the announcement of their disagreement to bills from this House, entitled,

An act for the benefit of John S. Wyatt, late sheriff of Montgomery county.

An act for the benefit of Madison Stewart and John R. Erwin, sureties of the late sheriff of Powell county.

Which leave was granted.

The following bills were reported, viz:

By Mr. Beeman, from the committee on the Library—
1. A bill in reference to the Library.

By Mr. Taylor, from the committee on Ways and Means—
2. A bill appropriating money to the Institution for the Education of Idiots and Feeble-minded children.

By same—
3. A bill for the benefit of the sureties of Aclas Wynn, late sheriff of Harlan county.

By same—
4. A bill for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.

By same—
5. A bill supplemental to the act for the benefit of M. W. Galloway, late sheriff of the county of Graves, approved February 21, 1863.

By same—
6. A bill for the benefit of John C. Conkin, of Monroe county.

By same—
7. A bill allowing additional clerk hire to the Treasurer.

By same—

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 yeas and nays being required on the passage of the 1st bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,  Elijah Gabbert,  Felix G. Murphy,
Jas. W. Anderson,  Evan M. Garriott,  Richard Neel,
Jonathan R. Bailey,  Remus Gibson,  Thos. W. Owings,
Joshua Barnes,  Henry Griffith,  George Poindexter,
Elisha Beazley,  Geo. M. Hampton,  Hiram S. Powell,
John C. Beeman,  John H. Harney,  Larkin Proctor,
John W. Blue,  Jacob Hawthorne,  Wm. S. Rankin,
J. W. Boone,  William J. Heady,  Nicholas A. Rapier,
Wm. Bowling,  John M. Henry,  Joseph Ricketts,
Leroy Brinkley,  John Humphries,  F. D. Rigney,
R. J. Browne,  John B. Huston,  Wm. Roberts,
Thos. S. Brown,  Wm. C. Ireland,  James A. Rousseau,
Curtis F. Burnam,  Daniel W. Johns,  J. C. Sayres,
W. P. D. Bush,  William Johnson,  Robert A. Spalding,
J. W. Campbell,  J. M. Jones,  James P. Sparks,
A. B. Chambers,  Urban E. Kennedy,  Harrison Taylor,
Joseph H. Chandler,  Perry S. Layton,  Joshua Tevis,
Brutus J. Clay,  Alexander Lusk,  Thomas Turner,
John B. Cochran,  Jonas Martin,  Joseph R. Underwood,
Robert Cochran,  P. L. Maxey,  Wm. H. Van Pelt,
William L. Conklin,  John S. McFarland,  Zeb. Ward,
Lucius Desha,  David P. Mears,  W. W. Waring,
Daniel E. Downing,  William Mercer,  Alex. T. White,
John Draffin,  Thomas Z. Morrow,  Nathaniel Wolfe.

In the negative—none.

Said 1st bill reads as follows, viz:

The committee on the Library having, during the present session of the General Assembly, taken into consideration such matters as relate to the Public Library of this Commonwealth, respectfully submit the following report:

There has been a marked improvement in the management of the public books and documents within the past year. In the east room of the capitol, where the most valuable portion of the public library is kept, the books have been all re-arranged and numbered; better care has been taken to preserve them, and a new and complete catalogue made by the present State Librarian, Geo. A. Robertson.
In the other rooms where the public books are kept no attempt at rearrangement has as yet been made. Several thousand bound volumes of Journals of the Senate and of the House of Representatives, and acts of the General Assembly, are stored away on the shelves in those rooms, without regard to method or convenience, and in so confused a condition generally that it often requires a search for hours to find particular volumes of acts and journals which may be desired. No catalogue of the books last mentioned has, within the knowledge of your committee, ever been made. They have every assurance that measures will soon be taken to supply this desideratum, and to have all the public books arranged with system and uniformity.

Your committee state, that owing to dampness and exposure in the places where they have been kept heretofore, many public books and documents of great scarcity and value have been much injured, and some, indeed, among which are a large number of volumes of "American State Papers," totally destroyed; hundreds of dollars would not replace what has been lost to the State on this account alone.

By act of the General Assembly, approved February 9, 1860, the Secretary of State was directed to purchase three thousand copies of the edition, in two volumes, of the Revised Statutes of Kentucky, then recently prepared and published by Richard H. Stanton, Esq. Under the act aforesaid, which incurred an expenditure to the State of eighteen thousand dollars, a purchase was made of many more copies of the work aforesaid than were necessary for the public use, and the Secretary was directed by a subsequent act of the Legislature, to sell and dispose of so many of such copies as were not needed. A number of copies of said edition have been recently sold at prices which, through the best that could be obtained, were less than the original cost per copy of this work to the Commonwealth, and your committee are informed that a number remain still undisposed of.

Your committee would further state, that under a law which has been in force for a number years, the judges of the Court of Appeals are authorized and directed to have expended the sum of five hundred dollars per annum in the purchase of such books as may be selected by said judges. Not only have the amounts thus appropriated been invariably used, but your committee believe they are annually required, for the purchase of law reports and other works pertaining directly to the business of the legal profession. A valuable, and in many respects, thorough and complete collection of British and American reports and treatises on law and equity has thus been added to the public library.

Through the agency mainly of the Smithsonian Institute at Washington, a large number of European pamphlets and public documents of great value, have been forwarded annually to our State library. Your committee regret to say that sufficient care has not been hitherto taken in the arrangement and preservation of those documents. Through neglect and oversight sets have been broken; and, in several instances, a whole series of foreign publications rendered much less valuable than it would have been, had proper care been taken in its preservation. Since in office, the present Librarian has had all such
pamphlets and documents, so far as was possible, arranged and bound in volumes by the Public Binder.

Your committee report, that in their view no adequate provision has ever been made for the exchange of public books and documents printed by order of this Commonwealth, for similar documents, &c., published abroad; they would therefore recommend that the State Librarian be authorized and empowered to exchange with any State in this Union, and with any foreign country, copies of the public books and documents published by this Commonwealth, for copies of the public books and documents of such other State or country.

It is but an act of justice to the Librarian now in office, Geo. A. Robertson, to state that the recent improvements in the condition of the public library are owing mainly to his unremitting diligence and fidelity in the discharge of his official duties.

Your committee would call the attention of the General Assembly to a fact, which soon made itself apparent to them, as it need must to any one who will make even the most cursory examination into the condition of our State Library—the fact that out of the 12 or 14,000 volumes, (which, in the judgment of your committee, this library contains,) probably there cannot be found more than a hundred on the subjects of history, biography and general literature. Of the well known histories of Kentucky by Marshall, Butler, and Collins, there is not a copy in the library of the Commonwealth that is the subject of those histories. Thus much may be said of the contributions to Western history by McAfee and James T. Morehead. Of the great statesman who has added so much to the historic fame of Kentucky, not a single memoir or volume of speeches is to be found in this Capitol.

Your committee also believe, that with the exception of the books hitherto published at the expense of the State, and a few volumes of guides to justices of the peace, overseers of roads, sheriffs, clerks, coroners and constables, there is scarcely a copy in our State Library of any work written or edited by a native Kentuckian. Would it not have been eminently proper in former Legislatures which have convened in this Capitol, and manifested from time to time a becoming pride in the past history of Kentucky, by rearing military and civic monuments over the graves of her illustrious dead, to have expended annually a small sum in the purchase of printed memorials of her sons, dead or living, many of which will be more enduring than any monument? Your committee think so, and believe such duty to be as imperative now as it was in former years.

In view of all the matters contained in the foregoing report, they have prepared the following bill, and recommend its enactment as a law by the General Assembly:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor draw his warrant on the Treasury, in favor of the State Librarian, for one hundred dollars, and that the amount thereof is hereby appropriated, to be laid out and expended by said Librarian, under the direction of the Board of Education, for the purchase of literary and miscellaneous works, to be added to the State Library; and that from and after the passage of this act, an additional sum of one hundred dollars per annum, is hereby set apart
and appropriated, to be drawn from the Treasury and expended in the manner and for the purposes aforesaid: Provided, That in all the purchases to be made as contemplated in this section, special reference be had to the purchase of such books as relate to the history and literature of this Commonwealth.

§ 2. That the Librarian may, from time to time, with the consent of the Governor, exchange with any State in this Union, and with any foreign country, copies of the public books and documents published by this State, for copies of the public books and documents of such other State or country.

§ 3. That the proceeds of sales of the remaining copies of Stanton's Revised Statutes, authorized by a former act of this General Assembly, to be sold, and yet undisposable of, be dedicated and set apart for such purchases as have been mentioned in the first section of this act.

§ 4. This act is to take effect from and after its passage.

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—


Those who voted in the negative, were—

Hiram S. Powell, James P. Sparks, Alex. T. White—4.

Nicholas A. Rapier,

Said 2d bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of four thousand dollars be and the same is hereby
allowed to the Board of Commissioners of the Institution for the education of Idiots and Feeble-minded children, out of any money in the Treasury not otherwise appropriated, to enable them to pay off the outstanding debts already incurred for work upon the buildings, and for the support of the Institution, as exhibited in the report of said Board; also, to finish so much of the building as may be necessary for the comfort of the superintendent and inmates, and to inclose the grounds belonging to the institution with a fence.

§ 2. This act to take effect from and after its passage.

The yeas and nays being required on the passage of the 7th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John Draffin, Thomas Z. Morrow,
Alfred Allen, Felix G. Murphy,
Jas. W. Anderson, Richard Neel,
Jonathan R. Bailey, Thos. W. Owings,
Joshua Barnes, George Poodexter,
Elisha Benzly, Hiram S. Powell,
John C. Beeman, Larkin Proctor,
Joshua F. Bell, Wm. S. Rankin,
J. W. Blue, Nicholas A. Rapier,
J. W. Boone, F. D. Rigney,
William S. Botts, Wm. Roberts,
Wm. Bowling, James A. Rousseau,
Leroy Brinkley, J. C. Sayers,
R. J. Browne, George S. Shanklin,
Curtis F. Burnam, Robert A. Spalding,
W. P. D. Bush, Harrison Taylor,
J. W. Campbell, Joshua Tevis,
A. B. Chambers, Thomas Turner,
Brutus J. Clay, Joseph R. Underwood,
John B. Cochran, Wm. H. Van Pelt,
Robert Cochran, Zeb. Ward,
William L. Couklin, W. W. Warring,
Lucius Desha, Alex. T. White,
Daniel E. Downing, Nathaniel Wolfe—72.

Those who voted in the negative, were—

Remus Gibson, Alexander Lusk, James P. Sparks—3.

Said 7th bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter there shall be allowed to the Treasurer the sum of five hundred dollars per annum for clerk hire instead of the sum of three hundred dollars as now allowed by law, to be drawn from the Treasury in the same manner in which salaries to public officers are authorized to be paid.

§ 2. This act shall take effect from and after its passage.
The yeas and nays being required on the passage of the 8th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said 8th bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be and he is hereby authorized to draw his warrant upon the Treasury, to be paid out of any money not otherwise appropriated, in favor of John H. McBrayer, for the sum of one hundred and fifty-five dollars and thirty seven cents, being the amount of interest which the said McBrayer was compelled to pay, as surety for J. M. Hanks, a defaulting sheriff of the county of Anderson, on a judgment in favor of the Commonwealth, for the unpaid revenue of said county for the year 1861.

The yeas and nays being required on the passage of the 9th bill by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Remus Gibson, Alfred Allen, Henry Griffith, Thomas W. Owings, George Poindexter,
Those who voted in the negative, were,

Elisha Beazley, Jacob Hawthorne, James P. Sparks,
R. J. Browne, Alexander Lusk, John R. Thomas,
Thomas S. Brown, Nicholas A. Rapier, Alex. T. White—11,
Elijah Gabbert, F. D. Rigney,

Said 9th bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That James M. Harper, late sheriff of Caldwell county, in his settlement with the Auditor for the revenue due from that county for the year 1862, shall have credit for the sum of eight hundred dollars, which, on the 12th day of October, 1862, he was, by duress, compelled to pay to one A. R. Johnson, styling himself Colonel in the army of the Confederate States.

§ 2. This act shall take effect from and after its passage.

Mr. Taylor, from the committee on Ways and Means, to whom was referred a Senate bill, entitled,
An act for the benefit of the sureties of L. D. Owens, late sheriff of Henry county,
Reported the same with an amendment, by way of substitute.
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 motion of Mr. Thomas to reconsider the vote by which the bill was rejected, entitled, 
An act for the benefit of Daniel Morton, clerk of the Logan circuit court.

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

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

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

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, George Poindexter, 
Alfred Allen, Elijah Gabbert, Larkin Proctor, 
Jas. W. Anderson, Evan M. Garriott, William S. Rankin, 
Jonathan R. Bailey, Remus Gibson, Wm. Roberts, 
Joshua Barnes, George M. Hampton, James A. Rousseau, 
J. W. Blue, John H. Harney, J. C. Sayres, 
J. W. Boone, Joseph W. Hectar, George S. Shanklin, 
William S. Botts, John M. Henry, Robert A. Spalding, 
Wm. Bowling, John Humphries, Harrison Taylor, 
Leroy Brinkley, William Johnson, Joshua Tevis, 
R. J. Browne, Urban E. Kennedy, John R. Thomas, 
Curtis F. Burnam, Perry S. Layton, Thomas Turner, 
W. P. D. Bush, Jonas Martin, Jos. R. Underwood, 
J. W. Campbell, P. L. Maxey, Wm. H. Van Pelt, 
A. B. Chambers, John S. McFarland, John S. Van Winkle, 
John B. Cochran, David P. Mears, Zeb. Ward, 
Robert Cochran, William Mercer, W. W. Waring, 
William L. Conklin, Otho Miller, Alex. T. White, 
Lucius Desha, Felix G. Murphy, Nathaniel Wolfe, 

Those who voted in the negative, were—

Elisha Beazly, J. M. Jones, Nicholas A. Rapier, 
Thomas S. Brown, Alexander Lusk, Joseph Ricketts, 
Brutus J. Clay, Thos. W. Owings, F. D. Rigney, 
Henry Griffith, Hiram S. Powell, James P. Sparks, 
Jacob Hawthorne,
An act for the benefit of John A. Yandall, late sheriff of Crittenden county.

Which amendment was concurred in.

On motion of Mr. Clay,

The House again resolved itself into the committee of the whole upon the resolutions on Federal Relations, Mr. Huston in the Chair, and after some time spent therein, the Speaker resumed the Chair, Mr. Huston reported that the committee had had said resolutions under consideration, and had made some progress therein, and had instructed him to ask leave to sit again.

Which was granted.

And then the House adjourned to meet at 9½ o'clock to-morrow.

THURSDAY, FEBRUARY 26, 1863.

A message was received from the Senate announcing that they had disagreed to the amendment of this House to the bill from the Senate, entitled,

An act concerning the penitentiary.

That they had disagreed to bills which originated in this House, of the following titles, viz:

- An act for the benefit of John A. Scroggin.
- An act for the benefit of certain school districts in this State.

That they had passed bills which originated in this House, of the following titles, viz:

- An act for the benefit of James M. Coulter, late clerk of the county court of Graves county, and Erwin Anderson, late circuit court clerk of said county.
- An act for the benefit of the widow of James Sudduth, deceased.
- An act for the benefit of John B. Holliday, late sheriff of Nicholas county.
An act for the benefit of certain of the enrolled militia of Bullitt county.

An act for the benefit of school district No. 20, in Meade county.
That they had concurred in the House resolutions concerning the removal of Col. John H. McHenry, Jr.
With an amendment, by way of substitute.
That they had passed bills of the following titles, viz:
An act to locate an Agricultural College.
An act to authorize circuit judges to appoint certain officers to attend court in the absence of the sheriff.
An act concerning runaway slaves.
An act for the benefit of the sheriff of Hart county.
An act to provide for the temporary removal of the office of the surveyor of Warren county.
An act to amend an act, entitled, an act to change the time of holding the June term of the Trimble circuit court, approved Feb., 1863.
An act for the benefit of the Millersburg Cemetery Company.
An act to regulate the quarterly courts of Franklin county.
An act to amend the charter of the city of Louisville.
An act to authorize the Mercer county court to make a general cross index to the records in its clerk's office.

Mr. McFarland, from the committee on Internal Improvement, to whom was referred a bill from the Senate, entitled,
An act concerning the collection of tolls,
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 following bills were reported, viz:
By Mr. Burnam, from the committee on Education—
1. A bill for the benefit of school district No. 14, in Harlan county.
By same—
2. A bill for the benefit of school district No. 24, in Ballard county.
By same—
3. A bill requiring trustees of district schools to report to the commissioners.
By Mr. Underwood, from the committee on Military Affairs—

4. A bill to raise a State force.

By same—

5. A bill for the benefit of the Presbyterian church in Bowling green. 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, and 5th bills were severally ordered to be engrossed and read a third time; the 4th bill was placed in the orders of the day.

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

Ordered, That the Public Printer forthwith print 150 copies of the 4th bill for the use of the members of this General Assembly, and that said bill be made the special order for to-morrow at 10½ o'clock.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to proceed, with as little delay as practicable, to raise and organize a force not exceeding twenty thousand volunteer troops in this State, in accordance with an act of Congress, approved the — day of February, 1863.

Resolved, (as the sense of this General Assembly,) That in view of the exposed condition of the Southern and Eastern border of our State, its liability to raids from the enemy, and the inducements to them to enter it for supplies; and in view of the further fact that Kentucky has already furnished a very large portion of her citizens for the Federal army, who are now beyond the limits of the State, and as a means not only of affording a just and merited protection to persons and property, but also of suppressing the rebellion, a sufficient number of said troops should, at all times, be left in the State for protection against raids, marauding bands, and guerrilla parties. To secure which be it

Resolved further, That the Governor be requested to cause to be laid before the President of the United States, by special messenger, or otherwise, as he may deem best, the foregoing resolutions, with such additional suggestions and facts as he may deem suitable, to satisfy the President of the importance, as we realize it here, of keeping at all times, in the State a sufficient number of said troops to give protection to the exposed parts of the State, and cut the enemy off from an abundant source of supplies.
The rule of the House being dispensed with,

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

Mr. Underwood, from the committee on Military Affairs, to whom was referred the resolution of the Senate requesting Congress to pass laws providing for paying home guards, reported the same without amendment.

Which were twice read and concurred in.

Mr. Underwood, from the same committee, to whom was referred the resolutions of Mr. Burnam, returning thanks to Generals Rosecrans and Buell, and the officers and soldiers under their commands, reported the same without amendment.

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. Lusk asked for a division of the question.

The question was then taken upon the adoption of the 1st resolution, viz:

Thanks to General Rosecran’s army.

It was decided in the affirmative.

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

Those who voted in the affirmative, were—

William L. Conklin, David P. Mears,

Those who voted in the negative, were—

W. P. D. Bush, John Humphries, Wm. Roberts,
Evan M. Garriott, Felix G. Murphy,

Mr. Lusk moved to divide the question upon the 2d resolution between General Buell and his officers and soldiers.

Which motion the Speaker, Mr. Burnam in the Chair, decided was not in order.

From which decision Mr. Lusk appealed.

The question was taken, "Shall the decision of the Chair stand as the decision of this House?" and it was decided in the affirmative.

The question was then taken upon the adoption of the 2d resolution, viz:

Thanks to General Buell, his officers and soldiers.

And it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Wm. L. Conklin,
Alfred Allen, Albert A. Curtis,
Jas. W. Anderson, John E. Downing,
R. C. Anderson, John Draffin,
Jonathan R. Bailey, John W. Finnell,
Joshua Barnes, Elijah Gabbert,
Elisha Beazly, Remus Gibson,
John C. Beeman, Henry Griffith,
Joshua F. Bell, John H. Harney,
John W. Blue, Jacob Hawthorne,
William S. Botts, W. J. Head,
Wm. Bowling, John M. Henry,
Leroy Brinkley, John B. Huston,
R. J. Browne, Wm. C. Ireland,
Thos. S. Browne, Daniel W. Johns,
Curtis F. Burnam, James M. Jones,
James Calvert, Perry S. Layton,
J. W. Campbell, Jonas Martin,
Joseph H. Chandler, P. L. Maxey,
Brutus J. Clay, John S. McFarland,
Francis L. Cleveland, David P. Mears,
John B. Cochran, William Mercer,
Robert Cochran, Thomas Z. Morrow,
                      Richard Neel,
                      Thomas W. Owings,
                      George Poindexter,
                      Hiram S. Powell,
                      Larkin Proctor,
                      William S. Rankin,
                      Nicholas A. Rapier,
                      Joseph Ricketts,
                      F. D. Rigney,
                      James A. Rousseau,
                      J. C. Sayres,
                      George S. Shanklin,
                      M. Smith,
                      James P. Sparks,
                      Harrison Taylor,
                      John R. Thomas,
                      Joseph R. Underwood,
                      J. S. Van Winkle,
                      W. W. Warring,
                      Alex. T. White,
                      Nathaniel Wolfe—67.
Those who voted in the negative, were—
W. P. D. Bush, John Humphries, Alexander Lusk,
A. B. Chambers, William Johnson, Felix G. Murphy,

Mr. Blue, from the committee on Enrollments, reported that the committee had examined sundry enrolled bills and resolutions which originated in the House, of the following titles, viz:
An act to lay off the State into nine Congressional Districts.
An act for the benefit of John A. Yandell, late sheriff of Crittenden county.
An act for the benefit of school district No. 58, in Kenton county.
An act for the benefit of the Presbyterian and Methodist Episcopal Church South, of Catlettsburg.
An act for the benefit of Daniel McGrath.
An act concerning the Bell school house property in Shelby county.
An act further to define the duties and compensation of the agent of the Auditor.
An act dispensing with the equity and criminal terms held in July, in the counties of Fleming, Mason and Greenup.
An act to protect fish in the waters of Jessamine, Hickman and Paint Lick creek.
An act to enlarge the powers of the Warren county court, and of the trustees of Bowlinggreen, to enable them to erect certain buildings.
Resolution of gratitude to Kentucky volunteers.
Resolution of adjournment of the General Assembly.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Blue inform the Senate thereof.

Mr. Underwood, from the committee on Military Affairs, reported
A bill for the benefit of certain soldiers wounded at the battle of Cynthiana.
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 amend by adding "the widow of Samuel Plunket, of Grant county."
Which amendment was adopted.
Mr. Cleveland moved to amend by adding "Willis Woods, wounded at the battle of Augusta, 27th September, 1862." Which amendment was adopted.

Mr. Underwood moved to amend by adding "Lawrence P. N. Landram." Which amendment was adopted.

Mr. Huston moved to amend by adding "the widow of John Miller, of Madison." Which amendment was adopted.

Mr. R. J. Browne moved to recommit the bill and amendments to the committee on Military Affairs.

Mr. Martin moved to amend said motion by adding "and that they be instructed to report a general bill"

Mr. Smith moved to lay said bill and amendments and motion 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 motion to reconsider the vote by which the bill was rejected, entitled,

An act for the benefit of William Herren, late sheriff of Fulton county.

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

On motion of Mr. Warring,
Leave of absence was granted to Mr. Henry indefinitely.

Leave was given to bring in the following bills, viz:
On motion of Mr. Finnell—1. A bill to amend the laws concerning the sale and inspection of tobacco in this Commonwealth.
On motion of Mr. Thomas—2. A bill to prevent the banks of this State from selling gold at a premium so long as they avail themselves of the law authorizing them to suspend specie payments.

Ordered, That Messrs. Poindexter, McFarland, Young and Cleveland prepare and bring in the 1st, and the committee on Banks the 2d.

The following bills were reported, viz:
By Mr. Bush, from the committee on Claims—
1. A bill for the appropriation of money.
By Mr. Huston, from the committee on Revised Statutes—
2. A bill concerning duties of clerks in certifying stamped instruments.

By Mr. Proctor—
3. A bill to change the time of holding the Edmonson county and quarterly courts.

By Mr. John B. Cochran, from the committee on Incorporated Institutions—
4. A bill to incorporate the Journeymen Tobacconists' Union, of the city of Covington.

By same—
5. A bill for the benefit of the town of Elizaville, in the county of Fleming.

By same—
6. A bill concerning the town of New Castle.

By same—
7. A bill to amend an act, entitled, an act to incorporate the town of Mt. Sterling, approved March 18, 1861.

By Mr. Chandler, from the committee on County Courts—
8. A bill to change the time of holding the Adair quarterly court.

By same—
9. A bill for the benefit of John Davis, of Shelby county.

By Mr. Ireland, from the committee on County Courts—
10. A bill to amend an act, entitled, an act authorizing the county court of Carter to sell the poor-house lands in said county.

By same—
11. A bill authorizing the Campbell county court to establish a new ferry opposite the town of New Richmond.

By same—
12. A bill changing the voting place in Garretsburg, Christian 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 ordered to be printed and made the special order for 10 1/4 o'clock to-morrow; the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th and 12th bills were severally 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, 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.

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

An act to authorize the county court of Union county to hold a court of assessment and claims for the year 1862.

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, and the same being engrossed,

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

The House took up the amendment of the Senate to a bill from this House, entitled,

An act to extend the time in which the county officers elected for Johnson county may qualify and give bond.

Which amendment was concurred in, with an amendment changing the title so as to read as follows, viz:

An act giving certain officers elected in 1862 further time to execute bond and take the oath of office.

Mr. Poindexter, from the select committee to whom was referred leave, reported

A bill to amend an act, entitled, an act regulating the inspection of tobacco in the city of Louisville, approved February 6, 1860.

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. Warring 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. Warring and Chambers, were as follows, viz:
Those who voted in the affirmative, were—

J. W. Blue,  
Wm. Bowling,  
R. J. Browne,  
Thomas S. Brown,  
W. P. D. Bush,  
A. B. Chambers,  
Joseph H. Chandler,  
Brutus J. Clay,  
Daniel E. Downing,  
Remus Gibson,  
John Humphries,  
Jonas Martin,  
David P. Mears,  
William Mercer,  
Nicholas A. Rapier,  
Joseph Ricketts,  
F. D. Rigney,  
James A. Rousseau,  
James P. Sparks,  
John R. Thomas,  
Thomas Turner,  
Jos. R. Underwood,  
W. W. Warring—23.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Lucius Desha,  
Jonathan R. Bailey,  
Joshua Barnes,  
Elisha Beazley,  
Joshua F. Bell,  
Wm. S. Botts,  
Leroy Brinkley,  
Curtis F. Burnam,  
Francis L. Cleveland,  
John B. Cochran,  
Robert Cochran,  
Daniel W. Johns,  
Urban E. Kennedy,  
Perry S. Layton,  
Richard Neel,  
Geo. Poindexter,  
Larkin Proctor,  
William S. Rankin,  
Wm. Roberts,  
J. C. Sayres,  
George S. Shanklin,  
Nathaniel Wolfe—33.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section 4 of an act, entitled, "an act regulating the inspection of tobacco in the city of Louisville," approved 6th February, 1860, be so amended as that, in addition to the present fees, the proprietors of the tobacco warehouses in the city of Louisville be and they are hereby allowed to charge and collect of the seller one per cent. upon the gross sales of all tobacco sold in their respective warehouses.

§ 2. This act to take effect from its passage.

Mr. Underwood moved to recommit the bill to the committee on Agriculture and Manufactures, with instructions to inquire into the expediency of repealing all laws requiring the inspection of tobacco.

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

The House again resolved itself into a committee of the whole, with Mr. Ireland in the Chair, upon the resolutions on Federal Relations, and after some time spent therein, the Speaker resumed the Chair, when Mr. Ireland reported that the committee had had said resolutions under consideration, and had instructed him to report the resolutions back to the House for its action, and that said committee be discharged from the further consideration thereof.

Which was granted.
On motion of Mr. Bell,

Ordered, That said resolutions be made the special order for 11 o'clock to-morrow.

Mr. Ireland, from the committee on Privileges and Elections, to whom was referred a petition and resolution in regard to soldiers in the army voting, made the following report, viz:

The committee on Privileges and Elections, to whom was referred a resolution instructing the committee "to report a bill providing for the voting of the soldiers in the army, if the same can be done consistent with the provisions of the constitution of Kentucky, and also of those who may return within sixty days next before the elections," have had the same under consideration, and make the following report:

The constitution of Kentucky not only prescribes the qualifications of electors, but *fixes the place of voting*. The 8th section, of article 2d, of the Constitution, is as follows:

"Every free white male citizen, of the age of twenty-one years, who has resided in the State two years, or in the county, town or city, in which he offers to vote, one year next preceding the election, shall be a voter; but such voter shall have been, for sixty days next preceding the election, a resident of the precinct in which he offers to vote, and he shall vote in said precinct and not elsewhere."

No comment is necessary to show that the object of the resolution cannot be attained consistent with the foregoing clause of the constitution. In addition to the qualifications prescribed in order to a citizen exercising the right to vote, he is required to vote in the precinct where he resides, "and not elsewhere." Any law that would authorize the citizen to vote at any place, other than in the precinct where he resides, "and not elsewhere," would be a clear violation of the constitution. It is a matter of regret with the committee that no provision can be made to allow our patriotic soldiers in the field to vote, and thus whilst they are bearing the burdens of military duty, and upholding the constitution and flag of the Union, at the same time, have their full share at the ballot-box, in directing the civil affairs of the State and National Government. The latter part of the resolution seems to contemplate some legislation to provide for the voting of "those who may return within sixty days next before the election." The committee do not deem any legislation necessary on this subject. It is not necessary to *residence*, in any particular place, or precinct, that the individual should remain continuously within the limits of the precinct, and an absence from the precinct, for a temporary purpose, without any intention of changing residence, does not have the effect of changing the residence. The soldier in the field, though long absent from his home, does not thereby lose his residence so as to deprive him of the right to vote, although he might return but the day before or day of the election. The existing laws define and fix what shall constitute residence, and how it may be lost. Chapter 32, article 3, section 8, Revised Statutes, is as follows:

"The following rules shall be observed in determining the residence of a person offering to vote."
1. That shall be deemed his residence where his habitation is, and to which, when absent, he has the intention of returning.

2. He shall not lose his residence by absence for temporary purposes merely; nor shall he obtain a residence by being in a county or precinct for such temporary purpose, without the intention of making the county or precinct his home.

3. By removal to another State or county, with intention to make his permanent residence there, he loses his former residence.

4. So also, he loses his residence here by removal to and residence in another State, with intention to reside there an indefinite time, or by voting there, even though he may have had the intention of returning here at some future period.

5. The place where the family of a married man resides, shall generally be considered his residence, unless the family so resides for a temporary purpose. If his family is permanently in one place, and he transacts his business in another, the former shall be his residence.

The committee are of opinion that the foregoing provisions are full, and cover the whole ground on the subject of residence, and that no farther legislation is necessary.

W. C. IRELAND,
Chairman.

Which report was adopted.

Mr. Chandler, from the committee on County Courts, to whom was referred a bill from the Senate, entitled,

An act to legalize the acts of B. D. Winstead, county clerk of Webster county,

Reported the same with an amendment, by way of substitute.

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. Chandler, from the same committee, to whom had been recommitted the bill, entitled,

An act repealing the act approved October 3, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary line between the counties of Barren and Metcalfe,

Reported the same.

Mr. Rousseau moved to postpone the further consideration of said bill for the present.

And the question being taken thereon, it was decided in the negative.
Mr. Rousseau moved an amendment, viz:
That the boundary line between Metcalfe and Barren be run straight from Lazarus’ store to the next corner on the line south of said store.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required on said amendment by Messrs. Rousseau and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Evan M. Garriott, Geo. M. Hampton, John H. Harney,
William J. Heady, Jonas Martin, David P. Mears,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,)Brutus J. Clay, Robert Cochran, Albert A. Curtis, John Draffin, John W. Finnell,
Jonathan R. Bailey, Joseph Ricketts, Elijah Gubbert, Elijah Gubbert,
Joshua Barnes, William S. Layton, William Mercer, Remus Gibson, Jacob Hawthorne,
Elisha Beazley, Richard Neel, Hiram S. Powell, John Humphries, John B. Huston,
Joshua F. Bell, Nicholas A. Rapier, Jonas Martin, John Humphries, Daniel W. Johns,
Wm. S. Botts, Remus Gibson, Jacob Hawthorne, John B. Huston,
Wm. Bowling, John Humphries, Daniel W. Johns, Urban E. Kennedy,
Leroy Brinkley, William S. Layton, William Mercer, Remus Gibson, Jacob Hawthorne,
R. J. Browne, Richard Neel, Hiram S. Powell, John Humphries, John B. Huston,
Curtis F. Burnam, Richard Neel, Hiram S. Powell, John Humphries, John B. Huston,
W. P. D. Bush, William S. Layton, William Mercer, Remus Gibson, Jacob Hawthorne,
James Calvert, John Humphries, John B. Huston, William S. Layton, William Mercer,
A. B. Chambers, John Humphries, John B. Huston, William S. Layton, William Mercer,

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 from the Senate, entitled,
An act concerning the Penitentiary.
On motion of Mr. Huston,
Ordered, That this House insist on their amendment to said bill fixing the salary in the third section at eight thousand dollars.
On motion of Mr. Huston,
Ordered, That a committee be appointed by the Speaker to ask a conference and appointment by the Senate of a committee to act in conjunction with a committee of this House upon the disagreement of the two Houses upon the bill concerning the Penitentiary.
The Speaker appointed Messrs. Huston, Bell and Finnell said committee of conference on the part of this House.

Mr. Mercer moved to reconsider the vote passing a bill from the Senate, entitled,
An act concerning the collection of tolls.
The House, on motion of Mr. Wolfe, took up the bill from the Senate, entitled,
An act concerning runaway slaves.
Which was read the first time, and ordered to be read a second time.
The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,
Ordered, That said bill be referred to the committee on Revised Statutes.

And then the House adjourned.

FRIDAY, FEBRUARY 27, 1863.

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 pauper idiots.
An act for the benefit of the late sheriffs of this Commonwealth.
An act for the benefit of R. R. Jones, late sheriff of Meade county.
An act to amend an act, entitled, an act to amend chapter 83, of the Revised Statutes, title Revenue and Taxation.
An act to amend an act, entitled, an act to amend the law creating the Board of Supervisors of Tax.
An act for the benefit of William Anderson, of Greenup county.
An act for the benefit of R. W. Davis, of Shelby county.
An act for the benefit of A. C. Cox, of Green county.
An act for the benefit of B. E. Courts.
That they had passed bills of the following titles, viz:

An act regulating appeals from justices and police courts and officers of the quarterly courts.

An act for the benefit of Winchester College.

An act for the benefit of James R. Hughes, late county and circuit court clerk of Union county.

An act for the benefit of Joseph L. McCarty, late sheriff of Whitley county.

Leave of absence for the remainder of the session was granted Messrs. Chandler, White, Lisenby and Kennedy.

A message was received from the Governor by Mr. Wickliffe, 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 allowing additional clerk hire to the Auditor of Public Accounts.

An act authorizing the board of trustees of Milburne, in Ballard county, to grant coffee-house license.

An act to amend the charter of the New Castle and Carrollton turnpike road company.

An act for the benefit of Wm. M. Green, late judge of the Russell county court.

An act to provide more effectually for the safe keeping of the prisoners committed to the jail of Monroe county.

An act to give immediate effect to an act to provide for paying in advance one month's pay to soldiers enlisting for nine months.

An act to authorize guardians, trustees of wards, and cestui que trust to make investments in real estate.

An act for the benefit of George Long, a free man of color, of Christian county.

An act for the benefit of Thomas J. Jones, sheriff of the county of Graves.

An act to amend section 9, article 3, chapter 91, Revised Statutes.

An act for the benefit of Pleasant J. Potter, sheriff of the county of Warren.

An act to amend chapter 99 of the Revised Statutes, title "Taverns, Tippling-houses, &c."

An act to amend section 3, article 10, chapter 28, Revised Statutes.

An act to amend chapter 2 of the Revised Statutes, title "Caveats."
An act concerning the Richmond, Otter creek and Boonsboro' turnpike road company.

An act to incorporate Sherburne Chapter of Royal Arch Masons of the county of Fleming.

An act to incorporate Cherokee Tribe, No. 36, Independent Order of Red Men.

An act to amend the charter of the town of Springfield.

An act to authorize Commissioners of the Sinking Fund to purchase a lot in Frankfort for the State.

An act for the benefit of John H. Allison, late sheriff of Lawrence county.

An act for the benefit of M. W. Galloway, late sheriff of the county of Graves.

An act for the benefit of the Oregon turnpike road company.

An act for the benefit of R. R. Bolling.

An act establishing an office for the recording of deeds and mortgages at Newport.

An act for the benefit of the collector of revenue, &c., for 1861, in the county of Barren.

An act for the benefit of R. S. Huey.

An act to incorporate a hotel company in the city of Lexington to be called the Dudley house.

An act to change the boundary lines of Columbia voting district, in Adair county.

An act to provide for establishing county courts in Newport.

An act to confer additional powers upon county judges.

An act to authorize the county court of Lincoln county to levy a tax to pay a county police.

An act concerning the mayor of the city of Covington.

An act for the benefit of John P. Sullivan, of Todd county.

An act to amend the charter of the town of Germantown.

An act for the benefit of Andrew W. Foster, late sheriff of Allen county.

An act for the benefit of Isaac Gasteneau, late sheriff of Pulaski county.

An act for the benefit of Sarah Godshaw.

An act for the benefit of Richard Reynolds.

An act to amend an act, entitled, an act to amend chapter 83, Revised Statutes, title, "Revenue and Taxation," approved February, 1862.
An act for the benefit of Caroline Oppenheimer.
An act for the benefit of James E. Wright, clerk of the Logan county court.
An act for the benefit of school district No. 58, in Kenton county.
An act for the benefit of John A. Yandall, late sheriff of Crittenden county.
An act for the benefit of the Presbyterian and Methodist Episcopal Church South, of Catlettburg.
An act concerning the Bell school house property in Shelby county.
An act dispensing with the equity and criminal terms held in July, in the counties of Fleming, Mason and Greenup.
An act to protect fish in the waters of Jessamine, Hickman and Paint Lick creek.
An act to enlarge the powers of the Warren county court, and of the trustees of Bowlinggreen, to enable them to erect certain buildings.
An act for the benefit of Daniel McGrath.
An act to lay off the State into nine Congressional districts.
An act further to define the duties and compensation of the agent of the Auditor.
Resolution requesting the Governor to cause 100 guns to be fired on the 22d instant, and to cause the National Flag to be hoisted on the Capitol.
Resolution of gratitude to Kentucky volunteers.
The House then took up the motion to reconsider the vote by which the bill passed this House, entitled,
An act to change the county lines between Henry and Trimble counties.
And the question being taken thereon, it was decided in the affirmative.
Mr. Sparks moved to reconsider the vote by which the bill was ordered to be read a third time.
And the question being taken thereon, it was decided in the affirmative.
Mr. Sparks moved an amendment.
The hour having arrived the House took up the special order, viz:
An act for the appropriation of money.
Mr. Hampton moved to amend the bill by striking out "$60," and inserting "$100," in the 8th section.
Which amendment was rejected.
Mr. R. J. Browne moved to strike out the 9th and 25th sections.
Which amendment was rejected.

Mr. Huston moved an amendment.
Which was adopted.

Mr. Sparks moved to strike out "six," and insert "four dollars," in the 4th section.
And the question being taken thereon, it was decided in the negative.

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

Those who voted in the affirmative, were—

Jas. W. Anderson, Joseph H. Chandler, William Mercer,
Joshua Barnes, Eran M. Garriott, Hiram S. Powell,
R. J. Browne, Daniel W. Johns, James P. Sparks,
Thos. S. Brown, J. M. Jones, Joshua Tevis,
James Calvert, David P. Mears, Alex. T. White—15.

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Lucius Desha, Richard Neel,
Alfred Allen, Daniel E. Downing, Thos. W. Owings,
R. C. Anderson, John Drafflin, George Poindexter,
Jonathan R. Bailey, John W. Fannell, Larkin Proctor,
Elisha Beazley, Elijah Gabbert, Wm. S. Rankin,
Joshua F. Bell, Remus Gibson, Joseph Ricketts,
John W. Blue, Henry Griffith, F. D. Rigney,
J. W. Boone, Geo. M. Hampton, Wm. Roberts,
William S. Botts, John H. Harney, James A. Rousseau,
Wm. Bowling, Jacob Hawthorne, J. C. Sayres,
Lemoy Brinkley, William J. Heady, George S. Shanklin,
Curtis F. Barnam, John Humphries, M. Smith,
W. P. D. Bush, John B. Huston, Harrison Taylor,
J. W. Campbell, Wm. C. Ireland, Thomas Turner,
A. B. Chambers, William Johnson, Joseph R. Underwood,
Brutus J. Clay, Urban E. Kennedy, Wm. H. Van Pelt,
Francis L. Cleveland, Perry S. Layton, J. S. Van Winkle,
John B. Cochran, Jonas Martin, Zeb. Ward,
Robert Cochran, P. L. Maxey, W. W. Waring,
William L. Conklin, John S. McFarland, Nathaniel Wolfe,
John C. Cooper, Otho Miller, Bryan R. Young—64.

Mr. Cleveland moved to reconsider the vote by which the amendment offered by Mr. Hampton was rejected, to amend the 8th section.
And the question being taken thereon, it was decided in the affirmative.
The question was then taken upon adopting the amendment offered by Mr. Hampton, to pay the ministers one hundred dollars instead of sixty, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


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

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

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

The 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, Lucius Desha, Richard Neel,
Jas. W. Anderson, Daniel E. Downing, George Poindexter,
R. C. Anderson, John W. Finnell, Hiram S. Powell,
Jonathan R. Bailey, Elijah Gabbert, Larkin Proctor,
Joshua Barnes, Evan M. Garriott, William S. Rankin,
Elisha Beazly, Remus Gibson, Nicholas A. Rapier,
Joshua F. Bell, Henry Griffith, Joseph Ricketts,
John W. Blue, Geo. M. Hampton, F. D. Rigney,
J. W. Boone, John H. Harney, William Roberts,
William S. Botts, Jacob Hawthorne, James A. Rousseau,
Wm. Bowling, W. J. Head, J. C. Sayres,
Leroy Brinkley, John Humphries, George S. Shanklin,
R. J. Browne, John B. Huson, M. Smith,
Thos. S. Browne, Wm. C. Ireland, Harrison Taylor,
Curtis F. Barnam, Daniel W. Johns, Joshua Tevis,
W. P. D. Bush, William Johnson, John R. Thomas,
James Calvert, James M. Jones, Thomas Turner,
J. W. Campbell, Perry S. Layton, Joseph R. Underwood,
A. B. Chambers, Jonas Martin, Wm. H. Van Pelt,
Brutus J. Clay, P. L. Maxey, J. S. Van Winkle,
Francis L. Cleveland, John S. McFarland, Zeb. Ward,
John B. Cochran, David P. Mears, W. W. Waring,
Robert Cochran, William Mercer, Nathaniel Wolfe,
Wm. L. Conklin, Otho Miller, Bryan R. Young—76.

Those who voted in the negative, were—

John Draffin, James P. Sparks, Alex. T. White—4.
Thomas W. Owings,

John Draffin, James P. Sparks, Alex. T. White—4.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following sums of money be and the same 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, ten dollars, each, per day during the present session; and to the Principal Clerks the same per day, for three 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 Sergeant-at-Arms of the Senate, for the services of one negro man, one dollar per day; and to Sergeant-at-Arms of the House, two dollars per day, for 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 this session, to be certified by the Principal Clerks, and drawn and distributed by the Sergeants of the two Houses.
§ 6. To Hodges, Hughes & Co., for the Daily Commonwealth during this session, seven dollars and seventy-five cents per day.

§ 7. To S. I. M. Major & Co., for the Daily Yeoman during this session, seven dollars and seventy-five cents per day.

§ 8. To the ministers of the different religious denominations in Frankfort, one hundred dollars, to be drawn and distributed by J. 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 Joseph B. Lewis, three dollars per day for his services this session, to be estimated and certified by the chairman of the committee on Enrollment.

§ 11. To B. R. Young, one hundred and eleven dollars and fifteen cents, expenses incurred and paid by him in conveying the remains of Milton Young, deceased, from this place for interment, at his home in Henderson, including expenses of the committee.

§ 12. To John R. Graham, twenty-four dollars and ten cents, for bill rendered.

§ 13. To J. M. Mills, two dollars and seventy-five cents.

§ 14. To J. W. Pruett, for crape, &c., thirty dollars and fifteen cents.

§ 15. To S. C. Bull, ten dollars.

§ 16. To S. I. M. Major, one dollar and twenty-five cents.

§ 17. To Gray & Todd, sixty-nine dollars and eighty cents.

§ 18. To K. Runyan, for crape, forty-two dollars and twenty-five cents.

§ 19. To Sanford Goins, for ice last session, seventy-seven dollars and forty cents.

§ 20. To J. T. Gray, four dollars and fifty cents.

§ 21. To A. Comery, one dollar and twenty-five cents.

§ 22. To A. G. Cummack, one hundred and thirty-two dollars.

§ 23. To Henry Morton, fifty cents.

§ 24. To Daniel Clark, the ancient Governor, for his services in the Executive Department of the State, fifty dollars.

§ 25. To D. C. Barrett, for indexing the journals of the two Houses, during all the sittings of this General Assembly, up to this time, to be paid when the work is completed, two hundred dollars.

§ 26. To Geo. A. Robertson, for services of one negro man, one dollar per day during this session.

§ 27. To the four negro men who have waited upon this General Assembly, five dollars each, to be drawn and distributed by John W. Pruett.

§ 28. That the Auditor of Public Accounts draw his warrant in favor of S. Goins, for an amount, in the opinion of the said Auditor, that will be reasonable compensation and expenses for firing a salute on the 22d of February, including the unfurling the flag and procuring the music on the occasion, under order of the General Assembly.

§ 29. This act shall take effect from its passage.
The House, according to order, took up the resolutions on Federal Relations.

Mr. Burnam moved the previous question.
And the question being taken, "Shall the main question be now put?" it was decided in the negative.

On motion of Mr. Huston,
A call of the roll was ordered.

When the following members answered to their names:


The question was then taken upon the adoption of the resolutions presented by Mr. Chambers, as the minority report of the committee on Federal Relations, offered as a substitute for those offered by Mr. James W. Anderson, and those reported by the committee on Federal Relations, and it was decided in the negative.

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

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Those who voted in the affirmative, were—

W. P. D. Bush, Evan M. Garriott, William Johnson,
A. B. Chambers, Geo. M. Hampton, Wm. Roberts,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John C. Cooper,
Alfred Allen, Albert A. Curtis, Richard Neel,
Jas. W. Anderson, Daniel E. Downing, Thos. W. Owings,
R. C. Anderson, John Drayton, George Poindexter,
E. B. Bachelier, John W. Finnell, Hiram S. Powell,
Jonathan R. Bailey, Elijah Gabbert, Larkin Proctor,
Joshua Barnes, Remus Gibson, Wm. S. Rankin,
Elisha Beazly, Henry Griffith, Nicholas A. Rapier,
John C. Beeman, John H. Harney, Joseph Ricketts,
Joshua F. Bell, Jacob Hawthorne, F. D. Rigney,
J. W. Blue, William J. Head, James A. Rousseau,
J. W. Boone, John B. Huston, J. C. Sayers,
William S. Botts, William C. Ireland, Geo. S. Shanklin,
Wm. Bowling, Daniel W. Johns, M. Smith,
Leroy Brinkley, J. M. Jones, James P. Sparks,
R. J. Browne, Urban E. Kennedy, Harrison Taylor,
Thomas S. Brown, Perry S. Layton, Joshua Tevis,
Curtis F. Burnam, Alexander Lusk, John R. Thomas,
James Calvert, Jonas Layton, Thomas Turner,
J. W. Campbell, Alexander Lusk, Joseph R. Underwood,
Jos. H. Chandler, Jonas Martin, J. S. Van Winkle,
Brutus J. Clay, P. L. Maxey, Zeb. Ward,
Francis L. Cleveland, John S. McFarland, W. W. Waring,
John B. Cochran, David P. Mears, Alex. T. White,
Robert Cochran, William Mercer, Nathaniel Wolfe,
William L. Conklin, Otho Miller, Bryan R. Young—76.

Mr. Huston, by unanimous consent, moved to amend the address of
the report on Federal Relations, by striking out "under the necessi-
ties" in the 1st line of the paragraph 4th from the close, and insert
"in time of war."

Which amendment was adopted.

Mr. Turner, also, by unanimous consent, moved to strike out the
words in the address, "Kentucky cannot compromise with disunion-
ists," and insert "Kentucky cannot compromise with treason."

Which amendment was adopted.

Mr. Ireland moved to amend the resolutions of Mr. J. W. Anderson,
by adding the following as the 1st resolution therein, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That
our institutions are assailed by an armed rebellion on one side, which
can only be met by the sword; and on the other by unconstitutional
acts of Congress, and startling usurpations of power by the Executive, which we have seen, by experiment, can be corrected by the ballot-box. Policy, as well as principle, requires that Kentucky shall await the process of reform, which is slow but sure, and refrain from all unlawful and unconstitutional acts which have already brought terrible calamities upon the country, whilst we invoke the aid of all patriotic men, to avert the evils that threaten our free institutions.

Mr. Bush moved to refer the resolutions and amendments to the committee on Education.

Which motion was rejected.

Mr. Ireland's amendment was adopted.

Mr. Ireland moved to amend the resolutions of Mr. J. W. Anderson, by striking out the preamble, and inserting the following, viz:

The General Assembly of the Commonwealth of Kentucky, appreciating the dangers of that crisis which now exists, deems it proper to make a candid expression of its opinions concerning the same.

Which amendment was adopted.

Mr. Huston moved to add, after the word exist, in the 4th line of the 5th resolution, "and has suspended the writ of habeas corpus?"

Which amendment was rejected.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Hawthorne 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 adoption of the resolutions of Mr. J. W. Anderson, as a substitute for the majority report of the committee on Federal Relations, 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—

Mr. Speaker, (Buckner)Evans M. Garriott, Henry Griffith,

R. C. Anderson, Geo. M. Hampton,

J. W. Blue, John H. Harney,

J. W. Boone, William J. Head, John Humphries,

Wm. Bowling, John B. Huston, Wm. Johnson,

R. J. Browne, Alexander Lusk, Joseph H. Chandler,

W. P. D. Bush, Francis L. Cleveland, Joseph R. Proctor,

A. B. Chambers, John B. Cochran, Nicholas A. Rapier,

Joseph H. Chandler, P. L. Mayo, F. D. Rigney,

Francis L. Cleveland, John S. McFarland, Wm. Roberts,

John B. Cochran, David P. Mears, James A. Rousseau,

Robert Cochran, William L. Conklin, George S. Shanklin,

William L. Conklin, John C. Cooper, John R. Thomas,

John C. Cooper, Otho Miller, Thomas Turner,

Lucius Desha, Thos. W. Owings, Jos. R. Underwood,

Remus Gibson, John S. McFarland, Wm. H. Van Pelt,

Jacob Hawthorne, David P. Mears, J. S. Van Winkle,

William C. Ireland, William Mercer, Zeb. Ward,

Daniel W. Johns, William R. Young—42.

Joseph Ricketts, Bryan R. Young—42.

J. C. Sayres, Alex. T. White,

M. Smith, Bryan R. Young—42.

James P. Sparks, W. W. Warring,
Mr. Burnam called for a division of the question upon the resolutions.

The question was then taken upon the adoption of the 1st resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


The question was then taken upon the adoption of the 2d resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


The question was then taken upon adopting the 3d resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Thomas Z. Morrow, Richard Neel.
Alfred Allen, Lucius Desha, Thomas W. Owings, George Poindexter, H. S. Powell.
R. C. Anderson, John Draffin, Nicholas A. Rapier, Joseph Ricketts.
E. B. Bache, Elijah Gabbert, F. D. Rigney, Wm. Roberts.
Joshua Barnes, John W. Harney, James A. Rousseau, J. C. Sayres.
Elisha Beazley, George S. Shanklin, M. Smith.
Joshua F. Bell, Evan M. Garriott, James P. Sparks.
Remus Gibson, John H. Harney, Harrison Taylor, Joshua Tevis.
Henry Griffith, Jacob Hawthorne, Wm. S. Rankin, Nicholas A. Rapier.
Jacob Hawthorne, William J. Heady, Wm. Roberts.
William J. Heady, John Humphries, James A. Rousseau.
William C. Ireland, Daniel W. Johns, George S. Shanklin.
William Mercere, Jonas Martin, James P. Sparks.
Otho Miller, P. L. Maxey, Harrison Taylor.

In the negative—

William Johnson—1.

Those who voted in the negative, were—


Mr. Speaker, (Buckner,) Albert A. Curtis, Thomas Z. Morrow, Richard Neel.
Alfred Allen, Lucius Desha, Thomas W. Owings, George Poindexter, H. S. Powell.
R. C. Anderson, John Draffin, Nicholas A. Rapier, Joseph Ricketts.
E. B. Bache, Elijah Gabbert, F. D. Rigney, Wm. Roberts.
Joshua Barnes, John W. Harney, James A. Rousseau, J. C. Sayres.
Elisha Beazley, Evan M. Garriott, George S. Shanklin, M. Smith.
Joshua F. Bell, Remus Gibson, James P. Sparks.
Henry Griffith, John H. Harney, Harrison Taylor, Joshua Tevis.
Geo. M. Hampton, Jacob Hawthorne, Wm. S. Rankin, Nicholas A. Rapier.
Jacob Hawthorne, William J. Heady, Joseph Ricketts.
William C. Ireland, Daniel W. Johns, George S. Shanklin.
William Mercere, Jonas Martin, James P. Sparks.
Otho Miller, P. L. Maxey, Harrison Taylor.

In the negative—none.

The question was then taken upon adopting the 4th resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken upon adopting the 5th resolution, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Martin and J. W. Boone, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were.


The question was then taken upon adopting the 6th resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

John C. Cooper,  Urban E. Kennedy,  Wm. Roberts,  James A. Rousseau,  
Albert A. Curtis,  Alexander Lusk,  James C. Sayres,  Geo. S. Shanklin,  
Lucius Desha,  Jonas Martin,  M. Smith,  James P. Sparks,  
Daniel E. Downing,  P. L. Maxey,  Harrison Taylor,  Joshua Tevis,  
John Draffin,  John S. McFarland,  John R. Thomas,  Thomas Turner,  
John W. Finnell,  David P. Mears,  Richard Neel,  Joseph R. Underwood,  
Elijah Gabbert,  William Mercer,  Thomas W. Owings,  Wm. H. Van Pelt,  
Evan M. Garriott,  Otho Miller,  George Poindexter,  J. S. Van Winkle,  
Remus Gibson,  Thomas Z. Morrow,  Hiram S. Powell,  Zeb. Ward,  
Henry Griffith,  Richard Neel,  Larkin Proctor,  W. W. Waring,  
Geo. M. Hampton,  Thomas W. Owings,  Geo. S. Shanklin,  Alex. T. White,  
John H. Harney,  George Poindexter,  Larkin Proctor,  Nathaniel Wolfe,  
Jacob Hawthorne,  Hiram S. Powell,  William S. Rankin,  B. R. Young—82.  
Wm. J. Heady,  Larkin Proctor,  Nicholas A. Rapier,  
John Humphries,  Wm. S. Rankin,  Joseph Ricketts,  
John B. Huston,  Nicholas A. Rapier,  F. D. Rigney,  
Wm. C. Ireland,  Joseph Ricketts,  Larkin Proctor,  
Daniel W. Johns,  Wm. Roberts,  Geo. M. Hampton,  
William Johnson,  Wm. Roberts,  Richard Neel,  

Perry S. Layton—1.

The question was then taken upon adopting the 7th resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis,  
Alfred Allen,  Lucius Desha,  Richard Neel,  
Jas. W. Anderson,  Daniel E. Downing,  Thomas W. Owings,  
R. C. Anderson,  John Draffin,  George Poindexter,  
E. B. Bacheller,  John W. Finnell,  Hiram S. Powell,  
Jonathan R. Bailey,  Elijah Gabbert,  Larkin Proctor,  
Joshua Barnes,  Evan M. Garriott,  William S. Rankin,  
Elisha Beazley,  Remus Gibson,  Nicholas A. Rapier,  
Joshua F. Bell,  Henry Griffith,  Joseph Ricketts,  
J. W. Blue,  Geo. M. Hampton,  F. D. Rigney,  
J. W. Boone,  John H. Harney,  Wm. Roberts,  
William S. Botts,  Jacob Hawthorne,  Jas. A. Rousseau,  
Wm. Bowling,  William J. Heady,  J. C. Sayres,  
Leroy Brinkley,  John Humphries,  George S. Shanklin,  
R. J. Browne,  John B. Huston,  M. Smith,  James P. Sparks,  
Thomas S. Brown,  William C. Ireland,  Harrison Taylor,  Joshua Tevis,  
Curtis F. Burnam,  Daniel W. Johns,  John R. Thomas,  Thomas Turner,  
W. P. D. Bush,  Wm. Johnson,  J. R. Underwood,  
James Calvert,  J. M. Jones,  Wm. H. Van Pelt,  
J. W. Campbell,  U. E. Kennedy,  
A. B. Chambers,  Alexander Lusk,
The question was then taken upon adopting the 8th resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Lucius Desha,
Alfred Allen, Daniel E. Downing,
Jas. W. Anderson, John Draffin,
R. C. Anderson, John W. Finnell,
E. B. Bacheller, Elijah Gabbert,
Jonathan R. Bailey, Remus Gibson,
Joshua Barnes, Henry Griffith,
Elisha Beazly, John H. Harney,
Joshua F. Bell, Jacob Hawthorne,
John W. Blue, Wm. J. Heady,
J. W. Boone, John B. Huston,
Wm. S. Botts, Wm. C. Ireland,
Wm. Bowling, Daniel W. Johns,
Leroy Brinkley, James M. Jones,
R. J. Browne, Urban E. Kennedy,
Thos. S. Brown, Perry S. Layton,
Curtis F. Burnam, Alexander Lusk,
James Calvert, Jonas Martin,
J. W. Campbell, P. L. Maxey,
Jos. H. Chandler, John S. McFarland,
Brutus J. Clay, David P. Mears,
Francis L. Cleveland, William Mercer,
John B. Cochran, Otho Miller,
Robert Cochran, Thos. Z. Morrow,
William L. Conklin, Richard Neel,
John C. Cooper,  

Those who voted in the negative, were—

W. P. D. Bush, Geo. M. Hampton,
A. B. Chambers, William Johnson,
Evan M. Garriott, John Humphries,
The yeas and nays being required thereon by Messrs. Lusk and Sparks, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis, Richard Neel,
Alfred Allen, Lucius Desha, Thomas W. Owings,
Jas. W. Anderson, Daniel E. Downing, George Poindexter,
R. C. Anderson, John Drafain, Larkin Proctor,
E. B. Bacheller, John W. Finnell, William S. Rankin,
Jonathan R. Bailey, Elijah Gabbett, Nicholas A. Rapier,
Joshua Barnes, Evan M. Garriott, Joseph Ricketts, F. D. Rigney,
Elisha Beazley, Remus Gibson, William Roberts,
Joshua F. Bell, Henry Griffith, James A. Rousseau,
John W. Blue, Geo. M. Hampton, J. C. Sayres,
J. W. Boone, John H. Harney, George S. Shanklin,
William S. Botts, Jacob Hawthorne, M. Smith,
Leroy Brinkley, W. J. Heady, James P. Sparks,
R. J. Browne, John Humphries, Harrison Taylor,
Thos. S. Downe, John B. Huston, Joshua Tevis,
Curtis F. Burnam, Wm. C. Ireland, John R. Thomas,
W. P. D. Bush, Daniel W. Johns, Thomas Turner,
James Calvert, William Johnson, Joseph R. Underwood,
J. W. Campbell, Urban E. Kennedy, Wm. H. Van Pelt,
A. B. Chambers, Alexander Lusk, J. S. Van Winkle,
Joseph H. Chandler, Jonas Martin, Zeb. Ward,
Brutus J. Clay, P. L. Maxey, W. W. Waring,
Francis L. Cleveland, John S. McFarland, Alex. T. White,
John B. Cochran, David P. Mears, Nathaniel Wolfe,
Robert Cochran, William Mercer, Bryan R. Young—80,
Wm. L. Conklin, Otho Miller,
John C. Cooper, Thomas Z. Morrow,

Those who voted in the negative, were—

James M. Jones,

The question was then taken upon the adoption of the 10th resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,)John C. Cooper, Geo. Poindexter,
Alfred Allen, Albert A. Curtis, Larkin Proctor,
R. C. Anderson, Lucius Desha, William S. Rankin,
Jonathan R. Bailey, Daniel E. Downing, Nicholas A. Rapier,
Joshua Barnes, John Drafain, Joseph Ricketts, F. D. Rigney,
Elisha Beazley, Evan M. Garriott, Wm. Roberts,
Joshua F. Bell, Henry Griffith, James A. Rousseau,
J. W. Blue, Geo. M. Hampton, George S. Shanklin,
J. W. Boone, John H. Harney,
Those who voted in the negative, were—

James W. Anderson, Remus Gibson, Alexander Lusk,
E. B. Bacheller, Jacob Hawthorne, Thomas Z. Morrow,
Wm. Bowling, William G. Ireland, Hiram S. Powell,
Thomas S. Brown, Daniel W. Johns, J. C. Sayres,
Brutus J. Clay, James M. Jones, M. Smith,
Elijah Gabbert, Perry S. Layton,

The question was then taken upon the adoption of the 11th resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Anderson and Burnam, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,)Henry Griffith, George Poindexter,
R. C. Anderson, George M. Hampton, Larkin J. Proctor,
J. W. Blue, John H. Harney, Nicholas A. Rapier,
J. W. Boone, William J. Heady, F. D. Rigney,
William S. Botts, John Humphries, Wm. Roberts,
A. B. Chambers, John B. Huston, James A. Rousseau,
Joseph H. Chandler, William Johnson, George S. Shanklin,
Francis L. Cleveland, Jonas Martin, John R. Thomas,
John B. Cochran, John B. Huston, Thomas Turner,
Robert Cochran, William Johnson, JOS. R. Underwood,
William L. Conklin, William Johnson, Wm. H. Van Pelt,
John C. Cooper, Otho Miller, Zeb. Ward,
Lucius Desha, Otho Miller, Nathaniel Wolfe,

Those who voted in the negative, were—

Alfred Allen, J. W. Campbell, Alexander Lusk,
Jas. W. Anderson, Brutus J. Clay, Thomas Z. Morrow,
E. B. Bacheller, Albert A. Curtis, Richard Neel,
Jonathan R. Bailey, Daniel E. Downing, Hiram S. Powell,
Joshua Barnes, John Draffin, William S. Rankin,
Elisha Beazly, John W. Finnell, Joseph Ricketts,
Joshua F. Bell, Elijah Gabbert, J. C. Sayres,
The 12th and 13th resolutions were adopted.

The question was then taken upon adopting the preamble to said resolutions, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Anson and Burnam, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John H. Harney, Larkin Proctor,
J. W. Blue, William J. Headley, Nicholas A. Rapier,
J. W. Boone, John B. Huston, F. D. Rigney,
R. J. Browne, Alexander Lusk, James A. Rousseau,
Joseph H. Chandler, Jonas Martin, George S. Shanklin,
Francis L. Cleveland, P. L. Maxey, John R. Thomas,
John B. Cochran, John S. McFarland, Thomas Turner,
Robert Cochran, David P. Mears, Jos. R. Underwood,
William L. Conllin, William Mercer, Zeb. Ward,
Henry Griffith,

Those who voted in the negative, were—

Alfred Allen, Albert A. Curtis, Thos. Z. Morrow,
Jas. W. Anderson, Lucius Desha, Richard Neel,
R. C. Anderson, Daniel E. Downing, George Poindexter,
E. B. Bacheller, John Draffin, Hiram S. Powell,
Jonathan R. Bailey, John W. Finnell, William S. Rankin,
Joshua Barnes, Elijah Gabbert, Joseph Ricketts,
Elisha Beazley, Evan M. Garriott, William Roberts,
Joshua F. Bell, Remus Gibson, J. C. Sayres,
Wm. S. Botts, Geo. M. Hampton, M. Smith,
Wm. Bowling, Jacob Hawthorne, James P. Sparks,
Leroy Brinkley, John Humphries, Harrison Taylor,
Thomas S. Brown, William C. Ireland, Joshua Tevis,
Curtis F. Burnam, Daniel W. Johns, Wm. H. Van Pelt,
W. P. D. Bush, William Johnson, J. S. Van Winkle,
James Calvert, James M. Jones, W. W. Warring,
J. W. Campbell, Urban E. Kennedy, Alex. T. White,
Brutus J. Clay, Otho Miller,

Mr. Burnam reported the following bill, viz:

A bill for the benefit of the Fayette county court.

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. Huston, from the committee on Revised Statutes, to whom was referred the Senate bill, entitled,

An act concerning runaway slaves,

Reported the same with an amendment, by way of substitute.

Mr. Underwood moved an amendment by way of substitute for the amendment,

Which was rejected.

The question was then taken upon adopting the amendment, by way of substitute, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said amendment reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That chapter 93 of the Revised Statutes be and the same is hereby amended as follows: When any runaway slave shall be, or
have heretofore been committed to jail under the provisions of existing laws in relation to runaways, the jailer shall, within ten days thereafter, advertise said runaway in the newspaper which has the publication of the laws of the State, in which he shall give an accurate description of the slave, and continue said advertisement for one month, if the slave be not sooner claimed by the master or owner. If said slave be not claimed within one month after the commencement of said advertisement, the fact shall be reported by the jailer to the county court, whereupon the court shall make an order directing said slave to be sold by the sheriff, as hereinafter prescribed, upon reasonable advertisement, to be prescribed by the court.

§ 2. It shall be the duty of the sheriff to sell said slave at the courthouse on a court day, to the highest bidder, after having advertised the time, place and terms of sale, as directed by the court, and causing the slave to be valued as lands sold under execution are required by law to be valued, upon a credit of twelve months, with interest, the purchaser to give bond, with good surety, to the Commonwealth, having the force and effect of a replevin bond. The bond shall be returned to the clerk's office of the county, and if not paid to the clerk when due, execution shall issue thereon, endorsed as executions upon other sale bonds and replevin bonds are required by law to be endorsed. The clerk and sheriff and their sureties shall respectively account for and pay over any money so received or collected by them in the same manner as they are required to account for public revenue. Said slave shall not be sold for less than one third of said valuation, and if that amount shall not be bid at the first offering of said slave for sale, the sheriff shall re-offer him for sale at the next county or circuit court for the county, without further advertisement, and so on until a sale is effected.

§ 3. The owner shall have the right to redeem said slave at any time within one year after said sale, in the following manner, and upon the following terms and conditions: He shall, upon reasonable notice to said purchaser in writing, make satisfactory proof in said county court of his ownership in said slave, whereupon the court shall make an order permitting him to redeem said slave, upon his depositing in court the reward for apprehending the slave, and all lawful fees and expenses for his commitment, keeping, and sale, for the use and benefit of the persons entitled thereto. The purchaser of said slave may, at the same time, offer countervailing proof. If the claimant of said slave is successful in said proceeding, the purchaser shall pay his own costs, but no part of the claimant's costs; but if the claimant is unsuccessful, the purchaser shall recover his costs against him.

§ 4. The court shall, by the proper orders, cause the money thus deposited to be paid over to the parties entitled to the same.

§ 5. If the purchase money shall have been paid by the purchaser, the court shall at the same time make an order requiring the clerk or sheriff to refund the same to the purchaser. If it has not been paid, then the court shall order the bond of the purchaser cancelled.

§ 6. Upon the foregoing terms and stipulations being performed and complied with, the owner shall be entitled to and have the possession
of said slave, and the same right to property in him as though said sale had not taken place.

§ 7. If the owner shall fail to redeem said slave as herein provided, he shall be entitled to the proceeds arising from his sale, after deducting the reward and other fees and expenses, as now provided by law: Provided, That no claimant who shall have applied to the county court to redeem said slave, as herein provided, shall be entitled to said purchase money, if said court shall have adjudged said claimant not to be the lawful owner of said slave.

§ 8. The proceeds arising from said sale shall not be paid into the public treasury until the time allowed for redeeming said slave shall have expired, and if litigated, not until the end of the litigation.

§ 9. In case the said runaway slave shall be redeemed as herein provided, the purchaser at said sale shall not be accountable for his or her hire, or any part thereof.

§ 10. Either party may appeal from the judgment or order of the county court permitting said slave to be redeemed or refusing to allow him to be redeemed, as herein provided, and hence to the Court of Appeals, subject to the laws governing appeals in other cases.

§ 11. The existing laws in relation to runaways and the duties of jailers, so far as they are inconsistent with the provisions of this act, are hereby repealed, but no further.

§ 12. This act to take effect from its passage.

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 took up the bill for the benefit of William Herrin, late sheriff of Fulton county.

On motion of Mr. Taylor,

Ordered, That said bill be made the special order for 10½ o’clock to-morrow.

The House took up the bill, entitled,
An act to change the county lines between Henry and Trimble counties.

The question was taken upon adopting the amendment offered by Mr. Sparks, 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. Garriott and Chambers, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, John C. Cooper, David P. Mears,
Jonathan R. Bailey, Albert A. Curtis, Hiram S. Powell,
Joshua Barnes, Daniel E. Downing, Wm. S. Rankin,
Elisha Beazley, John Draffin, F. D. Rigney,
Joshua F. Bell, Elijah Gabbert, J. C. Sayres,
William S. Botts, Henry Griffith, James P. Sparks,
Wm. Bowling, John H. Harney, Harrison Taylor,
Leroy Brinkley, Jacob Hawthorne, John R. Thomas,
R. J. Browne, John B. Huston, Zeb. Ward,
Thos. S. Brown, Wm. C. Ireland, Alex. T. White,
James Calvert, Daniel W. Johns, Nathaniel Wolfe,
Brutus J. Clay, Perry S. Layton,

Those who voted in the negative, were—

John C. Beeman, Evan M. Garriott, Richard Neel,
Curtis F. Burnam, Geo. M. Hampton, George Poindexter,
W. P. D. Bush, John Humphries, Nicholas A. Rapier,
A. B. Chambers, Jonas Martin, Wm. Roberts,
Francis L. Cleveland, John S. McFarland, George S. Shanklin,
Robert Cochran, William Mercer, Thomas Turner,

The House took up the resolution from the Senate for the benefit of Elizabeth Weldin,
Which was twice read, and concurred in.

The House then took up the resolution from the Senate for the benefit of Miss Mary J. Reese,
Which was twice read, and concurred in.

The House then took up the bill, entitled,
An act to abolish the June term of the Franklin circuit court, and to change the time of holding the February term of said court.

On motion of Mr. R. J. Browne,
Ordered, That said bill be recommitted to the committee on Circuit Courts.

The House then took up the bill, entitled,
An act to repeal an act, entitled, an act to fix the time of holding the quarterly courts and courts inferior in jurisdiction to the circuit courts.

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On motion of Mr. Cleveland,

Ordered, That said bill be laid upon the table.

The House then took up the bill, entitled,

An act to amend chapter 93 of the Revised Statutes.

Mr. Rankin moved to lay the bill upon the table.

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

The House then took up the bill, entitled,

An act to better protect the rights of married women in this Commonwealth.

Mr. White 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. Draffin and White, were as follows, viz:

Those who voted in the affirmative, were—

Jas. W. Anderson, Albert A. Curtis, Wm. S. Rankin,
Jonathan R. Bailey, Daniel E. Downing, Nicholas A. Rapier,
John C. Beeman, Evan M. Garriott, F. D. Rigney,
Joshua F. Bell, John B. Huston, J. C. Sayres,
William S. Botts, William C. Ireland, George S. Shanklin,
Wm. Bowling, Daniel W. Johns, Harrison Taylor,
Leroy Brinkley, Perry S. Layton, John R. Thomas,
R. J. Browne, David P. Mears, Thomas Turner,
W. P. D. Bush, William Mercer, Zeb. Ward,
James Calvert, George Poindexter, Alex. T. White,
J. W. Campbell, H. S. Powell, Nathaniel Wolfe—34.

Those who voted in the negative, were—

Joshua Barnes, Elijah Gabbert, John S. McFarland,
Curtis F. Burnam, Henry Griffith, Otho Miller,
A. B. Chambers, Geo. M. Hampton, Thomas Z. Morrow,
Brutus J. Clay, John H. Harney, Richard Neel,
Francis L. Cleveland, Jacob Hawthorne, James P. Sparks,
John C. Cooper, William J. Heady, Jos. R. Underwood,

John Draffin, Jonas Martin,

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That marriages, in addition to land and slaves, shall give to the husband during the life of the wife, no estate or interest in her personal estate, money, or evidences of same, owned by her at the time of her marriage, or which may descend or be given to her after mar-
riage, except the use and interest thereof, with power to loan the same not more than two years at any one time; nor shall such personal estate, money, or evidences of same, or the interest and profits arising therefrom, be liable or subject to the payment of any debt or responsibility contracted for before or after marriage, but shall be liable for only her debts contracted or incurred before marriage; and for such contracted after marriage, on account of necessaries for herself or any member of her family, her husband included, as shall be evidenced by writing, signed by her and her husband at the time said contract is made, the remedy may be against the husband and wife, or the wife only, as the case may require.

§ 2. And in order to fully protect the wife upon her marriage, or should personal property, money, or evidences of same, descend or be given to her after marriage, she may make out herself, or in connection with her husband, an inventory of said property, money, or evidences of same, with the value thereof, and return it to the clerk's office in the county where they reside, with an affidavit that said inventory is correct, and the clerk shall record the same in a book to be kept for that purpose, which shall be evidence of the value and extent of her personal estate.

§ 3. Nor shall the husband's life estate, or courtesy in the same, be subject to the payment of any debt during the life of the wife; but should the husband survive the wife, said estate shall be his during his natural life; and should the wife survive the husband, said estate shall be hers.

§ 4. Husband and wife may sell or dispose of her personal estate, money, or evidences of same, in the same mode as the land of the wife may be sold and conveyed, and the proceeds shall be hers, unless otherwise expressly provided for in said conveyance.

§ 5. The husband shall not be liable for any debt or liability of the wife contracted by her before marriage, except he shall receive a sufficient amount of the proceeds of her personal property, money, &c., under the provisions of this act, as will pay her debt or debts, but shall be liable for necessaries furnished her after marriage.

§ 6. This act shall take effect from and after its passage.

The House then took up the bill, entitled,
An act to amend the charter of the Deposit Bank of Owensboro'.
Mr. McFarland moved to lay the bill on the table.
And the question being taken thereon, it was decided in the affirmative.

The following bills were taken up, viz:
An act concerning the collection of the public revenue for 1863.
An act to create an additional magistrate's district in Graves county.
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 House then took up the bill, entitled,
An act for the benefit of the citizens of Augusta,
On motion of Mr. Cleveland,
Ordered, That said bill be recommitted to the committee on the Judiciary.

The House then took up the bill, entitled,
An act allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.
On motion of Mr. Taylor,
Ordered, That said bill be made the special order for 11½ o'clock tomorrow.

The House then took up the bill, entitled,
An act to prevent certain negroes and mulattoes from migrating to, or remaining in the State.
Ordered, That said bill be engrossed and read a third time.
The rule of the House, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.

SATURDAY, FEBRUARY 28, 1863.

On motion of Mr. James W. Anderson,
Ordered, That the clerk, in making his report to the Senate of the adoption by this House of resolutions concerning national affairs, be directed to report them as joint resolutions.

Mr. White moved the following resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the committee on Ways and Means be instructed to inquire into
the propriety of passing a law fixing the per diem of the Sergeant-at-Arms of the Senate and House of Representatives at four dollars per day each; and the Door-keepers of the two Houses at four dollars per day each; and the Speaker of the Senate and House of Representatives, six dollars per day each; and the clerks and assistant clerks of the two Houses at eight dollars per day each; and that hereafter there be allowed one page to the Senate, and two to the House, and that they be allowed one dollar each per day; and that they report by bill or otherwise.

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

Mr. Harney presented the petition of sundry citizens of Louisville and Jefferson county, in relation to military arrests, &c.
Which was received, the reading dispensed with, and referred to the committee on Federal Relations.

Mr. Cleveland moved the following resolution, viz:

Resolved, That the Public Printer he and he is hereby authorized to print a sufficient number of copies, in pamphlet form, of the general laws passed at this sitting of the General Assembly, to furnish one copy to each member of the Senate and this House, and also, one copy to each of the circuit judges and chancellors and the circuit and county court clerks in this Commonwealth. He shall forward the same by mail as soon after adjournment as possible.
Which was adopted.

The following bills were reported, viz:

By Mr. Ireland, from the committee on County Courts—
1. A bill to authorize the Boyd county court to levy and collect an ad valorem tax.
By Mr. Taylor, from the committee on Ways and Means—
2. A bill to create a soldiers' relief fund in Nicholas county.
By same—
3. A bill allowing further time in which to collect the public revenue and county levy in Mercer county.
By Mr. Conklin, from the committee on Claims—
4. A bill for the benefit of B. F. Davis, of Barren county.
By Mr. Cleveland, from the committee on County Courts—
5. A bill to authorize the Boyle county court to subscribe stock in the Danville, Dix river, and Lancaster turnpike road.
By Mr. Ireland, from the same committee—
6. A bill allowing county courts to qualify deputy clerks of circuit courts.
By Mr. Draffin, from the committee on Revised Statutes—  
7. A bill to prevent frauds upon parents by children.  
By Mr. Huston, from the same committee—  
8. A bill to regulate the time of holding the circuit courts in the  
11th judicial district.  
By same—  
9. A bill in regard to sheriffs' deeds.  
By same—  
10. A bill to amend the charter of the town of Independence.  
By same—  
11. A bill for the benefit of Annie Eliza Gerhart.  
By Mr. Sparks, from the same committee—  
12. A bill for the benefit of R. L. Tinsley and others.  
By Mr. Bush, from the same committee—  
13. A bill to amend an act, entitled, an act to incorporate the Petroleum Sulphur Spring and Manufacturing Company.  
By Mr. Thomas, from the committee on Incorporated Institutions—  
14. A bill to amend an act, entitled, an act to amend the charter of the town of Columbia, in Adair county.  
By Mr. Van Winkle, from the committee on the Codes of Practice—  
15. A bill to regulate the sale of spirituous liquors in the town of Monticello.  
By Mr. Burnam—  
By Mr. Beeman, from the committee on Corporations—  
17. A bill to amend to amend the charter of the city of Louisville.  
By same—  
18. A bill to amend the charter of the city of Louisville in reference to the police of said city.  
By Mr. Jones—  
19. A bill supplemental to an act laying off the State into nine Congressional acts.  
By Mr. Curtis—  
20. A bill authorizing the sale of certain lands in Estill 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, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, and 20th bills were severally ordered to be engrossed and read a third time; the 7th was referred to the committee on Revised Statutes.

The rule of the House, constitutional provision, and third reading of the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, and 20th 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 12th bill 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:

Whereas, in the year 1862, R. L. Tinsley, Henry Ellis, and Jeptha Bright and son had five valuable horses stolen from them worth at least $800; and whereas, the said R. L. Tinsley and others pursued the persons or thieves to the States of Indiana and Illinois spending about $500 in cash in pursuing the parties aforesaid; and whereas, they caught and apprehended one Myers and brought him to New Castle, and said Myers was tried before an examining court and held to bail in the sum of $1,000; and whereas, the said Myers has deposited
money or given bond in the Henry circuit court, and departed from this State for parts unknown; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor draw his warrant upon the Treasurer, to R. L. Tinsley and others, for the sum of $500, out of any money not otherwise appropriated: Provided, That the sum aforesaid shall not be paid to Tinsley and others until the amount of the forfeited bond aforesaid shall have been paid into the treasury of this State.

§ 2. This act to take effect from and after its passage.

Mr. Underwood, from the committee on Military Affairs, reported
A bill to provide for the payment of certain claims.
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,

The question was taken upon the passage of said bill, and it was decided in the negative—a majority of the members elect being required by the Constitution. The yeas and nays thereon, were as follows, viz:

Those who voted in the affirmative, were—

R. C. Anderson, John B. Cochran, John S. McFarland,
Jonathan R. Bailey, Robert Cochran, Otho Miller,
Joshua Barnes, Wm. L. Conklin, Thomas W. Owings,
Elisha Beazly, John C. Cooper, George Poindeexter,
John C. Beeman, Daniel E. Downing, James A. Rousseau,
William S. Botts, John Draffin, George S. Shanklin,
Wm. Bowling, Remus Gibson, M. Smith,
R. J. Browne, Henry Griffith, Harrison Taylor,
Curtis F. Burnam, John H. Harney, Thomas Turner,
J. W. Campbell, W. J. Heady, Joseph R. Underwood,
A. B. Chambers, Wm. C. Ireland, Zeb. Ward,
Brutus J. Clay, Perry S. Layton, Nathaniel Wolfe,

Those who voted in the negative, were—

W. P. D. Bush, Daniel W. Johns, Nicholas A. Rapier,
James Calvert, James M. Jones, F. D. Rigney,
Lucius Desha, Jonas Martin, William Roberts,
Elijah Gabbert, David P. Mears, J. C. Sayres,
Evan M. Garriott, William Mercer, James P. Sparks,
Geo. M. Hampton, Thomas Z. Morrow, Wm. H. Van Pelt,
Jacob Hawthorne, Richard Neel, Alex. T. White—23,
John Humphries, Hiram S. Powell,
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Quartermaster General and the Adjutant General of the Commonwealth of Kentucky shall constitute a board of claims for the purposes of this act.

§ 2. That where the property of any private citizen has been taken or pressed into the public service by any order of the President of the late Military Board for military purposes, and the same shall have been captured by the enemy, destroyed whilst in use or otherwise lost to the owner so that he shall be unable to recover the same, the board, constituted by this act, shall indorse on an account properly made out and established, their approval thereof, when the same shall constitute a valid claim against the State of Kentucky, to be paid out of the military fund; and in case of a disagreement of the members of said board the Governor shall decide between them, or in the absence of either of said members, the Governor may act.

§ 3. All the claims provided for in the second section of this act shall be established by the affidavit of the owner of said property claimed to be lost or destroyed, his agent or attorney having, at the time, possession thereof, together with an affidavit of one or more disinterested persons as to the taking or pressing—the loss and the value of said property; and when the proof is not full and satisfactory said board may take or require other and further proof as to any and all matters concerning said claim.

§ 4. This act shall take effect from and after its passage.

Mr. Ward, from a select committee, reported
A bill concerning roads.
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 the following amendment, viz:

"Provided, That the provisions of this act shall not apply to original stockholders who have taken stock in any such road and paid the same and reside in the county where the road is situate.

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 aforesaid.

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On motion of Mr. Ireland,

Ordered, That a committee be appointed to confer with a similar committee on the part of the Senate to ascertain what amount of unfinished business remains undone this session.

The Speaker appointed Messrs. Ireland and Martin the committee on the part of this House.

Mr. Cleveland, from the committee on County Courts, to whom was referred a bill from the Senate, entitled,

An act for the benefit of the supervisors of tax for Calloway 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 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—


M. Smith—1. In the negative—
Said bill 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 the supervisors of tax for Calloway county, for the sum of one hundred and ten dollars, to be paid out of any money in the treasury not otherwise appropriated, for services rendered in assessing the property of said county in the year 1862.

§ 2. This act to take effect from its passage.

Mr. Cleveland, from the same committee, to whom was referred leave, reported

A bill for the benefit of jailers.

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 lay the bill upon 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, John B. Cochran, Thomas Z. Morrow,
Jas. W. Anderson, William L. Conklin, Richard Neel,
R. C. Anderson, John C. Cooper, Hiram S. Powell,
E. B. Bache, Albert A. Curtis, Nicholas A. Rapier,
Joshua Barnes, Lucius Desha, Wm. Roberts,
Joshua F. Bell, Evan M. Gariott, M. Smith,
Wm. Bowling, Henry Griffith, James P. Sparks,
R. J. Browne, Jacob Hawthorne, Harrison Taylor,
Curtis F. Burnam, Daniel W. Johns, John R. Thomas,
J. W. Campbell, P. L. Maxey, Zeb. Ward,
A. B. Chambers, David P. Mears, Alex. T. White—35.
Brutus J. Clay, William Mercer,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Elijah Gabbett, Otho Miller,
Jonathan R. Bailey, Remus Gibson, Thos. W. Owings,
Elisha Beazly, George M. Hampton, George Poindexter,
John C. Beeman, John H. Harney, F. D. Rigney,
J. W. Boone, William J. Heady, James A. Rousseau,
Leroy Brinkley, John Humphries, J. C. Sayres,
W. P. D. Bush, John B. Huston, George S. Shanklin,
James Calvert, William C. Ireland, Joshua Tevis,
Francis L. Clevland, J. M. Jones, Thomas Turner,
Robert Cochran, Perry S. Layton, Jos. R. Underwood,
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this act the jailers of this State shall be entitled to forty-five cents per day for each prisoner confined in the county jails.

§ 2. All acts and parts of acts which conflict with this act are hereby repealed.

§ 3. This act to take effect from its passage.

Said bill was placed in the orders of the day, the House having refused to dispense with its third reading.

The House then took up the special order, entitled,

An act for the benefit of William Herren, late sheriff of Fulton county.

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,) Lucius Desha, Otho Miller,
Alfred Allen, Daniel E. Downing, Felix G. Murphy,
R. C. Anderson, John Draffin, Richard Neel,
Jonathan R. Bailey, Evan M. Garriott, Geo. Poindexter,
Joshua Barnes, Geo. M. Hampton, Wm. Roberts,
Joshua F. Bell, John H. Harney, J. C. Sayres,
J. W. Boone, William J. Heady, George S. Shanklin,
Wm. Bowling, John Humphries, M. Smith,
Leroy Brinkley, John B. Huston, Harrison Taylor,
Thomas S. Brown, William C. Ireland, Thomas Turner,
Curtis F. Burnam, Daniel W. Johns, Jos. R. Underwood,
W. P. D. Bush, Perry S. Layton, Wm. H. Van Pelt,
James Calvert, Jonas Martin, J. S. Van Winkle,
J. W. Campbell, John L. Maxey, Zeb. Ward,
A. B. Chambers, John S. McFarland, Nathaniel Wolfe,
Francis L. Cleveland, David P. Mears, Bryan R. Young—50.
William L. Conklin, William Mercer,

Those who voted in the negative, were—

James W. Anderson, Albert A. Curtis, Thos. W. Owings,
E. B. Bacheller, Elijah Gabbert, Nicholas A. Rapier,
Elisha Beasley, Remus Gibson, F. D. Rigney,
John C. Beeman, Henry Griffith, James P. Sparks,
Mr. Huston, from the committee on the Judiciary, to whom was referred a bill from the Senate, entitled,
An act to authorize a judicial sale of the Leesburg and Newtown turnpike road,
Reported the same with an 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. Sparks, from the committee on Revised Statutes, to whom was referred leave, reported
A bill further to regulate the disposition of forfeited bail bonds.
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 then took up the special order, entitled,
An act allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.
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—

Felix G. Murphy, Richard Neel, Thomas W. Owings, George Poindexter, Hiram S. Powell, F. D. Rigney, Wm. Roberts, James A. Rousseau, J. C. Sayres, Geo. S. Shanklin,
Those who voted in the negative, were—


Said bill reads as follows, viz:

Whereas, it is represented to the present General Assembly that the sheriffs of the counties of Henry and Nicholas, in the year 1862, abandoned their offices, left the State, and joined the rebellion, leaving the public revenue, or a large portion thereof, in said counties, uncollected, and that W. J. Brewer was induced to accept the office of sheriff in the county of Henry, and John Clay in the county of Nicholas, both undertaking to collect the public revenue in their respective counties, which they did do under great difficulties and at great personal risk and trouble, whereby the revenue due from said counties has been promptly collected and paid into the public treasury—wherefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts, in settling the accounts of said sheriffs in the collection of said revenue, shall allow them respectively a commission of eight per cent. upon the amount of revenue actually collected by them and paid into the public treasury.

§ 2. This act shall take effect from and after its passage.

Mr. Van Winkle, from the committee on the Codes of Practice, to whom was referred the bill, entitled,

An act to extend to the 1st day of March, 1864, the provisions of an act to regulate proceedings in civil cases, approved March, 1862,

Reported the same with an amendment, by way of substitute.

Mr. Ireland moved the following amendment to the substitute, viz:

Provided further, That if any such officer or soldier is in the county of his residence at the time any such action is called for trial, he shall be required to show the fact, to the satisfaction of the court, that he is absent from the service with leave, otherwise the case may be tried.

Which amendment was adopted.

The substitute, as amended, was then 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. R. J. Browne, from the same committee, to whom was referred
the amendment of the Senate, to the bill from this House, entitled,
An act to regulate the service of attachments,
Reported the same for adoption.
Which amendment was concurred in.

The House then took up the bill to raise a State force.
Mr. Allen moved the previous question.
And the question being taken, "Shall the main question be now
put?" it was decided in the affirmative.

The bill was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That the Governor of this State be authorized and directed to
issue forthwith his proclamation, calling into the service of this Com-
monwealth three regiments of volunteers, to be organized as mounted
infantry, and to be mustered into the service of the State for the term
of twelve months, if the war shall last so long—said regiments to be
composed of able-bodied loyal residents of the State, between the
ages of eighteen and forty-five years: Provided, That the Governor
may, in his discretion, attach to one or more of said regiments one or
two sections of artillery, under such regulations as he may prescribe.

§ 2. Each regiment shall consist of twelve companies; each compa-
cy shall consist of one captain, one first lieutenant, one second lieu-
tenant, one first sergeant, four sergeants, eight corporals, two buglers,
two farriers, one blacksmith, one saddler, one wagoner, and not less
than seventy nor more than eighty-five privates. The field offi-
cers, staff, and non-commissioned staff shall be composed as follows: One
colonel; one lieutenant colonel, three majors, one extra lieutenant, as
adjutant, one extra lieutenant as regimental quartermaster, one extra
lieutenant as regimental commissary, one surgeon, two assistant sur-
geons, one sergeant major, one regimental quartermaster sergeant, one
regimental commissary sergeant, and one hospital steward.

§ 3. The commissioned regimental officers shall be elected by the
regiment, and the commissioned company officers by each respective
company. The persons so elected shall be commissioned by the Gov-
ernor. The colonels of each regiment shall appoint the non-commis-
sioned officers thereof; and the captains shall appoint the non-commis-
sioned company officers.

§ 4. One company of each regiment may be armed and equipped as
sharp-shooters, to be used as scouts.

§ 5. The Governor shall direct where each of said regiments shall
rendezvous, and shall provide suitable camp equipage, rations, and
subsistence, with necessary transportation and suitable clothing, to
supply uniform dress for non-commissioned officers and privates, and shall appoint suitable persons to superintend the elections of officers, and direct how the result of said elections shall be reported to him, so that he may issue proper commissions to the officers elected, and to muster said forces into the service of the State.

§ 6. Said regiments, when organized, shall be used for the protection of the borders of Kentucky: Provided, however, That the Governor may use said forces in any part of the State that may be necessary, for the purpose of repelling invasion—it being intended hereby to designate the general purpose for which said force is raised as border protection—but to be otherwise temporarily used in any emergency that may render such use necessary and proper, in the opinion of the Governor.

§ 7. Each non-commissioned officer and private may furnish his own horse and horse equipments, which shall be valued by two disinterested and suitable persons, appointed by the Governor for that purpose, and shall receive for the services of said horse and equipments the sum of ten dollars per month; and if said horse shall be killed by the enemy, or in actual service captured by the enemy and lost, without any fault of the owner in either case, he shall be paid therefor the value of said horse at the time of his death or loss, not exceeding eighty dollars.

§ 8. The pay of commissioned, non-commissioned officers and privates shall be the same as that of the volunteer forces in the service of the United States, except that no bounty shall be paid them.

§ 9. When the forces raised under the provisions of this act shall be organized and mustered into the service of the State, they shall be subject to all the lawful rules and regulations prescribed by Congress for the government of the army of the United States.

§ 10. For the purpose of purchasing ordnance, horses, horse equipments, arms, accoutrements, tents, camp equipage, transportation, clothing for the non-commissioned officers and privates, and to pay the officers and soldiers their salaries, wages and rations, and for all things necessary for the equipment of the forces, there is hereby appropriated the sum of three millions five hundred thousand dollars.

§ 11. The money appropriated by this act shall be drawn from the treasury, from time to time, as needed, on the requisition of the Governor, and shall be disbursed through the proper staff officers according to the rules governing the like expenditures in the service of the United States. The quartermasters, commissaries, paymasters, and other disbursing officers and agents appointed by the Governor to execute the provisions of this act, shall give bond, with good sureties, to be approved by the Governor, for the faithful performance of their duties according to law.

§ 12. To meet the expenditures contemplated in this act, the Governor is hereby authorized to issue the bonds of the Commonwealth, with coupons attached, bearing an interest of six per cent. per annum, payable semi-annually, redeemable in twenty years. Such bonds shall be for sums not less than $100 nor more than $1,000, at the discretion of the Governor, so as best to suit the demand for them. Said bonds, when issued, shall be sold to individuals, to banks or cor-
porations, at such prices as the Governor, Auditor, and Treasurer, or a majority of them, shall agree to receive for them; and all banks and corporations are authorized to purchase, sell, and deal in said bonds. The money arising from the sales of such bonds shall be paid into the treasury. To meet the semi-annual interest to be paid on the bonds so issued and sold, an annual tax of five cents on each $100 worth of taxable property in this State and listed for revenue purposes, shall be collected and paid into the treasury by the sheriffs of the Commonwealth in the same manner and under the same liabilities as the revenue is now by law required to be collected.

§ 13. In issuing the bonds herein directed to be issued, the Governor shall proceed in the same manner, and shall be assisted by the same officers, and accounts and registrations of the bonds issued shall be kept in conformity to and under the provisions of the laws, so far as they apply, in virtue of which bonds of the State have heretofore been issued; and the coupons, when paid, shall be disposed of in the same manner, and an account of their payment and burning shall be kept in the same manner, and in virtue of the laws which now apply to coupons and bonds of the State already issued.

§ 14. This act shall take effect from its passage.

The question was then taken upon the passage of said bill, 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—

Mr. Speaker, (Buckner,) Albert A. Curtis, Daniel E. Downing, Hiram S. Powell, F. D. Rigney,
Alfred Allen, Elijah Gabbert, James A. Rousseau, J. C. Sayres,
Jas. W. Anderson, John H. Harney, George S. Shanklin, James P. Sparks,
R. C. Anderson, William J. Heady, Harrison Taylor,
Jonathan R. Bailey, John B. Huston, Joshua Tevis,
Joshua Barnes, Daniel W. Johns, John R. Thomas,
Joshua F. Bell, James M. Jones, Thomas Turner,
Wm. Bowling, P. L. Maxey, Jos. R. Underwood,
R. J. Browne, John S. McFarland, J. S. Van Winkle,
Curtis F. Burnam, David P. Mears, Nathaniel Wolfe,
Francis L. Cleveland, William Mercer, B. R. Young—42,
John B. Cochran, Otho Miller,
Robert Cockran, Thos. W. Owings,
John C. Cooper,

Those who voted in the negative, were—

E. B. Bacheller, Brutus J. Clay, Perry S. Layton,
Elisha Beazley, William L. Conklin, Jonas Martin,
J. W. Boone, Lucius Desha, Thos. Z. Morrow,
Wm. S. Botts, John Draffin, Felix G. Murphy,
Leroy Brinkley, Evan M. Garriott, George Poindexter,
Thomas S. Brown, Henry Griffith, Nicholas A. Rapier,
W. P. D. Bush, Geo. M. Hampton, M. Smith,
The House then took up the amendment of the Senate to the bill from this House, entitled,
An act to amend the charter of the Deposit Bank of Springfield.
Which amendment was concurred in.

The House then took up the amendment of the Senate to the bill from this House, entitled,
An act for the benefit of Joel W. Sallee, late sheriff of Pulaski county.
Which amendment was concurred in.

Mr. Bell from the committee of conference of the two houses upon their disagreement to the bill, entitled,
An act concerning the penitentiary,
Reported as follows, viz:

The joint committee of conference in the disagreement of the two Houses upon the bill concerning the Penitentiary, having considered the same, recommend the adoption of the following amendment to the Senate bill: Strike out all after the word “Fund,” in the second line of the third division of the first section, and insert in lieu thereof the following, to-wit: “At the end of the first and second years of his term of office, the sum of six thousand dollars for each year, and each year thereafter, during the term of his office, the sum of eight thousand dollars.”

Which report was concurred in.

A message was received from the Senate by Mr. Bruner, announcing their concurrence in the report of the joint committee of conference on the disagreement of the two houses upon the bill, entitled,
An act concerning the penitentiary.

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 in relation to the sale of ardent spirits in the town of Greensburg.
An act to regulate the board of internal improvement of Anderson county.

An act authorizing the Campbell county court to establish a new ferry opposite the town of New Richmond.

An act allowing county courts to qualify deputy clerks for circuit courts.

An act for the benefit of B. F. Davis, of Barren county.

That they had concurred in the amendment of this House to the amendment of the Senate to the bill from this House, entitled,

An act to extend the time in which the county officers elect for Johnson county may qualify and give bond.

Also, the amendment to the bill from the Senate, entitled,

An act to legalize the acts of B. D. Winstead, county clerk of Webster county.

That they had passed bills which originated in this House, of the following titles, viz:

An act repealing the act approved October 3d, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary lines between the counties of Barren and Metcalfe.

An act for the benefit of school district No. 24, in Ballard county.

An act for the benefit of the Presbyterian church in Bowlinggreen.

An act concerning the duties of clerks in certifying stamped instruments.

An act to amend an act, entitled, an act to incorporate the town of Mt. Sterling, approved March 12, 1851.

An act to change the time of holding the Adair quarterly court.

An act for the benefit of John Davis, of Shelby county.

An act to amend an act, entitled, an act authorizing the county court of Carter to sell the poor-house lands in said county.

An act changing the voting place in Garretsburg, in Christian county.

An act to regulate the time of holding the circuit courts in the eleventh judicial district.

An act to extend to the 1st day of August, 1864, the provisions of an act, entitled, an act to regulate proceedings in civil cases, approved March 8, 1862.

An act allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.

An act for the appropriation of money.

An act concerning roads.
An act creating a soldiers' relief fund in Nicholas county.

An act allowing further time in which to collect the public revenue and county levy for the year 1862, in the county of Mercer.

An act for the benefit of William Herrin, late sheriff of Fulton county.

An act in regard to sheriffs' deeds.

An act to amend the charter of the town of Independence.

An act for the benefit of Annie Eliza Gerhart.

An act to amend an act, entitled, an act to incorporate the Petroleum, Sulphur Spring and Manufacturing Company.

An act for the benefit of R. L. Tinsley, and others.

An act to amend an act, entitled, an act to amend the charter of the town of Columbia, in Adair county.

An act to prevent certain negroes and mulattoes from migrating to, or remaining in the State.

An act authorizing the Boyd county court to levy and collect an ad valorem tax.

An act concerning the collection of the public revenue for 1863.

An act to amend an act, entitled, an act to amend section 9, chapter 47, Revised Statutes, title "Husband and Wife," approved August 31, 1862.

An act to authorize the county clerks of Lincoln and Washington counties to make out a general cross index.

An act for the benefit of John W. Campbell, late surveyor of Christian county.

An act for the benefit of L. Hord, Joseph Belt and A. W. Dudley.

An act for the benefit of the administrator of R. A. Pearman, deceased.

An act for the benefit of A. B. Beard, judge of the Ohio county and quarterly courts.

An act allowing additional clerk hire to the Treasurer.

An act to regulate the sale of spirituous liquors in the town of Monticello.

Resolutions of thanks to Major Generals Rosecrans and Buell, and their officers and soldiers.

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

An act to protect public property in the city of Frankfort.

An act to amend the charter of the city of Louisville.
An act to incorporate Carrsville Lodge, No. 145, Independent Order of Odd Fellows, Carrsville, Livingston county, Kentucky.

An act concerning the Bardstown road in Shelby county.

An act to amend an act, entitled, an act for the protection of small birds and other game.

An act for the rendition of deserters and absentees without leave.

An act for the benefit of the assessors of Trigg and Breckinridge counties.

An act concerning runaway slaves.

That they had passed a bill which originated in this House, entitled,

An act in reference to the State Librarian,

With an amendment.

And 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 to amend an act, entitled, an act requiring certain officers and teachers in this Commonwealth to take an oath of office, approved August 30, 1862.

An act for the benefit of Lewis S. Lee, sheriff of the county of Ballard.

An act for the benefit of H. F. Turner.

An act to amend the charter of the Louisville and Nashville railroad.

An act to authorize the holding a levy and court of claims in Webster county.

An act amendatory to the act incorporating Crab Orchard seminary.

An act to change the lines of a magistrates' and constable's district in Carter county.

An act allowing the sheriff of Webster county further time to collect and pay in the revenue and county levy for the year 1862.

An act for the benefit of James R. Gordon, of Calloway county.

An act to legalize an election held in Webster county, on the 27th of December, 1862.

An act for the benefit of F. A. Smith, late sheriff of Hart county.

An act for the benefit of the town of Livermore, in McLean county.

An act to authorize the sale of property at the market-house in Paducah.
An act to amend an act, entitled, an act to incorporate the Eminence female academy.

An act for the benefit of W. R. McFerran, of Barren county.

A message was received from the Senate announcing that they had concurred in the resolutions on Federal Relations adopted by this House, with an amendment.

The House then took up the amendment reported by the Senate to resolutions on Federal Relations.

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 concurring in the amendment reported by the Senate, viz: to strike out the 11th resolution relating to the Mississippi Valley Convention, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and White, 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 announcing their adherence to their amendment to resolutions on Federal Relations.
The House then took up the bill from the Senate, entitled,  
An act to amend an act, entitled, an act to change the time of holding the June term of the Trimble circuit court, approved Feb. 1863.
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 then taken, "Shall the bill be read a second time?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

Alfred Allen,       John Draffin,       George Poindexter,
R. C. Anderson,    Elijah Gabbert,     Wm. S. Rankin,
R. J. Browne,      Henry Griffith,     F. D. Rigney,
Curtis F. Burnam,  Jacob Hawthorne,    James P. Sparks,
James Calvert,     Daniel W. Johns,    Joshua Tevis,
William L. Conklin, Thomas Z. Morrow,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Evan M. Garriott,  William Mercer,
Jonathan R. Bailey, Geo. M. Hampton,      Otho Miller,
Joshua Barnes,     John H. Harney,        Felix G. Murphy,
Joshua F. Bell,    William J. Headly,    Richard Neel,
Thomas S. Brown,   John Humphries,       Nicholas A. Rapier,
W. P. D. Bush,     John B. Huston,       William Roberts,
A. B. Chambers,    William C. Ireland,  J. C. Sayres,
Francis L. Cleveland, Perry S. Layton,   George S. Shanklin,
John E. Cochran,   Jonas Martin,         Harrison Taylor,
Robert Cochran,    P. L. Maxey,          Jos. R. Underwood,
Lucius Desha,      John S. McFarland,    Alex. T. White,

And so said bill was rejected.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled, an act to change the time of holding the June term of the Trimble circuit court, approved February, 1863, be and the same is hereby repealed.

§ 2. That the spring term of said court shall be held on the 3d Monday in May instead of the time now fixed by law.

§ 3. This act shall take effect from its passage.

Mr. Huston moved to reconsider the vote by which the bill aforesaid was rejected.
And the question being taken thereon, it was decided in the negative.

Bills from the Senate of the following titles, viz:

1. An act to locate an agricultural college.
2. An act to authorize circuit judges to appoint certain officers to attend court in the absence of the sheriff.
3. An act to amend chapter 50, Revised Statutes, entitled "Inclosures and certain Trespassers."
5. An act for the benefit of the President and Directors of the Danville, Lancaster, and Nicholasville turnpike road company.
6. An act to change the time of holding the equity and criminal court in Monroe county.
7. An act providing for allowing claims against the Commonwealth in Whitley county.
8. An act for the benefit of Mrs. Martha W. Sneed.
9. An act for the benefit of Fady M. Slaughter, of Todd county.
10. An act for the benefit of Louise Friedman, of Louisville.
11. An act regulating appeals from justices and police courts, and officers of the quarterly courts.
13. An act providing for the use of the Rockcastle county jail for Whitley county.
15. An act to amend an act, entitled, an act to amend an act, entitled an act concerning the collection of the public revenue and county levy for 1861.
16. An act for the benefit of Joel Martin, late sheriff of Floyd county.
17. An act for the benefit of the city of Louisville.
18. An act to authorize the county judge of Jessamine county to appoint a school commissioner.
19. An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county.
20. An act to revive and amend the charter of the town of Mortonsville, in Woodford county.
22. An act for the benefit of Emily P. Grainger.
23. An act to amend an act entitled, an act to incorporate the Bell Insurance company of Louisville, approved October 3, 1861.
25. An act changing the boundary lines and voting place in Flat Woods district in Owlsley county.
26. An act to provide for the temporary removal of the office of surveyor of Warren county.
27. An act for the benefit of the town marshal of Shelbyville.
28. An act concerning the county judge of Shelby county.
29. An act prohibiting the masters of slaves from permitting said slaves to buy and sell marketing and produce.
30. An act regulating itinerant dealers in skins and hides.
31. An act for the benefit of the sheriff of Hart county.
32. An act for the benefit of the Millersburg cemetery company.
33. An act to regulate the quarterly courts of Franklin county.
34. An act to amend the charter of the city of Louisville.
35. An act to authorize the Mercer county court to make a general cross index to the records in the clerk's office.
36. An act for the benefit of Winchester college.
37. An act for the benefit of James R. Hughes, late county and circuit court clerk of Union county.

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

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

The 2d was referred to the committee on Circuit Courts; the 15th and 16th to the committee on Ways and Means; the 29th to the committee on Revised Statutes; the 34th was placed in the order of the day; the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 17th, 18th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, 28th, 30th, 31st, 32d, 33d, 35th, 36th and 37th bills were severally 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.

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The yeas and nays being required on the passage of the 19th bill by the Constitution, were as follows, viz.:

Those who voted in the affirmative, were


In the negative—

John R. Thomas—1.

Said bill 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, upon his settlement with the sureties of C. A. Duncan, late sheriff of Calloway county, to allow said sureties a credit for the amount of interest charged to them upon the revenue due from said county for the year 1861.

§ 2. This act shall take effect from its passage.

A bill from the Senate, entitled,
An act for the benefit of Jennette Greenbaum and Maria L. Richardson.

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. McFarland moved to amend said bill by striking out the name of Jennette Greenbaum, and amend the title so as to read, a bill for the benefit of Maria L. Richardson.

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.

A bill from the Senate, entitled,
An act to amend sub-division 2, of section 1, of article 5, chapter 86, of the Revised Statutes.
Which was read the first time, and ordered to be read a second time.
The question was taken, "Shall the bill be read a second time?" and it was decided in the negative.
And so said bill was rejected.

A bill from the Senate, entitled,
An act for the benefit of ministers of the gospel and justices of the peace,
Was read the first time.
Mr. Rankin moved to lay said 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 motion to reconsider the vote by which the resolutions concerning conference between certain States.
Mr. Huston moved to lay said motion upon the table.
And the question being taken thereon, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Martin and Conklin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Remus Gibson, Alfred Allen, Henry Griffith, William Mercer,
R. C. Anderson, Geo. M. Hampton, Otho Miller,
John C. Beeman, John H. Harney, Felix G. Murphy,
J. W. Boone, Wm. J. Heady, Nicholas A. Rapier,
W. P. D. Bush, John Humphries, F. D. Rigney,
A. B. Chambers, John B. Huston, William Roberts,
Francis L. Cleveland, Wm. C. Ireland, Jas. A. Rousseau,
Robert Cochran, Alexander Lusk, Geo. S. Shanklin,
Wm. L. Conklin, Jonas Martin, John R. Thomas,
Lucius Desha, John S. McFarland, Thomas Turner,
Evan M. Garriott, David P. Mears, Jos. R. Underwood,
Nathaniel Wolfe—36.
Those who voted in the negative, were:

Jas. W. Anderson,  
Jonathan R. Bailey,  
Joshua Barnes,  
Elisha Beazley,  
Joshua F. Bell,  
Wm. Bowling,  
R. J. Browne,  
Thos. S. Browne,  
Curtis F. Burnam,  
James Calvert,  
J. W. Campbell,  
Brutus J. Clay,  
John B. Cochran,  
Albert A. Curtis,  
Daniel E. Downing,  
John Draffin,  
Elijah Gabbert,  
Jacob Hawthorne,  
Daniel W. Johns,  
James M. Jones,  
Perry S. Layton,  
Richard Neel,  
Geo. Poindexter,  
Hiram S. Powell,  
William S. Rankin,  
J. C. Sayres,  
M. Smith,  
Jas. P. Sparks,  
Harrison Taylor,  
Joshua Tevis,  
J. S. Van Winkle,  
Alex. T. White,  
B. R. Young—33.

At 11 o'clock, P. M., Mr. Turner moved that the House adjourn till Monday, 10 o'clock, A. M.

Mr. Clay moved to amend by adjourning to 8 o'clock.

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

The yeas and nays being required thereon by Messrs. R. J. Browne and M. Smith, were as follows, viz:

Those who voted in the affirmative, were—

Alfred Allen,  
Jas. W. Anderson,  
R. C. Anderson,  
E. B. Bachelier,  
Jonathan R. Bailey,  
Joshua Barnes,  
Elisha Beazley,  
J. W. Boone,  
R. J. Browne,  
Curtis F. Burnam,  
W. P. D. Bush,  
J. W. Campbell,  
A. B. Chambers,  
Francis L. Cleveland,  
John B. Cochran,  
Robert Cochran,  
William L. Conklin,  
Albert A. Curtis,  
Daniel E. Downing,  
John Draffin,  
Elijah Gabbert,  
Evan M. Garriott,  
J. H. Harney,  
William J. Heady,  
John Humphries,  
Wm. C. Ireland,  
Daniel W. Johns,  
Thomas Z. Morrow,  
Nicholas A. Rapier,  
Wm. Roberts,  
James P. Sparks,  
John R. Thomas,  
Alex. T. White—33.

Those who voted in the negative, were—

Mr. Speaker, (Buckner) Jacob Hawthorne,  
Wm. Bowling,  
Thos. S. Brown,  
James Calvert,  
Brutus J. Clay,  
Lucius Desha,  
Henry Griffith,  
Hiram S. Powell,  
Wm. S. Rankin,  
J. C. Sayres,  
M. Smith,  
Harrison Taylor,  
Joshua Tevis,  

Mr. Turner moved a call of the House.

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

The yeas and nays being required thereon by Messrs. Turner and Rapier, were as follows, viz:
Those who voted in the affirmative, were—

W. P. D. Bush, John Humphries, Nicholas A. Rapier,
William L. Conklin, Jonas Martin, Jas. A. Rousseau,
William J. Heady,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John C. Cooper, Felix G. Murphy,
Alfred Allen, Albert A. Curtis, Richard Neel,
Jas. W. Anderson, Lucius Desha, George Poindexter,
R. C. Anderson, Daniel E. Downing, Hiram S. Powell,
E. B. Bacheller, John Draffin, William S. Rankin,
Jonathan R. Bailey, Elijah Gabbert, F. D. Rigney,
Joshua Barnes, Evan M. Garrett, Wm. Roberts,
Elisha Beazley, Remus Gibson, J. C. Sayres,
J. W. Boone, Henry Griffith, George S. Shanklin,
Wm. Bowling, Geo. M. Hampton, M. Smith,
Leroy Brinkley, John H. Harney, James P. Sparks,
R. J. Browne, Jacob Hawthorne, Harrison Taylor,
Thomas S. Brown, William O. Ireland, Joshua Tevis,
Curtis F. Burnam, Daniel W. Johns, Thomas Turner,
James Calvert, J. M. Jones, J. R. Underwood,
J. W. Campbell, Perry S. Layton, Jno. S. Van Winkle,
A. B. Chambers, William Mercer, Alex. T. White,
Brutus J. Clay, Otho Miller, Nathaniel Wolfe,
Francis L. Cleveland, Thomas Z. Morrow, B. R. Young—58.

Robert Cochran,

Mr. McFarland moved to reconsider the vote by which this House refused to concur in the amendment of the Senate to the resolutions adopted by this House on Federal Relations.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills which originated in this House, of the following titles, viz:

An act for the benefit of pauper idiots.
An act for the benefit of the late sheriffs of this Commonwealth.
An act for the benefit of R. R. Jones, late sheriff of Meade county.
An act to amend an act, entitled, an act to amend chapter 83, of the Revised Statutes, title Revenue and Taxation.
An act for the benefit of William Anderson, of Greenup county.
An act for the benefit of R. W. Davis, of Shelby county.
An act for the benefit of B. E. Courts.
An act to amend an act, entitled, an act to amend the law creating the Board of Supervisors of Tax.
An act for the benefit of James M. Coulter, late clerk of the county court of Graves county, and Erwin Anderson, late circuit court clerk of said county.
An act for the benefit of the widow of James Sudduth, deceased.
An act for the benefit of John B. Holliday, late sheriff of Nicholas county.
An act for the benefit of certain of the enrolled militia of Bullitt county.
An act for the benefit of school district No. 20, in Meade county.
An act to regulate the service of attachments.
An act for the benefit of school district No. 24, in Ballard county.
An act concerning the duty of clerks in certifying stamped instruments.
An act to amend an act, entitled, an act to incorporate the town of Mount Sterling, approved March 18, 1861.
An act to change the time of holding the Adair quarterly court.
An act for the benefit of John Davis, of Shelby county.
An act to amend an act, entitled, an act authorizing the county court of Carter to sell the poor-house lands in said county.
Also, bills and resolutions which originated in the Senate, of the following titles, viz:
An act to legalize the acts of B. D. Winstead, county clerk of Webster county.
An act to authorize the county court of Union county to hold a court of assessment and claims for the year 1862.
An act for the benefit of the supervisors of tax for Calloway county.
Resolution for the benefit of Mrs. Elizabeth Weldon.
Resolution requesting Congress to pass laws providing for paying Kentucky home guards.
And had found the same truly enrolled.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Bachellor inform the Senate thereof.
At 11½ o'clock, P. M., Mr. Huston 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 Heady and Rapier, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker, (Buckner,) John C. Cooper, F. D. Rigney,
R. C. Anderson, Remus Gibson, Wm. Roberts,
Elisha Beazly, Henry Griffith, James A. Rousseau,
Joshua F. Bell, John H. Harney, George S. Shanklin,
J. W. Boone, William J. Heady, John R. Thomas,
MONDAY, MARCH 2, 1863.

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 amend the revenue laws allowing sheriffs additional commission for collecting the public revenue.

An act to amend chapter 83, of the Revised Statutes, title Revenue and Taxation.

An act to amend chapter 25, Revised Statutes, title Cost.

An act to create an additional magistrates' district in Graves county.
That they had passed bills which originated in this House, of the following titles, viz:

An act for the benefit of Jesse Burkhead, of Ballard county.
An act in reference to the Library.
An act for the benefit of the sureties of Aclis Wynn, late sheriff of Harlan county.
An act for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.
An act supplemental to an act for the benefit of M. W. Galloway, late sheriff of the county of Graves, approved February 21, 1863.
An act for the benefit of John McBrayer, of Anderson county.
An act for the benefit of James M. Harper, late sheriff of Caldwell county.
An act for the benefit of school district No. 14, in Harlan county.
An act for the benefit of school district No. 20, in Meade county.
An act for the benefit of the personal representatives of James Townsend, deceased.
An act for the benefit of B. S. Coffey, marshal of the town of Columbia.
An act to authorize the Boyle county court to subscribe stock in the Danville, Dix River and Lancaster turnpike road.
An act supplemental to an act, laying off the State into nine Congressional districts.
An act allowing county courts to qualify deputy clerks of circuit courts.
An act for the benefit of John S. Wyatt, late sheriff of Montgomery county.
An act for the benefit of Madison Stewart and John R. Erwin, sureties of the late sheriff of Powell county.
An act to incorporate the Journeymen Tobacconists' Union of the city of Covington.
With an amendment to the last named bill.
That they had passed bills of the following titles, viz:
An act to prevent lawyers from keeping their offices in clerks offices.
An act for the benefit of John A. Yandell, late sheriff of Crittenden county.
An act to amend the penal laws.
An act to incorporate the Louisville and Southern Park Railroad Company.
An act in relation to the vouchers of executors and administrators.
An act to incorporate Catlettsburg Lodge, No. 142, I. O. O. F.
An act to incorporate Morning Star Lodge, No. 16, I. O. O. F.
An act for the benefit of N. H. Ryan, late sheriff of Calloway county.
An act for the benefit of Jacob McLancy.
An act supplemental to an act, entitled, an act for the appropriation of money.
An act to amend the law in reference to executors and other fiduciaries.
An act for the benefit of school district No. 1, in Calloway county.
An act for the benefit of the Commonwealth’s attorney for the 12th judicial district.
An act to incorporate the Deposit Bank of Frankfort.
Also, asking leave to withdraw from this House their disagreement to bills of the following titles, viz:
An act for the benefit of B. S. Coffey, marshal of the town of Columbia.
An act in relation to the sale of ardent spirits in the town of Greenupburg.
Which leave was granted.
The House took up the motion of Mr. McFarland to reconsider the vote rejecting the amendment of the Senate to the resolutions on Federal Relations.
Mr. Ireland moved the previous question.
And the question being taken, “Shall the main question be now put?” it was decided in the affirmative.
Mr. Wolfe moved 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. Wolfe and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Daniel E. Downing, Richard Neel,
Alfred Allen, John Draffin, Thos. W. Owings,
James W. Anderson, John W. Finnell, Geo. Poindexter,
R. C. Anderson, Elijah Gabbert, Hiram S. Powell,
E. B. Bacheller, Geo. M. Hampton, William S. Rankin,
Joshua Barnes, John H. Harney, Nicholas A. Rapier,
J. W. Boone, Jacob Hawthorne, F. D. Rigney,
Mr. Clay moved to dispense with the further call of the House.

And the question being taken thereon, it was decided in the affirmative.
Mr. Allen moved to reconsider the vote by which the House sustained the previous question.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) John H. Harney, William J. Heady, Nicholas A. Rapier, F. D. Rigney, Wm. Roberts.

Those who voted in the negative, were—


The question was then taken, "Shall the main question be now put?" and it was decided in the negative.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the series of resolutions upon Federal Relations agreed to by the two Houses of the present General Assembly, be presented to the Governor for his approval, as the act of the General Assembly, and that the eleventh resolution in said series disagreed to by the Senate be attached to said series, as the expression of opinion of a majority of the members of the House of Representatives then voting.
And the question being taken thereon, it was decided in the negative, two thirds not voting therefor.

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Geo. M. Hampton, John H. Harney, Nicholas A. Rapier, F. D. Rigney,
Alfred Allen, William J. Head, William Roberts, James A. Rousseau, J. C. Sayres,
R. C. Anderson, John B. Histon, William Johnson, George S. Shanklin, Harrison Taylor,
Jonathan R. Bailey, William L. Conklin, Alexander Lusk, John R. Thomas, Thomas Turner,
Joshua P. Bell, Jonathan R. Bailey, John B. Huston, Joshuia F. Bell, William Johnson, Jos. R. Underwood,
J. W. Boone, Jonathan R. Bailey, J. W. Hoone, Alexander Lusk, Wm. H. Van Pelt, J. S. Van Winkle,
A. B. Chambers, Alexander Lusk, Alexander Lusk, Zeb. Ward,
Francis L. Cleveland, Alexander Lusk, Jonas Martin, Nathaniel Wolfe,
Robert Cochran, David P. Mears, Otho Miller,
William L. Conklin, William Mercer, Thomas Z. Morrow,
John C. Cooper, Otho Miller, Thos. W. Owings,
Lucius Desha, Thomas Z. Morrow, George Poindexter,
John Draffin, Thos. W. Owings, George Poindexter,
Henry Griffith, George Poindexter, George Poindexter,

Those who voted in the negative, were—

Jas. W. Anderson, J. W. Campbell, Daniel W. Johns,
Joshua Barnes, Brutus J. Clay, James M. Jones,
Elisha Beazley, Daniel E. Downing, Perry S. Layton,
Wm. Bowling, John W. Finnell, Felix G. Murphy,
Leroy Brinkley, Elijah Gabbert, Richard Neel,
R. J. Browne, Remus Gibson, Hiram S. Powell,
Thomas S. Brown, Jacob Hawthorne, Wm. S. Rankin,
Curtis F. Burnam, John Humphries, M. Smith,
James Calvert, James Calvert,

Mr. Tevis 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 reconsideration of the vote by which the Senate amendment to the resolutions on Federal Relations was rejected, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen, Francis L. Cleveland, John S. McFarland,
Jas. W. Anderson, John B. Cochran, Otho Miller,
E. B. Bacheller, Albert A. Curtis, Thos. Z. Morrow,
Jonathan R. Bailey, Daniel E. Downing, Richard Neel,
Joshua Barnes, John Draffin, Thos. W. Owings,
Elisha Beazley, John W. Finnell, George Poindexter,
Joshua F. Bell,  | Elijah Gabbert,  | Hiram S. Powell,  
Wm. Bowling,  | Remus Gibson,  | William S. Rankin,  
Leroy Brinkley,  | Henry Griffith,  | J. C. Sayres,  
R. J. Browne,  | Jacob Hawthorne,  | M. Smith,  
Thomas S. Brown,  | Wm. C. Ireland,  | James P. Sparks,  
Curtis F. Burnam,  | Daniel W. Johns,  | Harrison Taylor,  
James Calvert,  | James M. Jones,  | Joshua Tevis,  
J. W. Campbell,  | Perry S. Layton,  | J. S. Van Winkle,  

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John H. Harney, Nicholas A. Rapier,  
R. C. Anderson, William J. Heady,  |  | William Roberts,  
J. W. Boone, John Humphries,  |  | James A. Rousseau,  
W. P. D. Bush, John B. Huston,  |  | George S. Shanklin,  
A. B. Chambers, Wm. Johnson,  |  | John r. Thomas,  
Robert Cochran, Jonas Martin,  |  | Thomas Turner,  
William L. Conklin, P. L. Maxey,  |  | Jos. R. Underwood,  
John C. Cooper, David P. Mears,  |  | Wm. H. Van Pelt,  
Lucius Desha, William Mercer,  |  | Zeb. Ward,  
Evan M. Garriott, Felix G. Murphy,  |  | Nathaniel Wolfe—31.  
Geo. M. Hampton,  

The question was then taken upon concurring in the Senate amendment striking out the 11th resolution, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Alfred Allen, Francis L. Cleveland, Otho Miller,  
Jas. W. Anderson, John B. Cochran, Thomas Z. Morrow,  
R. C. Anderson, Albert A. Curtis, Richard Neel,  
E. B. Bacheller, Daniel E. Downing, Thomas W. Owings,  
Jonathan R. Bailey, John Draffin, George Poindexter,  
Joshua Barnes, John W. Finnell, Hiram S. Powell,  
Elisha Beazley, Elijah Gabbert, Wm. S. Rankin,  
Joshua F. Bell, Remus Gibson, F. D. Rigney,  
Wm. Bowling, Henry Griffith, J. C. Sayres,  
Leroy Brinkley, Jacob Hawthorne, M. Smith,  
R. J. Browne, Wm. C. Ireland, James P. Sparks,  
Thos. S. Brown, Daniel W. Johns, Harrison Taylor,  
Curtis F. Burnam, J. M. Jones, Joshua Tevis,  
James Calvert, Perry S. Layton, J. S. Van Winkle,  
Brutus J. Clay, John S. McFarland,  

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) John H. Harney, Nicholas A. Rapier,  
J. W. Boone, William J. Heady, Wm. Roberts,  
W. P. D. Bush, John Humphries, James A. Rousseau,
Mr. Finnell moved the following resolution, viz:

Resolved, That the Public Printer be directed to publish, at the foot of the Federal resolutions, as approved by the Governor, the 11th of the series of Federal resolutions as adopted by the House, with the vote of the House by yeas and nays by which it was originally adopted, and the vote of the Senate by the yeas and nays by which it was rejected.

Which was twice read, and adopted.

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

Those who voted in the affirmative, were—

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<tr>
<th>A. B. Chambers</th>
<th>John B. Huston</th>
<th>George S. Shanklin</th>
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<tr>
<td>Robert Cochran</td>
<td>William Johnson</td>
<td>John R. Thomas</td>
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<td>William L. Conklin</td>
<td>Jonas Martin</td>
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<td>Evan M. Garriott</td>
<td>William Mercer</td>
<td>Zeb. Ward</td>
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<tr>
<td>Geo. M. Hampton</td>
<td>Felix G. Murphy</td>
<td>Nathaniel Wolfe</td>
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30.

Those who voted in the negative, were—

<table>
<thead>
<tr>
<th>Jas. W. Anderson</th>
<th>Wm. Bowling</th>
<th>M. Smith</th>
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<tr>
<td>E. B. Bacheller</td>
<td>Brutus J. Clay</td>
<td>5.</td>
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Mr. Taylor reported a bill, entitled,

An act further to provide for the military defense of the State.
MARCH 2.

HOUSE OF REPRESENTATIVES.

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

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

Mr. Bush moved to amend said bill as follows, viz:

Add to section 3: Provided, That such bonds shall not be sold or disposed of at less than their par value.

Which amendment was rejected.

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

Those who voted in the affirmative, were—

J. W. Boone, Geo. M. Hampton, P. L. Maxey,
W. P. D. Bush, John Humphries, Felix G. Murphy,
A. B. Chambers, William Johnson, William Roberts,
Evan M. Garriott, 

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Wm. L. Conklin, William Mercer,
Alfred Allen, John C. Cooper, Otho Miller,
R. C. Anderson, Albert A. Curtis, Thomas Z. Morrow,
Jas. W. Anderson, Daniel E. Downing, Richard Neel,
Jonathan R. Bailey, John Draffin, Thos. W. Owings,
Joshua Barnes, John W. Fin nell, George Poindexter,
Elisha Beazly, Elijah Gabbert, Hiram S. Powell,
Joshua P. Bell, Remus Gibson, Wm. S. Rankin,
Wm. Bowling, Henry Griffith, F. D. Rigney,
Leroy Brinkly, John H. Harney, J. C. Sayres,
R. J. Browne, Jacob Hawthorne, George S. Shanklin,
Thos. S. Brown, W. J. Heady, M. Smith,
Curtis F. Burnam, John B. Huston, Harrison Taylor,
James Calvert, Wm. C. Ireland, Joshua Tevis,
J. W. Campbell, Daniel W. Johns, John R. Thomas,
Brutus J. Clay, James M. Jones, J. S. Van Winkle,
Francis L. Cleveland, Perry S. Layton, Zeb. Ward,
Robert Cochran, John S. McFarland,

Mr. Huston moved to amend as follows, viz:

Strike out of the 1st section, 5th line, the words "military defense," and insert "public defense from threatened hostilities."

Which amendment was adopted.

Mr. Heady 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.
Mr. Finnell moved the following amendment, viz:
“Provided, That the one month’s advance pay shall be paid only by companies upon full and complete company organization.”

Mr. Shanklin moved the following amendment to Mr. Finnell’s amendment, viz:
Amend the 2d section by adding thereto the following: Provided further, The Governor shall appropriate no part of the funds for the raising of the troops mentioned in this section unless satisfactory assurance is given him that said troops will be used alone for the protection and defense of this State.

Mr. Allen 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 of Mr. Shanklin, and it was decided in the negative.
The yeas and nays being required hereon by Messrs. Heady and Martin, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Henry Griffith, Geo. M. Hampton, Otho Miller,
R. C. Anderson, John H. Harney, Felix G. Murphy,
W. P. D. Bush, Wm. J. Heady, Nicholas A. Rapier,
A. B. Chambers, John Humphries, William Roberts,
Francis L. Cleveland, John B. Ruston, Geo. S. Shanklin,
John B. Cochran, William Johnson, John R. Thomas,
Robert Cochran, Jonas Martin, Thomas Turner,
Wm. L. Conklin, P. L. Maxey, Jos. R. Underwood,
Lucius Desha, John S. McFarland, Wm. H. Van Pelt,
Daniel E. Downing, David P. Mears, Zeb. Ward,
John Draffin, William Mercer, Nathaniel Wolfe,
Evan M. Garriott, B. R. Young—36.

Those who voted in the negative, were—

Alfred Allen, J. W. Campbell, Richard Neel,
Jas. W. Anderson, Brutus J. Clay, Thos. W. Owings,
E. B. Bacheller, Albert A. Curtis, Geo. Poindexter,
Jonathan R. Bailey, John W. Finnell, Hiram S. Powell,
Joshua Barnes, Elijah Gabber, William S. Rankin,
Elisha Beazly, Jacob Hawthorne, F. D. Rigney,
Joshua F. Bell, Wm. C. Ireland, J. C. Sayres,
Wm. Bowling, Daniel W. Johns, M. Smith,
Leroy Brinkley, James M. Jones, Jas. P. Sparks,
R. J. Browne, Perry S. Layton, Harrison Taylor,
Thos. S. Browne, Alexander Lusk, Joshua Tevis,
James Calvert,
The question was then taken upon adopting the amendment of 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 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—


Said bill reads as follows, viz:

Whereas, by act approved May 24th, 1861, the Military Board created by said act was authorized to borrow $1,060,000 for the military defense of the State. By an act approved September 26, 1861, the said Board was authorized to borrow an additional million of dollars; and by an act approved October, 1861, the said Board was authorized to borrow $2,000,000 more to be expended for the same purpose. The whole of these sums by the provisions of these several acts were to be 201
applied by said Board, in its discretion, to the military defense of the State. By the 4th section of the act dispensing with the Military Board, approved August 28th, 1862, it was declared that the Governor should have the same power to borrow money for the military defense of the State theretofore conferred on the Military Board under the several acts upon that subject; and whereas, doubts have arisen as to the extent of the authority of the Governor to expend the money aforesaid for the military defense of the State—therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor be and he is hereby vested with full power and authority to apply the said sums, or any part thereof, to the public defense of the State from threatened hostilities, in such manner as in his discretion he may deem most advisable to accomplish the object intended, and especially shall he have power and authority to apply said fund to the pay, equipment, and subsistence of such of the active or volunteer militia, or of the enrolled militia of the State as may have been called or may hereafter be called into its service under the provisions of the act, entitled, an act to re-enact the State guard law, with sundry amendments, and to organize the militia of the State.

§ 2. He shall also have power and authority to use said fund, or any part thereof, in recruiting, subsisting, and furnishing one month's pay in advance of such troops as may be raised under the authority of the act of Congress providing for the raising of twenty regiments in Kentucky for the defense of the State: Provided, That one month's advance pay shall be paid only by company upon full and complete company organization.

§ 3. The Governor is hereby authorized to issue the bonds of the State, with coupons attached, bearing an interest of six per centum per annum, payable semi-annually, for any or all sums which have been or may be borrowed under the provisions of the before recited acts, redeemable in twenty years, or be may, for the purpose of raising the said sum or such part thereof as may not already have been procured, issue the bonds of the State in sums not less than $100 nor more $1,000 as may best suit the demand for them; said bonds, when issued, shall be sold to individuals, to banks, or corporations; and all banks and corporations are allowed to purchase and hold at such prices as the Governor, Auditor, and Treasurer, or a majority of them, shall agree to receive for them. The money arising from such sales shall be paid into the treasury.

§ 4. In issuing the bonds herein directed to be issued, the Governor shall proceed in the same manner, and shall be assisted by the same officers, and accounts and registrations of the bonds issued shall be kept in conformity to and under the provisions of the laws now in force, so far as they apply, in virtue of which bonds of the State have heretofore been issued; and the coupons, when paid, shall be disposed of in the same manner, and an account of their payment and burning shall be kept in the same manner, and in virtue of the laws which now apply to coupons and bonds of the State already issued.

§ 5. This act shall take effect from and after its passage.
Mr. Allen read and laid on the table the following joint resolution, viz:

Resolved, That the General Assembly go into joint session this day at 12 o'clock, M., to receive from the Governor, to be deposited in the archives of the Commonwealth, certain flags, and that the Senate be requested to repair to this House at that hour, for the purpose indicated in this resolution.

The rule of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee being dispensed with,

Said resolution was taken up, twice read, and adopted.

A message was received from the Senate by Mr. DeHaven, announcing their concurrence in the joint resolution in relation to flags.

Also, asking a committee from this House to act with a similar committee from the Senate to wait on the Governor and inform him of the passage of said resolution.

The Speaker appointed Messrs. Burnam and Cleveland said committee.

Mr. Burnam, after a short time, reported that the joint committee had performed the duty assigned them, and had been informed by the Governor that he would present said "Flags" in the House at 12 o'clock this day to the General Assembly of the Commonwealth of Kentucky.

Mr. Bacheller, from the committee on Enrollsments, reported that the committee had examined the joint resolution in relation to flags originating 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.

A message was received from the Governor by Mr. Wickliffe, Secretary of State, which reads as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, FEBRUARY 28TH, 1863.

Gentlemen of the Senate and House of Representatives:

A number of mementoes of Kentucky valor and Kentucky patriotism, as those characteristic virtues have been illustrated in the progress of the war for the suppression of the existing rebellion, have been placed in my hands, which it is the purpose of this communication to place in yours, for such disposition as your judgment may suggest. They are the storm-tossed and leaden tattered flags of several of our regiments now in the field, in defense of the Government of our fathers, and of the rights and honor of the State. While they
justly demand at our hands that careful consideration and protection which all such mementes of the heroism, gallantry, and patriotic devotion of our citizen soldiers deserve, they are still more to be prized and cherished as heirlooms for those who are to come after us; whose mournful history and mute eloquence will, in after times, cause to be properly appreciated the heroic virtues and manly patriotism of those of our fellow-citizens who perilled all that was dear to them in this wicked, unnatural, and unjust war for the destruction of a Government whose equal, in all the objects for which Government is instituted among men, is not to be found in the records of the past or upon the pages of the present of the world’s history.

One of these banners was that under which the Fifteenth regiment of Kentucky Volunteers, (and, by the way, it is a source of pride and gratulation to every Kentuckian that we have never had occasion to resort to any other system than that of volunteering to fill up our quotas for this war—Kentucky having no such word as drafting where the defense of the Government of Washington and his compatriots of the Revolution is concerned,) was rallied in the memorable battle of Chaplin Hills. Of all those who figured upon that eventful field of blood none suffered more severely than the gallant Fifteenth. All her field officers were pierced by the bullets of the enemy—two of them, the gifted and accomplished Jouett, and the brave and daring Campbell, offering up their lives on the field; and the third, its distinguished, gallant and worthy leader, Colonel Pope, a few days after; while its ranks were literally swept as with the besom of destruction. And of all the cherished sons of Kentucky, who have met death in this cruel and unnatural war, in the faithful discharge of duty, there are none who are more sincerely lamented than that noble trio of patriot soldiers, and to none does the Commonwealth owe a more grateful and enduring tribute of sorrow and affection. History will do justice to their gallant deeds and heroic daring, and the proud inscription that marks the spot of their sepulcher will record the fact that they died at the post of duty and were among “the bravest of the brave.”

In the midst of this bloody drama where death was holding his carnival and strong men were falling everywhere, the color bearer of this regiment fell. Upon his fall the flag was seized by a youthful Captain, who had not yet attained to years of majority. Under its inspiring folds the remnant of the decimated regiment was rallied; and, in a hand to hand encounter, after it had been wrested from his grasp by overpowering numerical strength, it was recaptured and securely held until the close of the dreadful conflict. So marked was the heroism of that young officer, and so dauntless his courage in defense of that flag, that his noble Colonel complimented him on the field with the present of the colors he had so nobly defended. This boy Captain, after the fortunes of the day had orphaned his regiment, was made its Colonel, and was the youngest regimental commander in the service. I take especial pride in saying that that distinction was conferred upon him by me, and that it was done not only without solicitation on his part, but even without his knowledge.

In the progress of events his regiment was called to take part in the recent bloody battle of Stone River, near Murfreesboro, where it again
covered itself with imperishable laurels. In that battle, however, the boy-Colonel fell, covered with wounds, and now fills a soldier's grave, adding another to the long list of honored dead who have offered up their lives for the country in the present war, whose untimely fate Kentucky is called to mourn. He fell, gallantly leading his men to the victory which crowned our arms on that eventful day, but reposing in the arms of death before he was permitted to participate in the triumphant parades of the victors.

Before going into his last battle, he caused the old and tattered flag of the regiment, which had been presented to him as the reward of his personal prowess, to be conveyed to me, accompanied by this brief but characteristic note:

HEADQUARTERS 15TH REG. KY. VOL. INF., 1
Camp Andy Johnson, Dec. 25, 1862.

Hon. James F. Robinson, Governor of Kentucky:

Dear Sir,—I desire to present, through you, to the State of Kentucky, the old Flag of this Regiment, which is so dear to us all, on account of its associations with the bloody battle-field of Chaplin Hills.

We wish it preserved among the archives of the State, where in future years we may visit it; the sight of which will recall the recollection that Kentucky's sons are true to the reputation of the children of the "dark and bloody ground."

Respectfully, your obedient servant,

James B. Forman,

Another of the flags which has been placed in my hands for preservation among the cherished archives of the Commonwealth, is that which rallied to duty the gallant Seventeenth Kentucky Volunteers. The inscriptions upon its folds attest the signal services which have been performed by the regiment to which it belonged; the dangers through which it passed, and the glory which it achieved. Fort Donelson, Shiloh, Corinth—names which have been rendered historic by the great events with which they are associated and which will ever constitute sources of real satisfaction to the loyal and true of this nation—are emblazoned on this proud pennant, and will link forever this gallant regiment with those immortal battlefields. This regiment is still in the service, and whenever the occasion offers, it will in the future as in the past be ready to vindicate the claim of Kentucky, of which it is one of the noblest representatives, to the just distinction to which she has entitled herself in this war, of being true to the Government of our fathers and to the noble Constitution which constitutes its bond of Union.

This flag was presented to me for preservation along with other mementoes of the terrible realities of the existing convulsion by its late gallant commander, Col. John H. McHenry, Jr. I regret to say that he was its commander, but is so no longer. He was ostracised for an order to his regiment, growing out of a complication of a domestic question with our national difficulties—an order which was just in itself, and in accordance with the clearest dictates of a sound and enlightened policy. But I will not dwell upon the circumstances of his dismissal from the public service, and will only add that, although deprived of his position in the army, he is a citizen none the less honored and respected by his countrymen for having, in the discharge of what he considered his duty, differed with those who hold, temporarily, in their hands the power to reward and punish.
This flag was placed in my hands with this letter:

FRANKFORT, KENTUCKY, January 16, 1863.

To his Excellency, JAMES F. ROBINSON:

My DEAR SIR—Accompanying this please find the Flag of the Seventeenth Regiment Kentucky Volunteers, which regiment, I have had the honor to command from the commencement of its organization up to the time when by a recent order from the War Department I was dismissed the service of the United States.

Upon taking leave of the Regiment, I was charged by its members with the custody of this Flag, the inscriptions upon which you will discover are emblematical of the history of the Regiment as well as of the Flag itself.

The soldiers who compose that Regiment were the only representatives from Kentucky at the battle of Fort Donelson; they were also the only representatives from Kentucky at Shiloh, on the 6th of April, 1862, in which battle the regiment lost in killed and wounded nearly one-half of the number engaged.

Although no special credit is due for storming and defending fortifications, yet it is something to the credit of this Regiment, that this flag was the first to wave over the enemy's entrenchments at Corinth, on the morning when the whole country expected that a great battle would have been fought, and when there was exhibited a patriotic rivalry among all the regiments in General Halleck's army to win this distinction.

In consideration of the gallantry of the soldiers of the Seventeenth Regiment, I ask your Excellency, as the head of our beloved Commonwealth, to accept this flag and to give it a place among the archives of the State, and I feel that their deeds have given them at least a humble place in the history of their county.

I am Sir, with great respect,

Your obedient servant,

JOHN H. McHENRY, Jr.

The gallant sixth Kentucky has also requested that two of its war-worn banners shall be preserved. This regiment is commanded by Col. Walter C. Whitaker, the distinguished Senator from the sixth district, and as brave a spirit as ever unsheathed a sword in a righteous cause. It has signalized its valor in two of the hardest fought battles of the war, and six of the heaviest skirmishes. The fields of Shiloh, Corinth, Pine Point, Laverne, Stewart's Creek, Woodbury, Danville, and Stone River, will forever bear testimony to the distinguished gallantry and heroic bearing of this noble band of Kentucky soldiers; and be their patriotic devotion to the cause of constitutional freedom; their toils and hardships in the cause of the Union almost from the commencement of this war; and their powerful and successful vindication of the name of Kentucky from the piny assaults of partisan tricksters upon her loyalty; by their unsurpassed heroism upon the most severely contested battlefields of the war, they will forever be enshrined in the hearts of all true patriots who desire the preservation of the Union, with all the blessings which it confers, from the partizan bands that are lifted against it. In the last great battle in which this regiment was engaged, the accomplished and gallant George T. Cotton, its Lieutenant Colonel, fell. He, too, died at the post of duty and of danger; and his memory will be held in grateful remembrance as long as heroic daring and self-sacrificing patriotism have a votary in the land. This regiment still constitutes a portion of the grand Army of the Cumberland; and although greatly reduced from its original proportions by the incidents of war, is as ready and anxious now to meet the enemies of their country and peace as when first its brave spirits marched to the music of the Union to testify to the truth of that noble inscription which marks the stone which represents this Commonwealth in the monument erected to the Father of
country at the National metropolis: "Under the auspices of Heaven and the precepts of Washington, Kentucky will be the last to give up the Union."

The colors of this regiment were delivered to me by Col. Whitaker, together with this explanatory note:

**Febrary 28, 1863.**

*To the Governor of Kentucky:*

The Sixth Kentucky Regiment sends to you by the bearer, Lieut. Richard T. Whitaker, and entrusts to your care the time worn, battle-marked flag of our country.

Since it was given into our keeping it has been treasured, revered and honored as the proud, beautiful, significant emblem of our country's power and justice.

On the bloodiest battle fields, crimsoned by our blood; for our country's honor and safety, in the fiercest of the fray it has floated amid the tempest of death.

It is almost riddled by the shell and shot of the foe; but has always witnessed the triumph of our arms over treachery and rebellion.

The consecrated and hallowed by the blood of many of her brave officers and men; under it the Sixth has fought with honor; under it her soldiers have died with glory.

Not a stain rests on it. 'Tis unmarred as honor's brightest emblem.

Kentucky has the right to preserve and cherish it in memoriam of her honored dead and as the sacred evidence of her devotion and loyalty to the Constitution and Government she has vowed to maintain.

We return it, asking another at your hands, better suited for exposure to wind, rain, and storm, to supply its place.

How it shall be borne, our past under the old flag shall be our guide for the future under the new.

WALTER C. WHITAKER,
Col. Sixth Kentucky Infantry.

Appendixed is the list of battles and skirmishes in which it has been borne:

**Battles:** Shiloh, Stone River.

**Skirmishes:** Corinth, Danville, Ky.; Pine Point in Rockcastle; Stewart's Creek, Tenn.; LaVergne, Stone River, Woodbury.

The other mementoes which I have the honor to place at your disposal were brought from Tennessee by the gentlemen constituting the commission which I recently sent to the Army of the Cumberland to look after the sick and wounded of the Kentucky regiments now in that locality. In their report to me of the result of their mission, they thus refer to these flags:

"We were pleased to have been made the bearers to your Excellency of the tattered remains of three flags that were nobly borne amid the storm of battle by the gallant sons of Kentucky. They are no longer fit for use in the field, and are sent to your Excellency with the hope that they may not be thought unworthy of a place of honor in the archives of the State. There are interesting incidents connected with each of these standards.

It will be observed that the colors of the 8th Regiment, (Col. Barnes,) is almost completely destroyed. It was upheld amid showers of shot and shell, by Edgar Park, company C, until the missiles of the foe had pierced, again and again, its every fold. Finally, the staff was twice struck and shattered to pieces. The enemy was crowding closely around the undaunted standard-bearer—the broken staff could no longer be grasped; but he quickly gathered the remnants of the flag, and bore them rapidly to those who defended it, with an intrepidity rarely equaled and never surpassed.

The colors of the 9th Regiment, (Col. Grider,) have waved in triumph in many brilliant skirmishes, at Shiloh and Stone River. In the latter engagement, the standard bearer, John T. Raglan, was killed at
his post. In a moment the colors were seized by private Moses Roach, who begged the Colonel, then near at hand, to permit him to retain them, declaring that he would plant and defend them wherever the Colonel might desire. He redeemed his pledge, and the remnant now returned to the State, exhibits many marks of the terrible encounter through which they passed.

The third flag is that of the 21st Regiment, (Col. Price.) It was borne in the battle by Corporal E. C. Hockersmith. At one time the Corporal seemed to be within the grasp of the enemy, who were vigorously pressing our troops back. There appeared to be no hope of escape, and he was summoned to surrender. His reply was worthy of the brave and undaunted soldier. "I surrender my person but my flag, never." At the same time, by a vigorous effort, he threw the flag far into the river. This did not escape the notice of another gallant soldier. Sergeant John T. Gunn rushed forward, and promptly recovered the colors, from which he did not part, until he had planted them on some captured pieces of artillery, at the time of their capture. We are happy to say that by some sudden turn in the tide of battle, Corporal Hockersmith had the good fortune to escape.

These standards, around which cluster so many glorious memories, it is hoped, will be placed in the archives of the State as mementoes of the daring of our soldiers, while others will be furnished to take their places in the field, inscribed with the name of "Stone River," where the bravery and endurance of the sons of Kentucky were conspicuously displayed. It is proper that we should say that we have heard of interesting incidents connected with the defense and preservation of the colors of other regiments; but we regret to say that we did not have an opportunity to visit the regiments to which they belong. They will, doubtless, be returned accompanied with a history of their adventures in the field."

I place these precious relics in your hands, with an assured conviction that you will so dispose of them as to insure their preservation among the archives of the State—worthy mementoes of Kentucky valor and Kentucky patriotism.

J. F. ROBINSON.

Mr. Burnam moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be requested to deposit in the State Library among the memorials of the past historic glory of the State, the National Flags just sent to this body, which waved over our gallant soldiers in the late battles fought by them in defense of the Union, and constitutional freedom, and which have been defended by a courage, heroism, and energy which shall make the memories of those heroes imperishable.

Which was adopted.

Mr. Shanklin 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 the State of Kentucky be tendered to Corporal
Edward C. Hockersmith and private John T. Gunn, members of the
21st Kentucky Volunteer Regiment, for their gallant and heroic con­
duct at the battle of "Stone River," on the 2d day of January, 1863,
in protecting and defending the flag of the 21st Kentucky Volunteer
Regiment, this day presented to the Legislature of Kentucky, and that
the Governor of this Commonwealth be and he is hereby requested to
forward to each of said gallant heroes a copy of this resolution.

The rule of the House requiring joint resolutions to lie one day on
the table, and a reference to a standing committee being dispensed
with,

Said resolution was twice read, and adopted.

Mr. Poindexter moved the following resolution, viz:

Resolved, That the Adjutant General of the State cause to be pub­
lished, in pamphlet form, five thousand copies of the message of the
Governor and proceedings of the General Assembly on the occasion
of the presentation of the flags of the 15th, 17th, 21st, 6th, 8th, and
9th regiments of Kentucky Volunteer Infantry, and that a copy of said
pamphlet be forwarded to each of the survivors of said regiments, and
to the surviving friends of the deceased officers and soldiers of said
regiments, and that fifty copies of each be forwarded to each member
of this House.

Which was adopted.

Mr. Allen moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That 5,000 copies of the Federal resolutions adopted by this Legis­
lature, be furnished the members of the Legislature, for distribution, by
the Public Printer and that he be authorized to draw on the Auditor
for the postage expended in forwarding the same to the members.

Which was adopted.

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 the money now on deposit in the State Treasury to the credit of
the school fund, be placed in the general funds of the State Treasury,
and that bonds be issued for the amount thereof, to the several coun­
ties for the amounts respectively due them and not drawn out, accord­
ing to the reports of the tables furnished from the schools respectively
as they have been and shall be from time to time reported.

The rule of the House requiring joint resolutions to lie one day on
the table, and a reference thereof to a standing committee being dis­
pensed with,

Said resolution was taken up, twice read, and adopted.
The following bills were reported, viz:

By Mr. Fin nell—
1. A bill to amend an act, entitled, an act concerning the peniten-
tiary.

By Mr. John B. Cochran, from the committee on Incorporated In-
sti tutions—
2. A bill for the benefit of the Presbyterian church at Mount Ster-
ing.

By Mr. Ireland, from the committee on Circuit Courts—
3. A bill conferring certain powers upon master commissioners.

By Mr. Robert Cochran—
4. A bill for the benefit of Shepherd Massie.

By Mr. Ireland—
5. A bill for the benefit of the town of Vanceburg.

By Mr. Burnam—
6. A bill for the benefit of school district No. 9, in Boone county.

By Mr. Rankin—
7. A bill taxing dogs in Franklin county.

By Mr. John B. Cochran, from the committee on Corporations—
8. A bill to amend the charter of the town of Gestville, in Henry
county.

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

The rule of the House, constitutional provision, and second read-
ing of said bills being 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 engross-
ed,

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 1st bill by
the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) Albert A. Curtis,  William Mercer,
Alfred Allen,  Lucius Desha,  Otho Miller,
Jas. W. Anderson,  Daniel E. Downing,  Thomas Z. Morrow,
R. C. Anderson,  John Draffin,  Richard Neel,
E. B. Boeheller,  John W. Finnell,  Hiram S. Powell,
Jonathan R. Bailey,  Elijah Gabbert,  William S. Rankin,
Joshua Barnes,  Evan M. Garriott,  Nicholas A. Rapier,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of the Sinking Fund shall loan to the Keeper ten thousand dollars in raw materials and in money, (to be received by the State from the outgoing Keeper,) during his term of office, for which he shall pay to them, annually, interest at the rate of six per cent. per annum, until the principal is returned; and for the payment of the principal and interest, shall execute bond to said commissioners, with sufficient sureties, to be approved by them.

§ 2. The first subdivision of section 1, of the act, entitled, an act concerning the penitentiary, approved March 2, 1863, is hereby repealed, together with all the provisions of said bill inconsistent with the provisions of the 1st section of this act.

§ 3. This act shall be in force from its passage.

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

Resolved by the General Assembly, That the resolution heretofore passed to adjourn this day, sine die, be rescinded, and that this General Assembly will adjourn to-morrow at 2 o’clock, P. M., without day.

The rule of the House requiring joint resolutions to lie one day on the table, and a reference to a standing committee being dispensed with,

Said resolution was taken up, twice read, and adopted.

A message was received from the Senate announcing that they had concurred in the resolution in relation to an adjournment on the 3d instant.

That they had concurred in the amendment of this House to a bill from the Senate, entitled,
An act for the benefit of Jennette Greenbaum and Maria L. Richardson.

That they had disagreed to resolutions proposing a conference between commissioners of certain States.

That they had passed bills which originated in this House, of the following titles, viz:

- An act to amend the charter of the city of Lexington.
- An act for the benefit of the Fayette county court.
- An act authorizing the sale of certain lands in Estill county.
- An act for the benefit of the Presbyterian church of Mt. Sterling.
- An act conferring certain powers upon master commissioners.
- An act for the benefit of Shepherd Massie.
- An act in relation to the sale of ardent spirits in the town of Greenupburg.
- An act for the benefit of John C. Conkin, of Monroe county.
- An act for the benefit of Whitfield Moody.
- An act for the benefit of B. S. Coffey, marshal of the town of Columbia.
- An act for the benefit of the trustees of the town of Vanceburg.
- An act for the benefit of the trustees of school district No. 9, in Boone county.
- An act to amend the charter of the town of Gestville, in Henry county.
- An act to amend an act, entitled, an act concerning the penitentiary.

With an amendment to the last named bill.

That they had adopted a resolution for the benefit of Willis W. Gardner.

And had concurred in resolutions adopted by this House, of the following titles, viz:

- Resolution of thanks to Corporal Ed. C. Hockersmith and private John T. Gunn.
- Resolution to print and furnish resolutions on National Affairs.

The House took up the amendment of the Senate to the bill, entitled,

An act in relation to common schools.

The question was taken on concurring in said amendment, and it was decided in the affirmative.
The yeas and nays being required thereon by the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

Said amendment reads as follows, viz:

Whereas, the unsettled condition of this Commonwealth during the past year has, to a considerable extent, prevented the keeping of common schools as contemplated by law, and in many instances where schools were duly commenced, the same have been broken up or unavoidably postponed by the presence of armies, or armed bands of men; and in many instances, also, common schools have not been opened, by reason of the causes aforementioned—for remedy whereof,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all cases where common schools have been duly commenced during the year 1862, but broken up or discontinued by reason of the recent invasions of the State, and said schools, moreover, have been reported, for the length of time the same were respectively taught, by the school commissioners to the Superintendent of Public Instruction, the same shall be entitled, at the next annual distribution of school moneys, to receive an allowance in full, in common with the schools taught for a period of three months and over, and shall be included in the officially reported "County School Tables" of the Common School Department for the current year: Provided, That in every instance where school trustees may receive an allowance under the
provisions of this section the trustees so receiving the same, or their successors in office, shall, in order to become entitled to any further allowance out of the school funds to be disbursed in 1864, or thereafter, cause a common school to be taught for a period of three months, and also, in addition to such period of three months, for a time sufficient to make up for three months during the past year, counting the number of days the school was taught before it was broken up or discontinued.

§ 2. That in all cases where common schools have been duly commenced during the year 1862, and broken up or discontinued by reason of the recent invasions of this Commonwealth; and also in all cases where, from the presence of armies, or from other casualties growing out of the invasions aforesaid, schools have not been commenced or taught, the trustees of districts in which common schools remained untaught, for the reasons aforesaid, are authorized to have taught in each of such districts a six months' school for the year 1863—counting the time, if any, such school was taught during the year 1862 previous to the breaking up or discontinuance thereof—and to receive full pay therefor from the school fund for the years 1862 and 1863: Provided, That the amounts so paid out of the school fund for the year 1862 shall be taken from the county surplus, if any, of the counties in which the school districts that may be benefitted by the provisions of this section are respectively situate.

§ 3. That in all cases where, from want of knowledge on the part of school trustees of the provisions of the act, chapter 184, approved October 3, 1861, twenty days instead of twenty-two days have been supposed to constitute a school month, and the school has been taught for a term of sixty instead of sixty-six days, the same may be reported and receive an allowance in common with the regularly reported districts, under the provisions of either of the foregoing sections.

§ 4. That all common schools which were commenced in the year 1861 and finished in 1862, but not taught for a period longer than three months, shall be deemed regularly reported common schools for the year 1862, and enumerated in the "County School Tables" of the Common School Department, for the year last aforesaid; and all schools which were duly commenced in 1861, and finished in 1862, and also taught for a period of three months during the past year, shall be entitled to receive an allowance from the school fund for the years 1861 and 1862: Provided, That the amount so paid out of the school fund for the year 1861 shall be taken from the county surplus, if any, of the counties in which such schools were respectively taught.

§ 5. That the act, entitled, "An act for the benefit of Common School Districts," approved February 22, 1860, and the several general and special laws for the benefit of common schools not regularly reported, which have been enacted since the date last aforesaid, be so amended as to allow the Superintendent of Public Instruction to receive all reports from school districts which were at any time entitled to receive the benefits of said acts, but to which no allowance has been made hitherto; and the districts so reporting are to be allowed such proportions of school money as would have been paid them had the schools taught therein been regularly and officially reported: Pro-
vided, All such districts be reported to the Superintendent on or before the 1st day of July, 1863; and also that the amounts to be paid to all school districts referred to in this section are to be taken from the county surplus, if any, of the counties in which said districts are respectively situate.

§ 6. This act shall take effect from and after its passage; and the Superintendent is directed to have a printed copy thereof forwarded to each county judge and commissioner of common schools in this Commonwealth.

The House took up the Senate amendment to the bill, entitled,

An act in reference to the office of State Librarian.

Which was concurred in.

The House then took up the Senate amendment to the bill, entitled,

An act authorizing sheriffs and other collecting officers to attach for the payment of the State revenue and county levy.

Which amendment was concurred in.

The House then took up the amendment of the Senate to the bill, entitled,

An act to incorporate the Journeymen Tobacconists Union of the city of Covington.

Which amendment was concurred in.

The House then took up the amendment of the Senate to the bill, entitled,

An act for the benefit of Jacob Hilton and Reuben Patrick, of Magoffin county.

Which amendment was concurred in.

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

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

Ordered, That said bill be read a third time

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 the tax limits of the city of Louisville be so extended as to include a strip of land on the southeast side of, and parallel with Underhill street, the same being two hundred feet wide, and extending from the Bardstown turnpike road to Broadway street, in said city.

§ 2. This act to take effect from its passage.

The question was then taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tevis and R. C. Anderson, were as follows, viz:
Those who voted in the affirmative, were—

Alfred Allen, John B. Cochran, Jonas Martin,
Jas. W. Anderson, Robert Cochran, P. L. Maxey,
R. C. Anderson, John C. Cooper, John S. McFarland,
E. B. Bacheller, Albert A. Curtis, David P. Mears,
Joshua Barnes, Lucius Desha, William Mercer,
Elisha Beazly, Daniel E. Downing, Otho Miller,
John C. Beeman, John Draffin, George Poindexter,
Joshua F. Bell, Evan M Garrett, F. D. Rigney,
J. W. Boone, Geo. M. Hampton, William Roberts,
Wm. Bowling, John H. Harney, George S. Shanklin,
Leroy Brinkley, Jacob Hawthorne, Harrison Taylor,
R. J. Browne, William J. Heady, John R. Thomas,
Thomas S. Brown, William C. Ireland, Zeb. Ward,
Curtis F. Burnam, Daniel W. Johns, Nathaniel Wolfe,
Francis L. Cleveland,

Those who voted in the negative, were—

Mr. Speaker, (Buckner,) Elijah Gabbert, Thos W. Owings,
Jonathan R. Bailey, John Humphries, Hiram S. Powell,
W. P. D. Bush, James M. Jones, Wm. S. Rankin,
James Calvert, Thomas Z. Morrow, J. C. Sayres,
A. B. Chambers, Felix G. Murphy, Joshua Tevis,
John W. Finnell,

The following bills from the Senate were taken up out of the orders of the day, viz:

1. An act for the rendition of deserters and absentees without leave.
2. An act for the benefit of James R. Hughes, late county and circuit court clerk of Union county.
3. An act for the benefit of Jos. L. McCarty, late sheriff of Whitley county.
4. An act concerning the Bardstown road in Shelby county.
5. An act to protect public property in the city of Frankfort.
6. An act to regulate proceedings in civil cases.
7. An act to incorporate the Deposit Bank of Frankfort.
8. An act to amend the charter of the city of Louisville.
9. An act for the benefit of the assessors of Trigg and Breckinridge counties.
10. An act for the benefit of John A. Yandall, late sheriff of Crittenden county.
11. An act to amend the penal laws.
12. An act to incorporate the Louisville and Southern Park Railroad Company.
13. An act in relation to the vouchers of executors and administrators.

14. An act to incorporate Catlettsburg Lodge, No. 142, I. O. O. F.

15. An act to incorporate Morning Star Lodge, No. 16, I. O. O. F.


17. An act for the benefit of Jacob McLaney.

18. An act supplemental to an act, entitled, an act for the appropriation of money.

19. An act to amend the law in reference to executors and other fiduciaries.

20. An act for the benefit of the Commonwealth's attorney for the 12th judicial district.

21. An act for the benefit of school district No. 1, in Calloway 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 the 1st bill be referred to the Committee on Military Affairs; the 7th to the committee on Banks.

The 2d, 3d, 4th, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, and 21st bills were severally 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 House then took up a bill from the Senate, entitled,

An act to amend an act, entitled, an act for the protection of small birds and other game.

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,

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 House then took up the bill from the Senate, entitled,
An act concerning runaway slaves.
Which was read the first time, and ordered to be read a second time.

The rule of the House, constitutional provision, and second reading of said bill having been dispensed with,
Mr. Huston moved to lay said bill on the table.
And the question being taken thereon, it was decided in the negative.
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.

The House then took up the resolution recommending Major Gen'l Geo. B. McClellan for the Presidency.
Ordered, That said resolution be referred to the Committee on Federal Relations.

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 Joel Martin, late sheriff of Floyd 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 being dispensed with,
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 section 3, of an act to amend article 2, chapter 52, of the Revised Statutes.
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 from the Senate, entitled, An act to prevent lawyers from keeping their offices in clerks offices.

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 to amend said bill as follows, viz:

"Provided, That this act shall not apply to the clerk of any court who is himself a practicing lawyer."

Which amendment was rejected.

Mr. Allen 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 House then took up the Senate resolution for the benefit of Willis W. Gardner.

Mr. Hampton moved to amend said resolution as follows, viz:

Resolved further, That to those members who, upon the 31st of August, 1862, last, upon the adjournment of the Legislature to Louisville, be allowed mileage for the extra distance traveled by them in going to Louisville and returning to their homes.

Which amendment was rejected.

Said resolution was taken up, twice read, and concurred in.

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 C. Cooper,    Thomas Z. Morrow,  
Alfred Allen,    Albert A. Curtis,    Felix G. Murphy,    
James W. Anderson,    Lucius Desha,    Richard Neel,    
R. C. Anderson,    Daniel E. Downing,    Thos. W. Owings,    
E. B. Bacheller,    John W. Finnell,    Geo. Poindexter,    
Jonathan R. Bailey,    Elijah Gabbert,    Hiram S. Powell,    
Joshua Barnes,    Evan M. Garriott,    William S. Rankin,    
Elisha Beazley,    Geo. M. Hampton,    F. D. Rigney,    
Joshua F. Bell,    Jacob Hawthorne,    J. C. Sayres,    
J. W. Boone,    William J. Heady,    George S. Shanklin,    
Wm. Bowling,    John Humphries,    James P. Sparks,
Those who voted in the negative, were—


Said resolution, reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer, in favor of W. W. Gardner, for mileage traveling to and returning from Frankfort at the August session.

The House took up the amendment reported by the committee on Revised Statutes as a substitute for said bill.

Mr. Clay moved to lay the bill and substitute on the table.

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

And so said bill was rejected.

Mr. Finnell, from the committee on Banks, to whom was referred a bill from the Senate, entitled,

An act to incorporate the Deposit Bank of Frankfort,

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. Taylor, from the committee on Ways and Means, to whom was referred a bill from the Senate, entitled,

An act to amend an act, entitled, an act to amend an act, entitled, an act concerning the collection of the public revenue and county levy for 1861,

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 Judiciary, to whom was referred the bill, entitled,
A bill for the benefit of the citizens of Augusta.
Placed in the orders of the day.

The House took up the amendment of the Senate to the bill from this House, entitled,
An act to incorporate the First and Second Street Horse railroad company,
Which was concurred in, with an amendment.

The House then took up the amendments adopted by the Senate to bills which originated in this House, of the following titles, viz:
An act for the benefit of Wm. R. Hervey.
An act to provide for claims against the State contracted under the State Guard Law.
An act for the benefit of the sheriff of Laurel county.
An act providing for the unpaid taxes for the year 1862, from the county of Boyle.
An act for the benefit of Wm. Williams late sheriff of Boyd county.
Which amendments were severally concurred in.

The House took up the motion to reconsider the vote by which the bill from the Senate passed this House, entitled,
An act concerning the collection of tolls.
And the question being taken thereon, it was decided in the affirmative.

Mr. Chambers moved to reconsider the vote ordering said bill to be read a third time.
And the question being taken thereon, it was decided in the affirmative.

Mr. Chambers moved to amend as follows, viz:

"Provided, That the provisions of this act shall not apply to any roads in the counties of Gallatin or Carroll.

Mr. Taylor moved to lay the bill and amendment on the table.
And the question being taken thereon, it was decided in the affirmative.

The House then took up the bill, entitled,
An act concerning incorporated banks of this Commonwealth.
Mr. Ward moved to lay said bill on the table.
And the question being taken thereon, it was decided in the affirmative.

The House then took up the bill, entitled,
An act for the benefit of jailers.

Mr. Sparks 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 bill which originated in the Senate, entitled,
An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.

The question was taken upon adhering to the amendment adopted by this House to said bill, and it was decided in the affirmative.

The House then took up the bill from the Senate, entitled,
An act repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860.

The question was taken on adhering to the amendment adopted by this House, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Boone and J. W. Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The House then took up the amendment offered as a substitute for the resolutions adopted by this House in relation to the removal of Col. John H. McHenry, Jr.

Which was concurred in.

The House then took up the amendment of the Senate to the bill from this House, entitled,

An act to amend an act, entitled, an act concerning the penitentiary.

Which was concurred in.

Mr. Wolfe reported

A bill supplemental to an act repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860.

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

The question was then taken on dispensing with the second reading of said bill, and it was decided in the negative.

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,) Lucius Desha, John Draffin, George Poindexter, Hiram S. Powell, J. C. Sayres.


Joshua F. Bell, Evan M. Garriott, W. J. Heady, Thomas Turner.


Wm. Bowling, Alexander Lask, Nathaniel Wolfe.


Robert Cochran, Otho Miller.

Albert A. Curtis, Felix G. Murphy.

Mr. Heady moved to dispense with the rules of the House to enable him to offer the following resolutions, viz:

1. Resolved, That any interference by the military authorities with the freedom of the press, freedom of speech, and freedom of elections,
is against the plain precepts of the Constitution, and are condemned as dangerous to republican liberty.

2. Resolved, That the Union Democracy of Kentucky are well assured of the correctness and purity of their principles; and cherishing the highest confidence in the intelligent discrimination of the people to approve what is right and reject what is wrong, it is not desired that the military shall interfere in our elections in any way whatever.

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

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

Those who voted in the affirmative, were—

Mr. Speaker, (Buckner,) William J. Heady, Wm. Roberts,
W. P. D. Bush, John Humphries, John R. Thomas,
A. B. Chambers, John B. Huston, Thomas Turner,
John B. Cochran, William Mercer, Jos. R. Underwood,
Lucius Desha, Otho Miller, Zeb. Ward,
Evan M. Garriott, Felix G. Murphy, Nathaniel Wolfe—19.
George M. Hampton,

Those who voted in the negative, were—

Alfred Allen, Brutus J. Clay, Thomas Z. Morrow,
E. B. Bacheller, Robert Cochran, George Poindexter,
Jonathan R. Bailey, Albert A. Curtis, Hiram S. Powell,
Joshua Barnes, Daniel E. Downing, Wm. S. Rankin,
Elisha Beazly, John Draffin, F. D. Rigney,
Joshua F. Bell, John W. Finnell, J. C. Sayres,
J. W. Boone, Elijah Gabbett, James P. Sparks,
Wm. Bowling, Jacob Hawthorne, Harrison Taylor,
Leroy Brinkley, Daniel W. Johns, Joshua Tevis,
Curtis F. Burnam, J. M. Jones, John S. Van Winkle,
James Culvert, Perry S. Layton, Bryan R. Young—35.
J. W. Campbell, Alexander Lusk,

Mr. Bush, from the committee on Revised Statutes, to whom was referred a bill from the Senate, entitled,

An act prohibiting the masters of slaves from permitting said slaves to buy and sell marketing and produce,

Reported the same.

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

Said bill was therefore rejected.

A message was received from the Senate asking the appointment of a committee of conference on the disagreement of the two houses in relation to the bill which originated in the Senate, entitled,
An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.

On motion of Mr. Taylor,
The Speaker appointed Messrs. Taylor, Tevis, and Huston said committee of conference on the part of this House.

Mr. Huston reported that the committee had met and adopted the following amendment to the bill, viz:

The committee of Conference, upon the disagreement of the two houses to Senate bill No. 277, have agreed upon the following amendment to the House amendment, viz: After the word "right," in 4th line, insert the words, "upon paying to said sheriff or his deputy the fees and charges for services rendered up to the time of such withdrawal."

Which report was adopted.

Mr. Bush moved the following resolution, viz:

Resolved, That the thanks of this House are hereby tendered to the Hon. Richard A. Buckner for the able, dignified, and impartial manner in which he has presided as Speaker over the deliberations of this body during the present and passed sittings of this General Assembly.

Which was unanimously adopted.

Mr. Bush moved the following resolution, viz:

Resolved, That the thanks of this House are due to the principal and assistant clerks, the sergeant-at-arms, door-keeper, and pages, for the efficient manner in which they have discharged the duties incumbent on them in their various positions.

Which was unanimously adopted.

A message was received from the Senate announcing that they had concurred in the report of the committee of conference on the disagreement of the two houses upon the Senate bill, entitled, An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.

That they had concurred in an amendment of this House to bills from the Senate, of the following titles, viz:

An act to amend an act, entitled, an act for the protection of small birds and other game.

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An act to incorporate the Deposit Bank of Frankfort.

Also, had concurred in the amendment of this House to the amendment of the Senate to the bill which originated in this House, entitled,

An act to incorporate the First and Second Street Horse railroad company.

And 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 legalize the acts of B. D. Winstead, county clerk of Webster county.

An act to authorize the county court of Union county to hold a court of assessment and claims for the year 1862.

An act for the benefit of the supervisors of tax for Calloway county.

An act to authorize the county judge of Jessamine county to appoint a school commissioner.

An act concerning runaway slaves.

An act for the benefit of the sheriff of Hart county.

An act to regulate the quarterly courts of Franklin county.

An act for the benefit of the Millersburg Cemetery Company.

An act to provide for the temporary removal of the office of the surveyor of Warren county.

An act to authorize the Mercer county court to make a general cross index to the records in its clerk's office.

An act for the benefit of Winchester College.

An act concerning the county judge of Shelby county.

An act for the benefit of the town of Shelbyville.

An act regulating itinerant dealers in skins and hides.

An act to amend chapter 50, Revised Statutes, title "Inclosures and Certain Trespasses."

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

An act for the benefit of the president and directors of the Danville, Lancaster and Nicholasville turnpike road company.

An act for the benefit of F. M. Slaughter of Todd county.

An act for the benefit of Louise Friedman, of Louisville.

An act concerning the Penitentiary.

An act for the benefit of Martha J. Mansfield, of Louisville.

An act for the benefit of Emily P. Grainger, of Louisville.
An act to revive and amend the charter of the town of Mortonsville, in Woodford county.

An act to amend subdivision 2, of section 1, of article 5, of chapter 86, of the Revised Statutes.

An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county.

An act regulating appeals from justices and police courts and officers of the quarterly courts.

An act changing the boundary line and voting place in Flat Woods district, in Owsley county.

An act to amend an act, entitled, an act to incorporate the Bell Insurance company of Louisville, approved October 3d, 1861.

An act for the benefit of Barbetta Dinkelspiel.

An act for the benefit of the city of Louisville.

An act providing for allowing claims against the Commonwealth of Kentucky.

An act providing for the use of the Rockcastle county jail for Whitley county.

An act to locate an agricultural college.

An act for the benefit of Mrs. Martha W. Snead.

An act for the benefit of W. H. Hambleton, late sheriff of Larue county.

An act to incorporate Carrsville Lodge, No. 145, Independent Order of Odd Fellows, Carrsville, Livingston county, Kentucky.

An act for the benefit of S. K. Dameron, late clerk of the circuit and county courts of Pike county.

An act for the benefit of Maria L. Richardson.

Resolution for the benefit of Mrs. Elizabeth Weldon.

Resolution requesting Congress to pass laws providing for paying Kentucky home guards.

Resolution for the benefit of Mary J. Reese.

Resolution to go into joint session to receive certain flags from the Governor.

A message was received from the Governor, that he had approved and signed enrolled bills, which originated in this House, of the following titles, viz:

An act for the benefit of school district No. 58, in Kenton county.

An act for the benefit of John A. Yandell, late sheriff of Crittenden county.
An act for the benefit of the Presbyterian and Methodist Episcopal Church South of Catlettsburg.

An act concerning the Bell school house property in Shelby county.

An act dispensing with the equity and criminal terms held in July in the counties of Fleming, Mason, and Greenup.

An act to protect fish in the waters of Jessamine, Hickman, and Paint Lick creek.

An act to enlarge the powers of the Warren county court and of the trustees of Bowling Green, to enable them to erect certain buildings.

An act for the benefit of Daniel McGrath.

An act to lay off the State into nine Congressional Districts.

An act further to define the duties and compensation of the agent of the Auditor.

An act for the benefit of John B. Holliday, late sheriff of Nicholas county.

An act for the benefit of school district No. 20, in Meade county.

An act for the benefit of certain of the enrolled militia of Bullitt county.

An act for the benefit of James M. Coulter, late clerk of the county court of Graves county, and Erwin Anderson, late circuit court clerk of said county.

An act for the benefit of the widow of James Sudduth, deceased.

An act for the benefit of pauper idiots.

An act to amend an act, entitled, an act to amend the law creating the Board of Supervisors of Tax.

An act for the benefit of the late sheriffs of this Commonwealth.

An act for the benefit of B. E. Courts.

An act for the benefit of A. E. Cox, of Green county.

An act for the benefit of R. W. Davis, of Shelby county.

An act for the benefit of William Anderson, of Greenup county.

An act to amend an act, entitled, an act to amend chapter 83, of the Revised Statutes, title Revenue and Taxation.

An act for the benefit of the late sheriffs of Meade, Livingston and Hancock counties.

An act concerning the duty of clerks in certifying stamped instruments.

An act to amend an act, entitled, an act authorizing the county court of Carter to sell the poor-house lands in said county.
An act to amend an act, entitled, an act to incorporate the town of Mount Sterling, approved March 12, 1851.
An act to change the time of holding the Adair quarterly court.
An act for the benefit of John Davis, of Shelby county.
An act for the benefit of school district No. 24, in Ballard county.
An act to regulate the service of attachments.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, viz:

An act for the benefit of William Herrin, late sheriff of Fulton county.
An act for the benefit of Jesse Burkhead, of Ballard county.
An act to regulate the time in which the county officers elected in August, 1862, may qualify and give bond.
An act to amend the charter of the Springfield deposit bank.
An act to amend an act, entitled, an act to amend section 9, chapter 47, Revised Statutes, title "Husband and Wife," approved August 31, 1862.
An act for the benefit of Joel W. Sallee, late sheriff of Pulaski county.
An act to prevent certain negroes and mulattoes from migrating to, or remaining in the State.
An act concerning the collection of the public revenue for 1863.
An act to extend to the 1st day of August, 1864, the provisions of an act, entitled, an act to regulate proceedings in civil cases, approved March 8, 1862.
An act repealing the act approved October 3d, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary lines between the counties of Barren and Metcalfe.
An act to authorize the county clerks of Lincoln and Washington counties to make out a general cross index.
An act for the benefit of John W. Campbell, late surveyor of Christian county.
An act for the benefit of L. Hord, Joseph Belt and A. W. Dudley.
An act for the benefit of A. B. Beard, judge of the Ohio county and quarterly courts.
An act allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.
An act for the benefit of Daniel Morton, clerk of the Logan circuit court.
An act in reference to the Library.
An act for the benefit of the sureties of Aelus Wynn, late sheriff of Harlan county.
An act for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.
An act supplemental to an act for the benefit of M. W. Galloway, late sheriff of the county of Graves, approved February 21, 1863.
An act allowing additional clerk hire to the Treasurer.
An act for the benefit of John H. McBrayer, of Anderson county.
An act for the benefit of James M. Harper, late sheriff of Caldwell county.
An act for the benefit of the Presbyterian church in Bowlinggreen.
An act for the appropriation of money.
An act to change the time of holding the Edmonson county and quarterly courts.
An act changing the voting place in Garretsburg, in Christian county.
An act authorizing the Boyd county court to levy and collect an ad valorem tax.
An act concerning roads.
An act creating a soldiers' relief fund in Nicholas county.
An act allowing further time in which to collect the public revenue and county levy for the year 1862, in the county of Mercer.
An act to authorize the Boyle county court to subscribe stock in the Danville, Dix River and Lancaster turnpike road.
An act to regulate the time of holding the circuit courts in the eleventh judicial district.
An act in regard to sheriffs' deeds.
An act to amend the charter of the town of Independence.
An act for the benefit of Annie Eliza Gerhart.
An act for the benefit of R. L. Tinsley, and others.
An act to amend an act, entitled, an act to incorporate the Petroleum, Sulphur Spring and Manufacturing Company.
An act to amend an act, entitled, an act to amend the charter of the town of Columbia, in Adair county.
An act to regulate the sale of spirituous liquors in the town of Monticello.
An act supplemental to an act, laying off the State into nine Congressional districts.
An act for the benefit of the personal representatives of James Townsend, deceased.
An act for the benefit of B. F. Shepherd.
An act for the benefit of John S. Wyatt, late sheriff of Montgomery county.
An act for the benefit of Madison Stewart and John R. Erwin, sureties of the late sheriff of Powell county.
An act appropriating money to the institution for the education of idiots and feeble-minded children.
An act for the benefit of Fayette county court.
An act allowing county courts to qualify deputy clerks of circuit courts.
An act further to amend the charter of the city of Louisville.
An act for the benefit of Jacob Hilton and Reuben Patrick of Magoffin county.
An act for the benefit of B. S. Coffey, marshal of the town of Columbia.
An act in relation to the sale of ardent spirits in the town of Greenupsburg.
An act authorizing sheriffs and other collecting officers to attach for the payment of the State revenue and county levy.
An act for the benefit of John C. Conkin, of Monroe county.
An act to incorporate the Journeymen Tobacconists' Union of the city of Covington.
An act for the benefit of Whitfield Moody.
An act for the benefit of the Presbyterian church of Mt. Sterling.
An act conferring certain powers upon Master Commissioners.
An act for the benefit of Shepherd Massie.
Resolutions of thanks to Major Generals Rosecrans and Buell, and their officers and soldiers.
Resolution concerning National Affairs.
Also, bills and resolutions, originating in the Senate, of the following titles, viz:
An act concerning the Penitentiary.
An act to locate an Agricultural College.
An act concerning runaway slaves.
An act to amend chapter 50, Revised Statutes, entitled "Inclosures and certain Trespasses."
An act for the benefit of Wm. H. Hamilton, late sheriff of Larue county.
An act for the benefit of the president and directors of the Danville, Lancaster and Nicholasville turnpike road company.

An act to change the time of holding the equity and criminal court in Monroe county.

An act for the benefit of S. K. Dameron, late clerk of the circuit and county courts of Pike county.

An act providing for allowing claims against the Commonwealth in Whitley county.

An act for the benefit of Mrs. Martha W. Sneed.

An act for the benefit of Fady M. Slaughter, of Todd county.

An act for the benefit of Louise Friedman, of Louisville.

An act to amend sub-division 2, of section 1, of article 5, chapter 86, of the Revised Statutes.

An act regulating appeals from justices and police courts, and officers of the quarterly courts.

An act to incorporate Carrsville Lodge, No. 145, I. O. O. F. Carrsville, Livingston county, Kentucky.

An act providing for the use of the Rockcastle county jail for Whitley county.

An act for the benefit of the city of Louisville.

An act to authorize the county judge of Jessamine county to appoint a school commissioner.

An act for the benefit of the sureties of C. A. Duncan, late sheriff of Calloway county.

An act to revive and amend the charter of the town of Mortonsville, in Woodford county.

An act for the benefit of Martha J. Mansfield.

An act for the benefit of Emily P. Grainger.

An act to amend an act entitled, an act to incorporate the Bell Insurance company of Louisville, approved October 3, 1881.

An act for the benefit of Barbetta Dinkelspiel.

An act changing the boundary lines and voting place in Flat Woods district in Owsley county.

An act for the benefit of the town of Shelbyville.

An act concerning the county judge of Shelby county.

An act regulating itinerant dealers in skins and hides.

An act for the benefit of the sheriff of Hart county.

An act to provide for the temporary removal of the office of surveyor of Warren county.
An act for the benefit of the Millersburg cemetery company.
An act to regulate the quarterly courts of Franklin county.
An act to authorize the Mercer county court to make a general cross index to the records in the clerk's office.
An act for the benefit of Winchester college.
An act for the benefit of Maria L. Richardson.
An act for the benefit of the assessors of Trigg and Breckinridge counties.
An act for the benefit of John A. Yandall, late sheriff of Crittenden county.
An act to amend the penal laws.
An act in relation to the vouchers of executors and administrators.
An act supplemental to an act, entitled, an act for the appropriation of money.
An act to amend the laws in reference to executors and other fiduciaries.
Resolution for the benefit of Mary J. Reese.
And had found the same truly enrolled.
Whereupon, the Speaker affixed his signature thereto.
Ordered, That Mr. Bachelors inform the Senate thereof.

Mr. Hampton, from the committee on Enrollments, reported that they had examined sundry enrolled bills and resolutions which originated in this House, of the following titles, viz:
An act in relation to common schools.
An act in reference to the office of State Librarian.
An act for the benefit of school district No. 14, in Harlan county.
Resolution concerning adjournment.
Resolution of thanks to Corporal E. C. Hockersmith and private John T. Gunn.
Resolution to print and furnish to the members of the General Assembly the resolutions on National Affairs.
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Hampton inform the Senate thereof.

A message was received from the Governor by Mr. Wickliffe, 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 appropriation of money.
An act giving additional clerk hire to the Treasurer.
An act to regulate the time of holding the circuit courts in the 11th judicial district.
An act for the benefit of Daniel Morton, clerk of the Logan circuit court.
An act in reference to the Library.
An act for the benefit of Jesse Burkhed, of Ballard county.
An act concerning sheriffs' deeds.
An act for the benefit of James M. Harper, late sheriff of Caldwell county.
An act supplemental to an act paying off the State into nine Congressional Districts.
An act for the benefit of John W. Campbell, late surveyor of Christian county.
An act for the benefit of the Presbyterian church in Bowlinggreen.
An act to amend the charter of the Springfield Deposit Bank.
An act to change the place of voting in Garrettsburg, in Christian county.
An act concerning the collection of the public revenue for 1863.
An act for the benefit of R. L. Tinsley and others.
An act to regulate civil actions against officers and soldiers in the service of the United States and this State.
An act authorizing the Boyd county court to levy and collect an ad valorem tax.
An act to prevent certain negroes and mulattoes from migrating to or remaining in the State.
An act to amend the charter of the town of Independence.
An act to create a soldiers' relief fund in Nicholas county.
An act giving certain officers elected in 1863 further time to execute bond and take the oath of office.
An act to change the time of holding the Edmonson county and quarterly courts.
An act to amend an act, entitled, an act to amend the charter of the town of Columbia, in Adair county.
An act concerning roads.
An act for the benefit of Joel W. Sallee, late sheriff of Pulaski county.
An act allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.

An act for the benefit of John H. McBrayer, of Anderson county.

An act to amend an act, entitled, an act to incorporate the Petroleum Sulphur Spring and Manufacturing Company.

An act to authorize the Boyle county court to subscribe stock in the Danville, Dix River and Lancaster turnpike road.

An act for the benefit of Ann Eliza Gerhart.

An act supplemental to the act for the benefit of M. W. Galloway, late sheriff of the county of Graves, approved February 21, 1863.

An act repealing the act approved October 3, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary line between the counties of Barren and Metcalfe.

An act for the benefit of William Herren, late sheriff of Fulton county.

An act allowing further time in which to collect the public revenue and county levies for the year 1862, in the county of Mercer.

An act to regulate the sale of spirituous liquors in the town of Monticello.

An act for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.

An act to authorize the county clerks of Lincoln and Washington counties to make out a general cross-index.

An act for the benefit of L. Hord, Joseph Belt, and A. W. Dudley.

An act to amend an act, entitled, an act to amend section 9, chapter 47, Revised Statutes, title Husband and Wife, approved August 31, 1862.

An act for the benefit of the administrators of R. A. Pearman, deceased.

An act for the benefit of A. B. Baird, judge of the Ohio county and quarterly courts.

An act for the benefit of the sureties of A. Wynn, late sheriff of Harlan county.

An act appropriating money to the institution for the education of idiots and feeble-minded children.

An act allowing county courts to qualify deputy clerks for circuit courts.

An act for the benefit of the personal representatives of James Townsend, deceased.
An act for the benefit of B. F. Shepherd.
An act authorizing the sale of certain lands in Estill county.
An act further to amend the charter of the city of Louisville.
An act for the benefit of the Fayette county court.
An act for the benefit of Madison Stewart and John R. Given, sureties of the late sheriff of Powell county.
An act for the benefit of John G. Wyatt, late sheriff of Montgomery county.
Resolution concerning National Affairs.
Resolution of thanks to Major Generals Rosecrans and Buell and their officers and soldiers.
Resolutions concerning flags.
An act for the benefit of school district No. 14, in Harlan county.
An act concerning common schools.
Resolution of thanks to corporal Edward C. Hockersmith and private John T. Gunn.
Resolution to print and furnish to the members of the General Assembly the resolutions concerning National Affairs.
Resolution concerning adjournment.
An act in reference to the office of State Librarian.
And then the House adjourned.

TUESDAY, MARCH 3, 1863.

Mr. Bacheller, from the committee on Enrollments, reported that they had examined sundry enrolled bills and resolution, which originated in this House, of the following titles, viz:

An act for the benefit of the sheriff of Laurel county.
An act to provide for claims against the State contracted under the State guard law.
An act for the benefit of Wm. R. Hervey.
An act to incorporate the First and Second Street Horse railroad company.
An act for the benefit of John Armstrong, collector of the revenue and county levy of Carter county for the year 1861.

An act for the benefit of Wm. Williams, late sheriff of Boyd county.

An act to amend the 5th chapter, article 86, of the Revised Statutes.

An act to amend an act entitled, an act concerning the Penitentiary.

An act for the benefit of the trustees of the town of Vanceburg.

An act for the benefit of the trustees of school district No. 9, in Boone county.

An act to amend the charter of the town of Gestville, in Henry county.


Also, bills and resolution which originated in the Senate, of the following titles, viz:

An act to repeal the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association, approved February 18, 1861.

An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.

An act to protect public property in the city of Frankfort.

An act to amend an act, entitled, an act to amend an act, entitled, an act concerning the collection of the public revenue and county levy for 1861.

An act for the benefit of Joel Martin, late sheriff of Floyd county.

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

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

An act for the benefit of James R. Hughes, late county and circuit court clerk of Union county.

An act for the benefit of Jos. L. McCarty, sheriff of Whitley county.

An act to amend an act, entitled, an act for the protection of small birds and other game.

An act to regulate proceedings in civil cases.

An act to incorporate the Deposit Bank of Frankfort.

An act to prevent lawyers from keeping their offices in clerks offices.

An act to incorporate the Louisville and Southern Park Railroad Company.

An act to incorporate Catlettsburg Lodge, No. 142, I. O. O. F.
An act to incorporate Morning Star Lodge, No. 16, I. O. O. F.
An act for the benefit of N. H. Ryan, late sheriff of Calloway county.
An act for the benefit of Jacob McLancy.
An act for the benefit of school district No. 1, in Calloway county.
An act for the benefit of the Commonwealth's attorney for the 12th judicial district.
Resolution for the benefit of Willis W. Gardner.
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 of his having signed and approved sundry enrolled bills and resolutions which originated in the Senate, of the following titles, viz:
An act for the benefit of the assessors of Trigg and Breckinridge counties.
An act for the benefit of John A. Yandell, late sheriff of Crittenden county.
An act to amend the penal laws.
An act in relation to the vouchers of executors and administrators.
An act supplemental to an act, entitled, an act for the appropriation of money.
An act to amend the law in reference to executors and other fiduciaries.
An act repealing the 3d section of chapter 320, of an act, entitled, an act to incorporate the Library Association Company, approved February 18, 1860.
An act to amend the 23d section, 1st article, 91st chapter, of the Revised Statutes.
An act to protect public property in the city of Frankfort.
An act to amend an act, entitled, an act to amend an act, entitled, an act concerning the collection of the public revenue and county levy for the years 1861 and 1862, approved August 28, 1862.
An act for the benefit of Joel Martin, late sheriff of Floyd county.
An act to amend the charter of the city of Louisville.
An act further to amend the charter of the city of Louisville.
An act for the benefit of Jas. R. Hughes, late county and circuit clerk of Union county.
An act for the benefit of Joseph L. McCarty, sheriff of Whitley county.
An act concerning the Bardstown road in Shelby county.
An act to amend an act, entitled, an act for the protection of small birds and other game.
An act to regulate proceedings in civil cases.
An act to incorporate the Deposit Bank of Frankfort.
An act to prevent lawyers from keeping their offices in the clerks' offices.
An act concerning runaway slaves.
An act to incorporate the Louisville and Southern Park railroad company.
An act to incorporate Carlettsburg Lodge, No. 142, I. O. O. F.
An act to incorporate Morning Star Lodge, No. 16, I. O. O. F.
An act for the benefit of N. H. Ryan, late sheriff of Calloway county.
An act for the benefit of Jacob McLaney.
An act for the benefit of school district No. 1, in Calloway county.
An act for the benefit of the Commonwealth's attorney of the 12th judicial district.
Resolution for the benefit of W. W. Gardner.

A message was received from the Governor by Mr. Wickliffe, 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 appropriation of money.
An act giving additional clerk hire to the Treasurer.
An act to regulate the time of holding the circuit courts in the eleventh judicial district.
An act for the benefit of Daniel Morton, clerk of the Logan circuit court.
An act in reference to the Library.
An act for the benefit of Jesse Burkhead, of Ballard county.
An act concerning sheriffs' deeds.
An act for the benefit of James M. Harper, late sheriff of Caldwell county.
An act supplemental to an act, laying off the State into nine Congressional districts.
An act for the benefit of John W. Campbell, late surveyor of Christian county.
An act for the benefit of the Presbyterian church in Bowlinggreen.
An act to amend the charter of the Springfield deposit bank.
An act changing the voting place in Garrettsburg, in Christian county.
An act concerning the collection of the public revenue for 1863.
An act for the benefit of R. L. Tinsley, and others.
An act to regulate civil actions against officers and soldiers in the service of the United States and this State.
An act authorising the Boyd county court to levy and collect an ad valorem tax.
An act to prevent certain negroes and mulattoes from migrating to, or remaining in the State.
An act to amend the charter of the town of Independence.
An act giving certain officers elected in 1862 further time to execute bond and take the oath of office.
An act to change the time of holding the Edmonson county and quarterly courts.
An act to amend an act, entitled, an act to amend the charter of the town of Columbia, in Adair county.
An act concerning roads.
An act for the benefit of Joel W. Sallee, late sheriff of Pulaski county.
An act allowing additional compensation for collecting the public revenue for the year 1862, in the counties of Henry and Nicholas.
An act for the benefit of John H. McBrayer, of Anderson county.
An act to amend an act, entitled, an act to incorporate the Petroleum, Sulphur Spring and Manufacturing Company.
An act to authorize the Boyle county court to subscribe stock in the Danville, Dix River and Lancaster turnpike road.
An act supplemental to an act for the benefit of M. W. Galloway, late sheriff of the county of Graves, approved February 21, 1863.
An act repealing the act approved October 3d, 1861, and re-enacting the act approved May 24, 1861, relating to the boundary lines between the counties of Barren and Metcalfe.
An act for the benefit of William Herrin, late sheriff of Fulton county.
An act allowing further time in which to collect the public revenue and county levy for the year 1862, in the county of Mercer.
An act to regulate the sale of spirituous liquors in the town of Monticello.
An act for the benefit of H. P. Bozarth, late sheriff of Grayson county, and his sureties.
An act to authorize the county clerks of Lincoln and Washington counties to make out a general cross index.
An act for the benefit of L. Hord, Joseph Belt and A. W. Dudley.
An act to amend an act, entitled, an act to amend section 9, chapter 47, Revised Statutes, title "Husband and Wife," approved August 31, 1862.
An act for the benefit of the administrator of R. A. Pearman deceased.
An act for the benefit of A. B. Baird, judge of the Ohio county and quarterly courts.
An act for the benefit of the sureties of Aclas Wynn, late sheriff of Harlan county.
An act appropriating money to the institution for the education of idiots and feeble-minded children.
An act allowing county courts to qualify deputy clerks of circuit courts.
An act for the benefit of the personal representatives of James Townsend, deceased.
An act for the benefit of B. F. Shepherd.
An act authorizing the sale of certain lands in Estill county.
An act further to amend the charter of the city of Louisville.
An act for the benefit of Fayette county court.
An act for the benefit of Madison Stewart and John R. Erwin, sureties of the late sheriff of Powell county.
An act for the benefit of John S. Wyatt, late sheriff of Montgomery county.
An act for the benefit of school district, No. 14, in Harlan county.
An act concerning common schools.
An act in reference to the office of State Librarian.
An act for the benefit of Ann Eliza Gerhart.
Also, the following resolutions:
Resolution concerning National Affairs.
Resolutions of thanks to Major Generals Rosecrans and Buell, and their officers and soldiers.
Resolution of thanks to Corporal Edward C. Hockersmith and private Jno. T. Gunn.
Resolution to print and furnish to the members of the General Assembly the resolutions concerning National Affairs.

Resolution concerning adjournment.

On motion of Mr. Finnell,

Ordered, That a committee be appointed to inform the Senate that this House had closed their legislative business and were now ready to close the present session of the General Assembly.

Whereupon, Messrs. Finnell and Morrow were appointed the committee in pursuance thereof.

On motion of Mr. Allen,

Ordered, 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 that this House had closed their legislative business and were now ready to close the present session of the General Assembly by an adjournment on their part without day, and to know of him if he had any other or further communication to make.

A message was received from the Senate by Messrs. Bruner and Rhea announcing that they had closed their legislative business and were now ready to close the present session of the General Assembly by an adjournment on their part without day, and had appointed a committee on their part to act in conjunction with a similar committee on the part of this House to wait upon the Governor and inform him of the proposed adjournment of the General Assembly, and to know of him if he had any other or further communication to make.

The Speaker thereupon appointed Messrs. Allen and Owings a committee on the part of this House to wait upon the Governor.

The committee then retired, and after a short time returned, when Mr. Allen reported that the joint committee had performed the duty assigned them, and were informed by the Governor, that having from time to time, during the present session, communicated his views to the General Assembly, he had now no further communication to make.

Whereupon, the Speaker having delivered a congratulatory and valedictory address, adjourned the House sine die.
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