JOURNAL

OF THE ADJOURNED SESSION OF

THE HOUSE OF REPRESENTATIVES,

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY,
THE FOURTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD
1871, AND OF THE COMMONWEALTH THE EIGHTIETH.

FRANKFORT, KY.:
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1873.
Pursuant to the joint resolution heretofore adopted, and under the order of adjournment on the 29th of March, 1872, the House of Representatives of the General Assembly of the Commonwealth of Kentucky again assembled at the Capitol, in Frankfort, at 12 o’clock, M., on the 7th day of January, A. D. 1873, and in the eighty-second year of the Commonwealth.

The roll being called, the following members of the House appeared and repaired to their seats, viz:  
Mr. Varnon moved the following resolution, viz:

Resolved, That a committee of three be appointed to inform the Senate that this House is organized and ready to proceed to business.

Which was twice read and adopted.

And thereupon the Speaker appointed on said committee Messrs. Varnon, Goodloe, and McElroy.

Information was communicated to the House that the Senate, having no quorum present, had adjourned for the day.

Thereupon, on motion of Mr. Waide, the House adjourned.

WEDNESDAY, JANUARY 8, 1873.

Mr. Varnon, from the committee appointed to wait upon the Senate and inform them that the House was organized and ready to proceed to business, reported that they had discharged that duty.

A message was received from the Senate by Senators Pope and Whitaker, announcing that they were also organized and ready to proceed to business.

On motion of Mr. Waide,

Ordered, That a committee be appointed by the Speaker, who, in conjunction with a committee to be appointed by the Senate, shall wait upon the Governor, inform him that the two Houses are now in session, and ready to receive any communication he may desire to make to this General Assembly; and that they communicate to the Senate their appointment, and request the appointment of a committee of the Senate for the same purpose.

And thereupon Messrs. Waide, Garnett, Bush, Scales, Bascom, and Baker were appointed said committee.

A message was received from the Senate by Senator Whitaker, announcing that they had appointed a committee on their part, to act in conjunction with a committee appointed by the House, to wait upon the Governor and inform him that the two Houses were
now in session and ready to receive any communication he may desire to make to this General Assembly.

And having retired, after a time the committee returned to the House, and, through Mr. Waide, reported they had discharged the duty imposed upon them, and were informed by the Governor that he would shortly communicate, by way of message, with both Houses in their respective chambers.

A message was received from the Governor by Geo. W. Craddock, Secretary of State, which was taken up and read as follows, viz:

Fellow-Citizens of the Senate and House of Representatives:

In accordance with the provision of the Constitution, requiring the Governor, from time to time, to "give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem expedient," I have the honor to submit to you the following message. Before, however, entering upon the discussion of the various subjects of which it treats, permit me to congratulate you, upon your return to the Capital, that in the interval of your recess the State has enjoyed a season of prosperity and of health. With the husbandman rewarded by a fair, if not abundant, harvest, and trade and manufactures increasing under the natural impetus afforded by the opening of new channels, we have abundant reason to be grateful to Providence for His protecting care.

ST.ATE DEBT PROPER.

It is a source of congratulation and just pride to be able to state that our finances are in a most healthy and prosperous condition. At the close of the fiscal year ending the 10th day of October, 1871, the bonded debt of the State (exclusive of the school debt, which is a permanent loan, and not therefore redeemable) was $1,069,394, though stated in my last annual message at $1,000 less, upon mistaken information. Since that period there has been redeemed and canceled, up to and inclusive of 10th of October, 1872, bonds amounting in the aggregate to $303,900, leaving unpaid, due and not due, $766,394. To this amount must be added $200,000 of bonds issued under the provisions of the act approved January 18, 1872, to provide for the deficit in the Treasury on account of the Revenue Proper.

This latter class of bonds are payable in five years from date of issue, but redeemable in one year, at the pleasure of the State. It will be thus seen that the whole amount of the redeemable bonded indebtedness of the State, at the close of the fiscal year on the 10th
day of October, 1872, was $966,394 00. The bonds outstanding and
unredeemed at this date were as follows, to-wit :

- 6 per cent. bonds past due $85,394 00
- 5 per cent. bonds past due 5,000 00
- 6 per cent. bonds falling due between the 10th October, 1872, and the 1st
  of January, 1873 37,000 00
- 6 per cent. bonds maturing in 1873 249,000 00
- 5 per cent. bonds maturing in 1873 68,000 00
- 6 per cent. bonds maturing in 1874 129,000 00
- 6 per cent. bonds maturing in 1875 20,000 00
- 6 per cent. bonds maturing in 1876 2,000 00
- 6 per cent. bonds maturing in 1877 111,000 00
- 5 per cent. bonds maturing in 1894 129,000 00
- 6 per cent. bonds maturing in 1895 20,000 00
- 6 per cent. bonds maturing in 1896 60,000 00
- 6 per cent. bonds maturing in 1897 2,000 00
- 6 per cent. bonds maturing in 1898 129,000 00
- 6 per cent. bonds maturing in 1899 6,000 00
- 6 per cent. bonds maturing in 1899 200,000 00
- 6 per cent. bonds maturing in 1873 or 1877 60,000 00
- 8 per cent. bonds maturing in 1873 or 1877 74,519 50

Total $966,394 00

The means at the command of the Commissioners of the Sinking
Fund for the redemption of the foregoing amount of indebtedness,
and the interest thereon, are as follows, to-wit :

- Balance in Treasury on the 10th of October, 1872 $544,623 80
- Amount of loan to Farmers' Bank, at five per cent. interest, on collateral
  security 200,368 00
- Amount of loan to Bank of Kentucky, at five per cent. interest, on collat-
erals 400,000 00
- Amount of balance of proceeds of sale of Kentucky Bank stock, at six per
  cent. interest 400,000 00
- Amount in Treasury not transferred 12,028 33
- Amount of balance due on loan to Kentucky River Navigation Company 4,000 00
- 406 shares of stock in Bank of Louisville 40,600 00
- 260 shares of preferred stock in Louisville, Cincinnati, and Lexington Rail-
  road Company 26,000 00
- 2,178 shares of stock in Lexington and Frankfort Railroad Company, esti-
  mated to be worth 108,200 00
- Bonds of Louisville and Frankfort Railroad Company 74,519 50
- Stock in turnpike roads, estimated to be worth 294,433 96
- Amount borrowed by Revenue Department under sundry acts of the Legis-
lature 207,919 13

Total resources $2,420,392 72

In addition to the foregoing resources, the State has unadjusted
claims against the Federal Government, for advances made during
the war, amounting to $505,478 52, which the Quarter-Master Gen-
eral is preparing, as rapidly as possible, for adjustment by the
proper accounting officers in the Treasury Department at Washington. That these claims will, at no distant day, be fully audited and paid, I cannot allow myself to doubt, inasmuch as they are founded in right and justice, and the principle of law on which they are based has already been settled by the proper authorities. I have also hope and confidence that Congress will provide by appropriate legislation for the payment of interest on all the advances made by the several States in the Union during the war for war purposes. Not to do so would be sheer injustice and wrong.

REVENUE PROPER.

In my last message I drew attention to the fact that the receipts into the Treasury for the payment of the current expenses of the State were not sufficient for that purpose, and that a deficit of $105,411 86 existed as a consequence in what is known as the Revenue Proper. I also took occasion to urge the importance of not only supplying that deficit, but that such legislation should be had as to prevent its recurrence. The suggestions then made, I regret to say, were only adopted so far as was necessary to supply the stated deficit. The consequence is that we have again a deficit still larger than before in the same fund in the Treasury.

The receipts into the Treasury to the credit of the Revenue Proper from the 11th day of October, 1871, to the 10th day of October, 1872, were as follows, to-wit:

| Amount received from sheriffs | $738,707 09 |
| Amount received from corporations | 269,910 79 |
| Amount borrowed under act of January 18, 1872 | 200,000 00 |
| | $1,208,617 88 |

Amount of expenditures from 10th of October, 1871, to 10th of October, 1872 | $1,468,572 69 |
Add deficit of October 10th, 1871 | 105,411 86 |
| | $1,573,984 55 |

Amount of excess of expenditures over receipts on 10th of October, 1872 | $355,366 67 |

The foregoing figures exhibit the fact that the expenditures for the fiscal year ending the 10th day of October last exceeded the expenditure of the previous fiscal year $170,084 20, whilst the receipts (exclusive of the amount borrowed) were only increased $15,541 25.

It is proper to remark in this connection that the increased expenditures of 1872 over those of 1871 is attributable principally, if not
altogether, to the fact that a large amount of claims and unpaid balances of appropriations made by former Legislatures against the Treasury, that ought to have been paid in 1871, were not paid until 1872, in consequence of the deficit in the Treasury.

The total estimated receipts for the fiscal year ending the 10th day of October, 1873, are $1,024,460 03, and the total estimated expenditures for the same period are placed at $1,476,469 13, showing (if these estimates should prove to be correct, as I do not doubt they will) that the expenditures of the current fiscal year will exceed the receipts $452,009 10. To this deficit must be added the deficit of $365,366 67 which existed on the 10th day of October, 1872, which will make the total deficit on the 10th day of October next, the close of the current fiscal year, $717,375 77.

It is scarcely necessary that I should urge upon you the great importance of not only providing for this large deficit by appropriate legislation, but that you make such provisions as to prevent any future deficit in the Treasury.

The simple statement of the facts and figures submitted to you will be sufficient, I trust, to impel you to a faithful discharge of the most important duty confided to you by the people of the State.

It seems to me that we have now reached the point in our financial affairs when we can safely, prudently, and constitutionally, divert a very large portion of the receipts which now go into the Sinking Fund, into the Revenue Proper, and thus relieve, to a great extent, the present embarrassed condition of the Treasury.

I have shown that the whole redeemable bonded indebtedness of the State is only $966,394, and I have also shown that we have in the Treasury to the credit of the Sinking Fund $344,623 80; and in addition, we have loaned to the Bank of Kentucky and the Farmers' Bank the aggregate sum of $1,147,368, which is bearing five and six per cent. interest—making the total aggregate of $1,691,991 30 in cash and available cash assets, to say nothing of other loans, stocks, and bonds, with which to redeem and cancel said bonded indebtedness of $966,394. The holders of our State bonds have been notified, in person and by public advertisement, in two of the principal newspapers published in the city of New York last spring, of our readiness and desire to pay off the State bonds, with accrued interest, and without any discount; but they have declined to receive the money and surrender the bonds. I do not, therefore, have much hope of redeeming the bonds till they fall due, or the time shall arrive when
we have the legal right to tender payment, and thereby stop interest. When these bonds are redeemed there will be no further charge on the Sinking Fund than the interest on the school debt. This debt amounts to $1,625,068.60, and the annual interest on it to $97,504.11. So that there can be no possible necessity for continuing to pay into the Sinking Fund the whole amount of the present receipts of that fund. The five cents on each one hundred dollars of the taxable property of the State, which is now collected and paid into the Sinking Fund, will be more than sufficient to meet the interest on the school debt. The Auditor estimates that this tax alone will realize $194,615.

In view of the facts submitted, I respectfully recommend that an act be passed authorizing and directing the Commissioners of the Sinking Fund to invest so much of the cash and cash assets on hand belonging to the Sinking Fund, in five-twenty gold-bearing interest bonds of the United States, or other equally good and convertible securities, as will be amply sufficient, in any contingency, to pay off and fully discharge the outstanding redeemable bonds of the State; and that said securities shall be held and used by said Commissioners for the purpose stated, and for no other. I further recommend the passage of an act directing that all the balance of the resources of the Sinking Fund, except the five cents now imposed by law on the one hundred dollars' worth of the taxable property of the State, be diverted into, and used for purposes of, the Revenue Proper.

It must be borne in mind that, for the last ten years or more, whilst the Sinking Fund has been plethoric with money—holding far more than it had any use for—the Revenue Proper has been constantly short and insufficient to meet the necessary demands upon it, without borrowing from the former fund. This state of things has resulted mainly from the character of legislation which has been enacted in regard to our finances, and was prompted, doubtless, by a noble and commendable pride to care for and protect the honor and credit of the State abroad. But there exists no longer any reason why the resources of the Sinking Fund should be retained in such undue proportions and to the neglect of the Revenue Proper. On the contrary, every consideration of interest and public policy demands that the one should be diminished and the other increased.

It has been shown that the present resources of the Revenue Proper are totally inadequate to pay the current expenses of the State, and that they must be increased. Should the legislation sug-
gested be adopted, we will not only be able to pay off and discharge
the deficit existing and due to the Sinking Fund for loans made, but
the resources for the payment of the current expenses of the State
will be increased, as is estimated, not less than $250,000 per an-
um. In my last annual message to your honorable body I used the
following language:

"An act was passed and approved 22d March, 1871, entitled 'An
act to change the time for the payment of the revenue into the
Treasury, and to amend the revenue laws.' The effect of this act
has already been to increase the embarrassed condition of the
finances, by diminishing the receipts into the Treasury at a period
of the year when money is most needed, and at the same time
retarding the collection of the public revenue. The effect of this
act is virtually to extend to the sheriffs and other revenue collectors
time until the fourth Monday in June in which to pay into the
Treasury the public revenue, inasmuch as no judgment can be
taken against them until that time, there being no fiscal court
earlier than that date. In my judgment this act is a serious injury
to the financial interests of the State, without any corresponding
benefit to the people. I therefore recommend its repeal.

"The present system of assessment and valuation of the landed
property of the State for taxation has been a subject of much
thought and reflection with me, and demands most serious consid-
eration at your hands. No system of taxation can be just without
being equal, or as nearly so as practicable. It certainly is the wish
of all the people of this State to be just to each other, and to have
the burdens of taxation equally distributed. Yet this is far from
being so. An examination of the Auditor's Report will show how
unequal and unjust are the present assessed values of the lands of
the State. In some few counties they seem to be valued full high,
whilst in a great majority of the counties they are assessed at an
average rate not exceeding half their value. I most respectfully
call your attention to this evil, and recommend that you pass some
act which will secure its correction.

"It will doubtless become your duty to make appropriations of
various sums of money from the public Treasury during your term
of office. I shall cheerfully co-operate with you in all proper and
just appropriations, yet I urge the strictest economy in all such leg-
islation; and I especially recommend that no bill be passed appro-
priating money without providing for its payment."

I respectfully renew these recommendations, and commend them
most earnestly to your consideration. It will be recollected that I
drew attention in my last message to the fact, that the largely in-
creased expenses of the State was mainly attributable to the nec-
essarily increased outlay, from year to year, for the support and
maintenance of the afflicted classes of our people, and for the pro-
cection of criminal offenders against the laws. I again call your
attention to the same facts, and for the more thorough understand-
ing of them, I submit the following tabular statement, furnished
to me by the Auditor, showing the amount paid out of the Treasury,
from 1866 to 1872, inclusive, on account of the several charities of
the State, the expense of prosecuting criminals, and their confine-
ment in prison:
A Statement showing the amount paid out of the Treasury to each of the several named Charitable Institutions, &c., of the State of Kentucky, for the years 1866 to 1872, inclusive, together with the total amount paid, and amount of revenue collected during same time, viz.:

<table>
<thead>
<tr>
<th>Names</th>
<th>1866</th>
<th>1867</th>
<th>1868</th>
<th>1869</th>
<th>1870</th>
<th>1871</th>
<th>1872</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Lunatic Asylum</td>
<td>$44,537.50</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$65,233.50</td>
<td>$63,271.00</td>
<td>$115,484.00</td>
<td>$138,977.00</td>
<td>$696,438.30</td>
</tr>
<tr>
<td>Western Lunatic Asylum</td>
<td>$67,325.00</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$55,825.00</td>
<td>$68,880.00</td>
<td>$115,484.00</td>
<td>$138,977.00</td>
<td>$696,438.30</td>
</tr>
<tr>
<td>Blind Asylum</td>
<td>$19,325.85</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$82,819.15</td>
<td>$10,958.45</td>
<td>$22,728.28</td>
<td>$23,105.00</td>
<td>$125,246.89</td>
</tr>
<tr>
<td>Deaf and Dumb Asylum</td>
<td>$19,566.47</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$19,360.33</td>
<td>$25,344.00</td>
<td>$21,010.20</td>
<td>$24,270.75</td>
<td>$137,843.84</td>
</tr>
<tr>
<td>Feebleminded Institute</td>
<td>$10,833.34</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$12,156.02</td>
<td>$19,690.00</td>
<td>$26,446.08</td>
<td>$29,546.00</td>
<td>$148,642.90</td>
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<tr>
<td>Kentucky Penitentiary</td>
<td>$66,184.00</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$56,820.70</td>
<td>$6,424.50</td>
<td>$4,601.50</td>
<td>$5,203.34</td>
<td>$24,270.75</td>
</tr>
<tr>
<td>Criminal prosecutions</td>
<td>$93,275.00</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$95,839.79</td>
<td>$81,661.01</td>
<td>$92,386.18</td>
<td>$115,400.43</td>
<td>$707,329.51</td>
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<tr>
<td>Jallers</td>
<td>$12,449.68</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$62,365.93</td>
<td>$74,178.77</td>
<td>$90,966.70</td>
<td>$119,566.93</td>
<td>$665,828.16</td>
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<tr>
<td>Idiots</td>
<td>$108,688.91</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$19,316.02</td>
<td>$20,599.83</td>
<td>$19,063.95</td>
<td>$20,751.59</td>
<td>$148,449.98</td>
</tr>
<tr>
<td>American Printing House for the Blind</td>
<td>$2,580.00</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$5,385.42</td>
<td>$4,456.08</td>
<td>$4,111.15</td>
<td>$4,580.69</td>
<td>$6,150.00</td>
</tr>
<tr>
<td>Conveyance of lunatics</td>
<td>$4,429.47</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$5,385.42</td>
<td>$4,456.08</td>
<td>$4,111.15</td>
<td>$4,580.69</td>
<td>$6,150.00</td>
</tr>
<tr>
<td>Conveyance of convicts</td>
<td>$4,429.47</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$5,385.42</td>
<td>$4,456.08</td>
<td>$4,111.15</td>
<td>$4,580.69</td>
<td>$6,150.00</td>
</tr>
<tr>
<td>House of Reform</td>
<td>$12,549.30</td>
<td>$119,535.50</td>
<td>$124,419.00</td>
<td>$10,801.40</td>
<td>$28,710.90</td>
<td>$28,710.90</td>
<td>$28,710.90</td>
<td>$117,623.50</td>
</tr>
<tr>
<td>Revenue collected (proper)</td>
<td>$447,502.50</td>
<td>$549,235.00</td>
<td>$517,298.41</td>
<td>$446,359.22</td>
<td>$363,608.41</td>
<td>$505,410.40</td>
<td>$514,362.82</td>
<td>$3,448,776.77</td>
</tr>
<tr>
<td>Surplus</td>
<td>$917,378.45</td>
<td>$424,555.11</td>
<td>$1,049,107.39</td>
<td>$995,914.38</td>
<td>$924,062.11</td>
<td>$983,076.83</td>
<td>$1,066,617.88</td>
<td>$6,220,351.65</td>
</tr>
</tbody>
</table>

The total amount paid out of the Treasury to the several named Charitable Institutions, &c., of the State of Kentucky, for the years 1866 to 1872, inclusive, together with the total amount of revenue collected from 1866 to 1872, is $3,376,575.18.
I invite your close attention and scrutiny to the facts and figures set forth in the foregoing table, and submit for your consideration whether it is practicable to reduce these expenses without detriment to the public welfare.

I have the satisfaction of announcing to you that, since your adjournment, in March last, $525,258 72 of the claims of the State against the Federal Government for advances made during the war have been collected, and paid into the Treasury. Too much praise cannot be awarded Quarter-Master General Fayette Hewitt for the energy, skill, and perseverance which he exhibited in bringing to a satisfactory settlement this much of our demands against the General Government. He spent many months of constant and wearying labor at Washington to bring about this result, and has received no other compensation for his services than his salary as Quarter-Master General, his expenses, and the consciousness of duty well performed.

In view of the services rendered, and the arduousness of the duties performed, it occurs to me that it would be but a just compliment to him to award to him a reasonable compensation for the extra services rendered, and I recommend that the same be done.

**TURNPIKE STOCK.**

The amount of dividends received by the State on her stock in turnpike roads the last year—$27,847 45, and $20,855 55 the year preceding—demonstrate the wisdom of the Legislature in repealing last winter the law which provided for a sale of said stock. It will be seen that the dividends will amount to more than fifteen per cent. interest upon the sum for which the sale was about to be effected; and, indeed, the stock is worth double the amount for which it was authorized to be sold, and at which it is estimated in stating the resources of the Sinking Fund. This stock cost the State $2,716,894 80, and inasmuch as so large a sum has been gathered in taxes from the people and vested in these stocks, it is the duty of the General Assembly to legislate so as to have it taken care of and made to contribute to the public revenue. The dividends to the State upon its stock in these roads were set apart, both by statute laws and the Constitution, years ago, for the payment of the public debt, and for that purpose are made payable to the Sinking Fund. The State owns the larger portion of the stock in each road, the remainder being owned by individuals. Each road is managed by a board of
directors elected annually, according to the charter, by the stockholders. The State has thus gone into partnership with individuals, and is now a member of each one of fifteen or twenty companies. The entire management and conduct of the business of the company are vested in the directors. Experience has shown that such partnerships always result in loss to the State; but inasmuch as so large a sum of the public money has been invested in these stocks, we cannot relinquish our interest in them, and should be vigilant in securing to the State the largest income from the dividends consistent with a due and just regard to the public convenience and the welfare of the communities in which these improvements are situated.

The present system of management is not yielding to the State its fair and just amount of dividends, nor is it satisfactory to the individual stockholders. I am satisfied that a change can be made in this respect beneficial to all parties. As the law now stands, the Governor may appoint individuals to cast the vote of the State for directors in these companies; but beyond this there is no provision made by law for any person representing the State's interest to look into the conduct and management of the business of the company. How much of the earnings of the road is voted away as salaries to officers; what rules and regulations are provided for the collection and faithful paying over of the tolls; how much is paid out for repairs, improvements, labor and material; and how much liberality is indulged in giving passage over the road free of charge, are important questions to which the State gets no answer, having no one appointed by law to investigate and make report on the subject. Whilst the legislation of the State has protected and carefully guarded its other revenues, this one has been singularly neglected. I feel impelled by a sense of public duty to call your attention to it, and recommend that you provide by law for the appointment of a "Commissioner of Turnpike Stocks," who shall be required to take an oath, execute bond, and give his personal attention to the selection of every board of directors in these companies; that he be required to overlook the entire government and conduct of the companies, and make report, showing the operations of each company in detail. This, I am sure, will greatly augment the dividends to the stockholders, enhance the value of our stock, and give greater satisfaction to all who use or are interested in the roads.
COST OF RECORD BOOKS.

I invite your attention to the large expenditure, shown by the Auditor's Report, in the purchase of record books for the use of the clerks' offices of this Commonwealth.

For the fiscal year of 1870 there was paid by the State Treasury, on this account, the sum of $11,163 80. For the year 1871, there was paid the sum of $15,286 23; and for the year 1872, there was paid on the same account the sum of $24,638 38—thus showing a steady and rapid increase in the expenditure under this head. I have not examined this account further back than the year 1870, but have no doubt it will be found to have gradually grown from year to year, until it has reached such proportions as to demand the consideration of the General Assembly. It seems to me that the account is too large by far, and that something should be done in order to keep it within proper bounds.

CRIMINAL LAW AND COURTS.

With the exception of a few cases of flagrant violence, the most grievous of which I made the subject of a special proclamation in October, I am happy to state that there has been less manifestation of lawlessness in the State than at any time since the war, indicating that there is not that tendency towards organized violence which at one time was so prevalent. This decrease of such crime is attributable in a great degree to a more healthy public sentiment in condemnation of such acts, and, consequently, a better administration of the law against such offenders.

I feel it, however, my duty again to invite your attention to the propriety of making additional provision by law for the detection, apprehension, and punishment of that class of offenders who, generally in the night and in disguise, assault the persons or deplete upon the property of such as may fall under their displeasure. The statutory provisions for the punishment of ordinary offenses against the law have proved inadequate to the suppression of this form of violence, and whilst I regard the operation of an enlightened public opinion as the surest reliance for its ultimate extinction, nothing which legislative wisdom can suggest should be left undone to secure the punishment of such offenders, or hasten the day when our records shall cease to be disgraced by such crimes.

In my last annual message I discussed this subject at length, and propose now only to say, in addition, that I will cheerfully unite with you in any measures you may provide for the thorough eradica-
tion of the evil. In this connection I respectfully submit some suggestions in regard to the more efficient administration of justice and the punishment of crimes generally.

The Auditor's Report will show that there has been a large increase in the number of criminal and penal prosecutions in our Circuit Courts within the last twelve months. The costs and expenses of such prosecutions are largely in excess of what they were the year preceding. This, I apprehend, has resulted, not so much from an increase in the number of cases, as from the inability of the Circuit Judges, for the want of time, to try the cases before them.

The cases of the Commonwealth have precedence upon the dockets; and the Clerks, in making up their dockets, in order to distribute the civil suits properly within the number of days allowed for the term, are compelled generally to allot not more than half the time necessary to try the pending prosecutions. The consequence is, that the docket soon becomes deranged, and persons having civil causes, with their witnesses, are kept waiting from day to day at heavy expense, until the pressure on the Judge and Commonwealth's Attorney becomes so great as to induce them to continue, till the next term, the Commonwealth's cases, upon slight grounds. If, however, the Judge had sufficient time, and, upon the calling of a case, it should appear that an important witness was absent, he could postpone it to some other day of the term, and, with the proper exertion, the witness could be brought into Court and the trial progress. But under the pressure as it now exists, in a large majority of the counties, if the witness does not answer at once, the case is continued until the next term, thus duplicating the cost.

A speedy trial is as necessary for the interests of the Commonwealth, and for the suppression of crime, as it is for the accused. The Constitution guarantees it to the latter, and public policy requires it for the former. Owing to the facilities of procuring continuances, on account of the pressure before spoken of, persons guilty of the highest crimes known to the law are enabled to baffie justice for years, and at last escape punishment altogether, from the removal or death of witnesses. Thus the criminal jurisprudence of the State is brought into disrepute among the people, and the more reckless of them resort for a redress of their supposed grievances to the formation of vigilance committees and other unlawful combinations.

There is no clearer proposition than that the government is bound to protect society against the crimes of the lawless. The judiciary
house of representatives.

is the machinery by which it is to be done, and it should be afforded every facility necessary to accomplish the end. The duty is chiefly devolved on our circuit judges, and I take this occasion to say, that, as a class, no State has a more learned, energetic, or faithful body of men discharging the duties of courts of similar jurisdiction. Nor are there in Kentucky any public officers who perform so much labor of mind and body. The difficulty is, that it is impossible for sixteen men to perform the labor which is required of the circuit judges of this State.

The injury to persons having civil suits is equally manifest. The enormous accumulation of costs tends to deter men from seeking redress for injuries in courts of justice, and, consequently, they are tempted to resort to retaliation and violence, as the only alternative left them. No one familiar with the circuit practice can have failed to see that such is the tendency of the public mind.

The Auditor's Report shows that there was paid out of the Treasury, during the fiscal year 1872, on account of criminal prosecutions, including jailers' fees, the sum of two hundred and thirty-four thousand nine hundred and sixty-six dollars and forty-six cents, being fifty thousand six hundred and sixty-three dollars and fifty-eight cents more than it cost the year previous. This is about one hundred thousand dollars more than it cost to pay all the judges, Commonwealth's attorneys, and every other State officer who draws his pay from the public Treasury. Of this sum, the jailers received $119,566 03; the remainder is made up of witness' claims and other costs of prosecution. The Auditor's Report shows the total number of criminal and penal prosecutions in the State, for the year 1872, to be 3,824, of which 536 were criminal, and 2,848 were penal; and as it will be recollected that the State pays no cost except in cases of felony, it therefore appears that these 536 criminal cases cost the enormous sum of $234,966 46, which is a fraction under four hundred and fifty dollars for each prosecution. This is an appalling exhibition of the cost of administering the criminal laws. It is hardly credible that crime should cost the people of the State such an immense sum annually, and that, too, when hundreds go unwhipped of justice. It is, I would suggest, a subject which demands a close investigation by the General Assembly. I do not expect, however, to find a remedy for the evil complained of in any mere detection of abuses. I have no doubt that the extraordinary amount of the jailers' fees is largely
attributable to delays in the trial of persons kept without bail under indictment, and that the expenses of prosecutions are greatly enhanced by the same causes. If the increase shall continue in the same ratio, it will not require many years to bankrupt the Treasury.

I am convinced that the true remedy for the evils referred to—the only certain means of securing at once the prompt and efficient execution of public justice, and a wise economy in its administration—is to be found only in an increase of the judicial department of the Commonwealth. By constitutional limitation the State is inhibited from increasing the present number of circuit court judicial districts until it shall possess a population of fifteen hundred thousand. Were I satisfied that it had attained that number, I would unhesitatingly recommend, as the best method of meeting the wants of the case, the creation of eight additional districts. But as I have not sufficient evidence to convince me that we have the population required, I do not make the recommendation. Debarred from this means of relief, we must resort to other methods of supplying the deficiency. After a careful consideration of the subject, I am satisfied that the institution of criminal courts would prove the most practicable and efficient means of relief, and most conducive to the public good. Should such courts be created, I suggest that they be required to hold three terms annually in each county in which they are established. This requirement, by securing speedy trials, would not only diminish the expense of prosecutions, but, by making the punishment more rapid and certain, and inspiring a greater fear of public justice and a greater reverence for law, would go far to suppress crime in the Commonwealth.

The Circuit Judges being entirely relieved in this mode from the criminal and penal docket, would be enabled to devote more time and give greater deliberation to the trial of civil causes; a large amount of costs would be saved to litigants, and I should confidently expect a considerable diminution of the docket of the Court of Appeals.

I would also suggest that the County Attorney of each county be required to aid the Commonwealth's Attorney in all prosecutions in his county, and for his services be entitled to receive a portion of the fines and forfeitures. This would make it necessary to allow the Commonwealth's Attorney a salary out of the Treasury to compensate him for that per cent. of the fines and forfeitures which would be given to the County Attorney. An efficient and faithful
County Attorney would be a terror to the evil-doers of his county. He would be of great service in criminal and penal prosecutions. Knowing the witnesses, and where to find them, he could have the proof necessary to develop the truth. The increased degree of skill with which men have learned to conduct and carry on their schemes of vice and wrong has become to be almost a system of warfare upon society generally, and its success demands additional safeguards for society. It is not my purpose, however, to go into detail of the measures of reform. I lay the matter before your honorable body, hoping that your wisdom will devise the proper remedies.

**TAXATION FOR CORPORATIONS.**

There is another subject to which, impelled by a sense of public duty, I desire to invite the attention of the Legislature. I allude to the facility with which enactments are procured from the General Assembly granting authority to local communities and municipalities to subscribe for stock in corporations proposing to construct railroads or other works of supposed public benefit: Such enactments usually require that the constituted authorities of a community, at such time as they, or a certain corporation itself, may designate, shall submit the question of subscription to a popular vote, and if a majority of the votes cast so order it, shall subscribe for a specific amount of stock in said corporation, and impose a tax for its payment on the citizens and property of the locality.

If it were an original question at this day in Kentucky, whether such enactments are not in excess of constitutional authority, I am satisfied that Legislators, Governors, and Judges, alike would, to say the least, hesitate to acknowledge their validity. On the other hand, such legislation has gone on in our State for a long series of years, during which different Legislatures, including some of the wisest and most patriotic citizens of the Commonwealth, have concurred in such enactments, and each successive Executive has given his official sanction and approval. Above all, the judicial department, to which all questions involving the constitutionality of laws are to be finally referred, and to whose judgment the profoundest respect should be paid, has, in one unbroken chain of decisions, from the case of *Slack vs. The Maysville and Lexington Railroad*, in 1852, and ending with the case recently decided of *Shelby County Court vs. The Cumberland and Ohio Railroad Company*, maintained the constitutional power of the Legislature over the subject.
It should be observed, however, that not only were dissenting opinions published by able judges in these cases, but an attentive perusal of the decisions themselves will not fail to impress the mind with the conviction that grave and serious doubts were entertained by the judges rendering them. While, therefore, I may not feel at liberty to call in question your constitutional warrant to pass bills of this character, nor in my own action to ignore precedents of such authority, yet I do say, that the evident hesitation and doubt that the courts have had to pass through and overcome, in giving their sanction to such legislation, should excite great caution in legislators when called upon to delegate such power to voting majorities.

Our Constitution, in accordance with that political maxim applicable to all forms of government—that where the power is the checks must be—has, by well-considered restrictions, carefully guarded the citizen from oppression either by popular or legislative majorities. All political power, whether vested in a monarch, an oligarchy, or a popular majority, inherently tends to become selfish, aggressive, and despotic. In a democratic republic the first approaches are usually creeping and insidious—its encroachments quiet and gradual—often the slow and cumulative growth of abuses scarcely perceptible. It soothes the popular apprehension by the agreeable, but delusive doctrine, that the people can do no wrong; whilst to the ambitious politician, with whom the voice of the people is as the voice of God, the popular will is the sanction of the highest law. At length, conscious of its strength, and defiant of restraint, it boldly tramples on the rights of the citizen. In the safeguards and checks of the Constitution alone is provided the means alike of protecting the majority from its own illusions, and preventing its oppression of the minority or the individual citizen. The patriotic statesman, therefore, cannot be too vigilant in detecting, nor too prompt in resisting, every invasion of either the letter or spirit of the organic law.

Whilst the power of the majority is limited to the exercise of the ordinary functions for which government is needed, all is well; but when it invades the rights of property, overleaping the barriers erected as a defense to the fruits of honest industry, and disregards all the checks upon profligate expenditure, burdensome debt, and heavy taxation, under the pretext of developing the resources of the country—in such case the despoiled citizen ceases to enjoy the protection of constitutional government.
It seems to be thought by some that any measure to burden a community with taxation for the direct benefit of a railroad corporation, can be sanctified by going through the process of a popular vote. Is this so? Can any number of men be rightfully empowered to incumber their neighbors' property for a third or half its value, in order to build a railroad? If such incumbrance, having the effect of a mortgage, can be voted by a majority upon the property of a county, against the consent of the owners, for purposes foreign to the ordinary functions of government, then is property (subject to such exactions) held by a frail tenure indeed. We cannot shut our eyes to the fact that, under the operation of the Fifteenth Amendment to the Federal Constitution, a majority of voters, without either property or intelligence, may impose upon an objecting community of property-owners a burden of debt of which the majority will not pay one cent in the dollar. Some localities in our Commonwealth have already suffered from such an infliction. Whilst we are justly proud that our State debt is so small, and that we have more than sufficient to pay it off, we must recollect that, under the delegation of this power, an aggregate indebtedness has been imposed by voting majorities, and now burdens, not the Commonwealth, but counties and districts, cities and towns, amounting to the sum of fifteen millions of dollars, drawing interest payable semi-annually; and, under existing statutes, majorities are authorized to vote upon the people in other localities yet millions more. The indebtedness under consideration is in the form of bonds given by counties, cities, towns, and districts, which are most generally delivered to the corporations leading the enterprise, by which they are sold for from eighty to ninety cents on the dollar. The proceeds are applied partly in payment of officers' salaries and other expenses of the company, and the residue expended upon the enterprise, which too often, after exhausting the people's money, fails of success, and is sold out for little or nothing to another corporation, which may so use it as to oppress the very people who have impoverished themselves to set it up.

The former legislation of the kind alluded to shows another fact, that large amounts of bonds have been issued and delivered to corporations, without any security whatever to the tax-payers that the enterprise would go forward, or that one dollar of the money would be expended in furtherance of it. And, while it is cause of gratulation that so few of such bonds have been misapplied here in our own
State, yet, in view of the notorious frauds that have been committed in other States in the use of such bonds, it behooves you, I think, to guard future bills against such dangers. Corporations, in procuring the passage of bills authorizing them to require county courts, or city and town authorities, to order elections on questions of subscriptions of stock, have been allowed too frequently to worry the same people again and again with elections upon the same question. This gives the company an undue advantage; and when a people have been summoned to the polls once upon a question, and have decided against it, they ought not to be subject to frequent repetitions of the same annoyance.

The power of taxation is one of the most delicate of all conferred upon the Legislature. It is not possessed unrestrained and without limit, and it can scarcely be transferred from the Legislature to a mass meeting of the people. It is a power to be exercised by the Legislature with great care and consideration for the welfare of the citizen. The government may rightfully demand and enforce the payment of all taxes by the citizen needful to its support; but this right carries with it the correlative and continuing duty to protect him from unequal and oppressive exactions.

PENITENTIARY.

The Report of the Keeper of this institution will be placed before you, and will show its progress for the last year and present condition. I am glad to be able to announce that the work of enlarging the prison grounds, and erecting sundry new buildings, as provided by an act of the Legislature last winter, has progressed to near its completion, and a full report of it will be made by the Commissioners intrusted with that duty. The improvement is one long needed, and is not only creditable to its projectors and to the State, but secures comfort and encouragement to the fallen female convict. It is a noble charity. I herewith present for your respectful consideration the report of the Inspectors of the Kentucky Penitentiary, made to me on the 17th of this month, and invite your attention to its suggestions.

A sense of public duty has prompted me to a careful study and examination of this important subject, and to present for your consideration a few facts and suggestions.

The State of Kentucky first established its Penitentiary in 1798, the purposes of its institution being, as recited in the preamble to the act, "to establish a more humane system of punishment of
crimes than that of death; to make an effort for a reformation of offenders against the public, and to make restitution and reparation for the injury done and for the expense of prosecution, confinement, &c."

Under the system of management first adopted, a keeper was appointed by the Governor, who, with suitable assistants, provided for by law, supervised the conduct of the institution in the hands of the State and at the expense of the State. This system, which, with slight modifications, was pursued until 1825, proved to be a constant and increasing charge upon the Treasury. At this time the State entered into a kind of copartnership with the keeper of the Penitentiary, and it was conducted on this plan, under various superintendents, until about 1856, during which time, as the reports show, large sums of money were made by the partnership, but still with loss to the State, the public expenditure, in keeping up the institution, largely exceeding her share of the profits. The system was then changed to the plan of leasing out for a term of years the prison shops, machinery, tools, &c., with the labor of the convicts, and that system has continued till now, the present lease expiring first of March, 1875. The leasing system has proved to be more costly to the State than either of the others. I have obtained from the Auditor a statement of the receipts from, and expenditures on account of, the Penitentiary, each year, beginning with October, 1857, and extending to October, 1872, which is as follows:

<table>
<thead>
<tr>
<th>YEAR</th>
<th>RECEIPTS</th>
<th>EXPENSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1857</td>
<td>$7,740.88</td>
<td>$15,146.33</td>
</tr>
<tr>
<td>1858</td>
<td>6,600.00</td>
<td>11,798.62</td>
</tr>
<tr>
<td>1859</td>
<td>13,633.45</td>
<td>8,599.15</td>
</tr>
<tr>
<td>1860</td>
<td>None.</td>
<td>13,322.67</td>
</tr>
<tr>
<td>1861</td>
<td>25,200.00</td>
<td>42,248.40</td>
</tr>
<tr>
<td>1862</td>
<td>None.</td>
<td>2,807.90</td>
</tr>
<tr>
<td>1863</td>
<td>21,308.97</td>
<td>7,139.64</td>
</tr>
<tr>
<td>1864</td>
<td>600.00</td>
<td>None.</td>
</tr>
<tr>
<td>1865</td>
<td>None.</td>
<td>60,000.00</td>
</tr>
<tr>
<td>1866</td>
<td>12,600.00</td>
<td>32,917.00</td>
</tr>
<tr>
<td>1867</td>
<td>None.</td>
<td>98,581.27</td>
</tr>
<tr>
<td>1868</td>
<td>None.</td>
<td>56,816.79</td>
</tr>
<tr>
<td>1869</td>
<td>None.</td>
<td>6,424.60</td>
</tr>
<tr>
<td>1870</td>
<td>None.</td>
<td>None.</td>
</tr>
<tr>
<td>1871</td>
<td>44,663.77</td>
<td></td>
</tr>
<tr>
<td>1872</td>
<td>28,083.53</td>
<td></td>
</tr>
</tbody>
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Total | $97,594.65 | $434,532.37
Excess of expenditures | $336,937.72
Showing an excess of expenditures within that period of $336,937.72. Whilst the State should neither make merchandise of her criminals for a profit to others, nor make penal labor a source of revenue, it is still desirable, and the General Assembly should see to it, that the support of such offenders shall not become a burden upon the good and law-abiding citizens of the Commonwealth. And inasmuch as the plans hitherto pursued for managing and employing our convicts have resulted only in a growing charge upon the public Treasury, it is time, as it seems to me, after seventy-four years unsuccessful trial of them, to seek improvement in some other method.

Three years ago this subject was considered by the General Assembly, and commissioners were appointed who visited many of the prisons of our sister States and made an able, and, I think, conclusive report, contrasting our faulty system with the more improved methods of other States. That report is upon the Journal of the Senate, December session, 1869, on pages 57 to 63, and shows that the Warden system, established and long used in the States of New York, Massachusetts, Ohio, and elsewhere, has proved much more successful than ours, and is not only self-sustaining, but actually yields a net profit annually to the State. A Penitentiary conducted upon such a system is under the control and management of men who represent the State, and manage it not for their own profit, but as directed by law for the accomplishment of the great ends and aims of its creation. This system proposes to keep the prisoner separate from the community whose law he has violated, and whose society he has forfeited; punish him for that violation, that others may be deterred from committing like offenses; compel him to hard labor to pay the expenses which the State has incurred in his prosecution and custody; and, in addition to this, strive to accomplish the still greater purpose of reforming, if possible, and restoring him to society a penitent and useful man. The officers placed in charge of the prison are appointed and paid by the State, and, not being allowed to have any pecuniary interest in the labor of the prisoners, have every inducement to labor faithfully for the ends proposed. As to the cost of this system, if our Penitentiary should be conducted with the same economy as those in other States where this system has been and is now being tried, it may be reasonably expected to become at least self-sustaining. For these, as we learn from the report of the commissioners above referred to,
are so managed that the profits derived from the labor of the convicts—all working within the prison—are not only amply sufficient to defray all expenses, but yield a considerable annual surplus. Why should not a similar result follow the adoption of the plan in Kentucky? But even if such a success were not attained for a few years, and the institution under the new system should continue to be an expense to the State, its condition in this respect can hardly be worse than it is now, and has been for more than half a century; so that no fear on this score can be a proper ground of objection to the experiment.

But there is yet a higher and far more commendable motive for the proposed change—I mean the reformation of the criminal. In the theory which gives to a Penitentiary its birth and name, a merciful philanthropy has allied itself with administrative justice—not to rescue a felon from lawful punishment, but to redeem, if possible, a brother man from crime; it pitied while it condemns, and loves whilst it chastens; it denies not to law its claims of retribution, but still forgets not that we live under "the ministry of reconciliation." Such a spirit and aim prompted the establishment of our own institution, as is shown in the preamble of the act which created it; and yet, as the almost inevitable consequence of our present system of management, our Penitentiary has long ceased to be, not only de facto but even in theory, a place of penitence—nay, popular opinion regards it as necessarily a school of crime; and unhappily, even with the more intelligent, the very idea of a discipline of reform is too often received with scornful incredulity. But the spirit of advancing civilization and of religion, the exigencies of government, and the welfare of society, will not permit us to accept such a conclusion. Fortunately the age in which we live does not accept it; and much of the best intellect and noblest charity of this century has been devoted to the subject of prison-discipline reform, and efforts for reclaiming the criminal population.

Patriotism and philanthropy alike feel that it is one of the greatest problems which society, for its own security, is compelled to solve; and amidst the diversity of schemes which the subject has evoked, in one thing all who have thought earnestly about it agree, that no plan of treatment can be of any real advantage to society, the tendency of which is not beneficent to the criminal himself. Of such serious and vital importance is this question, so profoundly has it interested the statesmen and philanthropists of all nations, that an International
Congress was held at London last July, in which nearly all the States of the civilized world were represented by their delegates, in the hope of promoting a satisfactory solution of the subject; and although these discussions have by no means solved the dark problem, nor have the "model prisons" erected to realize their ideas fulfilled public expectation, or the hopes of their projectors, still they have helped to determine certain principles of great practical value in dealing with the subject. And, above all, the counsels of the wise and the charity of good men directed to the subject, have aroused a spirit of genuine and intelligent philanthropy, which will not rest until greater results are attained. Such a philanthropy makes no compromise with crime—has no sympathy with the morbid sentiment which is offended at the just punishment of a felon—but seeks to make that punishment a means of good—the discipline of a new life—which shall restore him to society "clothed and in his right mind." It is hopeful, because it believes that the inmates of our Penitentiary are not of necessity the worst of men; that a convict is often placed there, not because he is a monster of depravity, but as an offender against the law, to expiate some rash act to which he has been driven by the sudden violence of passion, or beguiled by the syren voice of some peculiar temptation. It hopes even that few can be so fallen, so utterly lost, that there cannot be found some chord in their better nature responsive to the touch of human or Divine love, which shall awaken memories of former innocence, and inspire longings for a better life.

It would not inscribe upon the gates of our Penitentiary, "whoever enters here must leave all hope behind," knowing that hopeless despair not only paralyzes every virtue in the human heart, but often seeks to forget its wretchedness in the delirious excitement of great crimes. On the contrary, its aim is to make the prisoner feel, that, though punished, he is not forsaken; that society has an interest in his welfare; is hopeful of a better future for him, and surrounds him with incentives to repentance and reformation of life.

By the adoption of a system of which these aims of philanthropy constitute a prominent feature, I feel assured that not only would the interests of humanity be subserved, but the claims of justice promoted. So long as our Penitentiary shall be regarded as an inevitable school of crime—a hopeless den of iniquity—offenders will continue to escape the penalty of the law; jurors will be loath, for a single offense committed by a citizen of otherwise fair char-
acter, to doom him, not only to infamy and despair, but to the con-
tagion of a moral pest-house, from which they believe he cannot
escape but with the loss of every trait of virtue. They will be apt
even to question the moral right of the State to punish the offense
of its citizen by consigning him to certain and utter depravity.
Numerous verdicts of acquittal have doubtless been determined by
such considerations. It is the reformatory feature of the proposed
system which has chiefly induced me to advocate its adoption.

No censure can attach to our present excellent keeper or his prede-
cesors for the evils referred to. They are the fault of the system,
and not of the officers, whose duty, I am satisfied, has been faithfully
discharged. Indeed, it is difficult to see how they have done so well
as they have under such a system.

It is well that this subject should be considered at this time of your
meeting, when you will not be embarrassed with a pending elec-
tion for another term under the present system; and that whatever
change you shall in your wisdom deem proper to make, be enacted
in a carefully prepared bill to take effect at the close of the present
lease.

STATE HOUSE OF REFORM.

The Commissioners appointed pursuant to law, whose duty it was
to "contract for the erection and inclosure of the State House of
Reform for Juvenile Delinquents," made their report to me about the
25th day of September last, that the house and inclosures were com-
pleted and in readiness for the reception of convicts; and in accord-
ance with the provisions of the statute, I issued my proclamation,
and caused the same to be published through the State, making
known the facts; and thereupon I caused the said buildings and
inclosures to be placed in possession of the "Board of Managers"
created by the 10th section of the act providing for the erection of
the institution. Their report will fully inform you of its progress
under their government. The State has entered upon this great
enterprise in confidence of accomplishing much good; and now that
there has been so much money already expended, and the institution
is just beginning to be put in practical operation, I recommend that
you reconstruct the laws upon the subject of its management, and
make such provisions as will insure economy in expenditures and
the success of the institution. It occurs to me that it is unwise to
expend any more money in buildings or improvements till the num-
ber of inmates and some fruits of success shall suggest a necessity for it.

CHARITABLE INSTITUTIONS.

Reports from those having charge of the Eastern and Western Lunatic Asylums, Feeble-minded Institute, Deaf and Dumb Asylum, and the Asylum for the Blind, will be laid before you, and will show a gratifying success in their beneficent labors during the past year, and their present condition. There is nothing upon which Kentucky may more justly pride herself than the munificent liberality with which she has endowed and cherished these noble charities. Although the appropriations made for their support consume more than one third of the annual revenues of the State, they have been uniformly indorsed by the people without a murmur. This generous indorsement by our constituents, whilst it encourages us to be liberal, should make us feel under increased obligations to use a wise economy in such expenditures. And yet, great as is our present disbursement for such objects, I feel constrained, in the cause of suffering humanity, to recommend an additional outlay for the relief of an afflicted and helpless class of our fellow-beings. Large numbers of those afflicted with insanity cannot be received and treated in the Asylums for the want of room. Many of these unfortunate beings are confined in the common jails of the State; others have died there during the past year; and still others are confined and guarded in private families. I most respectfully refer to the observations and recommendations on this subject contained in my former message, and only propose to say now that another year's experience strengthens and confirms my convictions therein expressed, and constrains me to again respectfully urge that you make provision for the care and treatment of this entire class of unfortunates.

The report from the Eastern Asylum, situated at Lexington, shows the need of a small outlay of money to afford them better supplies of water. The sum asked for is not extravagant, and I recommend that the appropriation be made.

In connection with this subject, I most respectfully call your attention to the allowances by law for the support of pauper idiots. The State has provided with a liberal hand for the insane, the deaf and dumb, the blind, and the feeble-minded child; but its aid to the more unfortunate idiot is by far the most scant measure of charity bestowed upon any of our objects of beneficence. This class of dependents are usually among the poorest people in the State, and
their surroundings the humblest and most uninviting. None but the mother or other near relative could afford to nurse and care for them even for a large compensation; and yet whilst the State has appropriated large amounts for the benefit of the lunatic, this most needy class of all has an annual per capita allowance of only fifty dollars. I feel it my duty, moreover, to remind you of the further fact that we have within our State a number of idiotic colored persons, who, in former days, had kind masters, who sheltered, clothed, and fed them, and had them tenderly cared for, but are now deprived of such care and protection. They are providentially left amongst us dependent upon the public charity; and the claims of common humanity demand that they should be provided for as well as the lunatic of the same race. We have provided for the latter, and if the law does not already provide for the former, it should be made to do so. I recommend that you increase the allowance to the pauper idiot, at the same time putting into the act the most stringent provisions to prevent fraud and imposition upon the Treasury.

MILITIA.

The importance of amending the militia law of the State, with a view to securing a more ready and useful active militia, in cases of necessity, as well as keeping up an organization, was stated and recommended in my last message. I have only to say, further, that the occurrences of the past year have made these necessities more manifest; and I shall cordially co-operate with you in any bill you shall pass securing these desirable ends.

HON. GARRETT DAVIS.

It becomes my melancholy duty to announce to you that, since your last assembling together, another name has been inscribed upon the roll of Kentucky's illustrious dead. Hon. Garrett Davis, late representative of this Commonwealth in the Senate of the United States, has closed a long and useful life, distinguished alike for private virtues and eminent public services. Honored with various public trusts for the last forty years, in both the State and Federal councils, he brought to the discharge of his duties a zeal and ability which amply repaid the confidence reposed in him, and won him a place among the foremost public men of his day. Firmly grounded in his political principles, honest in his convictions, ardent and bold in battling for what he thought the right—he was at once an indom-
itable party-leader and a conservative statesman. Warmly attached to the union of the States, he was unwilling that it should be maintained at the expense of the Constitution and of the rights of the States; and when he thought these great interests imperiled by the revolutionary measures and novel legislation which succeeded our late civil strife, he stood forth the gallant and unflinching champion of the rights of his State and of all the States. The purity of his life and the integrity of his patriotism, whilst they commanded the respect of his peers and the confidence of his constituents, will make his memory dear to every true lover of his country.

To honor a wise and good public servant is to do honor to ourselves; and I am sure that you need not my recommendation to place on record a suitable testimonial to the worth and faithful services of the departed statesman.

I have appointed and commissioned Hon. Willis B. Machen, of the county of Lyon, to fill the vacancy occasioned by this sad affliction, in the full confidence that the interests of the State intrusted to his hands will be ably and faithfully maintained. It now becomes your duty to fill that vacancy till the end of the term for which Mr. Davis was elected.

HON. JAMES A. M'CAMPBELL.

I regret to announce the death of Hon. James A. McCampbell, who was elected at the August election, 1871, as the Representative of Jessamine county, and who was at his post with you through your session of last winter. He died on the 25th of December, 1872, at his home, among his family and constituents. Upon being officially notified of his death, I issued the proper writ for an election to be held on the 11th day of January, 1873, to fill the vacancy occasioned by his death.

INSURANCE.

Since the adjournment of the Legislature in March last, the Report of the Insurance Commissioner upon the business of 1871 has been published, to which I call your attention as giving important information in connection with this comparatively new branch of the administrative department of the State Government. The experience of the people of this State in the transactions of the Globe, Kentucky, and some others of the so-called insurance companies, thoroughly aroused them to the necessity of some legal protection against the recurrence of such frauds as were practiced by them, and in 1870 general insurance laws were enacted, placing
under the supervision of a Commissioner all insurance companies doing business in the State.

Insurance needs watching. Sound and well-conducted companies desire it, and those not so must be forced to submit to it. The amount of money involved is enormous, and the public is entitled to all the protection in this respect that can be given by wise laws well administered, through competent officers. I renew the recommendations made in my last message in regard to the Insurance Bureau. An act was passed, entitled "An act to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department." This law makes the State assume to guarantee the safe-keeping and proper application of certain funds of Life Insurance Companies. It was never clear to my mind that this risk should be assumed by the State, or that, under the Constitution, the Legislature could make the whole people responsible for the safe-keeping and proper application of the funds of a Life Insurance Company. It savors too much of the State becoming the guarantor of the insurer, or of lending her credit in aid of a private corporation. It is no doubt better for the limited number who hold registered policies that this safe-keeping and proper application of the whole net value should be guaranteed by the State; but it is a broad departure from those principles which have long characterized the public polity of this State for the Commonwealth to take the risk of keeping and applying the funds of a corporation, without any benefit arising therefrom to the State. The funds thus placed in the care of the State are not cash funds, but mortgages on what is said to be unencumbered real estate—said to be worth double, or at least greatly more than the amount of money loaned thereon. These deposits may amount nominally to many millions of dollars; but the State authorities cannot, in the very nature of things, know their real value, nor the trouble and expense of realizing the money upon them.

I am informed by the Insurance Commissioner that a certain company, pursuant to the provision of this law, deposited with the said Commissioner and State Treasurer a large amount of securities, consisting of notes and mortgages on real estate, for moneys loaned by the company, all executed in due form, and of which notice was properly given. Notwithstanding, copies of these securities were obtained by another Insurance Company, claiming some sort of interest in them, and suits were brought and judgments obtained, and
a sale of the mortgage property was only prevented by the interven-
tion of the Attorney General on behalf of the State. This transac-
tion shows the instability as well as insecurity of such pledges. The
effect of the law is to give to the company making the pledge a
factitious credit and standing with the people, unless, indeed, the
State is responsible to the policy-holders for the amount of the
pledge—a question which I do not now propose to discuss. But
whether legal responsibility attaches or not to the State, the lan-
guage of the act is broad enough to authorize an equitable claim,
such as the Legislature would find difficult to ignore, and all this,
too, in a matter in which the State, under no contingency, can de-
rive a particle of benefit. I was so impressed with doubt and dis-
trust of this legislation at the time the bill passed, that I declined
giving it the approval of my signature, and I now respectfully
recommend its repeal before further liabilities shall be incurred by
the State.

In a recent communication to the Auditor, the Insurance Commis-
sioner has reported the main facts in reference to an examination
of the affairs of the Globe Mutual Life Insurance Company, of New
York, commenced by him, which the company evaded by withdraw-
ing from the State. It is difficult to see how cases of this kind can
be provided for by legislation of this State; but it is important that
the people should know, that, under existing laws, an Insurance
Company not organized by authority of this State can escape legal
examination by the Insurance Commissioner of Kentucky by with-
drawing from his jurisdiction. I trust that in your wisdom some
measure may be devised to guard against such license.

GEOLICAL SURVEY AND IMMIGRATION.

These two important subjects were discussed at some length in
my former message. I am so profoundly impressed with their value
to the people of the State that I cannot forbear again most respect-
fully and earnestly inviting your attention to their consideration.
They are subjects exciting the interest and favorable action of our
sister States, and certainly none have more to expect from the ad-
vantages they offer than our own. I can conceive of few enter-
prises in which the State could embark that would yield richer re-
turns to our people.

RAILROADS.

It is gratifying to note the healthy progress of railroad develop-
ment in the State during the past year, notwithstanding a certain
financial stringency which has prevailed throughout the country. Since your last session, the Elizabethtown and Paducah Railroad, 185 miles in length, has been opened for travel, and already shows its beneficial results in bringing into closer communication portions of the State which have heretofore been isolated or only accessible by circuitous routes. Penetrating as it does the western coal and iron fields of Kentucky, it is already developing rich mines of the former, the products of which are finding their way to market, and thus securing a double purpose in furnishing a cheaper fuel, and relieving us from the wasteful drain heretofore incurred in receiving our supplies of coal wholly from other States. The valuable beds of iron ore along the line of the road are also thus brought to the attention of capitalists, and we shall doubtless soon see the mining interest of this portion of the State an important source of revenue to its citizens.

I am gratified also to know that while the western portion of the State has been thus benefited, incorporated capital has been equally active in looking to a similar development of the rich eastern counties. The Elizabethtown, Lexington, and Big Sandy road has been completed from Lexington to Mount Sterling, and during the current year will be pressed forward to the mouth of the Big Sandy, to connect with the Chesapeake and Ohio. The latter road, extending from Richmond, Virginia, to Huntington, on the Ohio river, a distance of more than four hundred miles, is approaching completion, and will in a few weeks be open for travel. Although it lies beyond our territory, its importance, as the opening of a new trunk-line of communication between tide-water and the Ohio Valley, justifies me in hailing its completion as an event fraught with great interest to Kentucky. When the Elizabethtown, Lexington, and Big Sandy Railroad, which pierces our eastern, as the Paducah road does our western, coal and iron fields, shall have been completed, we shall then have an unbroken line of communication with the eastern and northern cities, which, by its easier grades and shorter distance, cannot but contribute largely to the more economical shipment of our productions, as well as the general development of our mineral and agricultural resources.

Other roads of scarcely less importance are in course of construction, and the day is not far distant, I hope, when the facilities for travel may be such that it may be true here, as in some of our sister
States, that every county seat can be reached from the Capital, and the return journey made in twenty-four hours.

STATISTICAL BUREAU.

I heartily renew a recommendation made by my predecessor, in his annual message at the session of January, 1869, for the establishment of a Statistical Bureau. I am frequently called upon for statistics of the Commonwealth, which neither the Executive nor any other of the State offices can supply. In the message referred to, the Governor calls attention to the fact that no care had been taken of State publications; that it would be difficult to find a connected series of the Auditor's and Treasurer's Reports. But even were this cared for, it would not meet the wants of the case. Something more than an office for the custody of public documents is needed. The statistical information contained in the annual reports of the several administrative departments is not only meager, but, being for the most part undigested, is rarely available or satisfactory to the inquirer. An office of General Statistics is required. It is strange that a species of knowledge so important to the political economist, the philanthropist, and to every branch of industrial enterprise, as well as of the highest practical value to the statesman, should have been so long and so entirely neglected. How often is the legislator embarrassed for the want of such information, and, after long and laborious research, forced to content himself with a scanty and unsatisfactory statement of facts which such a Bureau could have, perhaps, in a few minutes, amply supplied. Should you determine upon the establishment of such a department, I trust that it will be made comprehensive in its scope, embracing vital, social and physical, as well as political, statistics. The agricultural, mechanical, commercial, educational, in short, all the important interests of society, should be included within the sphere of its labors. Nor will the purpose of its institution be accomplished by merely exhibiting the actual condition of these interests. It should be its duty to collect, digest, and at times publish, such facts and information as would tend to develop and perfect them. Its library, therefore, should contain not only the State publications and others properly and technically statistic, but works of applied science and treatises of practical value in the useful and economic arts.

I am satisfied, moreover, that the information derived from such a Bureau, properly digested and diffused among the European popu-
lution, would be effective in inducing many of the better class of immigrants to seek homes in this State. A department of this nature can avail itself, to a great extent, of the agency of all the departments of government in collecting the facts for its use. The cost of such an institution need not be great, whilst I am well assured the benefits to the public will be valuable for all time to come.

THE VIENNA EXPOSITION.

An event, in which all the nations of the civilized world are manifesting an interest, will take place at Vienna, Austria, in May, in the holding of an Exposition for the manufactures and products of every country. The United States Government has appointed a Commissioner to make proper arrangements for the exhibition of articles sent from this country, and I have received communications inviting the co-operation of the General Assembly and people of Kentucky to secure a proper representation of our products and manufactures. I commend the subject to your attention, and, without going into the details of any plan for effecting the object, suggest that, if properly improved, it may be made the occasion for a most favorable presentation to Europe of the advantages which Kentucky presents for the industrious immigrant, or the capitalist seeking investment in mines or manufactures.

THE CENTENNIAL.

The proposition to signalize the Centennial Anniversary of the Declaration of Independence has assumed form, and it is proposed to hold a grand International Exposition at Philadelphia. Various suggestions have been made as to the action which should be taken by the States to promote the success of the occasion; but as no scheme has been presented for uniform action, and the whole undertaking not sufficiently developed in its scope, nor the terms upon which we are invited to participate, I limit myself to a mere mention of the subject, without specific recommendation of any kind.

EDUCATION.

In the age in which we live, alike distinguished for its achievements in science and the arts and for the advancement of learning and the general diffusion of knowledge, the subject of education has almost, of necessity, not only become matter of the deepest interest to society, but claims and receives the protection and fostering care
of government. When the aid of the State was first invoked, there were found some strict theorists, who, believing that Governments in their proper sphere are limited to the protection of material interests, and that the support of education, like that of religion, should depend upon the voluntary principle, felt grave doubts as to the propriety of its intervention. But the magnitude of the interests involved in it as a practical question soon silenced every voice of opposition, and to-day there is no department of State administration more honored or appreciated than that of public instruction. We begin to realize that the children of the State are its most precious treasure, and that among the trusts committed to those in authority there are none higher nor more sacred than that of providing for the training of our youth in knowledge and virtue.

I call your attention to the very able, explicit, and satisfactory Report of the Superintendent of Public Instruction for the last school year. No friend of education will read that paper without feeling renewed interest in the subject. It will be seen that the school attendance has been increased by nearly eleven thousand children during the past year, and that but seventy-three of the 5,381 school districts in the State failed to have schools taught under the law.

The steady increase of interest among the people, as manifested from year to year, and the indomitable energy which the head of the department brings to the work, inspire us with the fullest confidence that very soon every school district in the State will gather up its children and put itself on record as part of this great enterprise.

It is a matter of the highest moment that the people of Kentucky shall, with one accord, and at once, determine upon having and sustaining a system of common schools.

Whatever political or other differences may obtain among us, this is one about which we cannot afford to differ. It is, and should be, the pride of the State to preserve her own schools, regulated and controlled in her own way, and to keep in her own hands the education of her children. We have witnessed various efforts that have been made to induce the Congress of the United States to set up a system of "National Education," which, if done, would virtually take away from the State the control of this subject. It is alarming to contemplate the success of such a scheme. Its direct and inevitable tendency would be to destroy our identity as States and as the people of separate States; to promote at once the consolidation and
centralization of all political power in a Federal Government, and alter at least those forms and institutions of freedom which we have ever regarded as essential to the maintenance of our constitutional liberty.

It will become your duty to make such enactments as will cure any defects discovered in the workings of our school laws, so as to render them more efficient in securing instruction to every part of the State. The success which the system has attained in the past is doubtless, in a great degree, attributable to the perseverance and industry with which our Superintendents, traversing the State, have in person urged its claims upon the people; and this means of securing further strength to the cause ought not to be allowed to cease. In order to defray the expenses necessarily incurred in accomplishing a thorough canvass of the State, as well as to supply clerical force needed in the office, I recommend an increase of the compensation allowed by law to the Superintendent.

I most respectfully again call your attention to the recommendation made in my last annual message on the subject of organizing a system of education for our colored population. The education of this race is not a duty of charity alone, but is demanded by the best interests of society. They form a numerous class of our citizens, sharing with us in civil and political rights, upon whom, too, we are largely dependent for carrying on the industry, especially the agriculture, of the State; and just in proportion as they shall be left in ignorance and vice, or improved in morals and intelligence, by the discipline of a suitable system of education, they will become to the Commonwealth, on the one hand, an incubus of pauperism and crime; on the other, a useful part of our population. Many of these people are struggling hard in the direction of educating their children, and have shown a wonderful measure of success. I trust you will not fail to provide for a system of schools for this portion of our population, and offer them encouragement and assistance in this important department. Should such a system be adopted, and provision made for the free education of all the children of the Commonwealth between the ages of six and sixteen years, Kentucky would be entitled, under the law of Congress, to her pro rata share in the net proceeds of the public lands, which could be either appropriated as an ample provision for the education of the colored race in the State, or divided between them and the schools for whites, as may be thought best.
PUBLIC OFFICES.

The Auditor and Treasurer having removed to the offices provided for them in the new fire-proof building, I caused to be fitted up the old offices, and assigned them to the Clerk of the Court of Appeals, Quarter-Master and Adjutant General. I have also caused to be surrendered to the owner the private room heretofore rented on account of the State for the storage of books, and have had the books deposited in one of the unfinished rooms in the new State building. The State has thus been relieved of three items of rent, and the Court of Appeals room from the encumbrance of the Clerk's office. There are yet other public officers who cannot be accommodated on the Capitol Square. Moreover, the Library rooms in the Capitol are fast filling up, and their capacity will soon be exhausted. It is of the utmost importance that the State shall cease to be a renter from individuals, and that sufficient accommodations be provided on the public grounds for all her offices, and for the safe-keeping of the public property pertaining thereto; and also, that some further safeguards be provided by law for the protection of the State's grounds, Capitol, and other public buildings. I therefore recommend again that you pass such bill as will insure the early completion of the new edifice commonly called Fire-proof Offices.

The State Arsenal is situated on a lot of land covered entirely by the building, except a narrow space leading to the street on one side. The land all around it, except this narrow outlet, is owned by a private citizen, who has placed it upon the market. He owns from three to five acres adjoining the lot on which the building stands, all now lying out as commons. It would be very inconvenient to the State for these lands to be inclosed, and thereby all access to her armory, except by means of the one narrow way above mentioned, cut off. I therefore recommend that authority be given to purchase, for the State, so much of those lands as will be needful for her purposes.

REVISION OF STATUTES AND CODES OF PRACTICE.

Pursuant to the requirements of an act of the Legislature, the Judges of the Court of Appeals and myself nominated to the Senate five gentlemen as Commissioners to revise the Statutes and Codes of Practice, which nominations were confirmed by the Senate. Hon. R. T. Davis, one of the Commissioners, subsequently declined to ac-
cept the position, of which I was notified, but not in time to fill his place on the commission before the adjournment of the General Assembly. Judge James M. Nesbitt was afterwards appointed and accepted the position. Thus the commission was made up of Hon. James M. Nesbitt and Hon. E. I. Bullock for revision of the Statutes, and Hon. Richard A. Buckner and Hon. Josh. F. Bullitt for the Codes of Practice, and Judge George W. Craddock umpire of both boards. The Commissioners entered at once upon the important work assigned them with a commendable zeal, and have applied themselves assiduously; but whether they will be enabled to make a final report to the General Assembly at the present meeting, I am not advised. I am informed that the revisors of the Statutes will have their work in a condition to lay it before your honorable body, if not complete in all respects, in such a state of forwardness as to enable you to judge of its merits and to pass upon it. A revision of the Statutes and Codes of Practice having been determined upon by the Legislature, it should be thorough and well done. I fear the time provided for its completion in the act will not be sufficient to secure the benefits to the public interest that was expected by the friends of the enterprise. To codify and properly arrange the whole body of the laws of the State is not a work of ordinary magnitude. I feel assured, from the high standing in their profession of the Commissioners in charge of this important work, that their reports will show the wisdom of their selection, in the successful accomplishment of the task assigned them.

SPECIAL LEGISLATION.

Assembled again, as you are, at the Capitol of the State, to consult and deliberate upon the great subjects of general and public interest to the Commonwealth, I most respectfully recommend that you do not allow your time to be employed, or the people of the State to be taxed, for any measures or schemes of a local and private character, where the object sought can be attained in the courts. And if our laws are not sufficiently comprehensive for that purpose, I suggest that they be amended so that the courts may grant the relief or privileges which have hitherto consumed so much time, and been so burdensome upon the Public Treasury.

In conclusion, I invoke your earnest attention to the subjects I have herein laid before you, as well as such others as may arise during
the session. Many of those named require careful investigation, and all deserve action as prompt as is consistent with thorough consideration. In all your labors I shall most cheerfully co-operate with you in every manner in which I can facilitate your deliberations or contribute to the welfare of the Commonwealth.

P. H. LESLIE.

DOCUMENT ACCOMPANYING GOVERNOR'S MESSAGE.

Frankfort, December 17th, 1872.

Hon. P. H. Leslie, Governor of Kentucky:

Sirs: We have the honor to present our quarterly report as Inspectors of the Kentucky Penitentiary. Since our last the work on the extension has been steadily pressed, and appears to be done in a substantial manner. The recent cold weather was a very serious hindrance, especially to the bricklayers, but at the present time they are progressing as rapidly as circumstances will admit. When the buildings in process of erection are completed they will prove a valuable addition to the institution, and add to the comfort of the female department.

Another improvement, which we have heretofore urged as essential, is in progress. We allude to the enlargement of the office buildings at the front entrance. The Clerk and Keeper have both been subjected to great inconvenience by the bad condition of the roof that covered these structures, and their inadequacy to answer the purposes for which they were designed. The Clerk had no room sufficient for his books, and the Keeper had no private office where he could receive visitors or transact his business, and the dingy appearance that met the eye was anything but creditable to the State. When finished, this improvement will be appreciated both for its appearance and convenience.

There are several matters which we deem of considerable importance, and to which we would call special attention.

1. The Hemp Department.—The manufacture of this staple into bagging, and dressing and baling it, is one of the principal resources of the prison, and yields, perhaps, the largest return to the Keeper. Unfortunately, however, for the convicts engaged in this branch of labor, it is a prolific source of a severe and fatal disease. Inhaling the small particles of hemp, the lungs become greatly oppressed,
and the cases of pneumonia that result are not only numerous, but, in many instances, rapidly terminate in death. This is owing to deficient ventilation of the building; and until this is fully accomplished, the consequences referred to will never cease. The question has been asked, why these results are not seen in the hemp factories throughout the country? The answer is plain. In nearly every instance of the latter character the labor is performed in an open shed, where the lint and dust is blown away, and, in addition, the laborer has his hours of respite, during which he can resort to the open air, and repair his energies. In the prison the convict is taken from his cell early in the morning, goes to his task, and works until breakfast. Going directly from his shop to his meal, and from the meal back to the shop, he undergoes the regular routine until dinner. Then to the dining hall, and again back to his shop, he is similarly employed until supper, and after that meal he is marched to his cell. Having no opportunity whatever, except on the Sabbath, to escape the exposure to the flying particles of hemp, it is really a wonder that a greater number do not fall victims to the malady that ensues. As to the particular mode of applying the remedy, we do not make any suggestions; but mention the fact, that, for such a step, we believe there exists a pressing necessity.

2. The Female Department.—Subsequent to the late war, such was the demoralized condition of the country, that nearly all the punitive institutions of the land were filled. The demoralization did not confine itself to the male sex, but quite a number of females, both white and colored, were brought to the bar of justice to answer for crime. The sudden transition of the negro race from servitude to freedom, necessarily caused many of them to go astray, and in the commission of acts of thieving the females bore quite a prominent part; and in almost every case where they were formally tried, they were convicted, and sentenced to the Penitentiary. Some of them came to the prison in a condition of pregnancy, and, in some instances, with young children in their arms, only a few weeks old. There being no provision made for lying-in women, those that were pregnant were always pardoned by the Executive, whilst those of the latter class were pardoned before they were received by the Keeper. The number of pardons, on account of pregnancy, became rather numerous, and the Inspectors brought the subject before the joint committee of the Legislature, and recom-
mended that some action be taken thereon. This the committee refused to do, replying "that they preferred to leave the whole affair in the hands of the Governor." For cases like the above the law makes no provision. The Keeper cannot legally detain the offspring, and it would be inhuman to take it from the mother; whilst the offense of the latter might be such as to render it imperative to incarcerate her. We respectfully suggest that some steps be taken to meet such cases; either that some provision be made for the confinement of the prisoner, or the counties from whence they come be required to detain them until some provision is made for the child.

3. **The Privy.**—This is located close by the hospital, and, owing to the scarcity of water, it is never properly cleansed. The stench from it is almost intolerable, and the use of disinfectants avail but little in removing it. After consultation with the physicians, we arrived at the conclusion, that the only mode of remedying the evil is to have it placed in some other part of the yard, with a sewer of sufficient size to communicate with the main one, over which it now stands, dig near it a very large cistern, and from this force the water to a large tank on the roof. It should be thoroughly washed out each day, and never be permitted to clog. In this connection we would venture a suggestion for the hospital privy—either to have a tank of water in order to cleanse it out, or resort to the use of earth closets. If the large privy is removed, easy connection could be established between the hospital and the sewer, and there is always a sufficient number of convalescents to keep it clean. The testimony, however, in favor of the earth closets is very strong, provided they are abundantly supplied with finely pulverized dirt.

4. **Slaughtering Hogs in the Yard.**—A number of years ago there was a small inclosure outside the walls, which communicated with the yard by a strong, substantial gate, and which was used exclusively for slaughtering purposes. An extension of the wall was made, and the "bull-pen," as it was termed, was done away with. Why, we could not understand, for it certainly answered a valuable purpose, and we would respectfully suggest that no animals should be either kept or killed in the yard. The season of hog-killing has something to do with preventing any bad consequences that might otherwise ensue, as the weather is usually cold and bracing at that period,
and furthermore, the portion of the yard selected is the best one possible for the purpose, being directly over a sewer that conveys off the blood and filth. Notwithstanding this, it gives a most repulsive appearance to the yard. The offal is more or less scattered for a distance around, and whatever efforts are made towards cleaning up, it is seldom fully accomplished until a good rain falls and washes away the traces left behind.

We have carefully examined the new floor that was laid in the cell-house the past summer, and can commend it, not only as a well executed piece of work, but also as most admirably adapted to the place. It is composed of coal tar and sifted gravel, and, in addition to its firmness and solidity, it appears to be an effectual safeguard against vermin, which were a great annoyance to the convicts.

In reference to the hospital, we can speak in terms of commendation, both as to its appointments and management. It is always kept in excellent order, cleanly, and well supplied with whatever adds to the comfort of the sick. The attending physician, Dr. W. B. Rodman, and house physician, Dr. R. W. Wilhoit, are competent and attentive, and we believe the reports from that department will compare favorably with those from any similar institution in the country. The pneumonia, resulting from the hemp, referred to above, is the chief obstacle with which the medical attendants have to contend, and as it is governed by none of the laws that control disease, the wonder is that as many escape as do. The hackling-house is situated just south of the hospital, and it is no unusual thing for the floor of the latter to be covered with the small dusty lint that literally creeps into every crevice where it can find an entrance. This lint is so very fine and minute as to be almost imperceptible, and by applying a fine brush to the floor, it is astonishing to see the quantity that accumulates in a short space of time. This constitutes an additional reason for having the hemp-house so constructed as to afford as free ventilation as possible.

We herewith enclose a copy of the rules placed in our hands by the Keeper. They are the same that have been in force for several years past, and meet our approbation. There are other rules that must be made as the exigencies of the case may demand, or as discretion dictate, that are not printed, and must be necessarily left to the sound judgment of the Keeper; but the main points of the government of the prison are comprised in the copy with this report.
Concerning the modes of punishment we have made strict inquiry, and are assured that whenever whipping is administered, the number of stripes never exceeds ten, the limit of the law, and frequently a less number suffices. We would express the opinion, that, if practicable to do so, some other mode of punishment should be adopted.

One other subject, upon which we would express our opinion, is the necessity for a change in prison discipline and management. Under the present system, the sole object of the Keeper is to make it profitable; and if the object of such institutions is to look towards reforming the prisoner, the present mode of conducting the Penitentiary must necessarily fall short of attaining it. Of course, we could not, in the limits of a report like the present, recommend any plan that would fully accomplish the desired end. This could be done only after mature deliberation, and the comparison of the various modes now adopted; but we throw out the suggestion, and if it be deemed worthy of notice, your Excellency can call the attention of the Legislature to it.

Very respectfully,
  J. M. MILLS,
  F. CHINN, Sr.,
  GEO. A. ROBERTSON,
  Inspectors Kentucky Penitentiary.

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PRISON RULES,

To be Observed by all the Prisoners Confined in the Kentucky Penitentiary.

At the ringing of the first bell at daylight, the prisoners will rise, dress themselves, put in order their rooms, and be in readiness for business.

At the second ringing, the cell doors will be thrown open, each prisoner will then station himself at his cell door, observing profound silence.

At the third ringing, each prisoner will proceed, in haste, to his appointed place of labor, where he will first wash himself, and then proceed without delay to business, where the following rules are to be strictly observed:

  All conversation, except on business of the yard, is strictly prohibited.

  When persons visiting the institution, on business or otherwise, shall speak to a prisoner, he is not to reply without permission from the Keeper, or, in his absence, one of his Assistants.
Every man is required to remain in his place, nor is he permitted to leave for materials, water, or under any pretense, save to the privy, but must ring the bell for the waiter or foreman, who will, in all cases, provide for his wants.

Gazing on persons passing is strictly forbidden.

At the first ringing of the bell, at meal-time, such as have iron in the fire, machinery running, &c., will make preparation to leave.

At the second ringing, each shop will form themselves into a line of double file, the foreman, in all cases, in the rear, and proceed to the table in order and in silence, where each one will take his station near his plate.

When the table bell is rung all will take their seats, and commence eating in silence.

When bread is wanted, the hand must be held up.
When meat, the knife.
When vegetables, the fork.
When water, coffee, or milk (when we have them), the cup.
When soup is wanted, the spoon must be held up.
When any sign is made, and not noticed, the knife, &c., may be rattled on the table, and held up again.

When the table bell is rung the second time, all will rise at the same time and return to their places of business in the same order as when they came.

At the first ringing of the bell for locking up at night, the firemen at the engine, the blacksmiths and foremen of shops, will hasten to put out all the fires and prepare to leave.

At the second ringing, the line of march will be formed in the same manner as when going to meals, and all will proceed forthwith to the cell door, where they will form two columns of double file in complete order, observing profound silence, when the roll will be called.

When the token is given for entering the cells, each prisoner will retire to his own cell, and he is strictly forbidden from entering any other cell than his own.

Strict morality is required of all, and every species of profaneness, obscenity, or insult to one another, positively forbidden.

The foremen are required to report the disorderly of their respective shops.

In any case of difficulty arising between two or more prisoners, in the absence of the Keeper, an investigation of the same shall be had by the Assistant Keeper in charge of the institution; but should one of the prisoners be dissatisfied with the investigation, he may, by applying to the Assistant, appeal directly to the Keeper, and the case shall lay over until his return.

When charges are preferred against one prisoner by another, the accused shall be allowed a fair hearing.

Mr. Todd moved the following resolution, viz:

Resolved, That the message of the Governor be printed, and that the Public Printer be directed to furnish each member of this House with two hundred copies thereof, with paper covers, enveloped, postage paid, ready for distribution by mail.
Mr. McAfee moved to amend said resolution by striking out the words "two hundred," and inserting in lieu thereof the words "one hundred."

And the question being taken on the adoption of said amendment, it was decided in the negative.

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

Those who voted in the affirmative, were—

S. C. Bell, C. P. Gray, C. C. Scales,
Wm. F. Bond, J. J. McAfee, William Sellers,
R. D. Cook, Bryan S. McClure, J. S. Taylor,
J. E. Cosson, J. C. Moorman, E. F. Waide,
Walter Evans, Julian N. Phelps, Jonas D. Wilson,
W. H. Evans, E. A. Robertson, J. N. Woods,

Those who voted in the negative, were—

Mr. Speaker (McCreary) W. W. Bush, J. S. Lawson,
Wm. A. Allen, George Carter, William J. McElroy,
A. C. Armstrong, B. E. Cassilly, W. A. Morin,
W. W. Ayers, James S. Chrisman, Wm. Mynhier,
G. W. Bailey, William G. Conrad, J. L. Nall,
W. W. Bal. win, R. L. Cooper, John W. Ogilvie,
Alpheus W. Bascom, Joseph P. Force, Lewis Potter,
W. R. Bates, James Garnett, Hiram S. Powell,
W. N. Beckham, E. A. Graves, John P. Rowlett,
John A. Bell, Clinton Griffith, C. W. Threlkeld,
J. C. S. Blackburn, George M. Jesse, Harry I. Todd,
Church H. Blakey, E. Polk Johnson, T. W. Varnon,

The resolution, as moved by Mr. Todd, was then adopted.

Mr. Bush moved the following resolutions, which, being amended, on motion of Mr. Varnon, were twice read and adopted, viz:

1. Resolved, That so much of the Governor's message as relates to the State debt, be referred to the Committee on the Sinking Fund.
2. That so much as relates to Revenue Proper, be referred to the Committee on Ways and Means.
3. That so much as relates to Turnpike Stocks, be referred to the Committee on Internal Improvement.
4. That so much as relates to Criminal Law and Courts, be referred to the Committee on the Judiciary.
5. That so much as relates to Cost of Records, be referred to the Committee on Retrenchment and Reform.
6. That so much as relates to Taxation for Corporations, be referred to the Committee on Railroads.
7. That so much as relates to the Penitentiary, be referred to the Committee on the Penitentiary.
8. That so much as relates to the State House of Reform, be referred to the Committee on Charitable Institutions.
9. That so much as relates to the Militia, be referred to the Committee on Military Affairs.
10. That so much as relates to the death of Hon. Garrett Davis, late United States Senator, be referred to a select committee of five (5), whose duty it shall be to prepare and report a series of suitable resolutions.
11. That so much as relates to the death of the late Hon. Jas. A. McCampeh, be referred to a select committee, who shall report suitable resolutions.
12. That so much as relates to Insurance, be referred to the Committee on Insurance.
13. That so much as relates to the Geological Survey and Immigration, be referred to the Committee on Immigration and Labor.
14. That so much as relates to Railroads, be referred to the Committee on Railroads.
15. That so much as relates to a Statistical Bureau, be referred to a select committee of five, to be designated by the Speaker.
16. That so much as relates to the Vienna Exposition, be referred to the Committee on the Expenditures of the Board of Internal Improvement.
17. That so much as relates to the Centennial Celebration, be referred to the Committee on Federal Relations.
18. That so much as relates to Education, be referred to the Committee on Education.
19. That so much of the message as refers to the Revised Statutes and Codes of Practice, be referred to the standing committees on the Revised Statutes and Codes of Practice.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution directing the firing of a national salute at 12 o'clock, M., January 8th, 1873.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Quarter-Master General be, and he is hereby, directed to cause a national salute of thirty-seven guns to be fired this day, at 12 o'clock, M., in honor of our brave soldiers who fought in the battle of New Orleans, January 8th, 1815.

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

"And hereafter a similar salute shall be fired on said day in each succeeding year."

Mr. Goodloe moved to lay the amendment of Mr. Bush on the table.
And the question being taken on the motion of Mr. Goodloe, it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Bush, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCearry) R. D. Cook, Julian N. Phelps,
Wm. A. Allen, R. L. Cooper, William Sellers,
A. C. Armstrong, W. H. Evans, Harry I. Todd,
W. W. Bush, Joseph P. Force, T. W. Varnon,
B. E. Cassily, E. Polk Johnson, Jonas D. Wilson—17.
William G. Conrad, W. A. Morin,

Those who voted in the negative, were—

W. W. Ayers, James Garnett, Mat. Nunan,
G. W. Bailey, Wm. Cassius Goodloe, John W. Ogilvie,
W. W. Baldwin, E. A. Graves, Lewis Potter,
W. R. Bates, C. P. Gray, Hiram S. Powell,
W. N. Beckham, Clinton Griffith, E. A. Robertson,
John A. Bell, George M. Jesse, John Rowan,
S. C. Bell, Thomas M. Johnson, John P. Rowlett,
J. C. S. Blackburn, J. S. Lawson, Samuel M. Sanders,
Church H. Blakey, Bryan S. McClure, J. S. Taylor,
Wm. F. Bond, William J. McElroy, C. W. Threlkeld,
W. B. M. Brooks, M. E. McKenzie, E. F. Waide,
George Carter, J. C. Moorman, J. M. White,
James S. Chrisman, Wm. Mynhier, J. N. Woods,
J. E. Cosson, J. L. Nall, S. H. Woolfolk—43.
Walter Evans,

The Senate resolution was then adopted.

Mr. Ogilvie moved the following resolution, viz:

Resolved, That the Ministers of the several churches of the city of Frankfort be invited to attend the present session, and open the same with prayer each morning.

Which was adopted.

On motion of Mr. Scales, indefinite leave of absence was granted Mr. Anderson.

Mr. Blackburn moved the following resolution, viz:

Resolved, That all bills undisposed of at the last session of the General Assembly, and now pending before this House, be recommitted to the several committees from which the same were originally reported.

Which was adopted.
Mr. W. Evans then moved to reconsider the vote by which said resolution was adopted.

On motion of Mr. Waide, the further consideration of said motion was postponed until to-morrow, at 11 o'clock, A. M.

And then the House adjourned.

THURSDAY, JANUARY 9, 1873.

Under the resolution adopted yesterday, referring so much of the Governor's message as relates to the death of Hon. J. H. McCampbell, late a member of this House, to a select committee, the Speaker appointed thereon the following committee, viz: Messrs. W. Evans, Goodloe, Tucker, Cook, and Mynhier.

Under the resolution adopted on yesterday, referring to a select committee so much of the Governor's message as relates to the death of the Hon. Garrett Davis, the Speaker appointed the following committee, viz: Messrs. Clay, E. P. Johnson, Chrisman, Baker, and Corbett.

Under the resolution adopted on yesterday, referring so much of the Governor's message to a select committee as relates to the establishment of a Statistical Bureau, the Speaker appointed the following committee, viz: Messrs. Blackburn, Bush, Graves, Hoskins, and Blakey.

On motion, indefinite leave of absence was granted Mr. Arnold.

The following petitions were presented viz:

By Mr. Robertson—

1. The petition of the justices of the Fleming county court, praying the passage of an act to allow said court to levy a sum sufficient to pay off certain expenses incurred by the county in the suppression of the small-pox.

By same—

2. The petition of the court of claims of Fleming county, praying the passage of an act to change certain provisions of the law, so as
to authorize them to appropriate certain funds to any other purpose
than that named in said acts.
By Mr. W. Evans—
3. The petition of certain citizens of Crafton, in Christian county,
praying an act of incorporation.
By Mr. Bascom—
4. The petition of James Wills, praying to be compensated for
keeping a certain idiot.
By Mr. Threlkeld—
5. The petition of stockholders in the New Liberty Branch Turn-
pike Road Company, praying the passage of an act in aid of said
road.
By same—
6. The petition of stockholders in the New Liberty and Owen
Turnpike Road Company, praying the passage of a certain act for
their benefit.
By Mr. Foree—
7. The petition of certain citizens of Shelby county, praying the
passage of an act allowing certain persons, liable to work on public
roads, to work the side road of the Simpsonville and Buck Creek
Turnpike Road, from Simpsonville to the point at which the turnpike
road crosses the Brunerstown road, southeast of George Price's house.
By same—
8. The petition of L. W. Wright and others, directors of the Simp-
sonville Turnpike Road Company, praying the passage of an act
allowing the said company to make said road of a certain width at
certain points named therein.
By Mr. Conrad—
9. The petition of certain citizens of Gallatin county, praying the
repeal, so far as the same applies to said county, of an act, entitled
"An act for the protection of sheep in the counties of Nicholas,
Gallatin, and Fleming."
Which were received, the reading dispensed with, and referred—
the 1st and 2d to the Committee on County Courts; the 3d to the
Committee on Corporate Institutions; the 4th to the Committee on
Claims; the 5th and 6th to the Committee on Propositions and Griev-
ances; the 7th and 8th to the Committee on Internal Improvement;
and the 9th to the Committee on the Judiciary.
The House then took up the motion made by Mr. W. Evans, to
reconsider the vote by which the House, on yesterday, adopted the
resolution of Mr. Blackburn, in regard to the distribution of the unfinished business of the last session.

Mr. Waide moved to lay the motion of Mr. Evans to reconsider on the table.

And the question being taken on the motion of Mr. Waide, it was decided in the affirmative.

A message was received from the Governor by Geo. W. Craddock, Secretary of State, which was taken up and read as follows, viz:

EXECUTIVE OFFICE, January 8, 1873.

Gentlemen of the House of Representatives:

A short time previous to the adjournment of the General Assembly, at its session of 1871-'2, a bill, originating in the House of Representatives, entitled “An act in aid of the construction of a levee on the Mississippi river in Fulton county,” was presented to me for my approval.

In the preamble of the bill it is stated, that “Whereas, the Mississippi River Levee Company, incorporated by an act of this General Assembly, approved January the 13th, 1872, propose to construct a levee on the banks of the Mississippi river, in Fulton county, so as to reclaim from inundation the land in said county lying below the old town of Hickman, now subject to overflow from said river.”

It then proceeds to enact: “That from and after the completion of said levee, for a period of fifteen years, there shall be, and is hereby, given and granted unto said Mississippi River Levee Company, all the tax assessed and collected, under and by virtue of the general laws of this Commonwealth, upon the increased value of all the property in said district so subject to overflow, and sought to be reclaimed by said levee, over its value, as shown by the assessment for the year 1871: Provided, Said levee shall be kept in good repair and above high water mark.”

The second section provides that the county judge, county clerk, and sheriff of the county of Fulton, shall constitute a board to ascertain and report to the Auditor the value of all the property in the district as shown by the assessment of 1871.

The third section makes it the duty of the board of supervisors, every year after the completion of the levee, for a period of fifteen years, to ascertain and report to the Auditor “the total assessed value of all the taxable estate in said district.”

The fourth section provides, that “hereafter the sheriff of Fulton county shall collect and pay over to the State only the amount of taxes on lands redeemed by the construction of said levee, as shown to be due by the assessment of said land for the year 1871, and shall account to and pay over to said levee company any excess over that amount on the increased value of said lands in consequence of the construction of said levee, and shall in every way be responsible to said levee company on his revenue bond for the same as he now is to the State,” &c.
By an examination of the act to incorporate the "Mississippi River Levee Company," it will be found that the company is not only clothed with the power of erecting levees on the banks of the Mississippi river, but also of constructing a railroad upon the levees so erected.

It will be found that the company has been invested, by the act incorporating it, with very large and extensive powers; and further, that it is an incorporation of a private nature and for private purposes, as any other railroad company.

The bill under consideration proposes to donate to that company, for the benefit of its stockholders, the revenue of the State for a period of fifteen years, upon the enhanced value of all the taxable property lying within the district designated, no matter from what causes such enhanced value may have arisen. In fact, the language employed in the bill is broad enough to include every species of taxable property within the district, whether real or personal, although, from its general tenor, I am inclined to the opinion that real estate was only intended to be effected by the provisions of the bill. It seems that the State is not only required to relinquish to a private corporation its revenues upon the increased value of all taxable property situated in the district, but, in addition to that, it is bound to incur all the expenses of the operation. The taxes are proposed to be assessed and collected through and by State machinery alone, and at the expense of the State. New duties are imposed upon the Auditor of Public Accounts, and special boards and agencies are, as to the county of Fulton, introduced into the revenue system, which must necessarily lead to confusion.

The right of the Legislature to impose a tax on private property, to build up the fortunes of private individuals or of private corporations, can scarcely be conceded. It is against the spirit, if not the letter, of the Constitution. It is no less unjust in practice than it is unsound in principle. It would be such an arbitrary exercise of power as to incur the censure of all who have a proper regard for the rights of the people, or a proper conception of the legitimate powers of the government.

The extraordinary power is given to the company, by the eleventh section of the act by which it was incorporated, to levy and collect, of its own motion, a tax upon the lands and town lots in the district subject to overflow; and it is now seeking, by this bill, to appropriate the revenues of the State, upon the increased value of the same property, to the benefit of its stockholders.

The power of coercing from the people money by taxation is necessarily one of great delicacy, and should be exercised with a proper degree of prudence and caution. It is doubtful whether it ought to be resorted to by the State at all, except to raise funds sufficient to enable the government to conduct efficiently the administration of public affairs. The bill under consideration, it seems to me, is not only anomalous in its provisions, but it is unjust towards other sections of the State. If the character of legislation which it proposes to inaugurate shall become general, or even frequent,
the effect would necessarily be greatly to embarrass the Treasury of the State, if not finally to bankrupt it, and thus cripple the operations of the government.

The taxes to sustain a common treasury should not only be uniform, but equal. No section ought to claim exemption from the duty of contributing its proportion, according to the value of its taxable property, to the common fund necessary to carry on the affairs of government, and whilst I admit that the Legislature has heretofore, as a matter of charity, or to promote education, which are of a general nature, exempted certain property from taxation, and whilst I am not inclined to criticise such legislation, I am prepared to say that the policy of transferring the revenues arising from large districts of country from the Treasury to a private corporation is wholly unsupported by precedent, and is in conflict with every principle of justice and equality.

But this bill is liable to other and still more serious objections. As before observed, it proposes to donate the prospective revenues of the State for a period of fifteen years to the Mississippi River Levee Company. The revenue thus donated would necessarily, by operation of the revenue laws, be paid into the Treasury. Article 2, section 34, of the Constitution, declares: "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 pass laws to increase them; and the whole resources of said fund, from year to year, shall be sacredly set apart and applied to the payment of the interest and principal of the State debt, and to no other purpose, until the whole debt of the State is fully paid and satisfied."

And section 40 of the same article declares: "The General Assembly shall have no power to pass any act or resolution for the appropriation of any money, or the creation of any debt, exceeding the sum of one hundred dollars, at any one time, unless the same, on its final passage, shall be voted for by a majority of all the members then elected to each branch of the General Assembly, and the yeas and nays thereon entered on the Journal."

The bill under consideration is substantially an appropriation of money, and although the amount does not appear, and cannot, from the very nature of the subject, be ascertained until the property shall have been assessed, and then only for the year the assessment has been made, yet it may be assumed with almost absolute certainty that it will in each year amount to more than one hundred dollars, and at the close of the period of fifteen years would aggregate quite a large sum of money. The Journals of the House of Representatives do not show by what majority this bill was passed, nor that the yeas and nays were entered upon its passage. It follows, therefore, that the bill was not passed in conformity with the requirements of the 40th section of the 2d article of the Constitution.

Furthermore, by the 1st section of article 1 of chapter 86 of Revised Statutes, it is enacted, "that an annual tax of seventeen cents upon each one hundred dollars of value of the real and personal
estate directed to be assessed for taxation, shall be paid by the persons assessed—ten cents thereof for the ordinary expenses of government, five cents for the use of the Sinking Fund, and two cents for the support of common schools."

Thus it will be seen that the bill under review proposes to appropriate to the "Mississippi River Levee Company" the per centum of the revenue arising from the enhanced value of the taxable property in the district specified in the bill which is set apart by law to the Sinking Fund. The resources of the Sinking Fund will, of course, under the provisions of this bill, be diminished, which cannot be done until the State debt shall have been paid without a plain violation of the constitutional provision above referred to.

For these reasons I have felt it my duty to withhold my approval of the bill, and respectfully submit them for the consideration of your honorable body.

P. H. LESLIE.

Said bill reads as follows, viz:

WHEREAS, The Mississippi River Levee Company, incorporated by an act of this General Assembly, approved January the 30th, 1872, propose to construct a levee on the banks of the Mississippi river in Fulton county, so as to reclaim from inundation the land in said county, lying below the old town of Hickman, now subject to overflow from said river; now, therefore, in aid of said enterprise,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the completion of said levee, for a period of fifteen years, there shall be, and is hereby, given and granted unto said Mississippi River Levee Company, all the tax assessed and collected, under and by virtue of the general laws of this Commonwealth, upon the increased value of all the property in said district so subject to overflow, and sought to be reclaimed by said levee, over its value, as shown by the assessment for the year 1871: Provided, Said levee shall be kept in good repair and above high water mark.

§ 2. That the county judge, county court clerk, and the sheriff of Fulton county, are hereby appointed a board of commissioners, to ascertain and report, under oath, to the Auditor of the State, the total assessed value of all the property in said district, according to the assessment for the year 1871; which said report shall be filed by the Auditor, and preserved among the records of his office.

§ 3. That from and after the completion of said levee, for fifteen years, the board of supervisors of tax for Fulton county, in addition to the duties now imposed upon them by law, shall ascertain from the assessor's book, and report under oath to the Auditor, the total assessed value of all the taxable estate in said district.

§ 4. That hereafter the sheriff of Fulton county shall collect and pay over to the State only the amount of taxes on lands redeemed by the construction of said levee, as shown to be due by the assessment of said land for the year 1871, and shall account to and pay over to said levee company any excess over that amount on the increased value of said lands, in consequence of the construction of said levee, and shall in every way be responsible to said levee
company on his revenue bond for same as he now is to the State, except that action may be had against him for same on his bond in the Fulton circuit court, by notice thereof, as now required in cases at common law.
§ 5. This act shall be in force from and after its passage.

On motion of Mr. Corbett,

Ordered, That the further consideration of said message be postponed to, and made the special order of the day for, Monday, 20th inst.

A message was received from the Governor by Geo. W. Craddock, Secretary of State, which was taken up and read as follows, viz:

EXECUTIVE OFFICE, FRANKFORT, January 6th, 1873.

Gentlemen of the House of Representatives:

On the 27th day of March last, two days before your adjournment for recess, a bill, which originated in your body, entitled "An act to amend an act incorporating the Goshen, Oldhamsburg, and Sligo Turnpike Company," was presented to me for approval. The bill repeals the second section of the act it proposes to amend, and substitutes this provision: "That in order to raise the means necessary to build said road it shall be lawful, and is hereby imposed, on all the lands in Saltillo precinct, except the lands south of the South Hill Turnpike, and the lands of Wm. Hoskins, Zach Willhoite, Jeff Willhoite; and also all the lands in the Ohio river bottoms, between the river and the top of the first line of bluffs from the river," a tax sufficient to build said road, and collectable within two years: Provided, however, The same shall be submitted to the legal voters in said district, at an election to be held at any time or times when a majority of the incorporators shall ask for it; and in case a majority of those voting shall vote for it, the tax is to be levied, and its collection enforced according to the provisions of the charter.

It does seem to me that this is extending the power of the majority far beyond the limits of constitutional boundary, and is an invasion of the property rights of the citizen calculated to work great oppression and unjust hardship. It is denied by many of our able jurists (and doubted by many statesmen) that majorities can be vested with power by the Legislature to vote upon unwilling minorities taxes and subscriptions of stock in private corporations, though the same may partake somewhat of a public nature. Yet in Kentucky we have for many years practiced upon, and treated this as a sound principle; and whilst it is not my purpose now to discuss this question, I must say that in many instances in our own State its practical operation has been very disastrous, and proved to be an unwise policy; and it behooves us now more than ever, in view of the recent accession to our voting population—forced upon us—to exercise the greatest caution in the delegation of this power to popular vote. The great objection to this bill is, that it carves out a particular territory within Saltillo precinct, in Oldham county, which is destitute of the corporate existence and powers that, under the laws, usually
attach to counties and precincts, and vests in a majority of those
who shall vote upon the proposition the power of levying a burden,
to be paid within two years, upon the lands of that district sufficent
to build the turnpike road named in the bill, and provides that the
county court shall cause an election to be held at any time or times
when a majority of the incorporators shall ask for it. Whatever
meaning the framer of the bill may have attached to the language,
it can be so construed as to require that if a majority vote is not
secured upon the first trial, the company is privileged to have the
vote taken again and again, as often as it shall choose. Every legal
voter within the district, however much property or money he may
have, and whether he has any land or not, is made competent to give
his voice in fixing this heavy exaction upon his neighbor's land, in
order to facilitate the speed and comfort of his own travel, and no
other property is to pay any part of it. Men may live within the
district, owning property (other than land) and money amounting in
value to more than the lands in the district; and whilst they and
those owning no property can thus encumber the real estate, their
property in the same district is exempt from such charge.

If a turnpike road through a county can thus be built, could not
a popular majority be authorized in like manner to command by its
vote a tax upon the lands to build a livery stable, a mill, or to set up
a line of stages? Conceding such right to popular majorities ovet
the estate of a selected class of persons, or a selected class of prop­
erty, and carrying out the principle, bankruptcy must inevitably
result to the minority, and that not to support the government, but
to build up and encourage an enterprising corporation.

For these reasons, and others that might be given, manifesting to
my mind the unconstitutionality of the bill, I am constrained to with­
hold my approval, and most respectfully here return the same.

P. H. LESLIE.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of
Kentucky, That the act incorporating the Goshen, Oldhamsburg, and
Sligo Turnpike Company be amended as follows: That section
second be so amended as to read: That in order to raise the means
necessary to build said road, it shall be lawful, and is hereby im­
posed, on all the lands in Saltillo precinct, except the lands south of
the South Hill Turnpike, and the lands of Wm. Hoskins, Zach Will­
hoyle, Jeff. Willhoyle, and also all the lands in the Ohio river bot­
toms, between the river and the top of the first line of bluffs from
the river. And the lands lying in said district shall be taxed as
follows: the land within one mile shall be taxed double the amount
of the land beyond one mile: Provided, however, Before this act shall
take effect, the same shall be submitted to the legal voters in said
district at the usual place of voting therein, at an election to be
held at any time or times when a majority of the incorporators
shall petition the county judge to order an election, notice of which
shall be given in writing, at three of the most public places in said
district, at least ten days before said election shall be held; that this be a substitute in full of the section second in the bill referred to.

§ 2. That section seven (7) be so amended as to read: the tax hereby imposed shall be collected as follows: one fourth in six months, one fourth in one year, one fourth in eighteen months, and the remainder in two years after the adoption of this act. The persons from whom tax is due under the provisions of this act shall pay the same to the treasurer of said company, and take his receipt for the same, which shall be a full acquittance to said tax-payer for the amount embraced in such receipts.

§ 3. This act to take effect from and after its passage.

The question was then put, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative, none—

Those who voted in the negative, were—

Mr. Speaker (M'Creary), J. E. Cosson, W. A. Morin,
Wm. A. Allen, W. W. Deaderick, Wm. Mynhier,
A. C. Armstrong, John W. Dyer, J. L. Nall,
W. W. Ayers, Walter Evans, Mat. Nunan,
G. W. Bailey, W. H. Evans, Julian N. Phelps,
R. Tarr. Baker, Manlius T. Flippin, Lewis Potter,
W. W. Baldwin, C. D. Foote, Hiram S. Powell,
Alpheus W. Baseom, Joseph P. Foree, E. A. Robertson,
W. N. Beckham, James Garnett, John Rowan,
John A. Bell, Wm. Cassius Goodloe, John P. Rowlett,
S. C. Bell, E. A. Graves, Samuel M. Sanders,
J. C. S. Blackburn, C. P. Gray, C. C. Scales,
Church H. Blakey, Clinton Griffith, William Sellers,
Wm. F. Bond, J. P. Hampton, J. S. Taylor,
W. B. M. Brooks, Wm. A. Hoskins, C. W. Threlkeld,
W. W. Bush, George M. Jesse, Harry I. Todd,
Robert M. Carlisle, E. Polk Johnson, L. W. Trafton,
George Carter, L. S. Lassing, Joseph T. Tucker,
B. E. Cassilly, J. J. McAfee, T. W. Varnon,
James S. Chrisman, Bryan S. McClure, E. F. Waide,
C. M. Clay, jr., J. S. Lawson, J. M. White,
J. Guthrie Coke, William J. McElroy, F. A. Wilson,
William G. Conrad, M. E. McKenzie, Jonas D. Wilson,
R. D. Cook, T. J. Magibben, J. N. Woods,
R. L. Cooper, J. C. Moorman, S. H. Woolfolk—76.

And so said bill was rejected.
Mr. Scales read the following joint resolution, which, under the rule, lies one day on the table, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on the 28th of February, 1873, it shall adjourn sine die.

Mr. Cooper moved the following resolution, viz:

Resolved, That the Chief Clerk of this House be allowed to appoint a Second Assistant Clerk.

Which was adopted.

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

On motion of Mr. Corbett—
1. A bill to charter the Cairo and Tennessee River Narrow Gauge Railroad Company.

On motion of same—

On motion of same—
3. A bill for the benefit of school district No. 5, in Ballard county.

On motion of same—

On motion of same—
5. A bill for the benefit of Mrs. Polly George, of Ballard county.

On motion of same—
6. A bill for the benefit of Ballard county.

On motion of Mr. Bates—
7. A bill for the benefit of the Barren County Railroad Company.

On motion of same—
8. A bill to prohibit the sale of spirituous, vinous, or malt liquors in Cave City precinct, in Barren county.

On motion of Mr. Armstrong—
9. A bill to amend the charter of Augusta Lodge, No. 80, of F. A. M., in Augusta, Bracken county.

On motion of Mr. Baker—
10. A bill to amend the charter of the Newport and Alexandria Turnpike Road Company.

On motion of Mr. Walter Evans—
11. A bill to define the offense of petit larceny, and to provide for and fix its punishment.

On motion of same—
12. A bill to incorporate the town of Crofton, in Christian county.
On motion of same—
13. A bill to regulate the toll to be taken by water mills.
On motion of same—
On motion of same—
15. A bill to further regulate the jurisdiction of the Court of Appeals.
On motion of same—
16. A bill to amend the charter of the Public Library of Kentucky.
On motion of same—
17. A bill to amend the charter of the Christian County Bank.
On motion of same—
18. A bill to further regulate the duties of master commissioners.
On motion of Mr. Tucker—
19. A bill to amend the charter of the Louisville, Lexington, and Cincinnati Railroad.
On motion of same—
20. A bill for the benefit of the town of Winchester.
On motion of same—
21. A bill for the benefit of Marcus Devary, of Clark county.
On motion of same—
22. A bill for the benefit of Clark and Montgomery counties.
On motion of same—
23. A bill for the benefit of the town of Mount Sterling.
On motion of same—
24. A bill for the benefit of the creditors of the Clark and Montgomery Turnpike Road Company.
On motion of Mr. Goodloe—
25. A bill to incorporate the Mechanics' Loan and Building Association of Lexington.
On motion of Mr. Sellers—
26. A bill for the benefit of Merrill Hardin, of Garrard county.
On motion of Mr. Nall—
27. A bill for the benefit of the jailer of Hardin county.
On motion of Mr. Megibben—
28. A bill for the benefit of the assessor of Harrison county.
On motion of Mr. Rowlett—
29. A bill to charter the Merchants' Banking Company of Caverna, Hart county.
On motion of Mr. Woolfolk—
30. A bill to aid in building and improving school-houses in Hopkins county.

On motion of Mr. E. Polk Johnson—
31. A bill to abolish whipping as a penalty for crime in this Commonwealth.

On motion of same—
32. A bill to prevent stock from running at large on public roads in Jefferson county.

On motion of same—
33. A bill to allow depositions to be forwarded by express.

On motion of same—
34. A bill for the benefit of married women.

On motion of same—
35. A bill for the benefit of common schools in Kentucky.

On motion of Mr. Foote—
36. A bill to amend chapter 15, title 10, Civil Code of Practice.

On motion of Mr. Coke—
37. A bill to amend an act, entitled “An act to incorporate the Whitestone Quarry Company.”

On motion of Mr. Carter—
38. A bill for the benefit of the common school districts in Lawrence county.

On motion of Mr. Varnon—
39. A bill to promote immigration.

On motion of same—
40. A bill to charter a railroad from Stanford to Bowling Green.

On motion of same—
41. A bill for the benefit of L. R. Yates, of Lincoln county.

On motion of Mr. Webb—
42. A bill for the benefit of J. R. Hooks, of Livingston county.

On motion of same—
43. A bill for the benefit of S. H. Piles, of Livingston county.

On motion of Mr. Cooper—
44. A bill to amend the charter of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

On motion of Mr. Beckham—
45. A bill to change the time of holding courts in the 7th judicial district.
On motion of Mr. Graves—
46. A bill to repeal all laws authorizing the sale of lottery tickets, or the drawing of the same, within the State of Kentucky.

On motion of same—
47. A bill to take the sense of the people of Kentucky as to the propriety of calling a convention according to the provisions of article 13, section 4, of the Constitution of Kentucky.

On motion of same—
48. A bill to prohibit the advertising of lottery drawings, and the sale of lottery tickets for drawings, concerts, &c.

On motion of Mr. Cosson—
49. A bill for the benefit of the sheriff of Pulaski county.

On motion of same—
50. A bill to authorize the county court of Pulaski county to levy a tax, and issue and sell county bonds, for the purpose of building a new court-house.

On motion of Mr. Foree—
51. A bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company.

On motion of same—
52. A bill for the benefit of the Simpsonville and Buck Creek Turnpike Road Company.

On motion of Mr. Bush—
53. A bill to subject the railroads of this Commonwealth to the payment of local and municipal taxes.

On motion of same—

On motion of same—
55. A bill for the benefit of Ira J. Bogan, late sheriff of Simpson county.

On motion of same—
56. A bill to repeal section 6 of an act, entitled "An act to amend the charter of the Louisville and Nashville Railroad Company," approved February 6th, 1858.

On motion of same—
57. A bill for the benefit of the town of Franklin.
On motion of same—
58. A bill to convert the House of Reform for Juvenile Delinquents into a lunatic asylum for the period of ten years.
On motion of Mr. McKenzie—
59. A bill for the benefit of R. W. Major, sheriff of Trigg county.
On motion of Mr. Dyer—
60. A bill to re-enact an act, entitled “An act to amend an act to incorporate the Bank of Union County.”
On motion of same—
61. A bill to incorporate the Caseyville and Tradewater Valley Railroad Company.
On motion of Mr. Potter—
62. A bill to legalize the issue of, and indorsement made upon, bridge and road bonds by the Warren county court, under an act approved December 20th, 1871.
On motion of same—
63. A bill for the benefit of Warren county.
On motion of Mr. Nunan—
64. A bill to amend the charter of the Washington County Agricultural Society.
On motion of Mr. McAfee—
65. A bill to charter the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county.
On motion of same—
66. A bill for the benefit of C. Cardwell, of Mercer county.
On motion of same—
67. A bill for the benefit of Daniel Moore, of Mercer county.
On motion of Mr. Powell—
68. A bill for the benefit of J. N. Culton, late sheriff of Jackson county, and his sureties.
On motion of same—
69. A bill for the benefit of Wilson Morgan, late sheriff of Clay county, and his sureties.
On motion of Mr. W. H. Evans—
70. A bill for the benefit of the sheriff of Josh Bell county.
On motion of Mr. Blakey—
71. A bill for the benefit of the owners of stallions and jacks.
On motion of Mr. Griffith—
72. A bill for the benefit of the Daviess County Agricultural and Mechanical Society.
Ordered, That the Committee on Railroads prepare and bring in the 1st, 19th, 40th, and 61st; the Committee on Ways and Means the 2d, 5th, 42d, and 43d; the Committee on Education the 3d, 30th, 35th, and 38th; the Committee on the Judiciary the 4th, 10th, 11th, 16th, 26th, 39th, 52d, 54th, 55th, 56th, 57th, and 58th; the Committee on County Courts the 6th, 50th, and 59th; the Committee on Claims the 7th, 14th, 21st, 41st, 66th, and 67th; the Committee on Religion the 6th; the Committee on Corporate Institutions the 9th, 12th, 20th, 23d, 24th, 27th, 37th, 64th, and 72d; the Committee on Revised Statutes the 13th, 18th, 22d, 28th, 31st, 34th, and 71st; the Committee on the Court of Appeals the 15th; the Committee on Banks the 17th, 25th, 29th, and 60th; the Committee on Codes of Practice the 33d and 36th; the Committee on Internal Improvement the 44th, 51st, 52d, and 55th; the Committee on Circuit Courts the 45th; the Committee on Propositions and Grievances the 49th, 68th, 69th, and 70th; a select committee, consisting of Messrs. Coke, Force, and Foote, the 32d; a select committee, consisting of Messrs. McElroy, Moorman, Woolfolk, and Allen, the 62d; a select committee, consisting of Messrs. Bush, Nall, Bates, and Phelps, the 63d; a select committee, consisting of Messrs. Graves, Goodloe, and Webb, the 46th; a select committee, consisting of Messrs. Graves, Todd, Ayers, Goodloe, and Taylor, the 47th; and a select committee, consisting of Messrs. Graves, Goodloe, and Ayers, the 48th.

And then the House adjourned.
FRIDAY, JANUARY 10, 1873.

The following petitions were presented, viz:

By Mr. Armstrong—

1. The petition of sundry citizens of Powersville, in Bracken county, or within two miles of said town in any direction, praying that the county court hereafter may be prohibited from granting a license of any kind to any person within the scope of that territory to sell liquors.

By Mr. Bond—

2. The petition of sundry citizens, asking change of time of holding the circuit court for Anderson county, from the first Mondays in June and December, to the fourth Mondays in April and October, or as early in the spring and fall as public policy will allow.

By same—

3. The petition of sundry citizens, praying a change in the line between Mercer and Anderson counties.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion; the 2d to the Committee on Circuit Courts; and the 3d to the Committee on Propositions and Grievances.

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

1. An act to amend the charter of the Bardstown and Green River Turnpike Road Company.


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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be referred—the 1st to the Committee on Internal Improvement, and the 2d to the Committee on County Courts.
On motion, indefinite leave of absence was granted Messrs. Wright and Tarlton.

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

On motion of Mr. E. P. Johnson—
1. A bill for the establishment of an abstract office for Louisville and Jefferson county.

On motion of Mr. Graves—
2. A bill to establish the conventional rate of interest at eight per cent., and to repeal all laws in conflict therewith.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, and the Committee on Ways and Means the 2d.

Mr. McAfee moved to suspend the rules regulating the order of business, to enable him to report a bill; which motion was adopted.

Mr. McAfee then introduced and reported a bill, entitled

A bill in relation to stationery.

Mr. McAfee then moved to suspend the rule requiring its reference to a committee, which motion was also adopted.

Said bill was then read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled "An act in relation to stationery furnished the members of the General Assembly," approved March 16th, 1869, be, and the same is hereby, applied to the present adjourned session of the General Assembly; and that each member of the General Assembly, including the Lieutenant Governor, shall, for this adjourned session, be allowed and receive the amount in said act provided for, in lieu of stationery heretofore furnished members of the General Assembly; and that five dollars additional shall be allowed under this act to each chairman of the several committees of the two Houses; all to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was taken on the passage thereof, and it was decided in the affirmative.

5-H. R.
The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Resolved, That the title of said bill be as aforesaid.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to prohibit the sale of spirituous, vinous, or malt liquors in Cave City precinct, in the county of Barren.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The Speaker laid before the House the following communication from the Commissioners to revise the Statutes, which was taken up and read as follows, viz: 

To the Senate and House of Representatives of the Commonwealth of Kentucky: 

GENTLEMEN: In presenting a partial report of the results of our conjoint labors as Commissioners “to Revise, Digest, and Compile the Statute Laws of the State,” we have thought it not improper to accompany the same with some explanatory observations. We have never supposed that we were possessed of qualifications which perfectly fitted us for the task imposed by the commission under which we have acted, and our distrust has not diminished as our labors progressed, and the obstacles to be overcome continued to multiply. We, however, brought to the discharge of this duty a determination, that, if by unremitting assiduity, perseverance and labor, aided by such intelligence and legal learning as we did possess, a result satisfactory to the Legislature and the public could be attained, we would achieve it. We trust that it will be found that we have done so, and feeling that the best has been done which we could accomplish in the period limited to us, we beg leave respectfully to submit our work.

There are some errors in the work, and some emendations necessary, which we have detected, but discovered too late for correction at the press; but which we propose to point out in the form of “Explanatory Notes.”

In the commencement of our labors we adopted certain rules for our governance to which we have inflexibly adhered, prominent among which may be mentioned these: we determined not to disturb any law, which, by the length of time it had remained upon the statute books, unaltered, furnished evidence that it was acceptable to the people; never to interfere with any act, or principle of legislation, which had undergone judicial construction and interpretation, whereby the same was understood by the community, and might be presumed to have become a rule of conduct or of property.

In a number of instances we have felt constrained to alter the phraseology of an enactment; but have been cautious to preserve the sense, our object having been to present the legislative will in language more simple, perspicuous, and intelligible. We have endeavored to meet the wishes of the Legislature in this compilation by omitting all “stat-
utes which have become obsolete, or have been repealed,” by “embodying in one chapter all laws upon one general subject, and reconciling, as far as possible, all such as were contradictory or repugnant.”

We have also, to some extent, availed ourselves of the license given in the act creating the commission, “to make such modifications and changes in the laws as, in our judgment, would be for the public interest.” In this respect, however, we have felt the delicacy of the task, and have acted with great caution, inserting such new provisions only after mature consideration and advice, and counsel with gentlemen eminent in the profession, of recognized soundness of judgment, and practical knowledge of our system of jurisprudence. We trust the Legislature will, in considering these amendments, approve our action as just and proper.

Impressed with a lively sense of the great responsibility of the duty assigned us, we have, at all times, sought the assistance of the ablest gentlemen of the profession in different portions of the State, and we, with pleasure, acknowledge the valuable aid we have derived from this source. We have been much gratified at the uniform cheerfulness manifested by the members of the bar in giving us the benefit of their experience and legal learning.

We have remained in Frankfort, during all the time in which we have been employed on this compilation, and although it was at the sacrifice of domestic comforts, and to some considerable extent of our private business, we have become thoroughly satisfied that in so doing we have acted judiciously. By being at the Seat of Government greater facilities were at hand of access to the statute laws of other States, with which a comparison was desirable, as also we had the advantage of personal interview with legal gentlemen throughout the State, coming here to attend to private business, from whose suggestions and criticisms on our work we have derived great benefit. But while we acknowledge our obligations to the profession in different parts of the State for essential aid in this revision, we desire in an especial manner to express our gratitude to His Excellency, Governor Leslie, to each of the Judges of the Court of Appeals, and to the Attorney General, for the invaluable assistance we have derived from their suggestions and counsel. The uniform urbanity of those gentlemen, and the readiness with which they have listened and replied, upon all doubtful and troublesome questions, has laid us under obligations, not to be forgotten during
life. From the State officers, residing at Frankfort, we have been furnished with all the information asked at their hands; and the promptitude and skill with which all the printing required has been executed by the Public Printer has greatly facilitated the progress of the work.

We have determined to style this collection of the laws "The General Statutes of Kentucky." It will, of course, be necessary that the book shall have some particular title, by which it is to be designated, when cited or referred to, and one which will distinguish it from "The Statute Laws," by Morehead & Brown, and by Mr. Loughborough, as also "The Revised Statutes," by Messrs. Nicholas, Wickliffe & Turner. We have been unable to select one more appropriate than "The General Statutes of Kentucky." We, however, have no particular preference for this, rather than any other title, which may suit the Legislature better. It will be found that several chapters, on some of the most important subjects, are not among the sheets which will be first laid upon the members' tables. This results from the want of time to perfect those subjects, and present them in a shape acceptable to ourselves; we are, however, engaged in completing them, and they will be furnished, before the committee to whom we presume the revision will be referred, shall have completed the consideration of those we now beg leave to report, a list of which is appended to this report.

We would also remark that we found ourselves under the necessity of postponing a portion of the duties assigned us under the act. We were required to make such reference to the decisions of the Court of Appeals as we might deem necessary. We could not discharge this duty, and complete the work for the action of the General Assembly at this session, it requiring all our time to get it up in "Bill form;" and further, we were uncertain what portion of the compilation would be approved or rejected; and we did not think it prudent to do any part of that work whilst this uncertainty existed. We would also suggest that we have, in the course of our labors, been repeatedly reminded of the inconvenience, and subjected to delay, in our researches into the statute laws for the want of an exhaustive, full, and perfect index. We trust that the Legislature will provide against the recurrence of this inconvenience, if they should adopt our compilation, and provide for its publication.

Sincerely trusting that the result of our arduous service in compiling these sheets may prove satisfactory to the Legislature, of essential service as a means of information to the public, and a compendium of the
statute laws of the State useful to the officers and profession in this Commonwealth, we leave them at your disposal.

Respectfully,

E. J. BULLOCK,
J. M. NESBITT,
G. W. CRADDOCK, Umpire.

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ATTORNEY GENERAL.
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CAUSES OF ACTION WHICH SURVIVE.
CHAMPERTY AND MAINTENANCE.
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PUBLIC BINDER.
PUBLIC BUILDINGS, STATE AND COUNTY.
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SERGEANT.
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TAVERNS, TIPPLING-HOUSES, &c.
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TREASURER.
TURNPIKE AND PLANK ROADS.
VAGRANTS.
WEIGHTS AND MEASURES.
WILLS.
Mr. Varnon moved to refer said communication to the Committee on Revised Statutes, but subsequently withdrew said motion.

Mr. Blackburn then moved to refer the same to a select committee of ten.

Mr. Waide moved to amend the motion of Mr. Blackburn, by striking out the word "ten," and inserting in lieu thereof "fifteen."

Mr. Bush then moved a joint resolution as a substitute for the pending motions.

On motion of Mr. Bush,

The rule requiring joint resolutions to lie one day on the table was suspended, and said resolution was taken up and read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of ten be appointed by the Speaker of the House, and six to be appointed by the Speaker of the Senate, to whom shall be referred the Report of the Commissioners to revise the Statutes of this Commonwealth.

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

Said resolution was then adopted.

On motion of Mr. Bascom,

Ordered, That two hundred copies of said report be printed for the use of this House.

The Speaker laid before the House a communication from the Insurance Commissioner.

[For Response—see Legislative Document No. 7.]

Mr. Graves moved to print one thousand copies thereof for the use of this House.

Mr. Griffith moved to amend the motion of Mr. Graves, by striking out "one thousand," and inserting in lieu thereof "one hundred."

The question was then taken on the amendment proposed by Mr. Griffith, and it was decided in the negative.

The question was then taken on the motion of Mr. Graves, and it was decided in the negative.

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

Those who voted in the affirmative, were—

G. W. Bailey, R. L. Cooper, Wm. A. Hoskins,
W. W. Baldwin, Thomas H. Corbett, M. E. McKenzie,

Mr. Varnon then moved to reconsider the vote by which the motion of Mr. Graves was lost.

Mr. W. Evans then moved to lay the motion of Mr. Varnon on the table, which was decided in the negative.

The question was then taken on the motion of Mr. Varnon to reconsider said vote, and it was decided in the negative.

Mr. Varnon then moved to print three hundred copies of said report.

Mr. Blackburn moved to amend the motion of Mr. Varnon by striking out “three hundred,” and inserting in lieu thereof “one hundred and fifty.”

And the question being taken on the amendment proposed by Mr. Blackburn, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Foree, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) John W. Dyer, T. J. Megibben, W. W. Ayers, James B. Fitzpatrick, J. L. Nall,
The question was then taken on the motion as amended, and it was decided in the affirmative.

And so one hundred and fifty copies were ordered to be printed.

Mr. Goodloe, from the Committee on the Library, to whom was recommitted a bill from the Senate, entitled

An act to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky,

Reported the same without amendment.

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 T. J. Oliver, president, G. A. Lord, vice president, W. E. Morrison, secretary, T. Throope, treasurer, H. S. Barker, librarian, C. A. Board, corresponding secretary, and Jno. W. Radley, editor, John S. Hockaday, John C. Dabney, J. N. Carden, M. S. Barker, C. A. Foster, and their associates and successors, be, and they are hereby, created a body-politick and corporate, under the name and style of the Union Literary Society of the Agricultural and Mechanical College of Kentucky; and as such shall have perpetual succession, sue and be sued, plead and be impleaded, contract and be contracted with, have and use a common seal, and alter the same at pleasure.
§ 2. That the object of said society shall be the promotion of morality and intellectual and social improvement; and to that end it shall have power to adopt a constitution and by-laws not inconsistent with the general law of the State; and may receive gifts and donations of books, money, and property, not exceeding $10,000 in value, to institute a library in the Agricultural and Mechanical College of Kentucky, for the use of its members, and to do such other acts, not inconsistent with the law of the State, as may be necessary to carry out its ends.

§ 3. That the constitution and by-laws of said society shall be binding and enforceable against all the members of said society who subscribe the same.

§ 4. That the number, name, and term of the officers may be regulated by the constitution and by-laws of the society, which shall regulate its government and general management; said constitution and by-laws may be changed by said society in a mode to be provided in said constitution and by-laws.

§ 5. That there is hereby appropriated, out of the Treasury, the sum of $1,000, to be drawn and appropriated by the treasurer for the purchase of such books as may be recommended by the president of said college.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) R. D. Cook, Julian N. Phelps,
Wm. A. Allen, R. L. Cooper, Lewis Potter,
G. W. Bailey, W. W. Deaderick, Hiram S. Powell,
R. Tarv. Baker, Walter Evans, E. A. Robertson,
W. W. Baldwin, James B. Fitzpatrick, John P. Rowlett,
Alpheus W. Bascoum, C. D. Foote, J. R. Sanders,
W. N. Beckham, Wm. Cassius Goodloe, C. C. Scales,
John A. Bell, C. P. Gray, William Sellers,
J. C. S. Blackburn, Clinton Griffith, William Tarlton,
Wm. F. Bond, J. P. Hampton, Harry I. Todd,
W. B. M. Brooks, Wm. A. Hoskins, Joseph T. Tucker,
W. W. Bush, J. J. McAfee, T. W. Varnon,
George Carter, M. E. McKenzie, E. F. Waide,
B. E. Cassilly, T. J. Megibben, J. M. White,
C. M. Clay, jr., W. A. Morin, Jonas D. Wilson,
J. Guthrie Coke, J. L. Nall, J. N. Woods—50.
William G. Conrad, Mat. Nunan,

Those who voted in the negative, were—

S. C. Bell, Thomas M. Johnson, Samuel M. Sanders,
Robert M. Carlisle, Bryan S. McClure, J. S. Taylor,
Resolved, That the title of said bill be as aforesaid.
And then the House adjourned.

SATURDAY, JANUARY 11, 1873.

The following petition was presented, viz:

By Mr. Sellers—
A petition of sundry citizens of Garrard county, praying the passage of an act to amend the charter of the Danville and Lancaster Turnpike Road Company.

Which was received, the reading dispensed with, and referred to the Committee on County Courts.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of three from the House of Representatives and two from the Senate, be appointed by the respective Speakers, to investigate the title by which the Commonwealth holds the real estate in the city of Frankfort on which the public buildings have been erected, and what conditions, if any, are contained in the deeds to the State; and to inquire and report as to the propriety and expediency of a removal of the seat of Government of the State; and make report to the General Assembly at as early a day as practicable.

Mr. Baldwin moved to suspend the rule requiring joint resolutions to lie one day on the table, and to take up said resolution.

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

Said resolution was thereupon taken up, twice read, and adopted.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, entitled
Resolution providing for the selection of a joint committee, to whom shall be referred the Report of the Commissioners to revise and codify the Statutes,

With an amendment thereto.

Mr. T. M. Johnson moved to reconsider the vote, taken upon yesterday, ordering the Public Printer to print two hundred copies of the Report of the Commissioners appointed to revise and codify the Statutes.

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

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

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

Those who voted in the affirmative were—


Those who voted in the negative were—


Mr. Blackburn, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Foote moved to postpone the consideration, print the same, and make it the special order of the day for the 22d inst.

Mr. Griffith moved to amend the motion of Mr. Foote by postponing the same till the 15th January, and directing the bill to be printed.

And the question being taken on the motion of Mr. Foote, it was decided in the negative.

The question was then taken on the motion of Mr. Griffith, and it was decided in the affirmative.

And so said bill was ordered to be printed, and made special order of the day for the 15th inst.

Mr. Bascom, from the Committee on Banks, who were directed to prepare and bring in the same, reported.

A bill to incorporate the Merchants' Banking Company of Caverna.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be recommitted to the Committee on Banks.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Bascom, from the Committee on Banks—

A bill to re-enact an act, entitled "An act to amend an act to incorporate the Bank of Union County."

By Mr. McElroy, from a select committee—

A bill to legalize and amend an act, entitled "An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes," approved December 20, 1871.

By Mr. Bush, from the Committee on the Judiciary—

A bill for the benefit of the town of Franklin.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

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

Mr. Griffith moved the following resolution, viz:

Resolved, That a committee of three be appointed by the Speaker, to inquire as to the cost of the printing of two hundred copies of the Report of the Commissioners on the Revised Statutes; and if they have already been printed, who ordered the printing to be done. This committee to report as soon as practicable.

Which was adopted.

Whereupon Messrs. Griffith, Cooper, and Beckham were appointed said committee.

Mr. Bush, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of Warren county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. W. Evans,

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

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

On motion of Mr. Bates—

1. A bill for the benefit of Willis H. Bush, of Barren county.

On motion of same—

2. A bill incorporating Millersburg Academy, in Barren county.

On motion of same—

3. A bill for the benefit of John Ellis, of Barren county.

On motion of Mr. Hoskins—

4. A bill for the encouragement of the mineral and manufacturing interests of this State.

On motion of Mr. Armstrong—

5. A bill to establish a graded school in Germantown, Bracken county.

On motion of same—

6. A bill to provide for building school-houses, furnishing fuel, &c.

On motion of Mr. J. D. Wilson—

7. A bill to amend the road laws of Breckinridge county.
On motion of Mr. F. A. Wilson—
8. A bill to charter the Victoria Coal Mining Company.

On motion of Mr. Ayers—
9. A bill for the benefit of J. W. Ferguson, late sheriff of Calhoun county.

On motion of Mr. Walter Evans—
10. A bill to amend the charter of the St. Bernard Coal Company.

On motion of Mr. Powell—
11. A bill for the benefit of school-houses in the Ninth Congressional District.

On motion of Mr. Todd—
12. A bill to incorporate the Frankfort Coal and Lumber Company.

On motion of same—
13. A bill for the benefit of Misses Virginia and Elizabeth Smith.

On motion of Mr. Conrad—

On motion of Mr. Sellers—
15. A bill to incorporate the St. Bernard Transportation Company.

On motion of same—
16. A bill to amend an act, entitled "An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers."

On motion of Mr. Jones—
17. A bill for the benefit of W. S. Malls, of Graves county.

On motion of Mr. Megibben—
18. A bill to repeal the second section of an act to amend chapter 3, article 1, section 825, Civil Code of Practice, approved 22d February, 1860.

On motion of Mr. Rowlett—
19. A bill to increase the terms of the Hart circuit court six judicial days, and to change the time of holding the circuit court in the counties of Green and Metcalfe.

On motion of Mr. Carlisle—
20. A bill to amend the school law of this Commonwealth.

On motion of Mr. Woolfolk—
21. A bill to compel the various coal companies in Hopkins county to list their lands with the assessor for taxation for State and county purposes.

6-H. R.
On motion of Mr. Fitzpatrick—
22. A bill for the benefit of school district No. 1, in Letcher county.
On motion of Mr. Varnon—
23. A bill directing the Commissioners of the Sinking Fund to invest in United States bonds so much of the assets under their control as they may deem sufficient to pay off the debts of the State chargeable to said fund.
On motion of Mr. Webb—
24. A bill for the benefit of Mrs. V. W. Fishback.
On motion of Mr. McAfee—
25. A bill to establish a public library in the town of Harrodsburg, with power to give five public concerts, to sell tickets therefor, and issue gifts to the extent of fifty per cent. of the amount arising from such sales.
On motion of Mr. Flippin—
On motion of Mr. Beckham—
27. A bill for the relief of Simon Humphrey, late sheriff of Nelson county.
On motion of same—
On motion of Mr. Taylor—
29. A bill for the benefit of justices of the peace in Ohio county.
On motion of Mr. J. A. Bell—
30. A bill for the benefit of the town of Georgetown.
On motion of Mr. McKenzie—
31. A bill to regulate official sales in Trigg county.
On motion of Mr. Dyer—
32. A bill to incorporate the Caseyville Coal and Transportation Company.
On motion of Mr. Nunan—
33. A bill for the benefit of the citizens of Washington county.
On motion of Mr. Chrisman—
34. A bill for the benefit of Emily S. Tucker, of Wayne county.
On motion of Mr. Varnon—
35. A bill to authorize the payment of all the present resources of the Sinking Fund, except five cents on the one hundred dollars, into the Treasury, to be applied and used as ordinary revenue.
On motion of Mr. Graves—
36. A bill to establish a joint stock manufacturing company, for the purpose of manufacturing wooden-ware, and for other purposes therewith, in Lebanon, Marion county.

On motion of same—
37. A bill to amend the charter of the Lebanon and Raywick Turnpike Company.

On motion of same—
38. A bill to increase the revenue proper.

On motion of Mr. Powell—
39. A bill for the benefit of school district No. 47, in Clay county.

On motion of Mr. Bascom—
40. A bill for the benefit of James Ficklin, sheriff of Bath county.

On motion of Mr. Clay—
41. A bill to allow the county court of Bourbon county to issue bonds and levy taxes to build a court-house.

Ordered, That the Committee on the Revised Statutes prepare and bring in the 1st and 7th; the Committee on Corporate Institutions the 2d, 8th, 16th, 12th, 21st, 30th, 32d and 36th; the Committee on Ways and Means the 4th, 9th, 13th, 35th, and 38th; the Committee on Education the 5th, 6th, 11th, 20th, 22d, and 39th; the Committee on Propositions and Grievances the 14th, 17th, 27th, and 28th; the Committee on Railroads the 15th; the Committee on County Courts the 16th, 29th, 33d, and 41st; the Committee on Codes of Practice the 18th and 26th; the Committee on Circuit Courts the 19th; the Committee on the Sinking Fund the 23d; the Committee on Claims the 24th, 34th, and 40th; the Committee on the Library the 25th; the Committee on the Judiciary the 31st; the Committee on Internal Improvement the 37th; and a select committee, consisting of Messrs. Potter, Morin, and Rowlett, the 3d.

Mr. Gray moved the following resolution, viz:

Resolved, That the Committee on Charitable Institutions be directed to inquire into the expediency of establishing or converting the State House of Reform for Juvenile Delinquents into a State Lunatic Asylum.

Which was adopted.

Mr. Ayers, from the Committee on Religion, to whom was recommitted a bill, entitled

A bill to prohibit the sale, giving, or furnishing intoxicating liquors on election days,

Reported the same without amendment.
Mr. Cooper moved to commit the bill to the Committee on the Judiciary.

Mr. Griffith then moved to refer same to the Committee on County Courts.

Pending the consideration thereof, on motion of Mr. Bascom, the House adjourned.

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MONDAY, JANUARY 13, 1873.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, entitled

Joint resolution in relation to the title of the public property at Frankfort, and the propriety of removing the seat of government from said city.

That they had passed a bill, which originated in the House of Representatives, entitled

An act in relation to stationery.

And that they had passed bills of the following titles, viz:

2. An act to incorporate the town of Dulaney, in Caldwell county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Corporate Institutions.

Under the joint resolution adopted by both Houses, directing an inquiry as to the title of public property in Frankfort, and the removal of the Capital, the Speaker appointed the following committee, viz: Messrs. Baldwin, W. Evans, and Todd.
Mr. Jessee, from the Committee on Charitable Institutions, to whom were recommitted bills from the Senate of the following titles, viz:

An act for the benefit of the blind children and youth of the State of Kentucky;

An act relating to the grounds of the charitable institutions of this Commonwealth;

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being 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. Brooks—
1. A bill to lock, dam, and make Salt river navigable.

On motion of Mr. Morin—
2. A bill to amend the charter of the city of Dayton.

On motion of Mr. Sacksteder—
3. A bill for the benefit of the Kentucky Emigration Association.

On motion of same—

On motion of same—
5. A bill to amend an act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits in said court, and continue the same, approved March 2d, 1872.

On motion of Mr. Bailey—
6. A bill to repeal an act, entitled "An act to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth, with a family, from attachment or garnishee, not exceeding fifty dollars," approved March 27, 1872.

On motion of Mr. Ogilvie—
7. A bill for the purpose of protecting the interest of the State in turnpike roads where the State has an interest.

On motion of Mr. Ayers—

On motion of Mr. Gray—
9. A bill to amend an act for the benefit of common schools in Clinton county, and the act amending the same.
On motion of Mr. Sellers—
10. A bill for the benefit of school district No. 5, in Garrard county.

On motion of Mr. Trafton—
11. A bill to require all railroad companies in this State to build substantial fences on each side of the road operated by them.

On motion of Mr. Garnett—

On motion of Mr. McKenzie—
13. A bill for the benefit of Cadiz school district, in Trigg county.

On motion of Mr. Tucker—
14. A bill to divide the State into districts, and establish criminal courts therein.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, 2d, and 7th; the Committee on the Judiciary the 3d, 5th, and 12th; the Committee on Banks the 4th; the Committee on Ways and Means the 6th; the Committee on Propositions and Grievances the 8th; the Committee on Education the 9th, 10th, and 13th; the Committee on Railroads the 11th; and the Committee on Circuit Courts the 14th.

The following petition and remonstrance were presented, viz:

By Mr. Taylor—
1. The petition of sundry citizens of Ohio and Daviess counties, praying for the formation of a new county out of parts of said counties.

By Mr. Bush—
2. The remonstrance of certain citizens of the town of Franklin, against the passage of a law submitting to the citizens of said town the question of a sale of the Franklin Female College.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on the Judiciary.

The House took up the amendment proposed by the Senate to a resolution, which originated in the House of Representatives, entitled

Resolution providing for the selection of a joint committee, to whom shall be referred the report of the Commissioners to revise and codify the Statutes.

Said amendment was concurred in.
Mr. Jessee, from the Committee on Charitable Institutions, to whom was re-committed a bill from the Senate, entitled
An act to provide for the erection and location of Third Lunatic Asylum,
Reported the same with amendments thereto.

Mr. Blakey moved an amendment, by way of substitute, for the bill and pending amendments.

By unanimous consent, Mr. Bush was permitted to offer amendments to said bill.

Mr. Blakey then moved to print said bill and amendments, and to make the same the special order of the day for Thursday, the 16th inst., at 11 o'clock, A.M.

And the question being taken on the motion of Mr. Blakey, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCready) J. E. Cosson, Mat. Nunan,
Wm. A. Allen, John W. Dyer, John W. Ogilvie,
A. C. Armstrong, Walter Evans, Julian N. Phelps,
G. W. Bailey, W. H. Evans, Lewis Potter,
W. W. Baldwin, Manlius T. Flippin, Hiram S. Powell,
W. N. Beckham, James Garnett, E. A. Robertson,
John A. Bell, C. P. Gray, John Rowan,
S. C. Bell, Clinton Griffith, John P. Rowlett,
J. C. S. Blackburn, Wm. A. Hoskins, J. P. Sacksteder,
Church H. Blakey, George M. Jessee, Samuel M. Sanders,
Wm. F. Bond, Thomas M. Johnson, William Sellers,
W. B. M. Brooks, T. J. Jones, C. W. Threlkeld,
W. W. Bush, J. S. Lawson, Harry I. Todd,
Robert M. Carlisle, J. J. McAfee, Joseph T. Tucker,
George Carter, Bryan S. McClure, T. W. Varon,
James S. Chrisman, William J. McIlroy, E. F. Waide,
C. M. Clay, Jr., T. J. Megibben, C. H. Webb,
Josiah H. Combs, J. C. Moorman, J. M. White,
William G. Conrad, W. A. Morin, F. A. Wilson,
R. D. Cook, Wm. Mynhier, Jonas D. Wilson,

Those who voted in the negative, were—

W. W. Ayers, E. A. Graves, L. W. Trafton,

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Jessee, from the Committee on Charitable Institutions—
A bill to establish the St. Louis Cemetery, of Henderson.
By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to amend the charter of the city of Dayton.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act to amend the charter of the city of Dayton.
Mr. Woolfolk, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported
A bill for the benefit of Wilson Morgan, former sheriff of Clay county, and his sureties.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Mr. Graves moved an amendment thereto, which was rejected.
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House took up from the orders of the day a joint resolution from the Senate, entitled
Resolution in relation to building a separate Penitentiary for negroes in this Commonwealth.
On motion of Mr. Waide, said resolution was referred to the Committee on the Penitentiary.
The House then took up for further consideration from the orders of the day a bill, entitled
A bill to prohibit the sale, giving, or furnishing intoxicating liquors on election days.
Messrs. Cooper and Griffith then withdrew their motions, heretofore made, to recommit the same.
Mr. Bush then moved an amendment to said bill, which was rejected.
Mr. Graves moved to recommit the same to the Committee on Religion.
Mr. Waide moved to amend the motion of Mr. Graves by striking out "Religion," and inserting "Judiciary."
The question was then taken on the amendment proposed by Mr. Waide, and it was decided in the affirmative.
The motion of Mr. Graves, as amended, was then adopted.
Mr. Chrisman 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, in their respective chambers, and in the manner and form prescribed by law, will, on Tuesday, the 21st inst., at 12 o'clock, M., proceed to elect a Senator from the State of Kentucky, in the Congress of the United States, to fill the vacancy occasioned by the death of Hon. Garrett Davis.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up, twice read, and unanimously adopted.

Mr. Hoskins moved the following resolution, viz:

Resolved, That a committee of three be appointed by the Speaker, to inquire and report to this House by what authority the United States Government is now occupying, as national cemeteries, the private property of citizens of this State.

Which was adopted.

Whereupon the Speaker appointed Messrs. Hoskins, T. M. Johnson, and McElroy, said committee.

And then the House adjourned.

7-H. R.
TUESDAY, JANUARY 14, 1873.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled
  Resolution in relation to the election of United States Senator.
And that they had passed a bill, entitled
  An act for the benefit of John DeHart, of Elliott county.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Mr. Sellers presented the petition of certain citizens of Garrard county, praying the passage of an act prohibiting the sale of spirituous liquors in one and three quarter miles of Harmony Church, in said county.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

Under the joint resolution heretofore adopted by both Houses, referring the report of the Commissioners to revise the Statutes to a joint committee, &c., the Speaker appointed on said committee Messrs. Bush, Tucker, Varnon, Blackburn, Chrisman, Baker, Foote, Trafton, Coke, and Garnett. Mr. Bush requesting to be excused from serving as chairman of said committee, Mr. Tucker was thereupon appointed chairman.

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz:
  An act to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky;
  Resolution directing the firing of a national salute at 12 o'clock, M., January 8, 1873;
  And also enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:
  An act in relation to stationery;
  An act to amend the charter of the city of Dayton;
Resolution providing for the selection of a joint committee, to whom shall be referred the report of the Commissioners to revise and codify the Statutes;

Joint resolution in relation to the title of the public property at Frankfort, and the propriety of removing the seat of government from said city;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

Bills from the Senate, of the following titles, were reported without amendment, by the committee to whom they had been referred, viz:

By Mr. Lassing, from the Committee on Ways and Means—
An act for the benefit of A. Q. Baker, late sheriff of Boone county.
By same—
An act for the benefit of William Adams & Son, of Magoffin county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Lassing, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled
An act for the benefit of John W. Green, late sheriff of Owen county,
Reported the same without amendment.
And the question being put, "Shall the bill be read a third time?" it was decided in the negative.

And so said bill was disagreed to.

Mr. Lassing, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported
A bill to tax pawnbrokers.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Rowlett was, on motion, excused from serving on the committee directed to prepare and bring in a bill for the benefit of John Ellis, of Barren county. And thereupon the Speaker appointed Mr. Blakey in his stead.

On motion, Mr. Woods was added to the Committee on Religion.

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


2. A bill to prevent, by compulsory vaccination, the prevalence and spreading of small-pox within this Commonwealth.

3. A bill for the benefit of proprietors of breeding farms, and of training farms and stables, in Boone county.

4. A bill to amend the charter of the Union and Richwood Turnpike Road Company.

5. A bill to change the time of holding the circuit courts in the eleventh judicial district.

6. A bill to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Revised Statutes the 2d; the Committee on Agriculture and Manufactures the 3d; the Committee on Corporate Institutions the 4th; the Committee on Circuit Courts the 5th; and a select committee, consisting of Messrs. Baker, Deaderick, and Foote, the 6th.

The Speaker laid before the House the reports of A. W. Randolph, engineer, and Ben. M. Harney, assistant engineer, of a survey of a portion of Salt river, which were read as follows, viz:
To the General Assembly of the Commonwealth of Kentucky:

Gentlemen: I have the honor to submit my report of the survey of that portion of Salt river lying between Pitt's Point, at the mouth of Rolling Fork river, and the town of West Point, at the mouth of Salt river, under an act authorizing the Governor to appoint a surveyor to examine a certain portion of Salt river, and report the condition, &c., to the next General Assembly, approved 15th January, 1870.

At the time of receiving the appointment, which was dated the 15th of June, 1872, the river was not in a condition to make the survey satisfactory, on account of the high stage of water, and I waited until the river should get as low as it usually gets at its lowest stage, which was not until the 16th of September. The distance from Pitt's Point to West Point is 11 miles and 2,098 feet.

I commenced leveling, but before I had proceeded far I was met by the back-water from the Ohio river, which rendered further leveling useless; but from the data I got I have calculated the fall from Pitt's Point to the mouth of Salt river to be 3.83 feet.

The first serious obstruction to navigation met with is Key's bar, a distance of 4 miles and 612 feet above the mouth of Salt river.

The next one is at McMurtrie's, which was caused by the loose rock rolling down into the river from the quarry from which the rock was taken to build the Jefferson county court-house.

The third and last bar is a short distance below the mouth of the Rolling Fork river.

At the junction of the streams of Salt river and Rolling Fork river the two streams meet at nearly right-angles, which has formed a very deep basin. Cutting off a small portion of the point on the Hardin county side of the river, and erecting a wing-dam from the bar below to the Bullitt county side, would give more directness to the current, and would cause a greater velocity, and very greatly assist in keeping the channel open after the bar below has been cut out.

The distance to Mill creek is 5 3/4 miles; the distance to Key's house 3 1/2 miles and 166 feet; the distance to Pond creek 11 miles.

The cost of excavating the bar below the mouth of Rolling Fork river, and erecting a wing-dam, to be made from the material taken from the bar—

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,666 cubic yards, at $1.50 per yard</td>
<td></td>
<td>$15,999.00</td>
</tr>
<tr>
<td>Cutting off point on Hardin side</td>
<td></td>
<td>300.00</td>
</tr>
<tr>
<td>Bar at McMurtrie's</td>
<td></td>
<td>2,600.00</td>
</tr>
<tr>
<td>Bar at Key's</td>
<td></td>
<td>2,500.00</td>
</tr>
<tr>
<td>Removal of snags</td>
<td></td>
<td>1,200.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>$22,765.00</strong></td>
</tr>
</tbody>
</table>

Incidental expense for accidental rise during progress of work, &c., 25 per cent. additional ................................................................. $23,443.75
The above estimate is for the improvement of the river without lock and dam. But I would respectfully recommend, that, in the event of the river being improved, a lock and dam be placed at the foot of Key's bar; and in that event the cost of the excavation of Key's bar should be deducted from the above total, and the cost of the lock and dam, and $300 for the removal of some loose rock on the bar, be added—which would be as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>451 cubic yards of masonry, at $4 per yard</td>
<td>$1,705 44</td>
</tr>
<tr>
<td>Two gates, with necessary machinery for working the same, at $1,000 per gate</td>
<td>$2,000 00</td>
</tr>
<tr>
<td>Removal of loose rock on bar</td>
<td>$300 00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4,005 44</strong></td>
</tr>
</tbody>
</table>

And taking the sum of two thousand five hundred and ninety dollars from twenty-eight thousand four hundred and forty-three dollars and seventy-five cents, plus the sum of four thousand and five dollars and forty-four cents, will give the sum of thirty thousand eight hundred and fifty-nine dollars and nineteen cents ($30,859 19).

The total cost of the improvement of the river, with lock and dam, is as before stated, $30,859 19.

It will be seen, by the very able report of Major Ben. M. Harney, my assistant, which I herewith file, marked A, and make a part of this report, that the amount of produce shipped down the river annually is $304,000.

Taking ten per cent. of the annual amount of produce shipped, and we have the sum of thirty thousand four hundred dollars, which is but four hundred and fifty-nine dollars and nineteen cents less than the estimated cost of the improvement, and, at a moderate rate of toll, will cover all of the expense of keeping the river open.

I am of the opinion, that if navigation was extended up the Rolling Fork as far as Hart's Ferry, the revenue would be very greatly increased, and the cost but trifling.

I am greatly indebted to Major Ben. M. Harney, my assistant, Capt. J. Lan. Lee and Dr. Thos. R. Horrell, of Bullitt county, for information and assistance during the progress of the survey.

All of which is respectfully submitted.

A. W. RANDOLPH, Civil Engineer.

LOUISVILLE, KY., Sept. 27th, 1872.

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To A. W. RANDOLPH, Engineer in charge of Salt River Survey:

As per instruction, I have inquired into the amount of produce along the river, and the capabilities of increase of the land, if provided with a quick and certain outlet to a market.

I am greatly indebted to many persons for information in regard to the amount of produce annually sent down the river, and what could or would
be sent if there were proper facilities—more especially to Capt. J. Lan.
Lee, Mr. Jas. Hays, Dr. Thos. R. Horrell, Capt. Foster, and Mr. George
Fisher, in regard to produce, and Mr. Jewell as to the amount of lumber,
&c.; to Mr. Henry Thomas and Mr. J. H. Tucker for general information
as to the river and its variations.

The amount of hay alone amounts to 7,000 tons, and there is still from
ten to fifteen thousand acres of land especially suited to its production, at
an average of 1½ to 1¾ tons to the acre.

Tobacco can be raised, and would be, to a very large amount, if facili-
ties were provided for its shipment. Experienced tobacco-growers say
the land is fully equal to Hart and Ohio counties for raising a first-class
article of tobacco.

Lumber, as stated by Mr. Jewell, a miller, and a man experienced in the
lumber trade, to the amount of from 1,800,000 to 2,000,000 feet, is annual-
ly shipped from various points between Pitt’s Point and the mouth of the
river. The amount of cord-wood, stave-timber, &c., is immense, though I
could not get exact data from which to calculate. Very large amounts
are brought out at such times as the river is at a stage to allow it.

The land suitable for producing fruit—peaches especially—is very large,
and fully equal to the Indiana knob lands. This crop, more especially,
requires a sure and immediate conveyance to market. I saw thousands
of bushels going to waste for want of transportation. If not shipped at
maturity, the crop is utterly lost. There is but one certain outlet, the
Louisville and Nashville Railroad, which requires a haul by wagon of
from 8 to 10 miles in many instances.

Hay is a crop too heavy and bulky to be carried any great distance by
wagon, at the ordinary price paid for it, taking into account the expense
in raising, cutting, baling, &c.

Fruit will not bear transportation over rough roads and long distances;
first, on account of bruises necessarily incurred in the transportation, and
secondly, like hay, the value of it when in the market would not justify
the expense.

Tobacco, corn, lumber, cord-wood, &c., labor under the same disabilities
as hay and fruit.

In conclusion, I would say, the State would be fully justified in expend-
ing the amount requisite to make this river permanently navigable.

**RESUME.**

<table>
<thead>
<tr>
<th>Item</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hay, 7,000 tons, at $12</td>
<td>$84,000</td>
</tr>
<tr>
<td>Lumber, 1,800,000 feet, at $25 per 1,000 feet</td>
<td>45,000</td>
</tr>
<tr>
<td>Cord-wood, stave-timber, &amp;c. (estimated)</td>
<td>40,000</td>
</tr>
<tr>
<td>Fruit (estimated)</td>
<td>25,000</td>
</tr>
<tr>
<td>Tobacco (estimated from land)</td>
<td>60,000</td>
</tr>
<tr>
<td>Corn (estimated)</td>
<td>60,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$304,000</strong></td>
</tr>
</tbody>
</table>
I have no doubt I have under-estimated every item. I did not want to leave any one which could be reasonably disputed. I think each separate item could be safely stated at double the amount, especially hay, corn, lumber, and fruit.

The necessary improvements, and their cost, will be seen from Mr. Randolph's report.

I am satisfied that the work you recommend, and the prices, will complete the work, and bring this portion of the State into regular and constant communication with a market.

I cannot close without saying that I am satisfied, from the care and skill in your profession, that the General Assembly of the Commonwealth can judge of the necessity of this work.

Very respectfully,

BEN. M. HARNEY,
Assistant Engineer.

On motion of Mr. Brooks,

Ordered, That said reports be printed and referred to a select committee, consisting of Messrs. Brooks, Hoskins, Beckham, Graves, and Scales.

Mr. Blakey, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of John Ellis, of the county of Barren.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Graves, from the Committee on Ways and Means, to whom was recommitted a bill from the Senate, entitled

An act to provide for a geological and mineralogical survey of the State,

Reported the same without amendment.

Mr. Hoskins moved to amend said bill by striking out of the seventh section, line two, of same, the word "ten," and inserting in lieu thereof "twenty."
And the question being taken on said amendment, it was decided in the negative.

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

Those who voted in the affirmative, were—

W. W. Baldwin, John W. Dyer, Harry I. Todd,
W. R. Bates, M. Woods Ferguson, Joseph T. Tucker,
John S. Carpenter, Wm. Cassius Goodloe, T. W. Varnon,
J. Guthrie Coke, J. P. Sackstede.

Those who voted in the negative, were—

Mr. Speaker (McCready) W. H. Evans, Mat. Nunan,
Wm. A. Allen, James B. Fitzpatrick, John W. Ogilvie,
A. C. Armstrong, Manlius T. Flippin, Julian N. Phelps,
W. W. Ayers, Joseph P. Force, Lewis Potter,
G. W. Bailey, James Garnett, Hiram S. Powell,
W. N. Beckham, E. A. Graves, E. A. Robertson,
John A. Bell, C. P. Gray, John Rowan,
S. C. Bell, George M. Jesse, John P. Rowlett,
J. C. S. Blackburn, E. Polk Johnson, Samuel M. Sanders,
Church H. Blakey, Thomas M. Johnson, C. C. Scales,
Wm. F. Bond, T. J. Jones, William Sellers,
W. B. M. Brooks, L. W. Lassing, J. S. Taylor,
Robert M. Carlisle, J. S. Lawson, C. W. Threlkeld,
George Carter, J. J. Lassling, L. W. Trafton,
James S. Chrisman, Bryan S. McClure, C. H. Webb,
Josiah H. Combs, William J. McElroy, J. M. White,
William G. Conrad, M. E. McKenzie, F. A. Wilson,
R. D. Cook, T. J. Megibben, Jonas D. Wilson,
R. L. Cooper, J. C. Moorman, J. N. Woods,
W. W. Deaderick, J. L. Nail,

Mr. Cooper then moved an amendment, which was rejected.

Mr. Goodloe moved the following amendment, viz:

§ 19. In making appointments, the Governor shall select from the professors and students of the Kentucky Agricultural and Mechanical College, so far as such a selection may be compatible with the objects and purposes of this bill.

And the question being taken on the adoption thereof, it was decided in the negative.

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

Those who voted in the affirmative, were—

A. C. Armstrong, Walter Evans, Mat. Numan,
J. C. S. Blackburn, M. Woods Ferguson, Julian N. Phelps,
Church H. Blakey, Manlius T. Flippin, J. P. Sackstede.

8 H. R.

Mr. Beckham moved an amendment, which was adopted.
Mr. Scales moved an amendment, which was rejected.
Mr. Graves also moved an amendment.
Mr. J. R. Sanders moved to recommit the bill and pending amendments to the Committee on Ways and Means.

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

Mr. Graves then moved to reconsider the vote by which the bill and amendments were recommitted to the Committee on Ways and Means.

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

Mr. Blakey then moved an amendment to the amendment proposed by Mr. Graves.

Mr. Deaderick moved to lay the bill and pending 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. Deaderick and Scales, were as follows, viz:

Those who voted in the negative, were—


Those who voted in the affirmative, were—

G. W. Bailey, W. W. Deaderick, E. A. Robertson,
Church H. Blakey, W. H. Evans, Samuel M. Sanders,
W. B. M. Brooks, L. W. Lassing, William Seliers,
Robert M. Carlisle, J. J. McAfee, J. S. Taylor,
J. Guttridge Coke, Bryan S. McClure, C. W. Thralkeld,

William G. Conrad,

Those who voted in the negative, were—

Mr. Speaker (McCreary) John W. Dyer, Wm. Mynhier,
Wm. A. Allen, M. Woods Ferguson, J. L. Nall,
A. C. Armstrong, James B. Fitzpatrick, Mat. Nunn,
W. W. Ayers, Manlius T. Flippin, John W. Ogilvie,
W. W. Baldwin, C. D. Feote, Lewis Potter,
W. R. Bates, Joseph P. Foree, Hiram S. Powell,
W. N. Beckham, James Garner, John Rowan,
John A. Bell, Wm. Cassius Goodloe, John P. Rowlett,
S. C. Bell, E. A. Graves, J. R. Sanders,
J. C. S. Blackburn, C. P. Gray, C. C. Scales,
Wm. F. Bond, Wm. A. Hoskins, Harry I. Todd,
W. W. Bush, George M. Jesse, L. W. Traton,
John S. Carpenter, E. Polk Johnson, T. W. Vernon,
George Carter, Thomas M. Johnson, E. F. Waite,
B. E. Cassilly, T. J. Jones, C. H. Webb,
James S. Chrisman, J. S. Lawson, J. M. White,
C. M. Clay, jr., William J. McElroy, F. A. Wilson,
R. D. Cook, M. E. McKenzie, Jonas D. Wilson,

J. E. Cossom, W. A. Morin,

Mr. Flippin then moved to recommit the bill and pending amendments to the Committee on Ways and Means.

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

Mr. Beckham, from the committee appointed to inquire as to the cost of printing the report of the Commissioners to revise the Statutes, and by what authority the same was printed, made a report, which was taken up and read as follows, viz:

Your committee, to whom was referred a resolution to inquire as to the cost of printing the report of the Commissioners to revise the Statutes, and to ascertain if they have been already printed, and who ordered the printing to be done, beg leave to submit the statement of the Public Printer and the letter of Commissioner Bullock, which contain all the information called for by the House.

W. N. BECKHAM,

R. L. COOPER.
RESPONSE OF PUBLIC PRINTER TO HOUSE COMMITTEE.

HON. CLINTON GRIFFITH, Chairman of the Special Committee of the House to ascertain the cost of printing the Report of the Commissioners to revise the Statutes, &c:

I understand, from the printed report of the proceedings of the House on Saturday, as well as a communication from yourself, bearing date the 11th inst., that you desire from me, as Public Printer, the following information, viz:

1st. The cost of printing the report of the Commissioners appointed to revise the Statutes of this State; and
2d. By what authority the Public Printer executed said work, and who advised or directed the printing prior to the action of the Legislature.

I am able to give you a full and accurate response as regards the work done by me, and most cheerfully comply with your request for information.

The Cost.—I have, up to the present time, printed three hundred copies of the report, containing seven hundred and two pages, in folio, on cap paper, for which my bill is:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For setting type in bill form</td>
<td>$1,482 62</td>
</tr>
<tr>
<td>Press-work on same in folio form</td>
<td>1,053 00</td>
</tr>
<tr>
<td>Percentage allowed by law</td>
<td>845 20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,380 82</strong></td>
</tr>
</tbody>
</table>

Thus the entire bill, for all the printing I have done on the report, amounts to three thousand three hundred and eighty dollars and eighty-two cents. I cannot of course state with entire accuracy what the bill for the whole work may be when finished by the Commissioners, but I understand from some of them that there remain only a few more chapters or titles to be printed, and these may be approximately estimated at an additional cost of three to five hundred dollars, making the estimate for the entire cost of the printing a sum less than $4,000!

The paper used in the work is a good article of cap writing paper, and was furnished by J. N. Crutcher & Co.—contractors for supplying that character of stationery to the State—at a cost, I am informed, of $623.

The State Binder's bill for his work on the report will amount, as I learn from him or his agent, to about $216, an estimate only being given, for the reason that the Binder's work is not yet executed.
It will be remembered that the Public Printer has nothing to do with the paper or binding; but I have given what information I possessed on these subjects, to facilitate the action of the committee.

The Authority for Printing.—In response to your question in regard to the authority under which the printing was executed, I have to state that I did it at the urgent and unanimous request of the Commissioners, but entirely at my own risk and responsibility, looking alone to this Legislature for payment. The evident necessity and propriety of the work, and the fact that the Commissioners requested its execution, and promised to recommend payment for it to the only authority which could order it, mainly induced me to incur the responsibility.

Remarks.—Having fully responded to your interrogatories, I trust you will indulge me in some further statements and explanations, which may throw light upon the subject-matter before your committee.

You allude, in your communication, to the fact that the idea obtains with some members of the Legislature that the printing of the report will cost the State “a very large amount.” It is for you to judge, with the facts before you, whether, for a work of such magnitude and importance, the Printer’s bill is a very large amount or the contrary. I have charged precisely according to the rates allowed by law for similar work. I have neither charged nor asked increase of pay; nor have I charged fully for the numberless revisions, additions, and corrections necessarily attending a work of this character.

The book is printed in folio, in the form of printed legislative bills, with numbered lines, large margins and spacing, and on writing paper—an expensive kind of printing, but one rendered absolutely necessary, by the reason that the committees and members of the Legislature will be compelled to have the report in such shape that it can be interlined and margined with such amendments as may be desired, before its final adoption. The manner in which the report is printed and presented to the General Assembly, has a precedent in similar action of the revisors of the statutes in 1850–1. It was deemed impossible to have prompt or perhaps intelligent action by the Legislature, with only a single manuscript copy of the report to be read aloud by the Clerk. The Commissioners, or some of them, represented to me that a great deal of time and expense—perhaps the cost of a month’s session—might be saved to the State by having
their report presented to the Legislature, at the opening of the session, in a shape that each member might have a printed copy to read, and thereby regulate his action. From this presentation of the case I consented to incur the responsibility of publication, not doubting for a moment that the Legislature would be pleased with the work and promptly order payment.

Number of Copies.—I printed for the Commissioners only three hundred copies of their report; all of which have heretofore been placed, for obvious reasons, at their disposal. They have distributed and used a number of these, but directed me to reserve enough to supply each member and officer of the House and Senate with one copy. The sheets of the copies reserved for the Legislature, as far as I have printed them, are in the hands of the State Binder, subject to the order of your honorable body. I understand that some gentlemen of both the House and the Senate desired to order more than three hundred copies. I reference to this I would suggest, although the extra work would profit me, that such an order at this time would double the expense to the State, as the type upon which the forms were printed has been distributed as the work progressed.

All of which is respectfully reported.

S. I. M. MAJOR, Public Printer.

FRANKFORT, January 11th, 1873.

Hon. Clint. Griffith:

Sir: I regret that I was not in my room this evening when you and other gentlemen did me the honor to call, as I would, with great pleasure, have given to you the information in person which I propose to give in this communication.

I understand that a committee was raised in the House to-day, of which you are chairman, the object of which is to inquire by whom and by what authority the printing of the work of the Commissioners to revise the statute laws was done.

As my colleague, J. M. Nesbitt, left for his home to-day, this response must be made by myself alone.

There was no authority of law for the doing of this printing, and the same was done at the request of the Commissioners alone. The act under which we received our appointment required us, within thirty days after our appointment, to meet in Frankfort, and then commence and complete the work. We did meet as required, and
commenced the work. The first difficulty that presented itself was in respect of the printing, as our labors progressed. We had no clerk allowed us. It was necessary that all the manuscript required to be written must be done by ourselves. Any person would see at once how very troublesome it would be to us to correct, revise, and remodel our own work, if the corrections had to be made upon and in the face of our own manuscript, often rendering it necessary to re-write the whole thing. Moreover, we were perfectly satisfied—and who could doubt but that such would have been the result?—that if we had laid our report before the House in manuscript, that, of necessity, the first motion would have been to order the same to be printed. The result of this would have been to have kept the Legislature detained from all consideration of our revision until the same could be then printed—a period of five or six weeks. We assumed that there could be no cavil raised upon our action, if we took the responsibility of anticipating this inevitable want, and providing for it in advance, whereby we could so greatly facilitate the action of the Legislature in their duty to consider and pass upon our labors. This is the extent of our offending. Moreover, we were anxious to have the suggestions and criticism of members and professional gentlemen. How could this be obtained unless the work was before them? and to provide for this want also, we desired the printing done as the several chapters were adopted by us. Col. Johnston, very generously, in view of the absolute necessity of the thing, agreed to execute the printing, and risk the allowance by the Legislature.

Respectfully, yours,

E. I. BULLOCK.

Mr. Beckham moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be ordered to furnish three hundred copies of the report of the Commissioners of the Revised Statutes, in lieu of the two hundred copies ordered by the House, and the one hundred copies ordered by the Senate: one copy to each member of the House and Senate, and two copies each to the members of the joint committee on revision, and the remainder to be placed at the disposal of the Commissioners.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up, twice read, and adopted.

And then the House adjourned.
The following petitions were presented viz:

By Mr. Phelps—
1. The petition of certain citizens of Edmonson county, praying the passage of a law to empower the county judge of said county to issue the bonds of the county for the purpose of building a new court-house.

By Mr. Cooper—
2. The petition of sundry citizens of Mason county, praying for the incorporation of the town of Stantonville.

By Mr. Cosson—
3. The petition of certain citizens of Pulaski county, praying that James M. Phelps be permitted to peddle goods, wares, and merchandise in this State, for two years, without license.

By Mr. W. H. Evans—
4. The petition of certain citizens of Harlan county, praying to be stricken from the county of Harlan and added to the county of Josh Bell.

By Mr. Beckham—
5. The petition of certain citizens of Nelson county, praying for a change of the time of holding the circuit courts of said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Ways and Means; the 2d to the Committee on Corporate Institutions; the 3d and 4th to the Committee on Propositions and Grievances; and the 5th to the Committee on Circuit Courts.

On motion of Mr. Phelps, indefinite leave of absence was granted Mr. White.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to authorize the county courts of Grant and other counties to submit a vote of tax to provide the right of way for railroads.

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

An act for the benefit of the town of Franklin.
An act to prohibit the sale of spirituous, vinous, or malt liquors in Cave City precinct, in the county of Barren.

With amendments to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Chattaroi Railroad Company.
2. An act to amend the charter of the city of Lexington.
3. An act to amend an act, entitled "An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company."
4. An act for the benefit of Joseph Robinson, late sheriff of Franklin county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Railroads; the 2d to the Committee on the Judiciary; the 3d to the Committee on internal Improvement; and the 4th to the Committee on Ways and Means.

The Speaker laid before the House the report of the Board of Managers and Medical Superintendent of the Kentucky Eastern Lunatic Asylum.

[For Report—see Legislative Document No. 4.]

On motion of Mr. Goodloe,

Ordered, That the Public Printer print five hundred copies thereof for the use of the House.

According to order, the House took up for further consideration a bill, entitled

A bill to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

Mr. Bush and Mr. W. Evans moved amendments thereto, which were rejected.

Mr. Cooper moved the following amendment, viz:

Insert after the words "seventy-one," in the twenty-third line, second section: "And in the event that the Commissioners of the Sinking Fund elect to sell the common stock of said company now owned by the State in said Louisville, Cincinnati, and Lexington Railroad Company, as herein provided for, then the amount due the State from the sale of said stock shall be a preferred lien upon said road to any lien authorized by this act; and should said Commissioners elect not to sell said stock, then no mortgage or lien made upon said road under this act shall include the said State stock for any indebtedness.
other than the present indebtedness of the said Louisville, Cincinnati, and Lexington Railroad Company."

Mr. Bush moved a substitute, by way of amendment, for the amendment moved by Mr. Cooper.

And the question being taken on the amendment (substitute) proposed by Mr. Bush, it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Cooper, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Woolfolk, 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.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Louisville, Cincinnati, and Lexington Railroad Company, for the purpose of taking up and consolidating its present bonded and floating debt, retiring its preferred stock, and completing its works and equipment, is hereby authorized and empowered to
issue the bonds of the company, bearing such a rate of interest as said company shall determine, not exceeding eight per cent. per annum, payable semi-annually, and having not more than thirty years to run, to an amount not exceeding ten millions of dollars, and secure the payment of the principal and interest of said bonds by a consolidated mortgage on the property and franchises of the company, including its branches; and may sell or hypothecate such bonds, or exchange them for other bonds or preferred stock of said company, or so much thereof as may be deemed necessary, or settle the floating debt of the company therewith, in such manner and at such rates as the said company, or its board of directors, may deem best for the purposes aforesaid.

§ 2. That said company may connect its road, or any of its branches, with the railroad of any other company in this State; and may purchase or lease and operate any railroad connecting with its road or branches; and may sell or lease its road or branches, and the property and franchises thereof, to any other railroad company in this State; and may consolidate or make running and operating arrangements with or subscribe to the stock, or guarantee the bonds of any other railroad company with which it connects or has running arrangements in this State, upon such terms as may be agreed on by the contracting parties by consent of a majority in amount of their respective stockholders; and it shall be lawful for the franchises and stock or subscriptions to stock, granted and subscribed to any other railroad company, to be assigned and transferred to the said Louisville, Cincinnati, and Lexington Railroad Company, and the like powers and privileges are hereby granted to any railroad company with which the Louisville, Cincinnati, and Lexington Railroad Company may contract to make similar arrangements with said Louisville, Cincinnati, and Lexington Railroad Company: Provided, That the said Louisville, Cincinnati, and Lexington Railroad Company shall be bound, within two years after the execution of said mortgage hereby authorized, upon the application of the Commissioners of the Sinking Fund of the State of Kentucky, to contract with and purchase from said Commissioners the common stock of said company now owned by the said State, at the same price and upon the same terms as those upon which the common stock was sold by said company to C. P. Huntington and others, in the year eighteen hundred and seventy-one (1871): And provided further, That no transfer or assignment of any subscriptions of stock by any other railroad company shall vest in said Louisville, Cincinnati, and Lexington Railroad Company any additional rights or privileges, other than such as are held by the company assigning the same at the time of such sale or assignment.

§ 3. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. W. Evans and Sellers, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready), J. E. Cosson, J. L. Nall,
Wm. A. Allen, J. L. Nall, Mat. Nunan,
A. C. Armstrong, W. W. Deaderick, Julian N. Phelps,
W. W. Ayers, W. H. Evans, Lewis Potter,
G. W. Bailey, James B. Fitzpatrick, Hiram S. Powell,
W. W. Baldwin, Joseph P. Force, John Rowan,
W. R. Bates, Wm. Cassius Goodloe, John P. Rowlett,
W. N. Beckham, E. A. Graves, J. R. Sanders,
John A. Bell, C. P. Gray, Samuel M. Sanders,
S. C. Bell, Clinton Griffis, C. C. Scales,
J. C. S. Blackburn, Wm. A. Hoskins, James W. Snyder,
Church H. Blakey, George M. Jessee, William Tarlton,
Wm. F. Bond, E. Polk Johnson, George M. Thomas,
W. B. M. Brooks, Thomas M. Johnson, C. W. Thrakleld,
W. W. Bush, T. J. Jones, Harry I. Todd,
Thomas P. Cardwell, L. W. Lassing, L. W. Trafton,
John S. Carpenter, J. S. Lawson, Joseph T. Tucker,
George Carter, J. J. McAfee, T. W. Varnon,
B. E. Cassilly, William J. McElroy, E. F. Waide,
James S. Chrisman, M. E. McKenzie, C. H. Webb,
C. M. Clay, jr., T. J. Megibben, F. A. Wilson,
J. Guthrie Coke, J. C. Moorman, Jonas D. Wilson,
Josiah H. Combs, W. A. Morin, J. N. Woods,
R. L. Cooper,

Those who voted in the negative, were—

Alpheus W. Bascom, Walter Evans, Bryan S. McClure,
Robert M. Carlisle, Manlius T. Flippin, William Sellers,

Resolved, That the title of said bill be as aforesaid.

Mr. Deaderick moved to reconsider the vote by which said bill was passed.

Mr. Blackburn moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative.

Mr. Speaker McCready moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to inquire, and report by bill or otherwise, the legislation necessary to secure a reapportionment of the State of Kentucky into Representative and Senatorial Districts.

Which was adopted.

Mr. Bush moved the following resolution, viz:

Resolved, That the Superintendents of the Eastern and Western Lunatic Asylums report immediately to this House, as accurately as
possible, the number of lunatics at this time in Kentucky, who have been refused admission in said Asylums on account of a want of room.

Which was adopted.

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

On motion of Mr. Garnett—
1. A bill to amend an act, entitled "An act to regulate the times of holding courts of justices of the peace."
On motion of same—
2. A bill for the benefit of Wm. and Joshua Butler.
On motion of same—
3. A bill to authorize the Adair county court to levy and collect tax to pay for right of way for a railroad through said county.
On motion of Mr. Bates—
On motion of same—
5. A bill to prevent the commission of trespass in the county of Barren.
On motion of same—
6. A bill to amend the charter of the town of Glasgow.
On motion of same—
7. A bill to prohibit the sale of spirituous, vinous, and malt liquors in Glasgow Junction precinct, in the county of Barren.
On motion of Mr. Bascom—
8. A bill for the benefit and protection of livery-stable keepers in Bath county.
On motion of same—
9. A bill to enact a mechanics' lien law for Bath county.
On motion of Mr. Lassing—
10. A bill requiring the owners of stock scales in Boone county to have test weights.
On motion of same—
11. A bill to incorporate Walton Lodge, No. 188, I. O. O. F.
On motion of Mr. J. D. Wilson—
12. A bill to regulate the sale of spirituous liquors in this Commonwealth.
On motion of Mr. Morin—
13. A bill to amend an act, entitled "An act to provide for the redistricting the school districts in the county of Campbell."
On motion of Mr. Tucker—

On motion of same—
15. A bill to provide for the winding up of insolvent railroad, turnpike, and plank road companies.

On motion of Mr. Powell—
16. A bill to amend the school law in relation to the election of school commissioners.

On motion of Mr. Goodloe—
17. A bill for the benefit of Elizabeth M. Johnson, of Fayette county.

On motion of Mr. Todd—
18. A bill for the benefit of H. H. Crutcher, of Woodford county.

On motion of Mr. Sellers—
19. A bill to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

On motion of Mr. Combs—
20. A bill for the benefit of M. O. Napier, of Perry county.

On motion of same—
21. A bill for the benefit of John Williams, of Perry county.

On motion of Mr. Trafton—
22. A bill to amend an act, entitled "An act to incorporate the Marble City Mining and Manufacturing Company."

On motion of Mr. Jessee—
23. A bill to apply the mechanics' lien law to the town of Eminence, Henry county.

On motion of same—

On motion of Mr. E. Polk Johnson—

On motion of same—

On motion of Mr. W. H. Evans—
27. A bill to amend an act, entitled "An act for the protection of deer in this Commonwealth."
On motion of same—
28. A bill to amend an act, entitled "An act establishing the county of Josh Bell."

On motion of Mr. Cook—
29. A bill to repeal an act, entitled "An act approved March 11, 1871, declaring Roundstone creek, in Rockcastle county, a navigable stream."

On motion of same—
30. A bill to regulate the mode of appointing commissioners and toll-gate keepers on the Madison Fork of the Wilderness Turnpike Road.

On motion of same—
31. A bill to amend chapter 84, article 2, Revised Statutes, title "Roads and Passways."

On motion of same—
32. A bill to further prescribe the qualifications of school commissioners in this Commonwealth, and to change the mode of their election.

On motion of Mr. Fitzpatrick—
33. A bill for the incorporation of the town of Whitesburg, Letcher county.

On motion of same—
34. A bill for the benefit of Jas. W. Hogg, late sheriff of Letcher county.

On motion of Mr. Thomas—
35. A bill to amend the act incorporating the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company.

On motion of same—
36. A bill to amend the act incorporating the Concord and Tollsboro Turnpike Road Company.

On motion of same—
37. A bill to amend the act incorporating the Boone Mining and Manufacturing Company.

On motion of same—
38. A bill for the benefit of Lewis Plummer, jailer of Lewis county.

On motion of Mr. Speaker McCreary—
39. A bill to incorporate the town of College Hill, in Madison county.

On motion of same—
40. A bill to provide means for securing a proper representation
of our products and manufactures at the Grand Exposition to be held in Vienna, Austria, in May, 1873.

On motion of Mr. Ogilvie—

41. A bill for the benefit of John Louis Farron, of McCracken county.

On motion of same—

42. A bill to amend the charter of the town of Woodville, in McCracken county.

On motion of Mr. McAfee—

43. A bill to enable the Bryantsville and Cane Run Turnpike Road Company to charge toll for crossing Hickman bridge, on said road.

On motion of same—

44. A bill to charter the Nevada and Dixville Turnpike Road Company, in Mercer county.

On motion of Mr. S. C. Bell—

45. A bill legalizing the action of the Metcalfe county court in fixing the time of holding courts of justices of the peace in said county.

On motion of Mr. Deaderick—

46. A bill to authorize the county court of Pendleton county to sell the poor-house property.

On motion of same—

47. A bill for the benefit of the German Lutheran Church in the town of Falmouth.

On motion of Mr. Foree—

48. A bill for the benefit of the Bagdad and Harrisonville Turnpike Road, in Shelby county.

On motion of same—

49. A bill for the benefit of the Fox Run and Bullskin Turnpike Road, in Shelby county.

On motion of same—

50. A bill for the benefit of the Grove Hill Cemetery, in Shelby county.

On motion of Mr. Bush—

51. A bill to further tax foreign insurance companies.

On motion of same—

52. A bill to exempt from taxation the agricultural and mechanical associations of this Commonwealth.

On motion of Mr. McKenzie—

53. A bill to exempt undertakers of this Commonwealth from serving on juries.
On motion of Mr. Nunan—
54. A bill to increase the county levy of Washington county.
On motion of Mr. Chrisman—
55. A bill to authorize the county court of Wayne county to take the sense of the voters of said county as to the propriety of creating a fund to secure the right of way of a railroad through said county.
On motion of Mr. Bailey—
56. A bill to incorporate the Webster County Chalybeate and Sulphur Springs Company.
On motion of Mr. Graves—
57. A bill for the benefit of J. Henry Kirk, of Marion county.
On motion of same—
58. A bill for the benefit of school district No. —, Loretto district, in Marion county.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, 5th, 9th, 17th, 23d, 24th, 38th, 40th, and 45th; the Committee on Ways and Means the 2d and 57th; the Committee on County Courts the 3d, 28th, 30th, 31st, 46th, 54th, and 55th; the Committee on Religion the 7th, 12th, and 47th; the Committee on Agriculture and Manufactures the 10th; the Committee on Corporate Institutions the 11th, 19th, 22d, 33d, 39th, 42d, and 56th; the Committee on Education the 13th, 16th, 25th, 26th, 32d, and 58th; the Committee on Banks the 14th; the Committee on the Judiciary the 15th, 50th, 51st, and 52d; the Committee on Propositions and Grievances the 18th, 21st, 27th, 29th, 34th, and 53d; the Committee on Claims the 20th; the Committee on Internal Improvement the 35th, 36th, 37th, 43d, 44th, 48th, and 49th; a select committee, consisting of Messrs. Garnett, Beckham, and Graves, the 4th; a select committee, consisting of Messrs. Dyer, S. C. Bell, and T. M. Johnson, the 6th; a select committee, consisting of Messrs. Rowlett, McKenzie, and McAfee, the 8th; and a select committee, consisting of Messrs. Corbett, Griffith, and Trafton, the 31st.

Mr. W. Evans, from a select committee, to whom was referred so much of the Governor's message as relates to the death of the Hon. James A. McCampbell, presented the following preamble and joint resolutions, viz:

WHEREAS, It has been announced to this General Assembly, by His Excellency the Governor, that on the 25th day of December, 1872, the Hon. James A. McCampbell, a member of the House of Repre-
sentatives from the county of Jessamine, departed this life; through respect to his memory and many virtues, be it

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That it is with deep sorrow and regret that we, the members of this General Assembly, have received the announcement of the death of the Hon. Jas. A. McCampbell, an event which carries sorrow to his many friends, and deprives the State of a useful and honorable public servant.

2. Resolved, That to the afflicted family of the deceased we hereby tender our deepest sympathies.

3. Resolved, That, as a further mark of respect to the memory of the deceased, we will wear the usual badge of mourning for a period of thirty days.

4. Resolved, That these resolutions be spread upon the Journal, and that a copy of the same be forwarded to the family of the deceased by the Speaker of the House of Representatives.

5. Resolved, That on the adoption of these resolutions the House be then adjourned.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolutions were taken up, twice read, and unanimously adopted.

And then the House adjourned.

THURSDAY, JANUARY 16, 1873.

A message was received from the Senate, announcing that they had passed a bill and concurred in a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to establish the St. Louis Cemetery, of Henderson.

Resolution providing for the election of a United States Senator, to fill the vacancy occasioned by the death of the Hon. Garrett Davis.

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

An act to charter the Owenton High School.

Resolution in relation to the Commissioners on the Revised Statutes.

Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

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

On motion of Mr. Thomas—
1. A bill to authorize the Clerk of the Lewis county court to make out a new cross-index to deeds recorded in the clerk's office of the Lewis county court.

On motion of same—
2. A bill for the benefit of R. B. Lovell, late sheriff of Lewis county.

On motion of same—
3. A bill authorizing R. B. Lovell, late sheriff of Lewis county, to list his uncollected fees bills and tax receipts with constables for collection.

On motion of Mr. Trafton—
4. A bill in relation to grand, petit, and other juries.

Ordered, That the Committee on Revised Statutes prepare and bring in said bills.

On motion of Mr. Blackburn, indefinite leave of absence was granted Mr. Scales.

On motion of Mr. Goodloe, the Public Printer was directed to print five hundred additional copies of the report of the Superintendent of the Eastern Lunatic Asylum, heretofore presented to the House.

The Speaker laid before the House the report of the Board of Trustees of the Kentucky Institution for the Education of the Blind,

[For Report—see Legislative Document No. 11.]

On motion of Mr. Waide,

Ordered, That the Public Printer print one thousand copies thereof.

The Speaker laid before the House the report of the Board of Managers of the State House of Reform for Juvenile Delinquents.

[For Report—see Legislative Document No. 10.]

Mr. Waide moved to print one thousand copies of the same.

Mr. Graves moved to amend the motion of Mr. Waide by striking out "one thousand," and inserting in lieu thereof "five hundred."

And the question being taken on the motion of Mr. Graves, it was decided in the negative.
Mr. J. R. Sanders moved to amend the motion of Mr. Waide by striking out "one thousand," and inserting "one thousand five hundred."

And the question being taken on the motion of Mr. Sanders, it was decided in the negative.

The motion of Mr. Waide was then adopted.

And so the Public Printer was ordered to print one thousand copies of said report.

The Speaker laid before the House the report of the receipts and disbursements of the Western Lunatic Asylum for the year 1872.

[For Report—see Legislative Document No. 14.]

Ordered, That the Public Printer print one thousand copies thereof.

The Speaker laid before the House the report of the Kentucky Institution for the Education of the Deaf and Dumb for the year 1872.

[For Report—see Legislative Document No. 5.]

Ordered, That the Public Printer print one thousand copies thereof.

The Speaker laid before the House the following communication, viz:\n
To the Speaker of the House of Representatives:

Sir: I would respectfully request, through you, to make to the House of Representatives a report of the revision of the statute laws on the subject of "Common Schools."

E. I. BULLOCK, Commissioner.

Ordered, That said report be referred to the joint committee herefore raised on the subject of the revision of the statutes.

Mr. Todd read an laid on the table the following preamble and joint resolution, viz:\n
WHEREAS, The National Prison Reform Congress of the United States will meet at Baltimore, commencing its sessions on the 20th inst., for the purpose of considering all subjects connected with prison discipline and prison reforms, and also public or State charitable institutions; and whereas, the State of Kentucky, through the Executive thereof, has been invited by the National Prison Association to attend and participate in the deliberations of said body; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be directed to appoint three citizens of Kentucky, suitable persons, as delegates to represent the State at said meeting, and the sum of one hundred dollars each is hereby appropriated to defray the expenses of said delegates who may attend; and the Auditor of Public Accounts is directed to draw his warrant on the Treasurer, who shall pay the same, upon the cer-
tificate of the Governor to the effect that said delegates have attended said Congress as herein contemplated.

Mr. Todd moved to suspend the rule requiring joint resolutions to lie one day on the table, and take up the same.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. W. Deaderick, W. W. Deaderick, John W. Ogilvie,
Wm. A. Allen, John W. Dyer, John W. Ogilvie,
R. Tarv. Baker, Walter Evans, Julian N. Phelps,
W. W. Baldwin, W. H. Evans, Hiram S. Powell,
Alpheus W. Bascom, M. Woods Ferguson, E. A. Robertson,
W. R. Bates, James B. Fitzpatrick, J. R. Sanders,
W. N. Beckham, C. D. Foote, William Sellers,
John A. Bell, Joseph P. Force, James W. Snyder,
S. C. Bell, James Garnett, William Tarlton,
Wm. F. Bond, Wm. Cassius Goodloe, George M. Thomas,
W. B. M. Brooks, Clinton Griffith, C. W. Threlkeld,
Thomas P. Cardwell, Wm. A. Hoskins, Harry I. Todd,
John S. Carpenter, George M. Jesse, L. W. Trafton,
George Carter, E. Polk Johnson, Joseph T. Tucker,
James S. Chrisman, Thomas M. Johnson, T. W. Varnon,
C. M. Clay, jr., J. J. McAfee, E. F. Waide,
J. Guthrie Coke, Bryan S. McClure, J. L. Waring,
Josiah H. Combs, M. E. McKenzie, F. A. Wilson,
William G. Conrad, T. J. Megibben, Jonas D. Wilson,
R. D. Cook, W. A. Morin, J. N. Woods,

Those who voted in the negative, were—

W. W. Ayers, E. A. Graves, Lewis Potter,
G. W. Bailey, T. J. Jones, John Rowan,
J. C. S. Blackburn, L. W. Lassing, Samuel M. Sanders,
Church H. Blakey, J. S. Lawson, J. S. Taylor,
Manlius T. Flippin, J. C. Moorman,

Said preamble and resolution were then taken up and twice read.

Mr. Graves moved the following amendment, viz:

Strike out "one hundred dollars," wherever it occurs in said resolution.

The question was then taken on the adoption of the amendment proposed by Mr. Graves, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Taylor, were as follows, viz:
Those who voted in the affirmative, were—

W. W. Ayers, J. E. Cosson, William J. McElroy,
G. W. Bailey, Manlius T. Flippin, Samuel M. Sanders,
R. Tarv. Baker, E. A. Graves, J. S. Taylor,
R. D. Cook, J. J. McAfee, Jonas D. Wilson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) W. H. Evans, Lewis Potter,
Wm. A. Allen, M. Woods Ferguson, Hiram S. Powell,
W. W. Baldwin, James B. Fitzpatrick, E. A. Robertson,
Alpheus W. Bascom, C. D. Foote, John Rowan,
W. R. Bates, James Garnett, John P. Rowlett,
W. N. Beckham, Wm. Cassius Goodloe, J. P. Sacksteder,
John A. Bell, Clinton Griffith, J. R. Sanders,
S. C. Bell, Wm. A. Hoskins, William Sellers,
J. C. S. Blackburn, George M. Jessee, James W. Snyder,
Wm. F. Bond, E. Polk Johnson, William Tarlton,
W. B. M. Brooks, Thomas M. Johnson, George M. Thomas,
Thomas P. Cardwell, T. J. Jones, C. W. Threlkeld,
John S. Carpenter, L. W. Lassing, Harry L. Todd,
George Carter, J. S. Lawson, L. W. Trafton,
James S. Chrisman, M. E. McKenzie, Joseph T. Tucker,
C. M. Clay, jr., T. J. Megibben, T. W. Varnon,
J. Guthrie Coke, J. C. Moorman, E. F. Waide,
Josiah H. Combs, W. A. Morin, J. L. Waring,
William G. Conrad, J. L. Nall, C. H. Webb,
R. L. Cooper, Mat. Nunan, J. L. Waring,
W. W. Deaderick, John W. Ogilvie, C. H. Webb,

Mr. Waide then moved the following amendment to said resolution, viz:

2. That the Representatives from Kentucky in said Congress be, and they are hereby, requested, at the earliest practicable day, to report to the Governor of Kentucky such matters of interest and importance to the State of Kentucky as may come before the said Congress for their consideration.

Which was adopted.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. W. Deaderick, Julian N. Phelps,
A. C. Armstrong, Walter Evans, Lewis Potter,
R. Tarv. Baker, James B. Fitzpatrick, E. A. Robertson,
W. W. Baldwin, C. D. Foote, J. P. Sacksteder,
Alpheus W. Bascom, James Garnett, J. R. Sanders,
Those who voted in the negative, were—

Wm. A. Allen, John W. Dyer, Hiram S. Powell,
G. W. Bailey, W. H. Evans, John Rowan,
Church H. Blakey, Manlius T. Flippin, Samuel M. Sanders,
W. W. Bush, E. A. Graves, William Sellers,
Thomas P. Cardwell, L. W. Lassing, James W. Snyder,
Josiah H. Combs, Bryan S. McClure, J. S. Taylor,
R. D. Cook, J. C. Moorman, Jonas D. Wilson,
J. E. Cosman,

And so said preamble and resolutions were adopted.

According to order, the House resumed the further consideration of a bill from the Senate, together with the several amendments proposed thereto, entitled

An act to provide for the erection and location of the Third Lunatic Asylum.

After debate thereon, on motion of Mr. W. Evans,

Ordered, That the further consideration of said bill and amendments be postponed to, and made the special order of the day for, to-morrow, at 11 o'clock, A. M.

And then the House adjourned.
FRIDAY, JANUARY 17, 1873.

The following petitions and remonstrance were presented, viz:
By Mr. Deaderick—
1. The petition of sundry citizens of Pendleton county, praying an increase of jurisdiction of justices in said county.
By Mr. Bates—
2. The petition of sundry citizens of Glasgow Junction corporation and precinct, praying the passage of a law prohibiting the sale of spirituous or vinous liquors within said precinct.
By Mr. Sellers—
3. A remonstrance of certain citizens of Garrard county, against the passage of a bill to amend the charter of the Lancaster and Dix River Turnpike Road.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on County Courts, and the 2d to the Committee on Religion.

On motion, indefinite leave of absence was granted Messrs. Bush, Bascom, and Hampton.

Leave was given to bring in the following bills, viz:
On motion of Mr. Bascom—
1. A bill to incorporate the Bath Iron Company.
On motion of same—
2. A bill to amend the charter of the town of Frenchburg, in Menifee county.

Ordered, That the Committee on Corporate Institutions prepare and bring in said bills.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled
Resolution appointing a joint committee for certain purposes.
That they had concurred in a joint resolution, which originated in the House of Representatives, entitled
Resolution providing for the appointment of Commissioners to the National Prison Reform Congress.
And that they had passed a bill, entitled
An act partitioning the Fairfield and Samuels' Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox's
Creek Turnpike Road Company; and the Samuels' Depot and Cox's Creek Turnpike Road Company.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Internal Improvement.

Mr. Deaderick, from the Committee on Enrollments, reported that they had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the blind children and youth of the State of Kentucky;

An act relating to the grounds of the charitable institutions of this Commonwealth;

An act for the benefit of William Adams & Son, of Magoffin county;

An act for the benefit of A. Q. Baker, late sheriff of Boone county; And also enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the town of Franklin;

An act to establish the St. Louis Cemetery, of Henderson;

Resolution providing for the election of a United States Senator, to fill the vacancy occasioned by the death of Hon. Garrett Davis;

Resolution providing for appointment of Commissioners to the National Prison Reform Congress;

And had found the same truly enrolled. Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

Mr. McKenzie, from the Committee on Ways and Means, to whom was recommitted a bill from the Senate, entitled

An act to allow jailers compensation for keeping pauper lunatics in the jails of this Commonwealth,

 Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then put, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.
Mr. Megibben, from the Committee on Ways and Means, to whom was recommitted a bill from the Senate, entitled
An act to continue the office of Auditor's Agent,
Reported the same without amendment.
On motion of Mr. Jessee, said bill was recommitted to the Committee on Ways and Means, and they were directed to report thereon on Wednesday, the 22d inst., at 11 o'clock, A. M.
Mr. Baldwin, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported
A bill to amend the revenue laws.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Mr. Corbett moved to recommit said bill to the Committee on Revised Statutes.
The hour of 11 o'clock, A. M., having arrived, Mr. Foote moved to postpone the special order fixed for this hour, to make disposition of the motion of Mr. Corbett.
And the question being taken thereon, and not having received the requisite number of votes, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Foote and Baldwin, were as follows, viz:

Those who voted in the affirmative, were—
J. S. Lawson, Wm. Mynhier, Hiram S. Powell, E. A. Robertson, William Tarlton, George M. Thomas, E. A. Graves,

Those who voted in the negative, were—
According to order, the House, at this hour, took up for further consideration a bill from the Senate, together with the amendments and substitute proposed therefor, entitled

An act to provide for the erection and location of the Third Lunatic Asylum.

The original Senate bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of two hundred and fifty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of purchasing a tract of land not exceeding three hundred acres, and erecting thereon a Lunatic Asylum, to be called and styled the "Third Lunatic Asylum," sufficient for the safe and comfortable keeping and treatment of at least three hundred inmates.

§ 2. That the Governor shall appoint three competent discreet persons as commissioners, who, after first being duly sworn to faithfully and impartially discharge their duties, shall locate said asylum on or before May 1st, 1872, at some suitable point in one of the counties west of the Tennessee river, and contract for the land on which they locate it, and take a deed, with clause of general warranty to the Commonwealth of Kentucky, so as to secure a good and perfect title thereto for the use and benefit of said asylum.

§ 3. That when said deed shall have been duly executed by the vendor or vendors, and accepted by the commissioners, they shall issue a certificate to the Auditor in favor of the vendor or vendors for such sum as they shall have contracted to pay for the land; and upon the receipt of such certificate, the Auditor shall draw his warrant upon the Treasurer for said sum, to be paid out of any money in the Treasury not otherwise appropriated.

§ 4. When said commissioners shall have purchased the land, and accepted the deed therefor, they shall immediately proceed to have the asylum erected, furnished, and fitted out according to the most improved plans for such institutions; and they are hereby authorized to employ an architect, whose duty it shall be to furnish plans and specifications for said building, and to superintend the erection of the same, which plans and specifications shall be considered and approved by the said commissioners; and to employ and make a contract with some suitable builder or builders to erect, furnish, and complete said asylum; and they shall take covenant in favor of the
Commonwealth from such builder or builders, with good and sufficient surety, for a faithful compliance with all the terms and stipulations of the contract; but before letting the contract they shall advertise for at least twenty days in the Louisville Courier-Journal, the Louisville Ledger, the Anzeiger, and the Cincinnati Commercial, for proposals for said work, and shall let the contract to the lowest and best bidder or bidders, who shall execute such covenant; but the price shall not exceed the balance of the appropriation remaining after paying for the land.

§ 5. The said commissioners are hereby authorized to issue certificates every three months to the Auditor in favor of the building contractor or contractors, for such sum as will pay not exceeding seventy per cent. for work actually done, for which sums the Auditor shall issue his warrant and the Treasurer shall pay the same in the manner required for paying the vendor of the land; but before issuing any certificate to the building contractor or contractors, the commissioners shall, in the presence of the county court judge and clerk, execute covenant, with good and sufficient sureties, to the Commonwealth (to be attested by said judge and clerk, and approved by the Governor), for the faithful discharge of all their duties under this act.

§ 6. Whenever the asylum is completed and ready for the reception of inmates, the commissioners shall notify the Governor, who shall give notice thereof by proclamation, and appoint a superintendent of the asylum to act until the meeting of the next General Assembly thereafter.

§ 7. If any commissioner fails to act, the Governor shall appoint another in his place; and any vacancy shall be filled by the appointment of the Governor.

§ 8. That the said commissioners, in determining the location of the proposed asylum, shall take into consideration all the advantages and conveniences of each county asking for said location, together with the value of county or private subscription which may be made by each county for the use and benefit of the asylum.

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

The amendments proposed by the committee are as follows, viz:

1. Amend section one by striking out in second line the words "two hundred thousand," and insert instead "two hundred and fifty thousand."

2. Amend section two by striking out in third and fourth lines, "shall locate said asylum on or before May 1, 1872, at some suitable point in one of the counties west of the Tennessee river," and insert instead, "shall proceed to locate said asylum by making personal examinations of the various localities; and they shall adopt that locality which affords the greatest advantages necessary to sustain and support such an institution at the least cost, and with the greatest benefits in fertility of soil, healthfulness, pure and abundant water, accessibility, abundant and cheap fuel, suitable labor and supplies; and the said commissioners shall locate said institution on or before the first day of June, 1873."
3. Amend section five by striking out in second line the words "three months," and insert instead the words "thirty days."

The substitute proposed by Mr. Blakey reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one hundred thousand dollars be appropriated to enlarge the Western Lunatic Asylum at Hopkinsville; and also the sum of thirty thousand dollars be appropriated to enlarge the Feeble-minded Institute at Frankfort; and that the Auditor be directed to draw his warrant upon the Treasurer for the above sums for the purposes indicated, to be paid out of any moneys in the Treasury not otherwise appropriated.

§ 2. That the Governor shall appoint three commissioners, who shall, as directed by him, superintend the enlargement of each of the buildings, and report progress to him at least once every three months, until the work be finished; the statements from the commissioners to be filed in the Secretary's office for reference.

§ 3. That the commissioners so appointed shall see that the buildings be erected with as little delay as possible, and that no inferior materials be used in the construction of said buildings, and that each building shall be erected according to the plans and specifications of the architect, which plans and specifications must have been approved by the Governor and commissioners appointed by him to superintend the carrying out of the same. Said commissioners to employ and make contract or contracts with some suitable builder or builders to erect and complete said buildings, and they shall take covenant in favor of the Commonwealth from such builder or builders, with good and sufficient surety for a faithful compliance with all the terms and stipulations of the contract, to be approved by the Governor. But, before letting the contract, they shall advertise, for at least twenty days, in at least three of the most public newspapers in the State, for proposals for said work, and shall let the contract or contracts to the lowest and best bidder or bidders.

§ 4. That the commissioners are hereby authorized to issue certificates every three months to the Auditor, and after the same has been approved by the Governor, the Auditor shall draw his warrant on the Treasurer: Provided, That said certificates shall not exceed seventy-five per cent. for the work actually done.

§ 5. That so soon as the extension of the Feeble-minded Institute at Frankfort be completed, so as to afford room sufficient for the accommodation of one hundred inmates to be comfortably cared for and securely restrained, then the Superintendents of the two Asylums, viz: at Lexington and at Hopkinsville, shall select from their epileptic and demented patients fifty (50) each, and forward them to the Feeble-minded Institute at Frankfort, to be received by the Superintendent of said Institute and properly cared for.

§ 6. That so soon as the fifty (50) epileptic and demented patients are removed from the two Asylums, the Superintendents of each Asylum shall notify the Governor of their readiness to receive a like number from their respective districts, and the Governor shall make the same known by proclamation.
§ 7. The Governor shall employ an architect, who shall submit plans and specifications for the enlargement of each institution. The draft for the Western Asylum shall be drawn so as to furnish rooms for not less than two hundred (200) lunatics, and the draft for the enlargement of the Feeble-minded Institute shall furnish rooms for one hundred (100).

§ 8. The necessary expenses in removing said epileptic and demented patients to be paid out of any moneys in the Treasury not otherwise appropriated. That the Auditor shall draw his warrant on the Treasurer in favor of the Superintendents of said Eastern and Western Asylums; the accounts shall have first been approved by the Governor.

§ 9. This act shall take effect and be in force from its passage.

The question was then taken on the adoption of the substitute moved by Mr. Blakey, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), J. Guthrie Coke, Josiah H. Combe, Mat. Nunnan,
Wm. A. Allen, J. M. Rowan, Julian N. Phelps,
A. C. Armstrong, R. L. Cooper, Lewis Potter,
G. W. Bailey, R. D. Cook, John Rowan,
W. W. Baldwin, Thomas H. Corbett, J. P. Sacksteder,
W. N. Beckham, W. W. Deaderick, William Sellers,
John A. Bell, Walter Evans, James W. Snyder,
S. C. Bell, W. H. Evans, J. S. Taylor,
Church H. Blakey, Manlius T. Flippin, George M. Thomas,
Wm. F. Bond, Joseph P. Foree, C. W. Threlkeld,
W. B. M. Brooks, E. Polk Johnson, Joseph T. Tucker,
Robert M. Carlisle, Bryan S. McClure, E. F. Waide,
John S. Carpenter, William J. MclIlroy, J. L. Waring,
George Carter, J. C. Mooreman, J. N. Woods,
James S. Chrisman, Wm. Mynhier, S. H. Woolfolk,

Those who voted in the negative, were—

W. W. Ayers, James Garnett, W. A. Morin,
R. Tarv. Baker, Wm. Cassius Goodloe, John W. Ogilvie,
Alpheus W. Baseom, E. A. Graves, Hiram S. Powell,
W. R. Bates, Clinton Griffith, E. A. Robertson,
J. C. S. Blackburn, Wm. A. Hoskins, J. R. Sanders,
W. W. Bush, George M. Jesse, Samuel M. Sanders,
Thomas P. Cardwell, Thomas M. Johnson, William Tarlton,
B. E. Cassilly, T. J. Jones, Harry I. Todd,
William G. Conrad, L. W. Lassing, L. W. Trafton,
J. E. Cosson, J. S. Lawson, T. W. Varnon,
John W. Dyer, J. J. McAfée, C. H. Webb,
M. Woods Ferguson, M. E. McKenzie, F. A. Wilson,
JAN. 17.] HOUSE OF REPRESENTATIVES.

C. D. Foote,

And so said substitute, by way of amendment, was adopted.

Said bill, as amended, was then read a third time.

The hour of 12 o'clock, M., having arrived, Mr. Wright moved to dispense with the orders of the day, and proceed with the consideration of this bill.

And the question being taken thereon, it was decided in the negative—not having received the number of votes required by the rule.

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

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

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<th>Wm. A. Allen</th>
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<td>Mat. Nunan</td>
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**Those who voted in the negative, were—**

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<th>Mr. Speaker(M'Creary)</th>
<th>James B. Fitzpatrick, M. E. McKenzie</th>
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<td>Thomas P. Cardwell</td>
<td>T. J. Jones, Jonas D. Wilson</td>
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<td>M. Woods Ferguson</td>
<td>J. J. McAfee</td>
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The House took up from the orders of the day the motion heretofore made to reconsider the vote by which the House had adopted a resolution, entitled

Resolution concerning State Library.
Mr. Waide moved to lay the motion to reconsider on the table. And the question being taken on the motion of Mr. Waide, it was decided in the affirmative.
The House took up a joint resolution from the Senate, entitled Resolution in relation to the Commissioners on the Revised Statutes.
Said resolution was adopted.
Mr. Garnett moved to reconsider the vote by which said resolution was adopted.
Mr. Waide moved to lay the motion of Mr. Garnett on the table. And the question being taken on the motion of Mr. Waide, it was decided in the affirmative.
The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled An act to prohibit the sale of spirituous, vinous, or malt liquors in Cave City precinct, in the county of Barren.
Said amendments were concurred in.
And then the House adjourned.

SATURDAY, JANUARY 18, 1873.

Mr. William Brown, a member returned to serve in the House from the county of Jessamine, to fill the vacancy occasioned by the death of Hon. J. A. McCampbell, appeared, produced a certificate of his election, and having taken the oath prescribed by the Constitution, repaired to his seat.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled
An act to amend an act, entitled "An act to fix the fees of county attorneys," approved February 21st, 1868.
That they had passed a bill, which originated in the House of Representatives, entitled
An act to legalize and amend an act, entitled "An act to authorize the county court of Warren county to levy a tax and issue bonds for bridge purposes," approved December 20, 1871.

And that they had passed bills of the following titles, viz:
1. An act for the benefit of M. A. Pickering, late sheriff of Caldwell county, and his deputy.
2. An act to incorporate the Louisville College of Pharmacy.
3. An act to amend an act, approved March 18, 1872, entitled "An act to incorporate the Church House for Females and Infirmary for the Sick."

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means, and the 2d and 3d to the Committee on Corporate Institutions.

The following petitions were presented viz:

By Mr. Lawson—
1. The petition of sundry citizens of Nicholas county, praying the passage of an act to prevent the sale of intoxicating liquors at Headquarters, in Nicholas county.

By Mr. Rowlett—
2. The petition of sundry citizens of Hart county, praying for the passage of an act to prohibit the sale of spirituous, vinous, and malt liquors at Caverna, in Hart county, or within a mile of said town.

By Mr. Davidson—
3. The petition of certain citizens of Floyd county, praying for a change of the dividing lines of Floyd and Pike counties, so as to take the petitioners from the county of Floyd and add them to the county of Pike.

By Mr. McAfee—
4. The petition of certain citizens of Mercer county, praying for the passage of an act to change the time for holding the spring term of the Mercer circuit court.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Religion; the 3d to the Com-
mittee on Propositions and Grievances; and the 4th to the Committee on Circuit Courts.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the town of Franklin.
An act in relation to stationery.
An act to amend the charter of the city of Dayton.
An act to establish the St. Louis Cemetery, of Henderson.
Resolution providing for the election of United States Senator.
Resolution providing for the appointment of Commissioners to the National Prison Reform Congress.
Resolution providing for the selection of a joint committee, to whom shall be referred the report of the Commissioners to revise and codify the Statutes.
Resolution in relation to the title of the public property at Frankfort, and the propriety of removing the seat of government from said city.

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

On motion of Mr. Corbett—
1. A bill to reinstate on the docket of the Owen circuit court the case of George P. Cull against Sanders' administrators.
On motion of Mr. Williams—
2. A bill to incorporate the Key's Creek Mining and Manufacturing Company.
On motion of same—
3. A bill to change the name of the Catlettsburg Normal School.
On motion of Mr. Armstrong—
4. A bill for the benefit of school district No. 4, Bracken county.
On motion of Mr. Cardwell—
5. A bill to authorize the county court of Breathitt county to take the sense of the voters of said county as to the propriety of creating a fund to secure a survey made through said county for a railroad.
On motion of same—
6. A bill for the benefit of James W. Linden and Thomas J. Little, of Breathitt county.
On motion of same—
7. A bill making it a penitentiary offense for any person to carry
pistols or any other deadly weapons upon his person in the county of Breathitt, other than officers or traveling persons.

On motion of Mr. F. A. Wilson—
8. A bill to so change the dividing line between the second and twenty-eighth common school districts, in the county of Lyon, as to include A. L. Love within the boundary of the second district.

On motion of Mr. McClure—
9. A bill providing for the payment for fox scalps.

On motion of Mr. Griffith—
10. A bill to provide for the better pay of jurors while in charge of the sheriff.

On motion of Mr. Powell—
11. A bill to regulate the fees of county judges.

On motion of Mr. Davidson—
12. A bill for the benefit of Johnson county.

On motion of same—
13. A bill in relation to the location of the county seat of Martin county.

On motion of Mr. Todd—

On motion of Mr. Sellers—
15. A bill for the benefit of the Garrard county court, and to vest them with certain powers.

On motion of same—

On motion of Mr. T. M. Johnson—

On motion of Mr. Waring—
18. A bill to amend the charter of the Tygart Valley Iron Company.

On motion of same—
19. A bill to incorporate the Riverton Savings Bank.

On motion of same—
20. A bill to amend an act incorporating the Riverton Iron and Mining Company.

On motion of same—
21. A bill to incorporate the town of Springville, in Greenup county.
On motion of Mr. Combs—
22. A bill to incorporate the town of Mount Pleasant, Hardin county.

On motion of same—
23. A bill to incorporate the town of Hazard, Perry county.

On motion of Mr. Rowlett—
24. A bill authorizing common school trustees to submit to the voters of the several school districts in Hart county, whether they will tax themselves for the purpose of building school-houses.

On motion of Mr. Woolfolk—
25. A bill to amend the charter of the Diamond Coal and Mining Company.

On motion of same—
26. A bill to charter the Galena Mining and Manufacturing Company.

On motion of same—
27. A bill to charter the Fleming Coal Company.

On motion of same—
28. A bill to charter the Collier Mining and Manufacturing Company.

On motion of same—
29. A bill for the benefit of Barnabas Sisk, jailer of Hopkins county.

On motion of same—
30. A bill to amend the charter of the Bowling Green and Madisonville Railroad Company.

On motion of Mr. E. Polk Johnson—
31. A bill to amend the common school law regarding teachers' certificates.

On motion of Mr. Foote—
32. A bill to amend an act, entitled "An act to incorporate the Rebecca Benevolent Society, of Covington."

On motion of Mr. W. H. Evans—
33. A bill for the benefit of Knox county.

On motion of Mr. S. M. Sanders—
34. A bill for the benefit of school district No. 16, in Larue county.

On motion of same—
35. A bill legalizing a tax assessed upon the citizens of Larue county.
On motion of Mr. Cook—
36. A bill to provide for making the offense of carrying concealed deadly weapons in this Commonwealth a felony, and punishable by confinement in the State Penitentiary.

On motion of Mr. Carter—
37. A bill for the benefit of J. H. Hatten, of Lawrence county.

On motion of Mr. Fitzpatrick—
38. A bill for the benefit of school district No. 62, in Pike county.

On motion of same—
39. A bill for the benefit of Leslie Johnson, late sheriff of Letcher county.

On motion of Mr. Thomas—
40. A bill to amend an act incorporating the Vanceburg Male and Female Academy.

On motion of same—
41. A bill fixing the county levy in Lewis county.

On motion of same—
42. A bill authorizing the sheriff and other officers in Lewis county to insert all legal advertisements in the Vanceburg Kentuckian, a paper published in Vanceburg, in said county.

On motion of Mr. Webb—
43. A bill for the benefit of school district No. 5, in Livingston county.

On motion of Mr. Blakey—
44. A bill to repeal all laws prohibiting deer-driving in this Commonwealth.

On motion of same—
45. A bill for the benefit of George W. Cooper, of Logan county.

On motion of Mr. Sacksteder—
46. A bill to incorporate the St. Xavier's Institute Society.

On motion of same—
47. A bill to amend the charter of the First German Savings Bank, of Louisville, approved March 28, 1872.

On motion of same—
48. A bill to incorporate the Pewee Valley Wine Company.

On motion of Mr. Wright—
49. A bill to incorporate the Minett Orphan Asylum, of Louisville.

On motion of same—
On motion of Mr. Speaker McCreary—
51. A bill for the benefit of school districts Nos. 22, 73, and 41, in Madison county.

On motion of Mr. Hoskins—
52. A bill for the benefit of Isaac Franklin Arnold and Thomas Salter Arnold, of Washington county.

On motion of same—
53. A bill for the benefit of John B. Nichols, clerk of the county court of Boyle county.

On motion of Mr. Ogilvie—
54. A bill for the benefit of Mrs. Barthea Goodhart, of McCracken county.

On motion of Mr. McAfee—
55. A bill to amend the charter of the Munday’s Landing and Harrodsburg Turnpike Road Company, in Mercer county.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 50th; the Committee on Corporate Institutions the 2d, 14th, 21st, 22d, 23d, 25th, 26th, 27th, 28th, 46th, 48th, 49th, and 52d; the Committee on Education the 3d, 4th, 12th, 24th, 31st, 34th, 38th, 43d, and 51st; the Committee on County Courts the 5th, 8th, 11th, 15th, 16th, and 35th; the Committee on Claims the 6th, 29th, 33d, and 37th; the Committee on Revised Statutes the 7th, 10th, 40th, 41st, and 54th; the Committee on Ways and Means the 9th, 45th, and 53d; the Committee on Propositions and Grievances the 13th, 39th, and 44th; the Committee on Religion the 17th and 36th; the Committee on Railroads the 18th and 30th; the Committee on Banks the 19th and 47th; the Committee on Charitable Institutions the 32d; the Committee on Printing the 42d; the Committee on Internal Improvement the 55th; and a select committee, consisting of Messrs. G. M. Jesser, W. N. Beckham, and F. A. Wilson, the 20th.

On motion, indefinite leave of absence was granted Messrs. Hoskins, Nall, and Gray.

Mr. Goodloe moved the following resolution, viz:

Resolved, That the Judiciary Committee are instructed to examine by what law, if any, the species of lottery, known as “policy,” is carried on in this Commonwealth, and report by bill or otherwise for its immediate suppression.

Which was adopted.

Mr. Foote moved to reconsider the vote by which said resolution was adopted.
Mr. Goodloe moved to lay the motion of Mr. Foote on the table.
And the question being taken on the motion of Mr. Goodloe, it was
decided in the affirmative.

The Speaker laid before the House a communication from the
Superintendent of the Eastern Lunatic Asylum, in response to a
resolution heretofore adopted, viz:

**EASTERN LUNATIC ASYLUM,**
**SUPERINTENDENT'S OFFICE,**
**LEXINGTON, KY., January 17, 1873.**

To the Hon. James B. McCreary, Speaker of House of Representatives:

In answer to enclosed resolution of inquiry, would state that we
have on file copies of inquest in one hundred and thirty-five (135)
cases of persons adjudged lunatics, for whom admission has been
asked for and application denied for want of room. We have had
application for admission of quite a number, in whose cases in­
quests had been held and no copies sent us. This class would not
fall short of forty (40) persons; also, we have had letters of inquiry
addressed us in the cases of about thirty (30) persons, in whose cases,
as yet, no inquests have been held, who are considered insane by
their friends, and the majority would most likely be found so by in­
quest, and ordered to this asylum, if there was room to receive them.
From this statement it will be seen that in this district there are, as
nearly as we are able to estimate, two hundred and five (205) insane
persons unprovided for. This Asylum has forty-three (43) more than
its complement of patients. This forty-three, added to the two hun­
dred and five, makes a total of two hundred and forty-eight cases of
insanity in the eastern district not properly provided for.

Respectfully submitted,

JOHN W. WHITNEY,
Superintendent Eastern Lunatic Asylum.

Mr. Corbett moved to reconsider the vote by which the House, on
yesterday, ordered to be read, as amended, a bill from the Senate,
entitled

An act to provide for the location and erection of the Third Lunat­
ic Asylum.

Mr. E. Polk Johnson moved the following resolution, viz:

Resolved, That the Committee on Military Affairs are instructed to
ascertain and report what changes, if any, are necessary in the exist­
ing military laws of this Commonwealth, to provide for the proper
organization of the militia forces thereof.

Said resolution was placed in the orders of the day.
Mr. Thomas moved the following resolution, viz:

Resolved, That it is the sense of this House that all laws authorizing the Public Library of Kentucky to distribute gifts by lottery at any public entertainment ought to be repealed, and the Committee on the Judiciary are directed to bring in a bill to repeal said laws, and that they report to this House on Tuesday next.

Mr. Griffith moved to amend said resolution by striking out all after the word "directed," and inserting in lieu thereof, "be requested to report upon the subjects embraced in this resolution, by bill or otherwise, as soon as practicable."

Mr. McAfee moved to postpone the further consideration of the resolution and amendment till Tuesday next, at 12 o'clock.

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

The yeas and nays being required thereon by Messrs. W. Evans and Thomas, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, W. W. Deaderick, Lewis Potter,
John B. Bailey, M. Woods Ferguson, J. P. Sacksteder,
John A. Bell, James B. Fitzpatrick, J. R. Sanders,
J. C. S. Blackburn, Joseph P. Force, William Tarlton,
Church H. Blakey, Wm. A. Hoskins, Harry I. Todd,
Robert M. Carlisle, E. Polk Johnson, Joseph T. Tucker,
B. E. Cassilly, T. J. Jones, W. T. Varnon,
C. M. Clay, jr., J. S. Lawson, E. F. Waide,
J. Guthrie Coke, J. J. McAfee, C. H. Webb,
Thomas H. Corbett, J. C. Moorman, Mordecai Williams,
Joseph M. Davidson, W. A. Morin, J. M. Wright—33.

Those who voted in the negative, were—

Mr. Speaker (McCreary) Walter Evans, Julian N. Phelps,
Wm. A. Allen, W. H. Evans, E. A. Robertson,
W. W. Ayers, Manlius T. Flippin, John Rowan,
R. Tarv. Baker, C. D. Foote, John P. Rowlett,
W. R. Bates, James Garnett, Samuel M. Sanders,
W. N. Beckham, Wm. Cassius Goodloe, William Sellers,
S. C. Bell, E. A. Graves, James W. Snyder,
Wm. F. Bond, Clinton Griffith, J. S. Taylor,
Wm. Brown, George M. Jessee, George M. Thomas,
W. W. Bush, Thomas M. Johnson, C. W. Threlkeld,
Thomas P. Cardwell, L. W. Lassing, L. W. Trafton,
George Carter, Bryan S. McClure, J. L. Waring,
James S. Chrisman, William J. McElroy, F. A. Wilson,
Josiah H. Combs, M. E. McKenzie, Jonas D. Wilson,
William G. Conrad, Wm. Mynhier, J. N. Woods,
R. D. Cock, Mat. Nunan, S. H. Woolfolk—50,
J. E. Cassson, John W. Ogilvie,
Mr. E. Polk Johnson moved the following substitute for said resolution and amendment, viz:

Resolved, That the Judiciary Committee be instructed to report, at the earliest practicable day, upon the bill now before them, repealing that portion of the Public Library of Kentucky granting the right to hold gift concerts.

Mr. Griffith then moved to refer said resolution and amendments to the Committee on the Judiciary.

And the question being taken on the motion of Mr. Griffith, it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Manlius T. Flippin,

Mr. Graves moved the following resolution, viz:

Resolved, That the Superintendents of the Eastern and Western Lunatic Asylums be required to furnish this House, as soon as practicable, the number of patients in their respective institutions, the number that are on pay, and the number that are wholly indigent.
and the number, if any, from other States, and the annual cost of each inmate.

Which was adopted.

On motion of Mr. Hoskins, the Public Printer is directed to print eight hundred additional copies of the report of the Board of Trustees of the Deaf and Dumb Asylum presented at this session, for the use of said institution.

Mr. Flippin moved the following resolution, which being amended on the motion of Mr. Jesse, was adopted, viz:

Resolved, That the Superintendent of the Institution for the Education and Training of the Feeble-minded Children be requested to furnish this House, on the earliest day practicable, the number and former residences of the pupils now in said institution, the cost of each pupil for the last fiscal year, the number of such that are entirely indigent, and the amount paid, if any, by the parents, guardians, or friends of such feeble-minded children, the salary of each officer, teacher, nurse, and laborers of said institution, and the entire cost of said institution for the last fiscal year.

Mr. Clay, from a select committee, to whom was referred so much of the Governor’s message as relates to the death of the Hon. Garrett Davis, reported the following resolutions, viz:

Resolved, That the House of Representatives of the State of Kentucky has, with the deepest regret, heard of the death of the Hon. Garrett Davis, late United States Senator from the State of Kentucky.

Resolved, That the State of Kentucky has lost in his death one of her most prominent citizens, a most faithful champion of her constitutional rights, a statesman without guile, and a man, the memory of whose supreme honesty in word and deed, and manly virtues in fulfilling to their fullest extent the varied obligations of life, will constitute for him an imperishable monument.

Resolved, That as a mark of respect to the memory of the departed statesman, that the members and officers of the House of Representatives wear for thirty days the usual badge of mourning, and the Hall of the House of Representatives be draped in mourning for the same period of time.

Resolved, That, as a further mark of respect to the memory of the deceased, the House do now adjourn.

Which were twice read and unanimously adopted.

Mr. Chrisman moved the following resolution, viz:

Resolved, That one thousand copies of the resolutions relating to the death of the Hon. Garrett Davis, together with the addresses delivered on the occasion of their presentation, be printed for the use of the members of this House.

Which was adopted.

And then the House adjourned.
MONDAY, JANUARY 20, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate and aid the Union Literary Society of the Agricultural and Mechanical College of Kentucky.

An act for the benefit of William Adams & Son, of Magoffin county.

An act for the benefit of the blind children and youth of the State of Kentucky.

Resolution directing the firing of a national salute at 12 o'clock, M., January 8, 1873.

That they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution providing for printing and distributing report of Commissioners to revise and codify the Statutes,

With an amendment thereto.

And that they had passed bills of the following titles, viz:


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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means, and the 2d to the Committee on Corporate Institutions.

The following petitions and remonstrance were presented, viz:

By Mr. Baker—

The petition of certain citizens of Dayton, in Campbell county, praying an amendment to the charter of said city.

By same—

The petition of certain citizens of Dayton, praying the passage of a law to prevent the increase of the bonded debt of said city.
By same—
The petition of certain citizens of Dayton, praying the passage of an act that Red Men's Hall Association, of said city, be exempt from taxation therein.

By same—
The remonstrance of sundry citizens of the city of Dayton, against the passage of a law confirming the sale of the stock of said city in a street railway.

Which were received, the reading dispensed with, and referred to the Committee on Corporate Institutions.

The Speaker laid before the House the response of the Superintendent of the Western Lunatic Asylum, to a resolution of this House, adopted the 15th inst., which was taken up and read as follows, viz:

WESTERN LUNATIC ASYLUM,
HOPKINSVILLE, KY., JANUARY 17, 1873

To the Hon. James B. McCreaey, Speaker of House of Representatives:
In reply to a resolution of the House of Representatives, passed January 15th, which reads: "Resolved, That the Superintendents of the Eastern and Western Lunatic Asylums report immediately to this House, as accurately as possible, the number of lunatics at this time in Kentucky who have been refused admission in said asylums on account of a want of room," I have the honor to say, that, during the year 1872, one hundred and six persons, through their friends, have applied for admission into this asylum, who have not been received. These applications have been from the counties of—

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**Total** | **166**

I am satisfied that the number of applications, large as it is, would have been greatly increased, but from the general knowledge of the fact that this asylum was filled to its capacity.

The number of insane persons in the State who are not provided for by the Commonwealth may be stated at five hundred certainly, and I believe six hundred and fifty would be a more correct estimate. This opinion is based upon the application of well-known laws of vital statistics. A majority of these insane people have lapsed into incurable disease—a quiet *dementia*—in which they are harmless; but a large minority should have hospital care for their own advantage, and to relieve the communities in which they live of their, perhaps, dangerous presence. The urgent necessity for speedy extension of hospital accommodation arises from the absolute indis-
pensableness of facilities for the treatment of recent disease. These
the State has not, and cannot have, until new buildings are erected,
or the chronic insane returned to the counties from which they were
sent. This, however, is a measure that will not, I trust, be enter-
tained for a moment. For such reasons as occur to me for imme-
diate action upon the part of the Legislature in the important matter
of the further provision for the “insane wards of the Common-
wealth,” I would respectfully refer to my report for 1872.

JAS. RODMAN,
Superintendent Western Lunatic Asylum.

Ordered, That said report be referred to the Committee on Charitable Institutions.

Ordered, That Mr. Brown be added to the Committee on Privileges and Elections, and to the Committee on County Courts.

Bills from the Senate, of the following titles, were reported without amendment, by the committee to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to amend the charter of the Bardstown and Green River Turnpike Road Company.

By same—
An act to amend an act, entitled “An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company.”

By same—
An act partitioning the Fairfield and Samuels’ Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox’s Creek Turnpike Road Company, and the Samuels’ Depot and Cox’s Creek Turnpike Road Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Graves, from the Committee on Ways and Means, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of J. M. Curry, late sheriff of Pendleton county, and his sureties,

Reported the same without amendment.

Ordered, That said bill be read a third time.
JAN. 20.] HOUSE OF REPRESENTATIVES.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. J. A. Bell, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled An act to incorporate the town of Dulaney, in Caldwell county, Reported the same with an amendment. Said amendment was adopted. Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Graves, from the Committee on Ways and Means, who originated the same, reported a bill, entitled A bill to amend the revenue laws of this Commonwealth. Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made the special order of the day for Thursday, the 23d inst., at 11 o'clock, A. M.

Mr. Graves, from the Committee on Ways and Means, to whom was recommitted bills of the following titles, viz: 1. A bill to increase the revenue. 2. A bill to provide for a geological and mineralogical survey of the State, Reported the 1st with an amendment, and the 2d without amendment. Ordered, That the 1st be printed, and its consideration postponed to the second Tuesday in February next, and the 2d be placed in the orders of the day.

Mr. Ogilvie, from the Committee on Internal Improvement, who originated the same, reported a bill, entitled A bill to protect the interest of the State in turnpike roads and bridges. Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and made special order of the day for the 29th inst., at 11 o'clock, A. M.

Mr. Rowlett, from the Committee on Banks, to whom was re-committed a bill, entitled

A bill to incorporate the Merchants' Banking Company of Caverna, 
Reported the same without amendment.

Ordered, That said bill be printed, and made special order of the day for Thursday, the 23d inst., at 11 o'clock, A. M.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. E. Polk Johnson, from the Committee on Circuit Courts—
A bill to change the time of holding the circuit courts in the eleventh judicial district.

By Mr. Gray, from the Committee on Education—
A bill for the benefit of school district No. 5, in Garrard county.

By Mr. Lassing, from the Committee on Ways and Means—
A bill for the benefit of J. H. Kirk, late sheriff of Marion county.

By same—
A bill for the benefit of J. W. Ferguson, late sheriff of Calloway county.

By Mr. McKenzie, from the same committee—
A bill to declare certain lakes and creeks in Ballard county navigable.

By same—
A bill for the benefit of Lewis S. Lee, late sheriff of Ballard county.

By Mr. Graves, from the same committee—
A bill for the benefit of Misses Virginia and Lizzie Smith.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Frankfort Coal and Lumber Company.

By same—
A bill for the benefit of the town of Georgetown.

By same—
A bill to incorporate the Winchester Building and Accumulating Fund Association, of Winchester.

By same—
A bill to incorporate the town of Crofton, in Christian county.
By same—
A bill to amend the charter of the St. Bernard Coal Company.

By same—
A bill to authorize the sale of the Clark and Montgomery Turnpike Road, in Clark county.

By same—
A bill to amend an act, entitled "An act authorizing the sale of certain alleys in the town of Winchester," approved February 19, 1849.

By Mr. Blakey, from the same committee—
A bill to amend an act, entitled "An act to incorporate the White Stone Quarry Company."

By Mr. Woolfolk, from the same committee—
A bill for the benefit of the stockholders of the Washington County Agricultural Society.

By Mr. Bailey, from the same committee—
A bill to incorporate the Webster County Chalybeate and Sulphar Springs Company.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to amend the charter of the Fox Run and Bullskin Turnpike Road Company, in Shelby county.

By same—
A bill to incorporate the Nevada and Dixville Turnpike Road Company, in Mercer county.

By same—
A bill to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county.

By same—
A bill to amend an act, entitled "An act to incorporate Mundy's Landing and Harrodsburg Turnpike Road Company, in Mercer county."

By Mr. J. D. Wilson, from the same committee—
A bill in relation to roads in Breckinridge county.

By Mr. Rowlett, from the Committee on Banks—
A bill to amend an act, entitled "An act to incorporate the German Insurance Bank," approved 14th March, 1872.

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

13-H. R.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Rowlett, from the Committee on Banks, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Christian County Bank," approved March 2, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Graves moved an amendment thereto, which was rejected.

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

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section five (5) of an act, entitled "An act to incorporate the Christian County Bank," approved March 2, 1872, be, and the same is hereby, repealed, so far as it prescribes that the capital stock of said bank shall be taxed for county or municipal purposes.

§ 2. The power to pass any law imposing such tax on such stock is hereby expressly reserved.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Joseph M. Davidson, Hiram S. Powell,
Wm. A. Allen, W. W. Deaderick, E. A. Robertson,
A. C. Armstrong, Walter Evans, John Rowan,
W. W. Ayers, W. H. Evans, John P. Rowlett,
G. W. Bailey, James B. Fitzpatrick, J. R. Sanders,
R. Tarv. Baker, Manlius T. Flippin, William Sellers,
W. R. Bates, C. D. Poote, James W. Snyder,
W. N. Beckham, Joseph P. Force, George M. Thomas,
John A. Bell, Clinton Griffith, C. W. Thrilkeld,
J. C. S. Blackburn, E. Polk Johnson, Harry I. Todd,
Church H. Blakey, Thomas M. Johnson, L. W. Trafton,
Resolved, That the title of said bill be as aforesaid.

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

On motion of Mr. Baker—

1. A bill to amend the charter of the city of Dayton.

On motion of Mr. Mynhier—

2. A bill for the benefit of Wm. R. Williams, of Elliott county.

On motion of same—

3. A bill to charter the Rush Branch Coal, Mining, and Manufacturing Company, in Morgan county.

On motion of Mr. Moorman—

4. A bill to incorporate the Muhlenburg Coal and Iron Company, in Muhlenburg county.

On motion of Mr. Deaderick—

5. A bill to regulate official sales of real estate in the county of Pendleton.

On motion of Mr. Cosson—

6. A bill authorizing the county court of Pulaski county to levy a tax for the purpose of paying for the right of way for railroads through said county.

On motion of Mr. J. A. Bell—

7. A bill to amend the charter of the town of Georgetown.

On motion of Mr. Force—

8. A bill for the benefit of Shelby county.

On motion of Mr. McKenzie—

9. A bill to classify and amend the exemption laws of this Commonwealth.

On motion of Mr. Potter—

10. A bill to authorize the Warren county court to employ and

Those who voted in the negative, were—

S. C. Bell, C. P. Gray, William J. McElroy,
E. A. Graves, Bryan S. McClure,
pay counsel in any litigation in which said county or county court may be involved.

On motion of same—

11. A bill to amend the charter of the Bowling Green and Madisonville Railroad.

On motion of Mr. Nunan—


On motion of Mr. Powell—

13. A bill to incorporate the town of McKee, in Jackson county.

On motion of Mr. Corbett—


On motion of Mr. Davidson—

15. A bill for the benefit of Wm. H. Fitzpatrick, sheriff of Floyd county, for the year 1872.

On motion of Mr. Jones—


On motion of Mr. Tucker—

17. A bill for the benefit of Wm. Green, of Montgomery county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 4th, 7th, and 13th; the Committee on Claims the 2d; the Committee on Circuit Courts the 5th; the Committee on Railroads the 6th and 11th; the Committee on County Courts the 8th, 10th, and 14th; the Committee on Revised Statutes the 9th; the Committee on Ways and Means the 15th; the Committee on Propositions and Grievances the 16th and 17th; and a select committee, consisting of Messrs. Brooks, Cassilly, Beckham, Graves, and Nunan, the 12th.

And then the House adjourned.
TUESDAY, JANUARY 21, 1873.

The following petitions and remonstrances were presented, viz:

By Mr. Varnon—
1. The petition of certain citizens of Lincoln county, praying the repeal of an act of the 20th of March, 1872, extending the charter of the Crab Orchard and Crew's Knob Road.

By same—
2. The remonstrance of sundry citizens of Lincoln county, against the repeal of the above named act.

By Mr. Snyder—
3. The petition of colored citizens of Hancock county, praying that an additional tithe of one dollar and twenty-five cents on each male of eighteen years of age and upwards be levied for school purposes exclusively, &c.

By same—
4. The petition of citizens of Lewisport, in Hancock county, praying the repeal of an act to prohibit and regulate the sale of spirituous and malt liquors in Lewisport justices' district.

By same—
5. The remonstrance of certain citizens of Lewisport, male and female, against the repeal of said act.

By Mr. Tucker—
6. The petition of certain citizens of Clark county, praying the repeal of an act passed 20th March, 1872, amending the charter of the Winchester and Red River Turnpike Road Company.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 6th to the Committee on Internal Improvement; the 3d to the Committee on Education; and the 4th and 5th to the Committee on Religion.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of S. Hodge, of Crittenden county, for a sum equal to the per diem of a member of this House, from the 9th day of January, 1872, up to the 21st day of March, 1872, that being the length of time from the filing of his petition contesting the right
of J. N. Woods to a seat on this floor, up to the decision of said contest by this House.

On motion of Mr. Corbett, the rule requiring joint resolutions to lie one day on the table was suspended, and said resolution taken up and twice read.

The question was then taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) J. E. Cossen, Wm. Mynhier,
Wm. A. Allen, Joseph M. Davidson, J. L. Nall,
W. W. Ayers, W. W. Deaderick, John W. Ogilvie,
G. W. Bailey, John W. Dyer, Lewis Potter,
R. Tarv. Baker, M. Woods Ferguson, Hiram S. Powell,
W. W. Baldwin, James B. Fitzpatrick, John Rowan,
W. R. Bates, C. D. Foote, John P. Rowlett,
W. N. Beckham, Joseph P. Force, J. P. Sacksteder,
John A. Bell, James Garnett, J. R. Sanders,
J. C. S. Blackburn, Wm. Cassius Goodloe, C. C. Scales,
Wm. F. Bond, E. A. Graves, James W. Snyder,
W. B. M. Brooks, C. P. Gray, J. S. Taylor,
W. W. Bush, Clinton Griffith, Harry I. Todd,
Thomas P. Cardwell, George M. Jesse, L. W. Trafton,
John S. Carpenter, Thomas M. Johnson, T. W. Varnon,
George Carter, T. J. Jones, E. F. Waide,
B. E. Cassily, J. S. Lawson, C. H. Webb,
C. M. Clay, jr., M. E. McKenzie, Mordecai Williams,
William G. Conrad, T. J. Megibben, F. A. Wilson,
Thomas H. Corbett, W. A. Morin,

Those who voted in the negative, were—

A. C. Armstrong, Manlius T. Flippin, E. A. Robertson,
S. C. Bell, E. Polk Johnson, Samuel M. Sanders,
Church H. Blakey, J. J. McAfee, William Sellers,
William Brown, Bryan S. McClure, George M. Thomas,
Josiah H. Combs, William J. McElroy, C. W. Thraskeld,
R. D. Cook, Mat. Nunan, Jonas D. Wilson,
Walter Evans, Julian N. Phelps, J. M. Wright—22.
W. H. Evans,

Mr. Sellers moved the following preamble and resolution, viz:

WHEREAS, Rumors are afloat to the effect that one of the female patients at the Feeble-minded School, at Frankfort, has been seduced and delivered of a child at said institution; and whereas, it is reported that both said feeble-minded girl and her child are now inmates of the poor-house in Henry county, Kentucky, as paupers upon said county; and whereas, it is the duty of this Legislature to
see that all the patients at said Feeble-minded School are cared for and protected, and treated with humanity and kindness; therefore, 
Resolved, That a committee of three members of this House be appointed to investigate these rumors, with power to send for persons and papers, and report to this House the result of their investigation on the first day of February, 1873.

Which were adopted.

Whereupon the Speaker appointed Messrs. Sellers, Davidson, and Bond, said committee.

Mr. McAfee moved the following resolution, viz: 
Resolved, That the Public Printer be instructed to furnish this House and the Committee on Revised Statutes with two hundred copies of the Standing Committees.

Which was adopted.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled,

Resolution in relation to the appointment of a clerk for the joint committee on the revision of the Statutes.

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

Resolution in relation to the Commissioners on the Revised Statute;

And also an enrolled bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors in Cave City precinct, in the county of Barren;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

The House took up the amendment proposed by the Senate to a resolution, which originated in the House of Representatives, entitled

Resolution providing for printing and distributing report of Commissioners to revise and codify the Statutes.

Said amendment was concurred in.

Mr. Graves moved to suspend the rules, and take up a bill, entitled

A bill to establish and locate the Third Lunatic Asylum.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Ayers, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Creeary) Joseph M. Davidson, J. R. Sanders,
Wm. A. Allen, Walter Evans, Samuel M. Sanders,
A. C. Armstrong, W. H. Evans, William Sellers,
W. W. Ayers, Manlius T. Flippin, James W. Snyder,
G. W. Bailey, James Garnett, J. S. Taylor,
R. Tarv. Baker, Wm. Cassius Goodloe, George M. Thomas,
W. W. Baldwin, E. A. Graves, C. W. Threlkeld,
W. R. Bates, C. P. Gray, Harry L. Todd,
S. C. Bell, George M. Jessee, E. F. Waide,
Church H. Blakey, Bryan S. McClure, Mordecai Williams,
B. E. Cassily, William J. McElroy, Jonas D. Wilson,
Josiah B. Combs, J. C. Moorman, J. N. Woods,
R. D. Cook, J. L. Nall, S. H. Woolfolk—41.
J. E. Cossen, Lewis Potter,

Those who voted in the negative, were—

W. N. Beckham, W. W. Deaderick, John W. Ogilvie,
John A. Bell, John W. Dyer, Julian N. Phelps,
J. C. S. Blackburn, M. Woods Ferguson, Hiram S. Powell,
Wm. F. Bond, James B. Fitzpatrick, E. A. Robertson,
W. B. M. Brooks, C. D. Foote, John Rowan,
William Brown, Clinton Griffith, John P. Rowlett,
W. W. Bush, E. Polk Johnson, J. P. Sacksteder,
Thomas P. Cardwell, Thomas M. Johnson, C. C. Scales,
John S. Carpenter, T. J. Jones, L. W. Trafton,
George Carter, L. W. Lassing, Joseph T. Tucker,
James S. Chrisman, J. S. Lawson, T. W. Varvon,
C. M. Clay, J. J. McAfee, J. L. Waring,
William G. Conrad, W. A. Morin, C. H. Webb,
R. L. Cooper, Wm. Mynhier, F. A. Wilson,

The Speaker laid before the House the report of the Superintendent of the Kentucky Institution for the Education of Feeble-minded Children and Idiots, which was taken up and read as follows, viz:

**KENTUCKY INSTITUTION FOR THE EDUCATION OF FEEBLE-MINDED CHILDREN AND IDIOTS,**

**FRANKFORT, JANUARY 21, 1873.**

**HON. J. B. MCCREADY, Speaker of the House of Representatives:**

Sir: In compliance with a resolution passed by the House of Representatives January 18th, asking information in reference to number, location, &c., of each inmate in the Kentucky Institution for the Education of Feeble-minded Children of the State, I have the honor to present the following report, viz:

**NUMBER AND LOCATION OF EACH INMATE.**

From the city of Louisville .................................................. 18
From the county of Oldham .................................................. 1
From the county of Franklin ................................................. 5
<table>
<thead>
<tr>
<th>County</th>
<th>Members</th>
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<tr>
<td>Madison</td>
<td>4</td>
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<tr>
<td>Clark</td>
<td>3</td>
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<td>Shelby</td>
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<td>Henderson</td>
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<td>Bullitt</td>
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<td>Greenup</td>
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<td>Daviess</td>
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<td>Henry</td>
<td>4</td>
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<td>Ballard</td>
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<td>Todd</td>
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<td>Boyd</td>
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<td>Allen</td>
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<td>Owen</td>
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<td>Campbell</td>
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<td>Garrard</td>
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<td>Bourbon</td>
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<td>Pendleton</td>
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<td>Hopkins</td>
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<td>Laurel</td>
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<td>Adair</td>
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<td>Webster</td>
<td>1</td>
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<tr>
<td>Kentucky</td>
<td>90</td>
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<td>Indiana</td>
<td>3</td>
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<td>Missouri</td>
<td>1</td>
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<tr>
<td>Illinois</td>
<td>1</td>
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<td>Louisiana</td>
<td>1</td>
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<tr>
<td>Tennessee</td>
<td>1</td>
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<tr>
<td>Total</td>
<td>97</td>
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</tbody>
</table>

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The average cost, per capita, to the parent or guardian, for those from other States, is $228.57, the parent or guardian furnishing all necessary clothing.

Amount paid by parents and guardians residing in the State, during last fiscal year: $390.00
Amount paid by State for support of inmates during last fiscal year: 13,499.12
Amount paid by State—salaries for employees—during last fiscal year: 6,000.00
Amount paid for support of Institution during last fiscal year: 19,889.12

**SALARIES OF EMPLOYEES.**

- Salary of Superintendent, per annum: $1,500.00
- Salary of matron, per annum: 500.00
- Salary of first teacher, per annum: 500.00
- Salary of second teacher, per annum: 400.00
- Salary of engineer, per annum: 800.00
- Salary of gardener, per month: 30.00
- Salary of one male attendant, per month: 27.50
- Salary of four female attendants, per month: 14.00
- Salary of one seamstress, per month: 12.00
- Salary of two cooks (first cook, $15; second cook, $12), per month: 27.00
- Salary of three washwomen, per month: 10.00
- Salary of one house servant, per month: 40.00
- Salary of one hand, a former inmate of the Institution, to attend to stock, per month: 10.00

Number of inmates that are entirely indigent: 67
Number clothed by parents: 17
Number clothed in part by parents: 6

Only five of the entire number pay any stated sum. It is proper to state, that small sums of money have been left by a few parents to be spent in purchasing toys, &c., for the amusement of the child by whose parent it was deposited. Twenty-eight of the inmates are orphans; twenty-five are the children of poor widows; twenty only have a father, and seventeen father and mother.

Respectfully submitted,

E. H. BLACK, Superintendent.

On motion of Mr. Flippin,
Ordered, That the Public Printer print five hundred copies of said report for the use of the House.
Leave was given to bring in the following bills, viz:
On motion of Mr. Foote—
1. A bill to incorporate the Covington Mining and Manufacturing Company.
On motion of same—

2. A bill to amend the act to incorporate the school board of the city of Covington, and its amendments.

On motion of Mr. Beckham—

3. A bill for the benefit of John C. Broadhead.

On motion of Mr. Garrett—

4. A bill to amend the law in regard to porters for the public offices.

On motion of same—

5. A bill to provide a policeman for the Capitol grounds and public offices.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st; the Committee on Education the 2d; the Committee on Propositions and Grievances the 3d; and the Committee on Public Offices the 4th and 5th.

A bill from the Senate, of the following title, was reported without amendment, by the committee to whom said bill had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—


Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Bills from the Senate, of the following titles, were reported by the committees to whom same were recommitted, without amendment, and with the expression of opinion that said bills ought not to pass, viz:

By Mr. Trafton, from the Committee on County Courts—

An act for the benefit of Levi Jackson, presiding judge of the Laurel county court.

By Mr. Varnon, from the Committee on Codes of Practice—

An act amending title 5 of the Civil Code of Practice.

The question being separately taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" it was decided in the negative.

And so said bills were disagreed to.
Mr. Varnon, from the Committee on Codes of Practice, to whom was recommitted a bill from the Senate, entitled
An act amending sections 87 and 450 of the Civil Code of Practice,
Reported the same without amendment.
Mr. W. Evans moved an amendment thereto, which was adopted.
The question was then taken, "Shall the bill, as amended, be read a third time?" and no quorum voting thereon, said bill was placed in the orders of the day.
Mr. Varnon, from the Committee on Codes of Practice, to whom was recommitted a bill from the Senate, entitled
An act to amend section 142 of the Civil Code of Practice,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.
And so said bill was disagreed to.
Mr. E. Polk Johnson, from the Committee on Codes of Practice, to whom was recommitted a bill from the Senate, entitled
An act to amend an act to amend chapter 15, title 10, Civil Code of Practice, approved March 16, 1869,
Reported the same without amendment.
Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Friday, the 24th inst., at 11 o'clock, A. M.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. E. Polk Johnson, from the Committee on Codes of Practice—
An act to amend section 82 of the Civil Code of Practice.
By same—
An act to amend section 328 of the Civil Code of Practice.
By Mr. Bush, from the Committee on the Judiciary—

Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bush, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported a bill to subject the railroads of this Commonwealth to the payment of local and municipal taxes.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and the further consideration thereof be postponed till Tuesday, the 5th day of February, at 11 o'clock, A. M.

Mr. E. Polk Johnson, from the Committee on Codes of Practice, who were directed to prepare and bring in the same, reported a bill to legalize the forwarding of depositions by express.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Garnett moved an amendment thereto, which was adopted.

Ordered, That said bill and amendment be recommitted to the Committee on Codes of Practice.

Mr. Flippin, from the Committee on Codes of Practice, to whom was recommitted a bill, entitled a bill to increase the jurisdiction of the police judge and justices of the peace in the voting district of Florence, in the county of Boone, reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was rejected.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Thomas, from the Committee on Revised Statutes—
1. A bill for the benefit of Lewis Plummer, jailer of Lewis county.

By Mr. Bush, from the Committee on County Courts—
2. A bill to amend an act, entitled "An act to prohibit the sale or gift of intoxicating liquors to officers and soldiers."
By Mr. Varnon, from the Committee on Codes of Practice—

3. A bill to amend an act, entitled “An act to exempt homesteads from sale for debt.”

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be recommitted—the 1st to the Committee on Claims; the 2d to the Committee on Religion; and the 3d to the Committee on Revised Statutes.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Minett Orphan Asylum, of the city of Louisville.

By Mr. Trafton, from the Committee on County Courts—
A bill to amend an act, entitled “An act creating the county of Josh Bell.”

By Mr. Brown, from the same committee—
A bill for the benefit of the Garrard county court, and to vest them with certain powers.

By same—
A bill for the benefit of Fleming county.

By Mr. Foote, from the same committee—
A bill to authorize the county court of Pulaski county to sell grounds, levy taxes, and issue bonds to raise money to build a court-house.

By same—
A bill for the benefit of Henry M. Shrodes, former justice of the peace for Ballard county.

By same—
A bill for the benefit of Fleming county.

By Mr. F. A. Wilson, from the same committee—
A bill to authorize Bourbon county to build a court-house.

By same—
A bill to authorize the county court of Pendleton county to sell the poor-house property in said county, and reinvest proceeds of said sale.

By same—
A bill to legalize certain proceedings of the Garrard county court.
By Mr. Bush, from the same committee—
A bill authorizing the clerk of the Lewis county court to make out a new cross-index to deeds recorded in the clerk's office of the Lewis county court.

By Mr. Tucker, from the Committee on Revised Statutes—
A bill to extend the time of the assessor of Harrison county for returning his assessment books.

By Mr. Thomas, from the same committee—
A bill authorizing R. B. Lovel, late sheriff of Lewis county, to list uncollected fee bills and tax receipts with constables in Lewis county for collection.

By same—
A bill to amend the act incorporating the Vanceburg Male and Female Academy.

By Mr. Varnon, from the Committee on Codes of Practice—
A bill to repeal the second section of an act to amend chapter 3, article 1, section 825, of the Civil Code of Practice, approved 22d February, 1860.

By same—
A bill to amend an act to prevent the destruction of fish in Dix river and Hanging Fork.

By Mr. Cassilly, from the Committee on Internal Improvement—
A bill for the benefit of Bryantsville and Cane Run Turnpike Road Company.

By Mr. Tucker, from the Committee on Revised Statutes—
A bill for the benefit of Elizabeth M. Johnson.

By Mr. Baker, from the Committee on the Judiciary—
A bill to change the time of holding courts in the seventh judicial district.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
The hour of 12 o'clock, M., having arrived, the House proceeded to the execution of the joint order of the day, viz: the election of a Senator in the Congress of the United States from the State of Kentucky, to fill the vacancy therein occasioned by the death of the Hon. Garrett Davis, whose term of service is unexpired.

On motion of Mr. Corbett, a committee, consisting of Messrs. Corbett, Chrisman, and Fitzpatrick, was appointed to inform the Senate that the House of Representatives was now ready to proceed to the execution of the joint order aforesaid, who, having retired, after a time returned, and reported that they had discharged that duty.

A message was received from the Senate by Mr. Senator Talbott, announcing that they were also ready to proceed with the execution of the joint order aforesaid.

Mr. F. A. Wilson nominated Hon. Willis B. Machen, of the county of Lyon.

Mr. Goodloe nominated Hon. R. Tarv. Baker, of the county of Campbell.

Mr. Blackburn nominated the Hon. A. G. Rhea, of the county of Logan, but subsequently withdrew his name.

After interchanging messages, by which each House was informed that the same persons were in nomination before them, the House then, a majority of all the members elected thereto being present, in pursuance to an act of the Congress of the United States, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," approved July 25, 1866, and the law of the State of Kentucky upon that subject, and in execution of the joint order aforesaid, proceeded to name and select a person to serve as Senator from the State of Kentucky, in the Congress of the United States, for the remainder of the term for which Hon. Garrett Davis was elected, and made vacant by reason of his death; and on a call of the roll, the members present voted thus, viz:

Those who voted for Mr. Machen, were—
Mr. Speaker (M'Creary) W. W. Deaderick, John W. Dyer, J. L. Nall.
W. M. Allen, John W. Ogilvie, Julian N. Phelps.
A. C. Armstrong, M. Woods Ferguson, Lewis Potter.
G. W. Bailey, C. D. Foote, John Rowan.
Alpheus W. Bascom, James Garnett, J. P. Sacksteder.
W. R. Bates, E. A. Graves, J. R. Sanders.
W. N. Beckham, C. P. Gray, Samuel M. Sanders.
John A. Bell, Clinton Griffith.
WEDNESDAY, JANUARY 22, 1873.

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

An act to incorporate the town of Dulaney, in Caldwell county.

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

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

An act for the benefit of Wilson Morgan, former sheriff of Clay county, and his sureties.

With an amendment to the last named bill.

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And that they had passed bills of the following titles, viz:
1. An act to prohibit the sale of ardent, vinous, malt, spirituous, or intoxicating liquors, or the mixture thereof, in the county of Breathitt.
2. An act for the benefit of Mary Ann Pecantet's heirs, of Graves county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Religion, and the 2d to the Committee on the Judiciary.

The following petitions and remonstrances were presented, viz:

By Mr. Moorman—
1. The petition of certain citizens and voters of South Carrollton, Muhlenburg county, praying for the passage of an act therein named.

By Mr. Williams—
2. The remonstrance of sundry citizens of Eastern Kentucky, against the passage of any more railroad charters up the Big Sandy Valley.

By Mr. Ogilvie—
3. The petition of Elijah Wallace and others, citizens of Marshall and McCracken counties, praying that said Wallace may be permitted to build a mill and dam over Clark's river.

By Mr. Deaderick—
4. The petition of citizens of school district No. 17, in Pendleton county, praying the passage of a law to legalize the levy of a tax to build a school-house.

By Mr. Griffith—
5. The remonstrance of certain citizens of Daviess and Hancock counties, against the creation of a new county out of parts of said counties.

By Mr. S. C. Bell—
6. The petition of Jno. D. Gilpin, praying the passage of a law attaching him to the county of Metcalfe.

By Mr. Gray—
7. The remonstrance of certain citizens of Cumberland county, against the passage of any law to levy or collect any additional poll or ad valorem tax upon the people of said county.
By Mr. Davidson—
8. The petition of many citizens of Johnson county, on matters pertaining to common schools in said county.

Which were received, the reading dispensed with, and referred—the 1st, 5th, 6th, and 7th to the Committee on Propositions and Grievances; the 2d to the Committee on Railroads; the 3d to the Committee on Internal Improvement; and the 4th and 8th to the Committee on Education.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of J. M. Curry, late sheriff of Pendleton county, and his sureties;

An act to amend the charter of the Bardstown and Green River Turnpike Road Company;

An act in relation to the Louisville Daily Ledger and the Louisville Weekly Ledger, newspapers published in the city of Louisville;

An act to incorporate the town of Dulaney, in Caldwell county;

An act to amend an act, entitled "An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company;"

An act partitioning the Fairfield and Samuels' Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox's Creek Turnpike Road Company, and the Samuels' Depot and Cox's Creek Turnpike Road Company;

And also an enrolled resolution, which originated in the House of Representatives, entitled

Resolution providing for printing and distributing report of Commissioners to revise and codify the Statutes;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

Mr. E. Polk Johnson moved to suspend the rules regulating the order of business, and to allow the Committee on Education to report a bill.

And the question being taken on the motion of Mr. Johnson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and Bush, were as follows, viz:
Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Thomas moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be required to inquire into the propriety of the passage of an act to refund to persons the amount of taxes paid on income on United States bonds, under act approved March 8, 1867 (Acts 1867, vol. 1, p. 83); and that said committee report by bill or otherwise.

Which was adopted.

According to order, the House took up a bill from the Senate, entitled

An act to continue the office of Auditor's Agent.

On motion of Mr. McAfee, said bill was recommitted to the Committee on Ways and Means.

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

On motion of Mr. Foote—
1. A bill to incorporate the Covington and Pound Gap Railroad Company.

On motion of Mr. Bascom—
2. A bill for the benefit of school district No. 59, in Bath county.
On motion of Mr. Bates—
3. A bill for the benefit of Jos. W. Evans, of Barren county.
On motion of Mr. Clay—
4. A bill to amend section 5, article 2, chapter 83, of Revised Statutes.
On motion of same—
5. A bill to prevent the intimidation of voters in this Commonwealth.
On motion of Mr. Williams—
6. A bill to amend the Big Sandy Valley Railroad charter.
On motion of Mr. Armstrong—
7. A bill for the protection of sheep in Bracken county.
On motion of Mr. Morin—
8. A bill to continue in force five years from March 15, 1873, an act, entitled "An act for the benefit of the common schools of the city of Newport."
On motion of Mr. Griffith—
On motion of Mr. Powell—
10. A bill for the benefit of Wilson Morgan, late sheriff of Clay county.
On motion of Mr. Davidson—
11. A bill to incorporate the trustees of the Prestonsburg Academy and Normal School Building.
On motion of Mr. Todd—
12. A bill to amend the charter of the Frankfort and Flat Creek Turnpike Company.
On motion of same—
13. A bill for the benefit of Mrs. Letitia Garrard.
On motion of Mr. Snyder—
14. A bill for the purpose of establishing a graded or high school in the town of Hawesville.
On motion of same—
15. A bill for the purpose of building school-houses, furnishing same with furniture, fuel, &c., in the county of Hancock.
On motion of Mr. Megibben—
16. A bill to amend the charter of Cynthiana.
On motion of same—
On motion of same—
18. A bill requiring the indexing and cross-indexing of certain cases in the Harrison circuit court.
On motion of same—
19. A bill in relation to the transfer of the property of Harrison Academy.
On motion of same—
20. A bill for the benefit of J. A. Lafferty, late sheriff of Harrison county.
On motion of same—
21. A bill for the benefit of James M. Frazer, late sheriff of Harrison county.
On motion of Mr. Trafton—
22. A bill to amend the charter of Boone Bridge Company.
On motion of Mr. Woolfolk—
23. A bill to incorporate the town of Hanson, in Hopkins county.
On motion of Mr. Brown—
24. A bill for the benefit of common schools in the county of Jessamine.
On motion of same—
25. A bill to so amend the common school law as to provide for the establishment of common schools for the education of colored children.
On motion of same—
26. A bill to provide safeguards against the spread of small-pox in this Commonwealth.
On motion of same—
27. A bill to prohibit the practice of medicine or surgery in this State by any person not a graduate of some regularly established school of medicine or surgery chartered by the Legislature of this or some other State.
On motion of Mr. Scales—
28. A bill to incorporate the Covington Printing Company.
On motion of Mr. W. H. Evans—
29. A bill for the benefit of David McGeorge, late sheriff of Hardin county.
On motion of same—
30. A bill for the protection of fish in the Cumberland river and its tributaries, above the falls.
On motion of Mr. Cook—

31. A bill to amend an act, entitled "An act to prohibit the sale of intoxicating liquors in Rockcastle county."

On motion of same—

32. A bill to change the boundary line between the counties of Rockcastle and Jackson.

On motion of Mr. Thomas—

33. A bill to amend the law in reference to peddlers.

On motion of Mr. J. R. Sanders—

34. A bill to incorporate the Christian Church of Ghent, in Gallatin county.

Ordered, That the Committee on Railroads prepare and bring in the 1st and 6th; the Committee on Education the 2d, 6th, 14th, 15th, 24th, and 25th; the Committee on Claims the 3d; the Committee on Revised Statutes the 4th, 5th, and 33d; the Committee on Agriculture and Manufactures the 7th; the Committee on Corporate Institutions the 9th, 11th, 16th, 19th, 22d, 23d, and 28th; the Committee on Ways and Means the 10th, 20th, and 21st; the Committee on Internal Improvement the 12th; the Committee on Propositions and Grievances the 15th, 17th, 21st, and 32d; the Committee on County Courts the 18th, 29th, and 30th; the Committee on the Judiciary the 26th and 27th; and the Committee on Religion the 34th.

Mr. Thomas moved the following resolution, viz:

Resolved, That the Committee on the Judiciary be required to inquire into the propriety of submitting to the people of Kentucky the question of calling a convention to make a new Constitution; and that said committee report by bill or otherwise.

Mr. Wright moved to lay said resolution on the table.

The further consideration of said resolution was suspended by the arrival of the hour to go into the orders of the day.

The House then took up from the orders of the day a joint resolution from the Senate, entitled

Resolution in relation to the appointment of a clerk for the joint committee on the revision of the Statutes.

Said resolution was read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the joint committee to whom the report of the revisors of the statutes is referred, be authorized to employ a clerk for said committee, to assist them in their labors.
Mr. Graves moved the following amendment to said resolution, viz:
Add thereto, "Provided, That the pay of the clerk so selected shall not exceed the sum of five dollars ($5) per day."

Which amendment was adopted.

Mr. Chrisman moved to reconsider the vote by which said amendment was adopted.
And the question being taken thereon, it was decided in the affirmative.
The question was then again taken upon the amendment proposed by Mr. Graves, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Graves and Thomas, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, John W. Dyer, J. C. Moorman,
W. W. Ayers, Walter Evans, W. A. Morin,
G. W. Bailey, W. H. Evans, John W. Ogilvie,
W. R. Bates, James Garnett, Hiram S. Powell,
W. N. Beckham, Wm. Cassius Goodloe, John Rowan,
S. C. Bell, E. A. Graves, John P. Rowlett,
Church H. Blakey, C. P. Gray, Samuel M. Sanders,
Wm. F. Bond, Clinton Griffith, James W. Snyder,
William Brown, Wm. A. Hoskins, J. S. Taylor,
Thomas P. Cardwell, George M. Jessee, George M. Thomas,
George Carter, Thomas M. Johnson, C. W. Threlkeld,
Josiah H. Combs, T. J. Jones, C. H. Webb,
William G. Conrad, L. W. Lassing, F. A. Wilson,
R. D. Cook, Bryan S. McClure, Jonas D. Wilson,
Thomas H. Corbett, William J. McElroy, J. N. Woods,
Joseph M. Davidson, T. J. Megibben,

Those who voted in the negative, were—

Mr. Speaker (McCreary) C. M. Clay, jr.
A. C. Armstrong, R. L. Cooper, Lewis Potter,
R. Tarv. Baker, W. W. Deaderick, E. A. Robertson,
W. W. Baldwin, M. Woods Ferguson, J. P. Sacksteder,
Alpheus W. Bascom, James B. Fitzpatrick, C. C. Scales,
John A. Bell, C. D. Foote, Harry I. Todd,
J. G. S. Blackburn, E. Polk Johnson, L. W. Trafton,
W. B. M. Brooks, J. S. Lawson, T. W. Varnon,
W. W. Bush, J. J. McAfee, E. F. Waide,
John S. Carpenter, J. L. Nall, J. L. Waring,
B. E. Cassilly, Julian N. Phelps, Mordecai Williams,
James S. Chrisman, J. M. Wright—34.

Said resolution, as amended, was then adopted.

The hour of 12 o'clock, M., having arrived, on motion of Mr. Varnon, a committee, consisting of Messrs. Varnon, T. N. Johnson,
and Moorman, was appointed to wait upon the Senate, and inform that body that the House was now ready to proceed still further in the execution of the joint order of the day, viz: the election of a Senator to serve in the Senate of the United States from the State of Kentucky, for the unexpired term for which the Hon. Garrett Davis was elected, and which was made vacant by reason of his death.

Having retired, after a time, the committee returned and reported that they had discharged that duty.

A message was received from the Senate by Mr. Senator Johnson, announcing that they were also ready to proceed to the further execution of the joint order aforesaid.

And then, in pursuance to an act of Congress, of date July 25, 1866, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," and of an act of the General Assembly of the Commonwealth of Kentucky, approved January 5, 1867, the Senate of Kentucky, being then in session, entered the hall of the House, then in session, and then and there held a joint session of the two Houses of the General Assembly of the Commonwealth of Kentucky, the Hon. John G. Carlisle, the Lieutenant Governor and Speaker of the Senate, presiding over, and the same composed of a majority of all the members of each House elected to said General Assembly.

The Journal of the House and of the Senate of yesterday were then read by the Clerks of each House; and it appearing from said Journals that, on the ballot taken in each House, on yesterday, as read by the Clerks thereof, in the election of a Senator as aforesaid, and in the execution of the joint order, Hon. Willis B. Machen had received—

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And that Hon. R. Tarv. Baker had received—

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16-H. R.
And that Hon. Willis B. Machen had received a majority of all the votes cast, and a majority of all the votes cast in either House of the General Assembly.

Thereupon the Speaker of the Senate, and presiding officer of the joint session, announced that the Hon. Willis B. Machen was nominated and elected to serve as a Senator from the State of Kentucky in the Congress of the United States, to fill out the unexpired term for which the Hon. Garrett Davis was elected, and which was made vacant by his death.

And then, on motion of Mr. Senator Johnson, the joint session dissolved, the Senate retired from the Hall of the House, and the Speaker resumed the Chair.

Mr. Varnon moved the following resolution, viz:

Resolved, That the use of this Hall be granted, Thursday evening, the 23d inst., to the Kentucky incorporators and friends of the Centennial Celebration and Exhibition proposed to be held in Philadelphia on the 4th of July, 1876.

Pending consideration thereof, the House adjourned.

THURSDAY, JANUARY 23, 1873.

The following petitions were presented viz:

By Mr. Bascom—

1. The petition of citizens of school district No. 59, of Bath county, praying the passage of an act authorizing the trustees of said district to submit to the voters thereof the proposition to levy a tax upon the property of the district, for the purpose of buying a school-house lot and erecting a building thereon, &c.

By Mr. Waring—

2. The petition of citizens of Portsmouth, Ohio, praying the passage of a law granting to Willis B. Thompson, of Greenup county, Kentucky, a charter to run a ferry-boat, propelled by steam, between said town of Portsmouth and Greenup, in Greenup county.
By same—

3. The petition of citizens of Greenup and Lewis counties, praying the passage of an act for the same purpose.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education, and the 2d and 3d to the Committee on Propositions and Grievances.

On motion, indefinite leave of absence was granted Messrs. Graves and Cosson.

On motion of Mr. Trafton, leave was given to bring in a bill to amend an act, entitled "An act to incorporate the Henderson Horseshoe Bend Fence Company."

Ordered, That the Committee on Corporate Institutions prepare and bring in the same.

The House took up the resolution moved on yesterday by Mr. Varnon, granting the use of this Hall, on this evening, to the incorporators and friends of the Centennial Celebration and Exhibition, proposed to be held in Philadelphia on the 4th July, 1876.

Said resolution was adopted.

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

An act to regulate the time of holding the circuit courts in the counties of Nicholas and Mason.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispersed with,

Ordered, That said bill be referred to the Committee on Circuit Courts.

Mr. Deaderick, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the Senate, of the following titles, viz.:

An act to amend section 328 of the Civil Code of Practice;
An act to amend section 52 of the Civil Code of Practice;
An act to repeal an act, entitled "An act for the protection of sheep in the counties of Nicholas, Gallatin, and Fleming," approved March 9th, 1872;
And also an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

*Ordered*, That Mr. Deaderick inform the Senate thereof.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Blackburn, from the Committee on Railroads—
A bill to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties of this Commonwealth."

By Mr. Waring, from the same committee—
A bill to amend the charter of the Tygart Valley Iron Company.

By Mr. Corbett, from a select committee—
A bill for the benefit of John L. Farrar, of McCracken county.

By Mr. F. A. Wilson, from the same committee—
A bill to amend an act incorporating the Riverton Iron and Mining Company.

By Mr. Beckham, from the same committee—
A bill for the benefit of L. R. Thurman.

By Mr. Dyer, from the same committee—
A bill amendatory of the charter of the town of Glasgow.

By Mr. Garnett, from the same committee—
A bill for the benefit of F. G. Bybee, late marshal of Glasgow.

By Mr. Rowlett, from the Committee on Banks—
A bill to incorporate the Riverton Savings Bank.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bills being 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 motion to reconsider the vote by which the House, on a former day, discharged the Committee on the Judiciary from the further consideration of a bill, entitled
A bill to amend sections 24, 29, and 327, of the Civil Code of Practice, regulating the jurisdiction and pleadings of quarterly courts and justices of the peace.

Mr. Chrisman moved to lay the motion to reconsider on the table. And the question being taken on the motion of Mr. Chrisman, it was decided in the negative.

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

Those who voted in the affirmative, were—

W. W. Baldwin, Walter Evans, Bryan S. McClure,
Alpheus W. Bascom, M. Woods Ferguson, E. A. Robertson,
W. N. Beckham, James B. Fitzpatrick, J. P. Sacksteder,
S. C. Bell, C. D. Foote, C. C. Scales,
William Brown, James Garnett, William Sellers,
George Carter, Wm. Cassius Goodloe, George M. Thomas,
James S. Chrisman, C. P. Gray, Joseph T. Tucker,
Josiah H. Combs, Wm. A. Hoskins, T. W. Varnon,
R. D. Cook, E. Polk Johnson, F. A. Wilson,
Joseph M. Davidson, J. J. McAfee,

Those who voted in the negative, were—

Mr. Speaker (McCreary)W. W. Deaderick, Julian N. Phelps,
Wm. A. Allen, John W. Dyer, Lewis Potter,
A. C. Armstrong, Joseph P. Foree, Hiram S. Powell,
W. W. Ayers, E. A. Graves, John Rowan,
G. W. Bailey, Clinton Griffith, J. R. Sanders,
R. Tarv. Baker, George M. Jessee, Samuel M. Sanders,
W. R. Bates, T. J. Jones, James W. Snyder,
J. C. S. Blackburn, L. W. Lassing, J. S. Taylor,
Church H. Blakey, J. S. Lawson, C. W. Threlkeld,
Wm. F. Bond, William J. McElroy, Harry I. Todd,
W. B. M. Brooks, M. E. McKenzie, L. W. Trafton,
Robert M. Carlisle, T. J. Megibben, E. F. Waide,
John S. Carpenter, J. C. Moorman, J. L. Waring,
B. E. Cassilly, W. A. Morin, C. H. Webb,
C. M. Clay, jr., J. L. Nall, Mordecai Williams,
J. Guthrie Coke, Mat. Nunan, J. N. Woods,
Thomas H. Corbett,

The further consideration of said motion was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, took up for further consideration a bill, entitled

A bill to incorporate the Merchants' Banking Company of Caverna.

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The House then, according to order, took up for further consideration a bill, entitled

A bill to amend the revenue laws of this Commonwealth.

Amendments were moved thereto by Messrs. Varnon and Tucker, which were rejected.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The House then took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Wilson Morgan, former sheriff of Clay county, and his sureties.

Said amendments were concurred in, and the title of said bill changed so as to read:

An act for the benefit of Wilson Morgan, collector of the revenue of Clay county for the year 1870, and his securities.

The House then, according to order, took up for consideration the motion heretofore made by Mr. Corbett, to reconsider the vote by which the House ordered to be read, as amended, the third time, a bill from the Senate, entitled

An act to provide for the location and erection of the Third Lunatic Asylum.

Mr. Corbett moved to postpone the further consideration of said motion, and to make the same the special order for to-morrow, at 10½ o'clock, A. M.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) James S. Chrisman, W. A. Morin, A. C. Armstrong, William G. Conrad, J. L. Nall,
Those who voted in the negative, were—

Wm. A. Allen, E. A. Graves, John P. Rowlett,
S. C. Bell, C. P. Gray, J. P. Sacksteder,
Church H. Blakey, Clinton Griffith, Samuel M. Sanders,
W. B. M. Brooks, George M. Jease, William Sellers,
John S. Carpenter, J. S. Lawson, James W. Snyder,
George Carter, Bryan S. McClure, George M. Thomas,
Josiah H. Combs, William J. McElroy, Harry I. Todd,
R. D. Cook, M. E. McKenzie, L. W. Trafton,
R. L. Cooper, T. J. Megibbon, Joseph T. Tucker,
W. W. Deaderick, Julian N. Phelps, E. F. Waide,
W. H. Evans, Lewis Potter, Jonas D. Wilson,
Joseph P. Force, E. A. Robertson, J. N. Woods,
C. P. Gray, John P. Rowlett,

Mr. McElroy then moved to lay the motion to reconsider on the table.

And the question being taken on said motion, it was decided in the negative.

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

Those who voted in the affirmative, were—

Church H. Blakey, J. S. Lawson, William Sellers,
Josiah H. Combs, Bryan S. McClure, James W. Snyder,
R. D. Cook, William J. McElroy, George M. Thomas,
R. L. Cooper, J. C. Moorman, Joseph T. Tucker,
Walter Evans, Mat. Nunnan, E. F. Waide,
W. H. Evans, Lewis Potter, Jonas D. Wilson,
C. P. Gray, John P. Rowlett,

Those who voted in the negative, were—

Mr. Speaker (McCreary) William G. Conrad, T. J. Megibbon,
Wm. A. Allen, Thomas H. Corbett, W. A. Morin,
A. C. Armstrong, Joseph M. Davidson, J. L. Nall,
A. S. Arnold, W. W. Deaderick, John W. Ogilvie,
W. W. Ayers, John W. Dyer, Julian N. Phelps,
G. W. Bailey, M. Woods Ferguson, Hiram S. Powell,
The question was then taken on the motion of Mr. Corbett to reconsider said vote, and it was decided in the affirmative.

Mr. Blackburn moved to reconsider the vote by which the amendment (substitute) moved by Mr. Blakey was adopted.

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

On motion of Mr. Corbett,

Ordered, That said bill and amendments be recommitted to a select committee of five members, with instruction to report thereon tomorrow, at 10½ o'clock, A. M.

And thereupon the Speaker appointed on said committee Messrs. Corbett, Blackburn, Megibben, Davidson, and Blakey.

And then the House adjourned.
FRIDAY, JANUARY 24, 1873.

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

An act to re-enact an act, entitled "An act to amend an act to incorporate the Bank of Union County."

An act to amend an act, entitled "An act to incorporate the German Insurance Bank," approved 14th March, 1872.

An act to amend an act, entitled "An act to incorporate the Christian County Bank," approved March 2, 1872.

And that they had passed bills of the following titles, viz:


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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered. That they be referred—the 1st to the Committee on Banks, and the 2d to the Committee on Ways and Means.

A message was also received from the Senate, announcing that they had adopted a joint resolution, entitled,

Resolution in relation to the joint committee on the revision of the Statutes.

On motion of Mr. Chrisman, the rule requiring joint resolutions to lie one day on the table was suspended, and said resolution was taken up, twice read, and adopted.

The following petitions were presented, viz:

By Mr. Baker—
1. The petition of citizens of the district of Highlands, in Campbell county, praying for a change of certain school districts in said county.

By same—
2. The petition of citizens of Campbell county, praying that the property of the St. Joseph Orphan Asylum be exempt from taxation.

17-H. R.
By Mr. McKenzie—

3. The petition of certain citizens of Trigg county, praying the passage of a law prohibiting the sale of intoxicating liquors within a radius of — miles of Trigg Furnace.

Which were received, the reading dispensed with, and referred to the Committee on Religion.

The Speaker laid before the House the response of the Superintendent of the Eastern Lunatic Asylum, to a resolution heretofore adopted by the House, which was read as follows, viz:

**EASTERN LUNATIC ASYLUM;**
**LEXINGTON, KY., January 23, 1873.**

HON. J. B. McCREADY, Speaker of the House of Representatives:

In answer to the House resolution of the 18th of January, 1873, would submit the following: On the 20th of January, 1873, the Eastern Lunatic Asylum contained five hundred and fifty-four (554) inmates. Of this number, five hundred and nine (509) were State pauper patients; forty-five (45) were private or boarder patients. We have not received any patients from other States since the house became full, and at that time discharged those from other States that were with us. There are in the Asylum two aged female patients originally from other States, viz: Mississippi and Louisiana. Since the war we have been unable to learn or hear anything from their friends, who, perhaps, are dead; if not, have entirely abandoned them. These patients are very old and feeble, and have been inmates of the Asylum: one thirty-four (34), the other twenty-eight (28) years.

The State pays two hundred dollars ($200) per year for the support of each pauper State patient. Out of the two hundred dollars ($200) per State patient, and the moneys received from boarder or private patients, all expenses of the Asylum are paid, including all necessary repairs to buildings, clothing, food, bedding, medicine, and comforts for patients—all expense of salaries of officers and wages of employees. The above named sum of two hundred dollars per year for State patients includes all the State's expenditure for the Institution, except what may be given by special appropriation.

All of which is respectfully submitted.

JOHN W. WHITNEY,
Superintendent of Eastern Lunatic Asylum.

On motion, indefinite leave of absence was granted Messrs. Baldwin, T. M. Johnson, Webb, Bailey, and S. M. Sanders.
On motion of Mr. E. Polk Johnson, leave was given to bring in a bill to create an additional voting place in Jefferson county.

Ordered, That the Committee on County Courts prepare and bring in the same.

Mr. Woolfolk, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

1. A bill to exempt undertakers from serving on juries.
2. A bill for the benefit of Thomas Ballew, of Pulaski county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

Ordered, That they be recommitted—the 1st to the Committee on Propositions and Grievances, and the 2d and 3d to the Committee on Claims.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Woolfolk, from the Committee on Propositions and Grievances—

A bill for the benefit of Simon Humphreys, late sheriff of Nelson county, and his sureties.
By same—

A bill for the benefit of John S. Humphreys.
By Mr. Davidson, from the same committee—

A bill to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of Martin county,'" approved February 16, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Corbett, from a select committee, to whom was recommitted a bill from the Senate, with the amendments proposed thereto, entitled

An act to provide for the location and erection of the Third Lunatic Asylum,

Reported the same with amendments to the original Senate bill, in lieu of amendments heretofore moved.

Mr. Jessee moved the following amendment to the amendment proposed by the select committee, viz:

Amend section 2, after the word "counties," in fourth line, by striking out the words "west of the Tennessee," and insert in lieu thereof these words: "of this Commonwealth."

Mr. Waide then moved a substitute, by way of amendment for the bill and proposed amendments, as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of thirty-five thousand dollars be, and the same is hereby, appropriated, for the purpose of altering, adding to, arranging, and completing the State House of Reform, so as to render it suitable for a lunatic asylum, and for the purpose of refunding to the city of Louisville the sum of money, with interest thereon, advanced by that city for the benefit of said State House of Reform.

§ 2. That the act and amendments thereto creating the said State House of Reform, and appointing or authorizing the appointment of Commissioners and officers therefor, be, and the same is hereby, repealed; and said Institution shall hereafter be known as the Third Lunatic Asylum.

§ 3. That the Auditor be, and he is hereby, directed to audit and settle the accounts of said State House of Reform, and to pay, or cause to be paid, such liabilities as have been incurred by said State House of Reform; and when such liabilities shall have been paid, he is directed to transfer to the revenue proper any appropriation, or part of appropriation, or appropriations heretofore made for the benefit of said State House of Reform, that may yet remain unexpended.

§ 4. That the sum of one hundred and thirty thousand dollars be, and the same is hereby, appropriated, for the purpose of making an addition to the Western Lunatic Asylum, at Hopkinsville, sufficient in extent to accommodate not less than two hundred patients.

§ 5. That the Governor is hereby empowered to appoint three suitable Commissioners, who shall proceed at once to carry into effect the provisions of this act; and for that purpose they are hereby empowered to employ and contract with such architects, artisans, mechanics, laborers, or other persons whose services may be necessary thereto, upon such terms as may be agreed upon; and they shall reduce all such contracts to writing, and the same shall be signed in duplicate, and one copy thereof be sent or given to the Auditor.
§ 6. That said Commissioners shall, after the commencement of the work on said institutions, pay to the contractors therefor, at the expiration of every thirty days, the amount estimated for work done to the time of payment, except twenty-five per cent. thereof, which latter amount shall be held by the State as a guarantee for the faithful execution of said contracts; and to enable them to make such payments, they are hereby empowered to draw upon the Auditor in favor of such contractors for such sums as may, from time to time, be due under the above provisions of this act; and the Auditor is hereby directed to draw his warrants upon the Treasurer in payment of such drafts to the extent of the appropriations herein made.

§ 7. That so soon as said Commissioners shall report to the Governor that the said State House of Reform is ready to be occupied as the Third Lunatic Asylum, it shall be the duty of the Governor to appoint a Superintendent therefor, and all other officers therefor that are usually appointed by the Governor for similar institutions.

§ 8. This act to take effect from and after its passage.

Mr. Bascom then moved the previous question.

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

And so the main question was ordered.

The question was then taken on the amendment, by way of substitute, proposed by Mr. Waide, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

W. B. M. Brooks, Wm. Cassius Goodloe, Joseph T. Tucker, T. W. Varnon,
William Brown, Clinton Griffith, T. W. Varnon,
Thomas P. Cardwell, Wm. A. Hoskins, J. L. Waring,
John S. Carpenter, George M. Jessee, C. H. Webb,
George Carter, E. Polk Johnson, Mordecai Williams,
B. E. Cassilly, T. J. Jones, F. A. Wilson,
J. Guthrie Coke, L. W. Lassing, Jonas D. Wilson,
William G. Conrad, J. J. McAfee,

And so said amendment (substitute) was rejected.

The question was then taken on the amendment moved by Mr.
Jessee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. R. Sand­
ders and Gray, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. H. Evans, Lewis Potter,
Wm. A. Allen, James Garnett, E. A. Robertson,
R. Tarv. Baker, E. A. Graves, John Rowan,
W. R. Bates, C. P. Gray, John P. Rowlett,
S. C. Bell, George M. Jessee, J. R. Sanders,
Wm. F. Bond, E. Polk Johnson, Samuel M. Sanders,
Robert M. Carlisle, Thomas M. Johnson, William Sellers,
John S. Carpenter, J. J. McAfee, James W. Snyder,
B. E. Cassilly, Bryan S. McClure, J. S. Taylor,
James S. Chrisman, William J. McElroy, George M. Thomas,
C. M. Clay, jr., J. C. Moorman, E. F. Waide,
J. Guthrie Coke, W. A. Morin, J. L. Waring,
Josiah H. Combs, J. L. Nall, Jonas D. Wilson,
R. D. Cook, Mat. Nunan, J. N. Woods,

Those who voted in the negative, were—

A. C. Armstrong, Joseph M. Davidson, M. E. McKenzie,
A. S. Arnold, W. W. Deaderick, T. J. Megibben,
W. W. Ayers, John W. Dyer, John W. Ogilvie,
G. W. Bailey, M. Woods Ferguson, Hiram S. Powell,
Alpheus W. Bascom, James B. Fitzpatrick, C. C. Scales,
John A. Bell, C. D. Foote, C. W. Threlkeld,
J. C. S. Blackburn, Joseph P. Forre, Harry I. Todd,
Church H. Blakey, Wm. Cassius Goodloe, L. W. Trafton,
William Brown, Clinton Griffith, Joseph T. Tucker,
Thomas P. Cardwell, Wm. A. Hoskins, T. W. Varnon,
George Carter, T. J. Jones, C. H. Webb,
William G. Conrad, L. W. Lassing, Mordecai Williams,

And so said amendment to the proposed amendments was adopted.

The amendments proposed by the select committee to the Senate
bill, as amended, were then adopted.
Under resolution, that said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of two hundred thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of purchasing a tract of land not exceeding three hundred acres, and erecting thereon a lunatic asylum, to be called and styled the "Third Lunatic Asylum," sufficient for the safe and comfortable keeping and treatment of at least four hundred inmates.

§ 2. That the Governor shall appoint three competent discreet persons as commissioners, who, after first being duly sworn to faithfully and impartially discharge their duties, shall locate said asylum on or before May 1st, 1873, at some suitable point in one of the counties of this Commonwealth, and contract for the land on which they locate it, and take a deed, with clause of general warranty to the Commonwealth of Kentucky, so as to secure a good and perfect title thereto for the use and benefit of said asylum.

§ 3. That when said deed shall have been duly executed by the vendor or vendors, and accepted by the commissioners, they shall issue a certificate to the Auditor in favor of the vendor or vendors for such sum as they shall have contracted to pay for the land; and upon the receipt of such certificate, the Auditor shall draw his warrant upon the Treasurer for said sum, to be paid out of any money in the Treasury not otherwise appropriated.

§ 4. When said commissioners shall have purchased the land, and accepted the deed therefor, they shall immediately proceed to have the asylum erected, furnished, and fitted out, according to the most improved plans for such institutions; and they are hereby authorized to employ an architect, whose duty it shall be to furnish plans and specifications for said building, and to superintend the erection of the same, which plans and specifications shall be considered and approved by the said commissioners; and to employ and make a contract with some suitable builder or builders to erect, furnish, and complete said asylum; and they shall take covenant in favor of the Commonwealth from such builder or builders, with good and sufficient surety, for a faithful compliance with all the terms and stipulations of the contract; but before letting the contract they shall advertise for at least twenty days in the Louisville Courier-Journal, the Louisville Ledger, the Anzeiger, and the Cincinnati Commercial, for proposals for said work, and shall let the contract to the lowest and best bidder or bidders, who shall execute such covenant; but the price shall not exceed the balance of the appropriation remaining after paying for the land.

§ 5. The said commissioners are hereby authorized to issue certificates every three months to the Auditor in favor of the building contractor or contractors, for such sum as will pay not exceeding seventy per cent. for work actually done, for which sums the Auditor shall issue his warrant and the Treasurer shall pay the same in the manner required for paying the vendor of the land; but before issuing
any certificate to the building contractor or contractors, the commissioners shall, in the presence of the county court judge and clerk, execute covenant, with good and sufficient sureties, to the Commonwealth (to be attested by said judge and clerk, and approved by the Governor), for the faithful discharge of all their duties under this act.

§ 6. Whenever the asylum is completed and ready for the reception of inmates, the commissioners shall notify the Governor, who shall give notice thereof by proclamation, and appoint a superintendent of the asylum to act until the meeting of the next General Assembly thereafter.

§ 7. If any commissioner fails to act, the Governor shall appoint another in his place; and any vacancy shall be filled by the appointment of the Governor.

§ 8. That the said commissioners, in determining the location of the proposed asylum, shall take into consideration all the advantages and conveniences of each county asking for said location, together with the value of county or private subscription which may be made by each county for the use and benefit of the asylum.

§ 9. That the sum of fifty thousand dollars be, and is hereby, appropriated, in addition to the sum named in the first section of this bill, for the purpose of providing for the accommodation of seventy-five colored lunatics, in a detached building, but adjacent to the asylum herein authorized to be erected.

§ 10. That the sum of one hundred thousand dollars be appropriated to enlarge the Western Lunatic Asylum at Hopkinsville; and that the Auditor be directed to draw his warrant upon the Treasurer for the above sum for the purpose indicated, to be paid out of any moneys in the Treasury not otherwise appropriated.

§ 11. That the Governor shall appoint three commissioners, who shall, as directed by him, superintend the enlargement of the building, and report progress to him, at least once every three months, until the work be finished; the statements from the commissioners to be filed in the Secretary's office for reference.

§ 12. That the commissioners so appointed shall see that the building be erected with as little delay as possible, and that no inferior materials be used in the construction of said building; and that said building be erected according to the plans and specifications of the architect, which plans and specifications must have been approved by the Governor and commissioners appointed by him to superintend the carrying out of the same. Said commissioners to employ and make contract or contracts with some suitable builder or builders to erect and complete said building, and they shall take covenant in favor of the Commonwealth from such builder or builders, with good and sufficient surety for a faithful compliance with all the terms and stipulations of the contract, to be approved by the Governor. But, before letting the contract, they shall advertise, for at least twenty days, in at least three of the most public newspapers in the State, for proposals for said work, and shall let the contract or contracts to the lowest and best bidder or bidders.

§ 13. That the commissioners are hereby authorized to issue certificates every three months to the Auditor, and after the same has
been approved by the Governor, the Auditor shall draw his warrant on the Treasurer: Provided, That said certificates shall not exceed seventy-five per cent. for the work actually done.

§ 14. The Governor shall employ an architect, who shall submit plans and specifications for the enlargement of said institution. The draft shall be drawn so as to furnish rooms for not less than two hundred (200) lunatics.

§ 15. This act shall take effect and be in force from its passage.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) W. W. Deaderick, J. L. Nall,
Wm. A. Allen, John W. Dyer, Mat. Nunan,
A. C. Armstrong, Walter Evans, John W. Ogilvie,
W. W. Ayers, W. H. Evans, Julian N. Phelps,
G. W. Bailey, M. Woods Ferguson, Lewis Potter,
R. Tarr. Baker, James B. Fitzpatrick, Hiram S. Powell,
Alpheus W. Bascom, Manlius T. Flippin, E. A. Robertson,
W. R. Bates, C. D. Foote, John Rowan,
John A. Bell, Joseph P. Force, J. R. Sanders,
S. C. Bell, James Garnett, Samuel M. Sanders,
J. C. S. Blackburn, Wm. Cassius Goodloe, C. C. Scales,
Church H. Blakey, E. A. Graves, William Sellers,
Wm. F. Bond, C. P. Gray, James W. Snyder,
W. B. M. Brooks, Clinton Griffith, J. S. Taylor,
William Brown, Wm. A. Hoskins, George M. Thomas,
Thomas P. Cardwell, George M. Jessee, C. W. Threlkeld,
Robert M. Carlisle, E. Polk Johnson, Harry I. Todd,
John S. Carpenter, Thomas M. Johnson, L. W. Trafton,
George Carter, T. J. Jones, Joseph T. Tucker,
B. E. Cassilly, L. W. Lassing, T. W. Varnon,
James S. Chrisman, J. S. Lawson, E. F. Waide,
C. M. Clay, jr., G. W. Little, J. L. Waring,
J. Guthrie Coke, J. J. McAfear, C. H. Webb,
Josiah H. Combs, Bryan S. McClure, Mordecai Williams,
William G. Conrad, William J. McElroy, F. A. Wilson,
R. D. Cook, M. E. McKenzie, Jonas D. Wilson,
R. L. Cooper, T. J. Megibben, J. N. Woods,

In the negative, John P. Rowlett—1.

Resolved, That the title of said bill be changed so as to read:

An act to provide for the location and erection of the Third Lunatic Asylum, and the enlargement of the Western Lunatic Asylum.
On motion of Mr. Tucker, the rule regulating the order of business was suspended, and the Committee on the Judiciary permitted to report a bill from the Senate.

And thereupon Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to amend the city charter of Lexington,

Reported the same without amendment.

On motion of Mr. Goodloe,

Ordered, That said bill be printed, and the further consideration thereof be postponed to, and made the special order of the day for, to-morrow, at 10 o'clock, A. M.

On motion of Mr. Goodloe, the House then adjourned till to-morrow at 9 o'clock, A. M.

SATURDAY, JANUARY 25, 1873.

The following petitions were presented viz:

By Mr. Foree—

1. The petition of certain citizens of Shelby county, praying the repeal of an act approved March 18, 1872, creating the Lee Academy at Hardinsville, in said county.

By Mr. Carlisle—

2. The petition of certain citizens of Kenton county, praying the passage of an act to permit John Nelson Bridges, of said county, to peddle goods, wares, and merchandise in this State.

By Mr. J. A. Bell—

3. The petition of the chairman and board of trustees of the town of Georgetown, praying the passage of an act to empower them to pass an ordinance to prevent the carrying of concealed deadly weapons within the limits of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education; the 2d to the Committee on the Judiciary; and the 3d to the Committee on Revised Statutes.
A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Misses Virginia and Lizzie Smith.

An act to amend an act, entitled "An act authorizing the sale of certain alleys in the town of Winchester," approved February 19, 1849.

An act to amend an act, entitled "An act for the benefit of Martin county," approved February 16, 1872.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of J. H. Kirk, late sheriff of Marion county.

An act for the benefit of J. W. Furgeson, late sheriff of Calloway county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of railroad contractors.
2. An act for the benefit of Levi Yocum, sheriff elect of Montgomery county.
3. An act to prohibit the sale of liquors on the Sabbath day.
4. An act to regulate the making, storing, and transportation of explosive substances.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Railroads; the 2d to the Committee on Ways and Means; the 3d to the Committee on Religion; and the 4th to the Committee on the Judiciary.

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

On motion of Mr. Thomas—
1. A bill for the benefit of James R. Garland, of Lewis county.

On motion of same—
2. A bill in relation to the city of Vanceburg.

On motion of Mr. Varnon—
3. A bill to amend an act, entitled "An act to charter the Kentucky and Southern Railroad Company."

On motion of Mr. Ogilvie—
4. A bill for the benefit of the tax-payers of the city of Paducah and McCracken county.
On motion of same—
5. A bill to amend the charter of the German Evangelical St. Paul Church, in the city of Paducah.

On motion of same—
6. A bill to incorporate the Society of Franco-American of Mutual Assistance, of the city of Paducah.

On motion of Mr. Rowan—
7. A bill to amend the charter of the town of Livermore, in McLean county.

On motion of Mr. S. C. Bell—
8. A bill to authorize Division No. 129 to convey lot.

On motion of Mr. Threlkeld—
9. A bill to amend the charter of Harrisburg Seminary.

On motion of same—
10. A bill for the benefit of the New Liberty Branch Turnpike Road Company.

On motion of Mr. Deaderick—
11. A bill for the benefit of school district No. 17, in Pendleton county.

On motion of Mr. J. A. Bell—
12. A bill to amend an act relating to the town of Georgetown.

On motion of Mr. Force—
13. A bill to repeal an act incorporating the Lee Academy, of Hardinsville, Shelby county.

On motion of Mr. Graves—
14. A bill to enable John E. Mason, of Marion county, to adopt Alice Rodgers as his child and heir.

On motion of Mr. Dyer—

On motion of Mr. Potter—
16. A bill for a public free school in the town of Bowling Green, for the benefit of the colored people.

On motion of same—
17. A bill to prevent the destruction of fish in Green river.

On motion of same—
18. A bill to authorize the trustees of the African school at Bowling Green to sell land now in trust, and reinvest in other lands.
On motion of Mr. Little—
19. A bill to authorize the Whitley county court to issue bonds for county purposes.

On motion of Mr. Blackburn—

On motion of same—

On motion of Mr. Waring—
22. A bill to amend section 16, chapter 39, Revised Statutes, entitled “Ferries.”

On motion of Mr. Fitzpatrick—
23. A bill for the benefit of William V. Lusk, of Letcher county.

On motion of Mr. Nall—
24. A bill to amend the charter of the town of West Point, in Hardin county.

On motion of Mr. McElroy—
25. A bill to protect fish in the Sulphur Fork of Drake’s creek, in the counties of Allen and Simpson.

On motion of Mr. Thomas—
26. A bill amending the Criminal Code of Practice, so as to allow a defendant to give bail in criminal cases pending the trial of the same before an examining court.

On motion of Mr. Blakey—
27. A bill for the benefit of W. W. Smith, of Logan county.

On motion of Mr. Gray—
28. A bill to legalize an order made by the last court of claims for Clinton county, levying an ad valorem tax of five cents per hundred dollars of property for county purposes.

On motion of Mr. Goodloe—
29. A bill to incorporate Phantom Lodge No. 15, Knights of Pythias.

On motion of Mr. Waiter Evans—
30. A bill to amend sections 4 and 5, of chapter 65, of the Revised Statutes.

On motion of Mr. Combs—
31. A bill for the benefit of school district No. 15, in Hardin county.
Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, 2d, 8th, 12th, 14th, 22d, 23d, 28th, and 30th; the Committee on Railroads the 3d; the Committee on the Judiciary the 4th; the Committee on Religion the 8th; the Committee on Corporate Institutions the 6th, 7th, 21st, 24th, and 29th; the Committee on Education the 9th, 11th, 13th, 16th, and 31st; the Committee on Propositions and Grievances the 10th, 17th, 25th, and 27th; the Committee on Internal Improvement the 15th and 20th; the Committee on Ways and Means the 18th; the Committee on County Courts the 19th; and the Committee on Codes of Practice the 26th.

Mr. W. Evans, from the joint select committee upon the removal of the Capital, and to make inquiry as to the title of the public property, made the following report, viz:

To the General Assembly of Kentucky:

The undersigned, joint committee, instructed by a resolution, passed by your honorable body, to inquire into the title by which the Commonwealth holds the real estate in the city of Frankfort on which the public buildings have been erected, and also as to the advisability of removing the Capital of the State from said city, would respectfully report as follows:

THE TITLE

Of the State to the lot on which the Governor’s Mansion is erected, and the three other lots connected therewith, seems to your committee to be a perfect fee-simple title, conveyed by deeds of general warranty, and on good and sufficient consideration.

The Penitentiary is built on several lots conveyed in 1798 by Harry Innis to the State, on valuable consideration and in fee-simple.

The lots composing the “Capitol Square” were conveyed, six of them by Andrew Holmes, June 2d, 1794, and two of them by James Wilkerson about the same time. These deeds were made on a valuable consideration, and the conveyance was in fee-simple, and with general warranty.

On the face of the deeds your committee unhesitatingly express the opinion that the title of the State to all the said property is perfect, and that there is no possibility of a reverter to the vendors of the State.

Nor does the fact that contemporary history and acts of the General Assembly show that it was the purpose of the State, and of
such vendors, to locate the Capital of the State at the city of Frank­
fort, affect our views on that subject. Your committee believe that 
the said Andrew Holmes and James Wilkerson have no heirs now 
interested in the removal of the Capital of Kentucky.

And they also believe that all the force there is in the suggestion 
of a reversion of said property to the vendors of the State, exhausts 
itself in the idea that the facts connected with the original transac­
tions would give plausibility to an appeal by the heirs of the vendors to 
the Legislature for some indemnity for any injury sustained by them by 
reason of a removal of the Capital.

REMOVAL OF THE CAPITAL.

On the question of the expediency of removing the Capital from 
this city we beg to report, that we have carefully considered the sub­
ject, and we think it not only expedient, but highly important to 
the State, to do so; and lest this conclusion may be thought lightly 
formed, we will state to the General Assembly the following as some 
of the reasons impelling us to it.

It is not thought possible that the great State of Kentucky, with 
its vast wealth, its one million and a half of population, and its 
many more inviting localities, can or will consent for all time to 
come, or for any considerable length of time, to permit Frankfort, 
with its situation and topographical features, to be the Capital city 
of the State. That the present is a favorable juncture for the re­
moval of the Capital cannot be doubted by those who think that the 
State finances are in a good condition, and that the State House and 
Governor's Mansion are the reproaches that they are to the advanced 
and liberal requirements of our people.

It cannot be because on a neighboring hill of no little pictur­
esque beauty there repose the ashes of such honored dead as Boone, 
Shelby, and others, that therefore the Capital of the State should 
remain near their graves. That would be a devotion to an idea, a 
superstition, if you please, out of place in this utilitarian age.

A large outlay must of necessity soon be made (see the message 
of His Excellency the Governor, only a few days ago read to us) to 
erect a new Capitol and other buildings, and there are many reasons 
that induce us to believe that such edifices could be much more 
cheaply erected elsewhere than here; and unless it be that the peo­
ple of the State, for all future time, will consent to permit their 
Capital to remain here, it will in every way cost as little to remove 
or change it now as at any time.
It will certainly cost something either to erect creditable buildings here or elsewhere; and of course it will cost something to remove the Capital; but your committee do not believe that the State should hesitate to incur the additional cost of providing all the necessary buildings elsewhere over what it would cost to erect them here.

Very naturally the citizens of Frankfort desire to retain the Capital; but perhaps no stranger ever visits the city without wondering at the fatuity of the people in their original choice of a Seat of Government, and not less so at their not removing it.

The great object had in view, doubtless, by the people, in making the selection, if indeed they could have had any object in selecting so unprepossessing a site, must have been to remove the Seat of Government from the supposed corrupting influences of the larger cities, choosing a location where it seemed impossible to extend a large city in any direction.

Unhappily it has been the lament of all ages that our humanity had a corrupt side; but the zeal of corrupt men in pursuit of a venal object is not to be evaded by secluding the Seat of Government, or the legislative body which they propose to attack, in the rural districts, even though such chosen retreat be environed by hills ten-fold as high as those which surround the Capital of your State. Vice is penetrating; it entered even the Garden of Eden.

In this age of railroads and other means of rapid transit, the distance of the Capital from the chief cities of the State presents no barrier to the corruptionist, while it does prevent the countercharge of better influences; for it is lamentably true, that while a well-organized body of shrewd lobbyists may, day by day, ply their trade in behalf of any corrupt or wrongful scheme, good men will not take the trouble to come to the remote Capital city to counteract them. But in a great city, where, amidst much vice, there generally exist the highest types of all the virtues and the better moral influences, these last, if the Capital were near by, would combine and defeat many a corrupt scheme.

That Capitals situate remote from the metropolis of a State are not less corrupt than those located in such metropolitan cities, is shown abundantly by the history of this Union.

Take, for instance, the great States of New York and Pennsylvania. They adopted the same plan as was pursued by Kentucky, and if common fame justly accuses them, their Legislatures have
not been less purchasable than if they sat in New York or Philadelphia. (Indeed, if a man desires to be corrupt, he can and will be so anywhere.) Are those Legislatures of the two States named less corrupt than that sitting in Boston, in the State of Massachusetts? Notoriously they are not so. Whoever heard of corruption in the Massachusetts Legislature; who recently has failed to hear of it at Albany and Harrisburg?

New York City and Philadelphia conceive the villainy which is legalized at the remote Capitals of their States, without the opposition those cities would make.

In all the great States of Europe we see the policy of Massachusetts pursued, rather than that of New York and Pennsylvania. Great Britain has its London, and the immense affairs of government conducted there are doubtless carried on with less corruption than if elsewhere in the Kingdom. Paris, the gay and frivolous but magnificent Capital of Fashion and Amusement, has ever been France. In Berlin is concentrated all the power and energy of the modern Teutonic races. In Asia we have the same practice for observation; and even in classic times the same rule prevailed.

Athens and Rome furnish evidence in all their history that it is not the great extent and population of the Capital that is dangerous to the State, but the licentious immorality of her people that is so.

Philosophically, there can be no objections to a large city as the Seat of Government that do not apply with equal force to a smaller one; and there are many that apply to the latter that do not apply to the former.

In a large city we have society in all its antipodal features. The lowest vices, but the highest virtues; the grossest ignorance, but the greatest learning; squalid poverty, but the most envious opulence; and it is there that an alert press, with its argus eyes, exists in the highest perfection. The latter can and will see at all times the delinquencies of the government, and expose them. It will see the vices of legislators and lay them before the public. This is not always, nor, indeed, generally done, where the Capital is situated in remote and unimportant places.

In the city, when lobbyists would seduce the rural legislator into the support of plausible acts, beneath whose clean-cut verbiage there lurked some dangerous scheme, then that learning, those virtues, that
wealth, and a vigilant press of the city, could, and perhaps generally
would, prevent their adoption.

We respectfully ask for leave to bring in a bill for the removal of
the Seat of Government.

O. D. McMANAMA,
Chairman Joint Committee.
W. W. BALDWIN,
WALTER EVANS.

Mr. W. Evans then moved the following resolution, viz:

Resolved, That the report be printed, and referred to a committee
of seven, to be appointed by the Speaker, who shall have power to
bring in a bill in accordance with the recommendation of the report.

Which was adopted.

On motion, indefinite leave of absence was granted Mr. Morin.

Mr. Goodloe presented the following preamble and resolution of
the city council of the city of Lexington, which were read, viz:

WHEREAS, For good and sufficient reasons, it is proposed to move
the Seat of Government of our State; we desire to present the merits
of Lexington as the future location of the Capital. The Seat of
Government should be centrally located, easily accessible from all
points, with ample accommodation for State officers, members of the
Legislature, and the great number of citizens who have business
relations with the State. Lexington offers all these advantages.
The Big Sandy Railroad will be completed within the next eighteen
months; the Cincinnati Southern Railroad will be constructed within
the next few years. Those, added to the Kentucky Central and the
Short-Line, already in operation, with their present and future con­
nections, will make Lexington so accessible that a large majority of
the members of the Legislature would find it practicable to visit
their families weekly, without interfering with the full discharge of
their duties. Our city can afford the best of accommodation at
moderate rates, while it will not present the objections that apply
to a large commercial and manufacturing city. We are ready and
willing to do everything in our power to induce the Legislature to
make Lexington the future Capital of Kentucky, and hereby request
our Senator and Representative in the Legislature to make known
our wishes on the subject, and request the committee on removal to
visit our city, and consider such advantages as we may be able to
offer.

Resolved, That His Honor, the Mayor, be requested to visit Frank­
fort, and present this statement to our Senator and Representative,
and take such other steps as he may deem proper to effect the pur­
pose we have in view.

On motion of Mr. Goodloe,

Ordered, That they be referred to the select committee heretofore
appointed upon the removal of the Capital, &c.
Mr. Goodloe presented the following memorial, which was received, and the reading dispensed with, viz:

MEMORIAL.

To the Senate and House of Representatives of the State of Kentucky:

The American Woman Suffrage Association respectfully represents:

That whereas, the first section of the second article of the Constitution of the United States expressly provides, that "each State shall appoint, in such manner as the Legislature thereof may direct, the electors for President and Vice President;"

And whereas, women are now unjustly excluded from any participation in the election of these highest officers of the nation;

We therefore respectfully pray your honorable bodies that you will exercise the authority thus vested in you by the Federal Constitution, and enact a law conferring suffrage upon women who are citizens of the United States, and of the State of Kentucky, in future Presidential elections upon the same terms and conditions as men.

And we further respectfully represent:

That whereas, the Constitutions of many of the States contain no restriction upon the exercise of suffrage by women in regard to the election of certain State, county, town, and municipal officers; we therefore respectfully pray that you will enact a law abolishing all political distinctions on account of sex, except where the same are expressly contained in the present Constitution of your State.

And we further respectfully represent:

That whereas, the Constitution of the State of Kentucky restricts suffrage for certain officers to men alone, therefore we respectfully pray your honorable bodies to take the necessary steps to amend the State Constitution so as to abolish hereafter all political distinctions on account of sex.

This memorial is presented in accordance with a resolution adopted at the annual meeting of said American Woman Suffrage Association, held in St. Louis on the 22d day of November, A. D. 1872, composed of delegates from auxiliary State societies.

THOS. WENTWORTH HIGGINSON, President.
LUCY STONE, Chairman Ex. Com.
HENRY B. BLACKWELL, Cor. Sec.
MARY GREW, Rec. Sec.
The officers of the American Woman Suffrage Association are as follows, viz:

**President.**
THOMAS WENTWORTH HIGGINSON.

**Vice Presidents at Large.**
JULIA WARD HOWE, Massachusetts.
Hon. HENRY WILSON, Massachusetts.
Mrs. W. T. HAZARD, Missouri.
MARGARET V. LONGLEY, Ohio.
WILLIAM LLOYD GARRISON, Mass.
MARY A. LIVERMORE, Massachusetts.
GEORGE WILLIAM CURTIS, New York.
HANNAH M. T. CUTLER, Illinois.

**Chairman Executive Committee.**
LUCY STONE, Massachusetts.

**Corresponding Secretary.**
HENRY B. BLACKWELL, Massachusetts.

**Foreign Corresponding Secretary.**
KATE N. DOGGETT, Illinois.

**Treasurer.**
AMANDA WAY, Kansas.

**Executive Committee.**
MARY GREW, Pennsylvania.

**Vice Presidents.**
Mrs. OLIVER BENNETT, Maine.
MRS. T. B. HUSSEY, Maine.
ARMENIA S. WHITE, New Hampshire.
Hon. C. W. WILLARD, Vermont.
Hon. NATHANIEL WHITE, N. H.
HON. J. C. UNDERWOOD, Virginia.
ALBERT CLARKE, Vermont.
MARGARET W. CAMPBELL, Mass.
MRS. N. C. CALLANAN, Iowa.
MARY F. DOYLE, Rhode Island.
ISAAQ H. STURGEON, Missouri.
Rev. PHEEB HANAFORD, Connecticut.
Rev. CHARLES J. WOODBURY, Tenn.
ELIZABETH CHACE, Rhode Island.
ELIZABETH SMITH, Delaware.
Miriam M. COLE, Ohio.
Rev. FREDERICK HINCKLEY, D. C.
MRS. C. C. HUSSEY, New Jersey.
ANNIE SHOEMAKER, Pennsylvania.
HON. J. C. UNDERWOOD, Virginia.
ROBERT COLLIER, Illinois.
Rev. CHARLES G. AMES, California.
MRS. C. C. HUSSEY, New Jersey.
MARY P. THOMAS, Indiana.
MARY E. BRADWELL, Illinois.
Ruthie ROLLIN, South Carolina.
ROBERT COLLIER, Illinois.

**Recording Secretaries.**
MRS. OLIVER BENNETT, Maine.
MRS. T. B. HUSSEY, Maine.
ARMENIA S. WHITE, New Hampshire.
Hon. C. W. WILLARD, Vermont.
JAMES FREEMAN CLARKE, Massachusetts.
ELIZABETH B. CHACE, Rhode Island.
OLIVER JOHNSON, New York.
JOHN WHITEHEAD, New Jersey.
Hon. RUFUS LEIGHTON, Wash'en Ter'l.'
PASSMORE WILLIAMSON, Pennsylvania.
ELIZABETH SMITH, Delaware.
MIRIAM M. COLE, Ohio.
MARY F. THOMAS, Indiana.
Robert COLLIER, Illinois.

**Secretary.**
AMANDA WAY, Kansas.

**Treasurer.**
JOHN K. WILDMAN, Pennsylvania.
And thereupon Mr. Goodloe moved the following resolution, viz:

Resolved, That the use of this Hall be tendered Mrs. M. H. T. Cutler and Mrs. M. V. Longley, for the purpose of lecturing on Wednesday evening next—subject, "Woman's Suffrage."

The consideration of said resolution was suspended by the arrival of the hour for taking up a special order.

The House then, according to order, took up for consideration a bill from the Senate, entitled

An act to amend the city charter of Lexington.

Mr. Wright moved the previous question.

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

The yeas and nays being required thereon by Messrs. Goodloe and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen,  
A. C. Armstrong,  
W. W. Ayers,  
Alpheus W. Bascom,  
W. R. Bates,  
John A. Bell,  
S. C. Bell,  
Church H. Blakey,  
W. B. M. Brooks,  
Robert M. Carlisle,  
George Carter,  
B. E. Cassilly,  
William G. Conrad,  
R. L. Cooper,  
Joseph M. Davidson,  
W. W. Deaderick,  
John W. Dyer,  
James B. Fitzpatrick,  
Joseph P. Force,  
C. P. Gray,  
Wm. A. Hoskins,  
T. J. Jones,  
L. W. Lassing,  
J. J. McAfee,  
Bryan S. McClure,  
M. E. McKenzie,  
Julian N. Phelps,  
Lewis Potter,  
E. A. Robertson,  
John Rowan,  
J. S. Taylor,  
C. W. Threlkeld,  
L. W. Trafton,  
Joseph T. Tucker,  
Mordecai Williams,  
S. H. Woolfolk,  
J. M. Wright—37.

Those who voted in the negative, were—

R. Tarv. Baker,  
J. C. S. Blackburn,  
William Brown,  
Thomas P. Cardwell,  
Josiah H. Combs,  
R. D. Cook,  
Walter Evans,  
R. H. Evans,  
James Garnett,  
Wm. Cassius Goodloe, T. W. Varoun,  
William J. McElrvey,  
J. C. Moorman,  
Hiram S. Powell,  
James W. Snyder,  
Harry I. Todd,  
T. W. Varoun,  
J. L. Waring,  
Jonas D. Wilson,  
J. N. Woods—20.

And so the main question was ordered.

The question was then put, "Shall the bill be read a third time?" and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Wm. A. Allen,  
A. C. Armstrong,  
Alpheus W. Bascom,  
W. W. Deaderick,  
John W. Dyer,  
Walter Evans,  
Julian N. Phelps,  
Lewis Potter,  
E. A. Robertson,
Those who voted in the negative, were—

R. Tarv. Baker, W. H. Evans, Hiram S. Powell,
William Brown, Wm. Cassius Goodloe, Jonas D. Wilson,
R. D. Cook,

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 mayor and council of the city of Lexington shall be, and are hereby, authorized to lay off each of the four wards of said city into three districts, each containing as nearly as shall be convenient an equal number of the qualified and legal voters of the city, and establish, from time to time, a voting place in each district.

§ 2. That each district so established shall elect one councilman by the qualified voters, who shall have resided therein for sixty days preceding the election, and possessing all other qualifications now required by law.

§ 3. That the mayor and council shall have no power to increase the debt now due by the city of Lexington, nor apply the income of the city, whether derived from taxes, rents, or other sources, to any other object than as prescribed by the charter; and it shall be their duty to confine the expenses of the city government to its income; and any excess thereof shall not be a liability of the city, but upon the mayor and councilmen creating such excess: Provided, however, That the subscription of stock in the Elizabethtown, Lexington, and Big Sandy Railroad Company is not included as one of the city debts referred to in this section.

§ 4. This act shall be in force from and after its passage.
Those who voted in the affirmative, were—

William Brown,

Those who voted in the negative, were—

Wm. A. Allen,  John W. Dyer,  Julian N. Phelps,
A. C. Armstrong,  W. H. Evans,  Lewis Potter,
Alpheus W. Bascom,  James B. Fitzpatrick,  E. A. Robertson,
W. R. Bates,  Joseph P. Foree,  J. R. Sanders,
John A. Bell,  James Garnett,  James W. Snyder,
S. C. Bell,  Wm. Cassius Goodloe,  J. S. Taylor,
J. C. S. Blackburn,  C. P. Gray,  C. W. Threlkeld,
Church H. Blakey,  Clinton Griffith,  Harry I. Todd,
W. B. M. Brooks,  Wm. A. Hoskins,  L. W. Trafton,
Thomas P. Cardwell,  George M. Jessie,  Joseph T. Tucker,
George Carter,  T. J. Jones,  T. W. Varnon,
James S. Chrisman,  L. W. Lassing,  J. L. Waring,
William G. Conrad,  J. S. Lawson,  Mordecai Williams,
R. L. Cooper,  Bryan S. McClure,  S. H. Woolfolk,
Joseph M. Davidson,  M. E. McKenzie,  J. M. Wright—47.
W. W. Deaderick,

So the House refused to adjourn at this hour.

The question was then taken on the motion of Mr. Jessee, “Shall the main question be now put?” and no quorum voting thereon, said motion was lost.

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

Those who voted in the affirmative, were—

Wm. A. Allen,  W. W. Deaderick,  J. C. Moorman,
A. C. Armstrong,  John W. Dyer,  Julian N. Phelps,
A. S. Arnold,  Walter Evans,  Lewis Potter,
W. W. Ayers,  James B. Fitzpatrick,  E. A. Robertson,
Alpheus W. Bascom,  Joseph P. Foree,  J. R. Sanders,
W. R. Bates,  James Garnett,  James W. Snyder,
John A. Bell,  C. P. Gray,  J. S. Taylor,
S. C. Bell,  Clinton Griffith,  C. W. Threlkeld,
J. C. S. Blackburn,  Wm. A. Hoskins,  Harry I. Todd,
Church H. Blakey,  George M. Jessie,  L. W. Trafton,
W. B. M. Brooks,  T. J. Jones,  Joseph T. Tucker,
George Carter,  L. W. Lassing,  T. W. Varnon,
James S. Chrisman,  J. S. Lawson,  Mordecai Williams,
William G. Conrad,  Bryan S. McClure,  S. H. Woolfolk,
Thomas H. Corbett,  M. E. McKenzie,
Joseph M. Davidson,

In the negative, none—

On motion of Mr. Chrisman, the House then adjourned.
MONDAY, JANUARY 27, 1873.

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

An act for the benefit of Lewis S. Lee, late sheriff of Ballard county.

An act to incorporate the Frankfort Coal and Lumber Company.

An act for the benefit of Henry M. Shrodes, former justice of the peace for Ballard county.

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

An act to incorporate the Merchants’ Banking Company of Caverna.

An act to declare certain lakes and creeks in Ballard county navigable.

An act for the benefit of the town of Georgetown.

An act to amend the charter of the St. Bernard Coal Company.

An act to authorize the sale of the Clark and Montgomery Turnpike Road, in Clark county.

An act to amend an act, entitled “An act to incorporate the White Stone Quarry Company.”

An act for the benefit of the stockholders of the Washington County Agricultural Society.

An act to amend the charter of the Fox Run and Bullskin Turnpike Road Company, in Shelby county.

An act to amend an act, entitled “An act creating the county of Josh Bell.”

An act for the benefit of the Garrard county court, and to vest them with certain powers.

An act for the benefit of Fleming county.

An act to authorize the county court of Pulaski county to sell grounds, levy taxes, and issue bonds to raise money to build a court-house.

An act for the benefit of Fleming county.

An act to authorize Bourbon county to build a court house.
An act to authorize the county court of Pendleton county to sell the poor-house property in said county, and reinvest proceeds of said sale.

An act to legalize certain proceedings of the Garrard county court.
An act to extend the time of the assessor of Harrison county for returning his assessment books.
An act to repeal the second section of an act to amend chapter 3, article 1, section 825, of the Civil Code of Practice, approved 23d February, 1860.
An act to amend the charter of the Tygart Valley Iron Company.
An act to amend an act incorporating the Riverton Iron and Mining Company.
An act for the benefit of L. R. Thurman.
An act amendatory of the charter of the town of Glasgow.
An act to incorporate the Riverton Savings Bank.
An act authorizing the clerk of the Lewis county court to make out a new cross-index to deeds recorded in the clerk's office of the Lewis county court.
An act for the benefit of Elizabeth M. Johnson.
An act for the benefit of John L. Farrar, of McCracken county.
With amendments to the last three named bills.
And that they had passed bills of the following titles, viz:
1. An act to amend chapter 105 of the Revised Statutes, title "Weights and Measures."
2. An act to amend the charter of the Tug Fork Lead, Iron, Salt, and Oil Mining and Manufacturing Company, approved February 27, 1865.
3. An act for the benefit of R. L. Ewell, clerk of the Laurel county court.
5. An act to establish an assessor's agent for the further regulation and assessment of property in the city of Louisville, and the collection of taxes on the same.
6. An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties.
7. An act to amend chapter 32, article 8, section 2, of the Revised Statutes.

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8. An act to regulate the time of holding circuit courts in the fifteenth judicial district.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 7th to the Committee on Revised Statutes; the 2d, 3d, 4th, and 5th to the Committee on the Judiciary; the 6th to the Committee on Ways and Means; and the 8th to the Committee on Circuit Courts.

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

On motion of Mr. Corbett—
1. A bill to incorporate the Columbus and Milburne Gravel and Plank Road Company.

On motion of same—
2. A bill to incorporate the Holly Springs, Brownsville, and Ohio Railroad Company.

On motion of Mr. Brown—
3. A bill to change the time for holding the terms of the circuit courts in the tenth judicial district.

On motion of Mr. Williams—
4. A bill to charter a street railroad, from any point in the town of Ashland, to the depot of the Elizabethtown, Lexington, and Big Sandy Railroad, on the Big Sandy river.

On motion of same—
5. A bill to incorporate the Maysville Coal, Salt, and Transfer Company.

On motion of Mr. Tarlton—
6. A bill to authorize the court of claims of Oldham county to levy a tax for the erection of a new jail.

On motion of Mr. Waring—
7. A bill to amend the revenue laws in relation to the manner of collecting taxes from incorporated companies.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st and 5th; the Committee on Railroads the 2d and 4th; the Committee on the Judiciary the 3d; the Committee on County Courts the 6th; and the Committee on Revised Statutes the 2d.
Mr. Cooper presented a petition of certain citizens of Mason county, praying the formation of an additional election and magisterial district.

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

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

Resolution in relation to the joint committee on the revision of the Statutes;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to re-enact an act, entitled "An act to amend an act to incorporate the Bank of Union County;"

An act for the benefit of Wilson Morgan, collector of the revenue of Clay county for the year 1870, and his securities;

An act for the benefit of Misses Virginia and Lizzie Smith;

An act to amend an act, entitled "An act authorizing the sale of certain alleys in the town of Winchester," approved February 19, 1849;

An act to amend an act, entitled "An act to incorporate the German insurance Bank," approved 14th March, 1872;

An act to amend an act, entitled "An act to incorporate the Christian County Bank," approved March 2, 1872;

An act to amend an act, entitled "An act for the benefit of Martin county," approved February 16, 1872;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

On motion, indefinite leave of absence was granted Messrs. Arnold, W. Evans, Carlisle, and Tarlton.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., January 25, 1873.

Hon. James B. McCRARY, Speaker of the House of Representatives:

Sir: I have the honor to herewith send you a copy of the receipts and expenditures of the Eastern Lunatic Asylum for the year ending
the 30th of September, 1872, which you will oblige me by laying before the body over which you preside.

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, Auditor.

[For Report—see Legislative Document No. 14.]

The Speaker laid before the House the response of the Superintendent of the Western Lunatic Asylum to a resolution heretofore adopted by the House, which was read as follows, viz:

WESTERN LUNATIC ASYLUM,
HOPE KINSVILLE, KY., January 23, 1873.

Hon. J. B. McCreary, Speaker of the House of Representatives:

In answer to a resolution of the House of Representatives, adopted on the 18th, which reads: "Resolved, That the Superintendents of the Eastern and Western Lunatic Asylums, respectively, be required to furnish this House, as soon as practicable, the number of patients in their respective institutions, the number that are on pay, and the number that are wholly indigent, and the number, if any, from other States, and the annual cost of each inmate," I have the honor to say, that, to-day, there are three hundred and twenty-one patients in this Asylum, and also that five others are daily expected, who have been written for, viz: one from the county of Ballard, one from Daviess, one from Cumberland, and two from Hardin.

Of the number now present, three hundred and seven (307) are entirely non-paying, and fourteen (14) who pay at following rates: two at $7, one at $8, eight at $5, and one at $4 per week; one at $200, and one at $140, per year.

There is but one patient in this Asylum who is not a citizen of Kentucky. She was received from the South several years ago, when the house was not filled. I would remark, that her board is paid, and also that I have asked her removal. The average annual cost of each inmate is $202 70, which is $54 99 less than the average of maintenance for the inmates in fifty-nine asylums for the insane in this country for the year 1870.

Respectfully submitted.

JAS. RODMAN, Superintendent.

The House then took up the resolution offered on Saturday by Mr. Goodloe, tendering the use of this Hall to Mrs. Cutler and others, on Wednesday evening next.

Said resolution was adopted.
Under the resolution adopted on Saturday, raising a select committee, to whom was referred the report of the select committee in regard to the removal of the Capital, and the question of the title to the public property in Frankfort, and with directions to report a bill, the Speaker appointed the following committee, viz: Messrs. W. Evans, Baldwin, Chrisman, Griffith, McAfee, Todd, and Carpenter.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill for the benefit of Margaret S. Lillard, guardian of Charles V. Lillard.
By same—
A bill for the benefit of William Green, of the county of Montgomery.
By same—
A bill to repeal an act approved March 11, 1871, declaring Roundstone creek, in Rockcastle county, a navigable stream.
By same—
A bill for the benefit of James W. Hogg, late sheriff of Letcher county.
By same—
A bill for the benefit of William H. Fitzpatrick, sheriff of Floyd county, for the years 1871 and 1872.
By same—
A bill in relation to the town of South Carrollton.
By same—
A bill for the benefit of Charles Kirtley, assignee of James M. Durham, of Rockcastle county.
By same—
A bill for the benefit of Isaac N. Webb, jailer of Harrison county.
By Mr. Woolfolk, from the same committee—
A bill for the benefit of R. H. Morrow, sheriff of Gallatin county.
By Mr. Waring, from the Committee on Privileges and Elections—
A bill for the benefit of Levi Jones, of Greenup county.
By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of Emily S. Tucker, an idiot of Wayne county.
By same—
A bill for the benefit of Marcus Devary, of Clark county.
By same—
A bill for the benefit of W. M. Gray, of Trigg county
By same—
A bill for the benefit of R. W. Williams, of Christian county.
By same—
A bill for the benefit of W. H. Jefferson, jailer of Trigg county.
By Mr. Davidson, from the same committee—
A bill for the benefit of Stephen Netherton, of Carter county.
By same—
A bill for the benefit of M. S. Napier.
By Mr. Griffith, from the same committee—
A bill for the benefit of Dr. T. B. Jefferson, of Trigg county.
The last without expression of opinion thereon by the committee.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKenzie, from the Committee on Propositions and Grievances, to whom was recommitted a bill, entitled
A bill to exempt undertakers from serving on juries,
Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Griffith, from the Committee on Claims, to whom was recommitted a bill from the Senate, entitled
An act for the benefit of F. M. Roberts,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. Davidson, from the Committee on Claims, to whom was referred a bill from the Senate, entitled
An act for the benefit of William Bellis, jailer of Estill county,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid,

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported
A bill for the benefit of James Ficklin, sheriff of Bath county.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor be instructed to draw his warrant on the Treasurer for the sum of one hundred and thirty-nine dollars and twenty-six cents, for the benefit of James Ficklin, sheriff of Bath county, to be paid out of any money in the Treasury not otherwise appropriated; the same being the amount of damages assessed against and collected from said Ficklin, under the law for failing to pay in the revenue of the year 1871 by the first day of April, 1872.

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

The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Walter Evans, Julian N. Phelps,
Wm. A. Allen, W. H. Evans, Lewis Potter,
A. C. Armstrong, James B. Fitzpatrick, Hiram S. Powell,
W. W. Ayers, Joseph P. Force, E. A. Robertson,
Alpheus W. Bascom, James Garnett, John Rowan,
W. R. Bates, Wm. Cassius Goodloe, James W. Snyder,
Resolved, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of S. C. Cardwell and Daniel Moore, of Mercer county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill being engrossed, was read a third time 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 Treasurer in favor of S. C. Cardwell and Daniel Moore, of Mercer county, for the sum of one hundred and six dollars and fifty cents.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready)Walter Evans, Julian N. Phelps,
Wm. A. Allen, W. H. Evans, Lewis Potter,
A. C. Armstrong, James B. Fitzpatrick, Hiram S. Powell,
Alpheus W. Bascom, Joseph P. Force, E. A. Robertson,
W. R. Bates, James Garnett, John Rowan,
John A. Bell, Wm. Cassius Goodloe, J. P. Sacksteder,
S. C. Bell, C. P. Gray, J. R. Sacksteder,
J. C. S. Blackburn, Clinton Griffith, J. S. Taylor,
Resolved, That the title of said bill be as aforesaid.

Mr. Davidson, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of A. W. Dudley and D. M. Bowen, citizens of Franklin county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill being engrossed, was read a third time 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 Treasurer in favor of A. W. Dudley, of Franklin county, for the sum of one thousand dollars, and in favor of D. M. Bowen, of Franklin county, for the sum of four hundred dollars, for their services as Commissioners, appointed by the Governor to superintend the completion of the “Fire-proof Offices;” said warrants to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Walter Evans, Julian N. Phelps,
Wm. A. Allen, James B. Fitzpatrick, Lewis Potter,
W. W. Ayers, Joseph P. Force, E. A. Robertson,
Alphens W. Bascom, James Garnett, John Rowan.

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Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.

The House then took up from the orders of the day, and resumed the further consideration of a bill from the Senate, entitled

An act to amend the city charter of Lexington.

Mr. Brown moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—


Walter Evans,

Those who voted in the negative, were—

Mr. Foree moved the previous question.

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

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

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<tr>
<th>In the affirmative</th>
<th>In the negative</th>
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And so the main question was ordered.

The main question was then put, “Shall the bill pass?” and it was decided in the affirmative.

And the yeas and nays being required thereon by Messrs. Goodloe and Brown, were as follows, viz:

<table>
<thead>
<tr>
<th>In the affirmative</th>
<th>In the negative</th>
</tr>
</thead>
</table>
Resolved, That the title of said bill be as aforesaid.

Mr. Foree then moved to reconsider the vote by which said bill was passed.

Mr. Tucker moved to lay the motion of Mr. Foree on the table.

And the question being taken on the motion of Mr. Tucker, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) Joseph M. Davidson, Lewis Potter,
Wm. A. Allen, W. W. Dederick, E. A. Robertson,
A. C. Armstrong, John W. Dyer, John Rowan,
W. W. Ayers, James B. Fitzpatrick, J. P. Sacksteder,
Alpheus W. Bascom, Joseph P. Foree, J. R. Sanders,
W. R. Bates, James Garnett, James W. Snyder,
John A. Bell, C. P. Gray, C. W. Threlkeld,
S. C. Bell, Clinton Griffith, Harry L. Todd,
J. C. S. Blackburn, Wm. A. Hoskins, L. W. Trafton,
Church H. Blakey, L. W. Lassing, Joseph T. Tucker,
W. B. M. Brooks, J. S. Lawson, T. W. Varnon,
George Carter, J. J. McAfee, J. L. Waring,
James S. Chrisman, Bryan S. McClure, C. H. Webb,
J. Guthrie Coke, M. E. McKenzie, Mordecai Williams,
William G. Conrad, J. C. Moorman, J. N. Woods,
R. L. Cooper, Wm. Mynhier, S. H. Woolfolk,

Those who voted in the negative, were—

Thomas P. Cardwell, Wm. Cassius Goodloe, J. S. Taylor,
Josiah H. Combs, G. W. Little, George M. Thomas,
Walter Evans, William J. McElroy, Jonas D. Wilson—11,
W. H. Evans, Hiram S. Powell,

And then the House adjourned.
A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Winchester Building and Accumulating Fund Association, of Winchester.

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

An act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county.

An act to amend an act, entitled "An act to incorporate Munday's Landing and Harrodsburg Turnpike Road Company, in Mercer county."

An act in relation to roads in Breckinridge county.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the public schools of Louisville.

2. An act to change the manner of collecting the delinquent taxes of Kentucky.

3. An act amending an act approved March 9, 1868, entitled "An act fixing the time for the election in this State of Representatives to the Congress of the United States."

4. An act to re-enact and amend the charter of the Paducah and Tennessee Railroad Company.

5. An act to amend the charter of the Louisville and Cane Run Turnpike Road Company.

6. An act for the benefit of licensed tavern-keepers.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Education; the 2d to the Committee on Revised Statutes; the 3d and 6th to the Committee on the Judiciary; the 4th to the Committee on Railroads; and the 5th to the Committee on Internal Improvement.

The following petitions and remonstrance were presented, viz:

By Mr. E. Polk Johnson—

1. The petition of certain citizens of Jefferson county, praying the
passage of an act creating an additional voting precinct in said county.

By Mr. Clay—

2. The petition of citizens of Clintonville precinct, in Bourbon county, praying the passage of an act to empower the people thereof to hold an election on the question of allowing the sale of spirituous liquors in said precinct.

By Mr. Bates—

3. The remonstrance of certain citizens of Glasgow Junction and Glasgow Junction precinct, protesting against the passage of a law prohibiting the sale of spirituous liquors in said precinct.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts, and the 2d and 3d to the Committee on the Judiciary.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of John L. Farrar, of McCracken county.

Said amendment was concurred in.

Mr. Tucker, from the Committee on the Judiciary, to whom was referred a resolution of the House in regard to apportionment of the State into Senatorial and Representative Districts, made the following report, viz:

Resolved by the House of Representatives, That the Judiciary Committee be, and it is hereby, instructed to inquire and report, by bill or otherwise, the legislation necessary to secure a reapportionment of the State of Kentucky into Senatorial and Representative Districts.

The Judiciary Committee, to whom the above resolution was referred, have had under consideration the same, and submit the following as their report:

1st. No legislation is necessary in order to secure a reapportionment of the State into Senatorial and Representative Districts at this present session, because an enumeration of the voters must precede such apportionment, and the enumeration must take place this year by the assessors of the State.

2d. No legislation is necessary at all to secure an enumeration, because, by general law, it is the duty of the several assessors of the State to make the enumeration referred to.

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend chapter 28, Revised Statutes, title "Crimes and Punishments,"

Reported the same with amendments thereto.
Ordered, That said bill be recommitted to the Joint Committee on the Revision of the Statutes.

Mr. Coke, from the Committee on the Judiciary, to whom was recommitted a bill, entitled
A bill to exempt prescription druggists from serving on juries,
Reported the same without amendment.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported
A bill to amend the law in relation to porters for the public offices.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill being engrossed, was read a third time as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the porter employed by the Quarter-Master General for his office shall also act as porter for the Adjutant General and Register of the Land Office.
§ 2. The Governor shall hereafter be authorized to employ a porter for the Executive office and office of the Secretary of State, at a salary not exceeding fifty dollars per month.
§ 3. All acts in conflict with this act are hereby repealed.
§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and not having received a constitutional majority, was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Joseph M. Davidson, T. J. Megibben,
Wm. A. Allen, W. W. Deaderick, J. L. Nall,
A. C. Armstrong, John W. Dyer, J. P. Sacksteder,
G. W. Bailey, James B. Fitzpatrick, J. R. Sanders,
R. Tarv. Baker, Manlius T. Flippin, C. C. Scales,
Alpheus W. Bascom, C. D. Foote, Harry I. Todd,
W. N. Beckham, Joseph P. Foote, L. W. Trafton,
Mr. Chrisman then moved to reconsider the vote by which said bill was rejected, and also 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.

And so said votes were reconsidered.

Mr. Chrisman then offered an amendment to said bill.

Mr. Gray offered an amendment to the amendment of Mr. Chrisman, which was rejected.

Mr. Chrisman then, by consent of the House, withdrew his amendment.

Mr. Baker offered an amendment, which was rejected.

Amendments were proposed by Messrs. Ogilvie and Waide.

Mr. Trafton offered a substitute for the amendments last named, which was adopted.

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

Said bill, as amended, being engrossed, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the porter employed by the Quarter-Master General for his office shall also act as porter for the Adjutant General and Register of the Land Office.

§ 2. The Governor shall hereafter be authorized to employ a porter for the Executive office and office of the Secretary of State, to be
paid for his services such amount as the Governor may deem reason-
able.
§ 3. All acts in conflict with this act are hereby repealed.
§ 4. This act shall take effect from its passage.

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

The yeas and nays being required thereon in pursuance to a pro-
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker (McCreary) James B. Fitzpatrick, E. A. Robertson,
Wm. A. Allen, C. D. Foote, John Rowan,
A. C. Armstrong, Joseph P. Foree, John P. Rowlett,
W. R. Bates, James Garnett, J. P. Sacksteder,
W. N. Beckham, Clinton Griffith, J. R. Sanders,
John A. Bell, Wm. A. Hoskins, C. C. Scales,
Church H. Blakey, George M. Jesse, J. S. Taylor,
Wm. F. Bond, E. Polk Johnson, C. W. Threlkeld,
W. B. M. Brooks, J. S. Lawson, Harry L. Todd,
Thomas P. Cardwell, G. W. Little, L. W. Trafton,
George Carter, William J. McElroy, Joseph T. Tucker,
B. E. Cassilly, M. E. McKenzie, T. W. Varnon,
James S. Chrisman, T. J. Megibben, E. F. Waide,
C. M. Clay, jr, J. C. Moorman, J. L. Waring,
J. Guthrie Coke, J. L. Nall, C. H. Webb,
William G. Conrad, John W. Ogilvie, Mordecai Williams,
R. L. Cooper, Julian N. Phelps, S. H. Woolfolk,
Joseph M. Davidson, Lewis Potter, J. M. Wright—54.

Those who voted in the negative, were—
W. W. Ayers, W. H. Evans, William Sellers,
R. Tarv. Baker, Wm. Cassius Goodloe, George M. Thomas,
S. C. Bell, C. P. Gray, Jonas D. Wilson,
Thomas H. Corbett, Bryan S. McClure,

Resolved, That the title of said bill be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that
the committee had examined an enrolled bill, which originated in the
Senate, entitled
An act to amend the city charter of Lexington;
And also enrolled bills, which originated in the House of Repre-
sentatives, of the following titles, viz:
An act for the benefit of Fleming county;
An act to legalize certain proceedings of the Garrard county court;
An act to extend the time of the assessor of Harrison county for
returning his assessment books;

22-H. R.
An act to repeal the second section of an act to amend chapter 3, article 1, section 82a, of the Civil Code of Practice, approved 22d February, 1860;
An act to amend the charter of the Tygart Valley Iron Company;
An act to amend an act incorporating the Riverton Iron and Mining Company;
An act amendatory of the charter of the town of Glasgow;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
Mr. Powell, from the Committee on Religion, to whom was recommitted a bill from the Senate, entitled
An act to amend the charter of the town of Fitchburg, in Estill county,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.
And so said bill was disagreed to.
Mr. Powell, from the Committee on Religion, who were directed to prepare and bring in the same, reported
A bill to prohibit the sale of spirituous, vinous, or malt liquors in Lincoln county, and to take a vote on the same.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
On motion of Mr. Varnon,
Ordered, That said bill be recommitted to the Committee on Religion.
Mr. Powell, from the Committee on Religion, who originated the same, reported a bill, entitled
A bill to more effectually suppress and prohibit the wearing or carrying of concealed deadly weapons in this Commonwealth.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
On motion of Mr. Baker, said bill was recommitted to the Committee on the Judiciary.

Mr. Threlkeld, from the Committee on Religion, to whom was recommitted a bill from the Senate, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Salem Church, in Cumberland county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Ayers, from the Committee on Religion, to whom was recommitted a bill, entitled

A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors,

Reported the same without amendment.

Mr. Garnett moved to recommit said bill to the Joint Committee on the Revision of the Statutes.

The question being taken on the motion of Mr. Garnett, but no quorum voting thereon, said bill was placed in the orders of the day.

Mr. Taylor, from the Committee on Religion, who originated the same, reported a bill, entitled

A bill to amend section 7 of an act to incorporate the Public Library of Kentucky.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wright then moved to recommit said bill to the Committee on the Judiciary.

And the question being taken on the motion of Mr. Wright, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), Joseph M. Davidson, M. E. McKenzie,
A. C. Armstrong, W. W. Deaderick, T. J. Megibben,
Alpheus W. Bascom, John W. Dyer, John W. Ogilvie,
W. N. Beckham, James B. Fitzpatrick, J. P. Sacksteder,
John A. Bell, C. D. Foote, J. R. Sanders,
Those who voted in the negative, were—

Wm. A. Allen, L. W. Lassing, E. A. Robertson,
R. Tarv. Baker, J. S. Lawson, John Rowan,
W. R. Bates, G. W. Little, William Sellers,
Church H. Blakey, J. J. McAfee, J. S. Taylor,
Thomas P. Cardwell, William J. McElroy, George M. Thomas,
George Carter, J. C. Moorman, C. W. Thrkelkeld,
C. M. Clay, jr., J. L. Nall, J. L. Waring,
Josiah H. Combs, Julian N. Phelps, Jonas D. Wilson,
W. H. Evans, Lewis Potter, J. N. Woods,
Wm. A. Hoskins,

Mr. Thrkelkeld, from the Committee on Religion, to whom was re­
ferred a bill from the Senate, entitled
An act to prohibit the sale of ardent, vinous, malt, spirituous, or
intoxicating liquors, or the mixture thereof, in the county of Breathitt,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third
reading of said bill being 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. Phelps—
1. A bill for the benefit of the securities of O. G. Moore, late sheriff
of Edmonson county.
On motion of same—
2. A bill for the benefit of O. G. Moore, late sheriff of Edmonson
county.
On motion of same—
3. A bill for the benefit of O. G. Moore, late sheriff of Edmonson
county.
On motion of Mr. Ayers—
4. A bill for the benefit of Murray Male and Female Institute, in
common school district No. 35, in Calloway county.
On motion of Mr. Waide—
5. A bill to increase the salaries of the Superintendent of Public Instruction and his clerk.

On motion of same—
6. A bill to amend an act, entitled "An act to incorporate the Louisville Stock and Bond Board," approved March 18, 1872.

On motion of Mr. Foote—
7. A bill to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st, 2d, and 3d; the Committee on Education the 4th and 5th; the Committee on Corporate Institutions the 7th; and a select committee, consisting of Messrs. Beckham, Jesse, and Waide, the 6th.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Tucker, from the Committee on the Judiciary—
A bill to amend an act, entitled “An act to incorporate the Shelbyville Cemetery Company,” approved March 1, 1854.

By same—
A bill for the benefit of Eli H. Murray.

By Mr. Sacksteder, from the same committee—
A bill to amend an act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits, and continue the same, approved March 2, 1872.

By Mr. Phelps, from the Committee on Religion—
A bill to prohibit the sale of ardent spirits in Lee county.

By Mr. Ayers, from the same committee—
A bill to prohibit the sale of spirituous, vinous, or malt liquors in Glasgow Junction precinct, in Barren county.

By same—
A bill to prevent the sale of spirituous liquors near Harmony Church, in Garrard county.

By same—
A bill for the benefit of the German Evangelical St. Paul Church, of Paducah.

By Mr. Robertson, from the same committee—
A bill to prohibit the sale of spirituous, vinous, or malt liquors
within one mile and a half of Pleasant Grove Church or schoolhouse, at the fork of Stinson creek, in Carter county.

By Mr. Woods, from the same committee—

A bill to prohibit the sale of spirituous liquors in the town of Powersville, Bracken county.

By Mr. Lawson, from the same committee—

A bill to prohibit the sale of ardent spirits in Headquarters, Nicholas county.

By Mr. Gray, from the Committee on Education—

A bill to amend an act, entitled "An act for the benefit of common schools in Clinton county, and the acts amending the same."

By same—

A bill for the benefit of school districts Nos. 10 and 47, in Jefferson county.

By same—

A bill for the various school districts in Hancock county.

By same—

A bill to amend an act, and the amendments thereto, incorporating the school board of the city of Covington.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Ayers, from the Committee on Religion, who originated the same, reported a bill, entitled

A bill to prohibit the sale of spirituous, vinous, or malt liquors in the Clintonville precinct of Bourbon county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

WEDNESDAY, JANUARY 29, 1873.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of F. G. Bybee, late marshal of Glasgow.

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

An act to tax pawnbrokers.
An act to incorporate the Webster County Chalybeate and Sulphur Springs Company.
An act for the benefit of John S. Humphreys.
And that they had passed bills of the following titles, viz:
1. An act to amend an act incorporating the town of Greensburg.
2. An act to change the boundary line of the city of Columbus.
3. An act for the benefit of and to reincorporate the Norton Iron Works.
4. An act to incorporate the Hopkinsville Car Manufacturing Company.
5. An act for the benefit and relief of persons who have paid tax on income from United States bonds, imposed by an act passed and approved March 8, 1867.
6. An act to authorize the Louisville Club of the city of Louisville to change its name to the Beargrass Club.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 3d, 4th, and 6th to the
Committee on Corporate Institutions; the 2d to the Committee on Propositions and Grievances; and the 5th to the Committee on the Judiciary.

A message was also received from the Senate, announcing that they had adopted a joint resolution, entitled, Resolution concerning State Library.

The following petitions were presented, viz:

By Mr. Varnon—
1. The petition of the trustees of the Male and Female Seminary in Stanford, praying the passage of a law to allow them to sell a portion of their property and reinvest the proceeds.

By Mr. Williams—
2. The petition of S. M. Goble, praying for an allowance to him for taking care of a pauper lunatic.

By same—
3. The petition of John Pinkerton, praying the passage of a law allowing him compensation for taking care of a pauper lunatic.

By same—
4. The petition of the county judge and justices of Carter county, praying the passage of an act authorizing the county court of Carter county to levy an ad valorem tax to build bridges, &c.

By Mr. Lassing—
5. The petition of Samuel Cowan, jailer of Boone county, praying the passage of an act allowing him compensation for keeping certain pauper lunatics.

By same—
6. The petition of L. H. Voshell and other citizens of Boone county, praying that compensation be allowed said Voshell for moneys expended by him in capturing a fugitive.

By same—
7. The petition of sundry citizens of Boone county, praying the passage of a law relieving the sureties of W. A. Roberts, late sheriff of Boone county, from certain indebtedness to the State.

By Mr. Gray—
8. The petition of certain citizens of Cumberland county, praying the passage of an act prohibiting the destruction of fish in Crocus creek.

By Mr. Tucker—
9. The petition of citizens of Clark county, praying that the Legislature will not repeal an act to amend the charter of the Winchester and Iron Works Turnpike Road Company.
Which were received, the reading dispensed with, and referred—the 1st and 5th to the Committee on Propositions and Grievances; the 2d, 3d, 5th, and 6th to the Committee on Claims; the 4th to the Committee on County Courts; the 7th to the Committee on Ways and Means; and the 9th to the Committee on Corporate Institutions.

On motion of Mr. Phelps,

Ordered, That Mr. McClure be added to the Committee on Religion.

Mr. Todd, from the minority of the committee heretofore raised to inquire as to the title to the public property in the city of Frankfort, and the removal of the Capital, made the following report, viz:

To the General Assembly of Kentucky:

We, the undersigned, of the committee appointed by your honorable body to investigate the title by which the State holds the real estate in the city of Frankfort on which the public buildings have been erected, and what conditions, if any, are contained in the deeds to the State, and to inquire and report as to the expediency and propriety of a removal of the Seat of Government of the State, respectfully submit the following, viz:

As to the title of the State, we are forced to report that we have not been able to give to this question that intelligent and careful consideration its importance demands, because of the difficulty attending an examination of the records containing the title-deeds, some of them being in Woodford county court, coupled with the disposition of the committee to accommodate one of our number, who, from personal considerations, desires, within a few days, to absent himself for the remainder of this session.

Your committee have not had before them the title-deeds embracing the grounds upon which the public buildings have been erected; but the report of the majority, as well as our report, is based upon information given us by others who professed to have in their possession the proper data, showing the title of the State. While we agree with the majority of the committee that the title to the public grounds (according to the best information we have obtained) is that of general warranty, and for a nominal but not a valuable consideration on their face, yet, with due respect to the legal ability and legal opinion of gentlemen of the majority report, we must combat the idea that this fact precludes any possibility of a reverter to the grantors or their heirs, in the event of a removal of the Seat of Government.
Gentlemen have overlooked that well-settled principle, that though a deed may bear upon its face evidence of a valuable consideration, such as "one cent in hand paid, the receipt whereof is hereby acknowledged," yet this fact does not preclude the grantor from establishing the fact, even by parol evidence, that this was the mere nominal consideration, while the real consideration was one or ten thousand dollars, as evidenced by the notes of the grantee in the pocket of the grantor at the time of the execution and delivery of the deed. They have also overlooked that other well-settled principle of law, that the intention of the parties to a conveyance is not always apparent upon the face of the instrument, but must be deduced from its general terms, the nature of the contract, and the presumed intention of the parties. (See Hutchings vs. Moore, 4th Metcalfe's Reports, page 112.) They have also overlooked a well-defined principle of law, that the consideration of any deed may be impeached or denied by plea verified by oath. The honorable gentlemen have also forgotten that other well-settled and adjudicated principle, that the intention of the parties to any contract may be presumed by the circumstances surrounding them at the time. For instance, as where a subscription made to a railroad, upon the condition that the road should be so located and constructed as to make a certain town a point in said road, it has been held by our own Court of Appeals that the location of the road on the route designated was a condition precedent. (See case of McMillan vs. M. & L. Railroad Company, 15th B. Monroe, page 218.)

Not to pursue this subject further, we will take it for granted, for the sake of the argument, that the deeds to the State of the public grounds contain clauses of general warranty, and that the consideration set forth is respectively one, two, three, and five pounds (for such is the fact, so far as we are advised), and that these deeds do not contain any clause of reversion: what follows? In view of the decisions hereinbefore referred to, in the cases to be found in 4th Metcalfe, page 118, and the case in 15th B. Monroe, page 218, where the consideration is merely a nominal one, in conveyances of real estate of considerable intrinsic value, the nature of the contract, the terms, whether on condition precedent or not, must be determined by the presumed intention of the parties, viewed by their surroundings at the time of its execution.

We hold that the real consideration for these conveyances to the State, by individuals, was the pledge of the public faith, through the
authorized agents of the State (the five Commissioners selected by the House of Representatives to fix upon a permanent site for the Seat of Government), that the Seat of Government should be permanently located at Frankfort, and that this was the real inducement operating upon the minds of the grantors when they surrendered and conveyed their landed and personal property to the State for public uses.

Another principle well established, bearing upon this point, has been overlooked by the honorable gentlemen making the adverse report, viz: that property conveyed for a mere nominal consideration, for public uses, reverts by operation of law to the grantors or their heirs, whenever the same is abandoned or diverted from its original purpose. (See various decisions of our Court of Appeals touching this subject.) The State, through her Representatives in legislative session assembled, selected five persons to determine the vexed question of location permanently of the Seat of Government. These Commissioners were directed by resolution (see Journals of the House of Representatives, fall session, 1792) to accept the best proposals that were made, in a moneved point of view, as a bonus for this coveted honor, and to enter into contracts, pledging the public faith, with those parties whose proposition and donations should be accepted by them (the Commissioners). The following extracts from the Journals of 1792 show that the said Commissioners did accept the proposals of Holmes, Innis, Wilkerson, and others, upon a condition precedent:

"The House then proceeded to take into consideration the proceedings of the Commissioners appointed to fix on the place for the permanent Seat of Government.

"Whereupon, the same were read, and then ordered to be entered at large on the Journal of this House, which are as follows:

LEXINGTON, August the 6th, 1792.

"Robert Todd, Thomas Kennedy, John Allen, and Henry Lee, Esquires, four of the Commissioners appointed at the last session of Assembly, pursuant to the tenth article of the Constitution of this State, to fix on the place for the Seat of Government, convened at the house of Love & Brent, pursuant to notice given in the Kentucky Gazette, and being qualified as the Constitution directs, appointed Levi Todd Clerk of the Board, who took an oath for the due discharge of his duty.

"On motion, Thomas Kennedy, Esquire, is appointed Chairman to this Board.

"A proposal from James Legerwood and others, offering land in Legerwood’s Bend, with a subscription accompanying the same, was presented and read.

"A tract of land adjoining Delany’s Ferry, was proposed as a proper place to fix the Seat of Government.

"The Board then adjourned until to-morrow ten o’clock, to meet at this place.”
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“TUESDAY, AUGUST 7th, 1792.

“*The Commissioners met according to adjournment, John Edwards, Esquire, the other member of the Board, attended, and being qualified agreeably to the Constitution, took his seat.

“Proposals from the town of Louisville were presented by Abraham Owens, and read.

“Harry Innis, Esquire, as attorney in fact for Andrew Holmes, proposed the town of Frankfort, and forwarded a list of contributions, in case the Commissioners shall fix the Seat of Government in that place.

“The town of Leestown was also proposed by Harry Innis, Esquire, as attorney in fact for Hancock Lee.

“The town of Lexington was proposed by a committee of the town, and offers made.

“Resolved, That this Board will proceed to view the different places proposed, and Petersburg.

“The Board then adjourned—meet at the house of Andrew Holmes, in Frankfort, tomorrow, at two o’clock.”

“WEDNESDAY, AUGUST 8th, 1792.

“The Commissioners met according to adjournment, and proceeded to view the place called Leestown, Frankfort, and the lands adjacent, and again met, and, after hearing several proposals, adjourned until seven o’clock to-morrow, to meet at this place.”

“FRANKFORT, THURSDAY, AUGUST 9th, 1792.

“The Commissioners met according to adjournment.

“Proposals, in writing, were forwarded by Harry Innis, Esquire, attorney in fact for Andrew Holmes, for Frankfort.

“And also for Leestown, by Harry Innis, Esquire, attorney in fact for Hancock Lee and Andrew Holmes.

“The Board then adjourned to James Legerwood’s house in Legerwood’s Bend.

“The Board met according to adjournment, about three o’clock, and proceeded to view the ground proposed, and then adjourned to Petersburg.”

“PETERSBURG, AUGUST 10th, 1792.

“The Board proceeded to view the lands laid off for a town, the river and the lands adjacent, and then adjourned until eight o’clock to-morrow, to meet in Lexington.”

“LEXINGTON, AUGUST 11th, 1792.

“The Board met according to adjournment.

“Resolved, That on Monday, the 3d of September, the Board will meet at Louisville, to view that place and the falls, and on Friday, the 7th of September, will again meet at this place.

“At which time it is expected that the persons who have made proposals, or others who have any yet to make, will attend prepared to conclude a contract, and that the purport of this resolution be published in the Kentucky Gazette.

“The Board then adjourned.”

“LEXINGTON, SEPTEMBER 7th, 1792.

“A majority of the Commissioners, to-wit: Thos. Kennedy, Robert Todd, John Allen, and John Edwards, met agreeable to their resolution.

“A letter from the Commissioners of Louisville was presented and read.

“Also, proposals from John Rogers, in favor of Petersburg.

“Proposals from Petersburg were presented and read.

“Additional proposals from Lexington were presented and read.

“The Board then adjourned until the 3d Monday in April, to meet at this place.”

“LEXINGTON, NOVEMBER 30th, 1792.

“A majority of the Commissioners met agreeable to their resolution, to-wit: Thomas
Kennedy, Robert Todd, John Allen, and Henry Lee, convened and resolved, that an advertisement be inserted in the Kentucky Gazette, notifying that the Commissioners will meet at the tavern of Love & Brent, in the town of Lexington, on the 5th day of December, in order to proceed to a final decision on this business; those gentlemen who have proposals to make for Lexington, Petersburg, Frankfort, and Lees-town, will (it is hoped) come forward prepared to enter into contracts for the above purpose. The Board then adjourned.

"LEXINGTON, December 5th, 1792.

"A majority of the Commissioners met agreeable to their resolution, to-wit: Thomas Kennedy, Robert Todd, John Allen, and Henry Lee.

"Resolved, As the opinion of this Board, that Frankfort is the most proper place for the Seat of Government; that the proposals of Andrew Holmes, Harry Innis, Esquire, and other subscribers, be accepted and agreed to; that a copy of the journals, together with the report now agreed to, and the proposals for Frankfort, be transmitted to the Speaker of the House of Representatives.

"The Board then adjourned.

"A copy—Attest:

LEVI TODD,

"Clerk to the Board of Commissioners."

"HOLMES AND OTHERS’ PROPOSALS."

"Propositions to the Commissioners appointed to fix on the place for the permanent Seat of Government for the State of Kentucky.

"If the Commissioners approve of Frankfort as a proper place, I will give to the Government, for the term of seven years, the house and tenement lately occupied by Gen. Wilkerson, described in the plan of said town No. 1.

"The lots 58, 59, 65, 70, 74, 75, 83, and 84, marked public ground, shall be conveyed and warranted to the Government absolutely.

"The half of the unsold lots, which amount to 37, shall also be conveyed, or 30 the choice of those unsold.

"The rents of warehouse for seven years.

"In addition to the above, I will deliver, on reasonable notice, on the square marked Public Ground, ten boxes of glass, 10 by 12, 1,500 pounds of nails, £50 worth of locks and hinges. An equivalent of stone and scantling for building.

"If more space is requisite to be laid off in half-acre lots, I will lay off 50 acres more, which shall be added to the number unsold, and divided with and conveyed to the Government, and if the Commissioners choose to divide the lots in preference to making the choice of 30 of the unsold, I will give the first choice, i.e., the Commissioners to take one lot and I will take the second, and so proceed on to the division.

"ANDREW HOLMES, by

"HARRY INNIS, his attorney in fact."

"In addition to the above, we, the underwriters, oblige ourselves, our heirs, &c., to pay to the said Commissioners, for the State of Kentucky, three thousand dollars in specie. Witness our hands and seals this 9th day of August, 1792.

"HARRY INNIS,

"NATHANIEL SANDERS,

"BENNET PEMBERTON,

"BENJAMIN CRAIG,

"JEREMIAH CRAIG,

"WILLIAM HAYDEN,

"DANIEL JAMES,

"GILES SAMUEL."
"In lieu of the stone and scantling offered above, I agree to give stone that will build 1,500 perches of wall in any part of Frankfort, and my saw-mill carriage, wagon, and two good horses, until a sufficiency of scantling for a State House is procured, and privilege of taking timber from any part of my tract.

ANDREW HOLMES."

Your attention is especially directed to that part of the proceedings of these Commissioners found in their meetings at Lexington, August 11th, September 7th, November 30th, and December 5th, 1792. From their proceedings of August 11th, 1792, and September 7th, 1792, it is evident that they were disposed to give, and did give, a fair opportunity to those localities desiring the location of the Seat of Government at their several towns, to enter the field as competitors for the honor and profit to be derived. Mark the language used by the Clerk of the Board in his minutes of the proceedings, from time to time: "All those persons who have made proposals, or others who may have any yet to make, will attend before the Commissioners prepared to conclude a contract." Mark the language used in the minutes of the proceedings of the Commissioners at the meeting last held by them, before they finally concluded on Frankfort as the most proper place for the location of the Seat of Government.

"Resolved, That the Commissioners will meet, &c., in the town of Lexington, on the 5th December, 1792, in order to proceed to a final decision on this business. Those gentlemen who have proposals to make for Lexington, Frankfort, &c., will (it is hoped) come forward prepared to enter into contracts for the above purpose," viz: the location of the Seat of Government. Mark the language of the resolution fixing on Frankfort as the proper place for the permanent Seat of Government:

"It is the opinion of the Board that Frankfort is the most proper place for the Seat of Government. The proposals of Harry Innis, Andrew Holmes, and other subscribers, be accepted and agreed to."

How were these proposals made? The language therein is plain and unmistakable. We will give so much in land for a site, and money and materials necessary to the erection of a State House, &c., provided you, as the authorized agents of the State, will fix on Frankfort as the place for the permanent Seat of Government. This proposition, with its condition precedent, was accepted by the Commissioners upon this basis, and for this, the real consideration. The bargain between the State's agents, and individuals residing at Frankfort, and others owning real estate here, was concluded—the contract
entered into. Then, in the face of the decisions we have herein referred to, we unhesitatingly assert, that whenever the Seat of Government is removed from its present location, the consideration on the part of the State fails, the contract is null and void, and the public grounds, together with their improvements, revert to the grantors or their heirs.

As an evidence that those of the majority entertained doubts upon this subject of reversion, while they report that there is no possibility thereof, we have only to quote the following from their report, viz: "Your committee believe that the said Andrew Holmes and James Wilkerson have no heirs now interested in the removal of the Capital." Mark you, they don't add the words, or any others of the grantors or donors. How the majority of the committee arrive at this remarkable conclusion we are at a loss to know. We have information to the contrary. Gentlemen of the bar at Frankfort inform us that, time and again, when this question of removal has been agitated, parties claiming to be heirs of these grantors have consulted with them touching their legal and equitable rights in the event of a removal of the Capital.

We can well understand the reason why the majority of your committee, or at least a portion of them, lay no stress upon facts connected with the location of the Seat of Government, as gathered from history or the acts of the General Assembly. Had they done so, they would have been forced to give them that legal bearing which we have endeavored to do in this report.

We will not occupy your valuable time, or exhaust your patience, by any further elaboration of the legal propositions involved in the resolution; and with an apology for the extended review of this subject, we will pass to that portion of the resolution involving the question of a

"REMOVAL OF THE SEAT OF GOVERNMENT."

This is no new question, but one which has been introduced more than fifty times since the Seat of Government has been established. Yet, in every effort to remove the same, the friends of the measure have failed to point out one object of public utility as probably to be effected by a removal. For this reason the present Seat of Government has held its pre-eminence, and baffled its enemies in their repeated and strenuous (not to say, in view of all the facts connected with the subject, ungenerous) efforts to effect their purpose.
Have the honorable gentlemen who make the majority report suggested a single reason showing that public policy demands, or the interest of the State requires, a removal of the Seat of Government at this time? They do not pretend to say that Frankfort is not supplied with proper provisions, fuel, lights, or other accommodations necessary for the comfort of the members of this honorable body; or that the place is unhealthy; or that its atmosphere is unfavorable to intellectual exertions, or subject to any physical disability; or that its society is unfit for the association of themselves, their wives and daughters; or that it is inaccessible to any and all parts of the State; or that there are any corrupting influences brought to bear upon subjects of legislation which would not be increased an hundred-fold by locating the government in any one of the principal cities of our State. But they do say that the great State of Kentucky, with its vast wealth, its one and a half million population, ought not to consent that her Capital should, for all time to come, or any considerable time, remain at Frankfort, with its situation and topographical features.

Ill-fated, devoted Frankfort! this is not the first time that your citizens have been compelled to hear your site depressed by overwhelming floods, your surrounding hills elevated to mountainous heights, the country around described as the fit haunts of wolves, while a crack in the plaster of the State house, or a cobweb on the ceiling of any of the public offices, were magnified into objects less portentous than comets, or less to be dreaded than the nitro-glycerine manufacture in the vicinity of Maysville!

In arguing the proposition that the members of the Legislature would not be more liable to be seduced from the paths of rectitude, honesty, and public virtue by a removal of the Seat of Government to one of the metropolitan cities of our Commonwealth, gentlemen of the majority hold up the Legislature of Massachusetts, which convenes at Boston, as a paragon of virtue and honesty. While those of New York and Pennsylvania, whose Capitals are not in the first commercial cities of those States, are caricatured as the embodiments of crime and fraud, and the victims of the lobbyists.

What is the effect of having the Capital of Massachusetts at her chief commercial city? As London is England, Paris France, so Boston is Massachusetts; and remove the Capital to Louisville, and Louisville will become Kentucky. If the Legislatures of Pennsylvania and New York are so corrupt as gentlemen assert they are;
if they have fallen under the shadow of that fatal *Upas tree*, Lobbyism, in the "rural districts" of those States, what would be the effect if their Capitals were transferred to New York city or Philadelphia, where Tammany and other rings have infected the political atmosphere to such an extent that the good and upright of all parties have been forced to resort to sanitary measures to protect the body-politic?

The good and great men of our early times, men who framed our Constitutions, were of the opinion that it was not desirable, yea even dangerous, to have the Seat of Government in any large commercial city. The action of New York, Pennsylvania, Missouri, Illinois, and many other States of this Union, show that the opinion of our fathers was wise, and that in locating the Seat of Government at Frankfort the Commissioners were not controlled by a "fatuity."

It would be improper for us to interlard this report with reference or comments upon that portion of the report of the majority which refers to what they anticipated would be presented as an argument in favor of the present Seat of Government, viz: that on one of the "surrounding hills" repose the ashes of our honored dead. We will leave the draftsman of their report to the tender mercies of those who have not forgotten the heroic services of a Clay and McKee, who fell with their harness on, battling in defense of our country, upon a foreign soil, or the patriotism of such statesmen as Crittenden, Johnson, Letcher, and others, who served so long in the councils of the nation. In conclusion, we will present the following reasons which suggest to us the propriety of the Seat of Government permanently remaining here:

When the State of Kentucky was organized, in 1792, her resources were limited. She then paid her Governor, together with all others of her public officers, a sum in the aggregate not exceeding $3,000. In her embarrassed condition she directed, in the tenth article of her first Constitution, that the Legislature of 1792 should appoint Commissioners who should have power to fix on the place for the Seat of Government, and to receive grants from individuals therefor, and make such conditions with the grantors of lands on which they should conclide as the most proper place for locating the Capital, as should by them seem right and proper, and which should be agree-
able and acceptable to the grantors. (See Littell’s Laws of Kentucky, vol. 1, page 32.)

Heretofore, in this report, we have shown you that the Commissioners acted as directed by this article of the Constitution. Was not the public faith, then, pledged in fixing on Frankfort as the permanent Seat of Government, under constitutional provisions, to those who should vest their money in lots, build houses, and otherwise improve the place for the convenience and accommodation and comfort of those who should be called here on public, or even private business? Was not this pledge renewed when the first State House was built, principally by the proceeds of private contribution; and when that house burned, and the private funds of individuals were accepted and applied to the building of a new one?

The contract made and entered into between the Commissioners and Holmes, Innis, &c., has not only been held inviolable by all past Legislatures which have convened here, but has received the sanction and the same construction from two Conventions of the people, who had full power over the subject.

The change of the Seat of Government at this time involves an expense of not less than five millions of dollars. How long would we be in that good financial condition referred to by the majority of your committee with a debt of five millions added to our present burden? If a removal of the Capital should operate as a reverter to the grantors of the lands received for public uses on a condition precedent, then we assert that it follows that those lots received by the State, and afterwards sold to individuals, and the money therefor placed in the State Treasury, revert also, and the State is in the attitude of interfering with vested rights of her citizens. For the sake of the argument, suppose there can be no possibility of a reverter; then we say that, in the event of a removal, the public property will partake of the general depreciation of property here, and become almost worthless. While Frankfort has ever been the victim for the shafts of playful humor or ungenerous sarcasm, in the last twenty years her people have incurred debts amounting to nearly a million of dollars in expenditures for water-works, gas-works, hotel, and other public conveniences and comforts. We know of no high misdemeanor on the part of her people by which she should forfeit the good opinion of this honorable body. During the time in which the Seat of Government has been located here more than one hundred State Conventions have been held, by each of the
political parties of the State, in this place, and yet we have never heard a word from the people about a removal of the Seat of Government.

Some have mockingly said, that, notwithstanding the advantages Frankfort has had by having the Seat of Government here for nearly eighty years, yet she can boast of but few manufacturing establishments and other evidences of enterprise. Had her people been relieved from the apprehension of losing the incidental advantage of having the Capital here; had the subject of a removal not been agitated time and again, thereby depressing her and driving capital from her midst, she would to-day be the flourishing city which her natural advantages point out for her. Remove the Democlean sword which has hung over the heads of her people so long, by dismissing this subject, and appropriate the proper sum necessary to complete the public buildings according to the plan adopted by your predecessors, and as recommended by his Excellency in his message to us, and in the course of a few years we will silence the taunts of those who have twitted us upon our lack of enterprise.

In conclusion, we will add, that though we have the honor to represent a constituency whose interest is directly and especially involved in this question, we would scorn to ask a consideration by this honorable body of the issue from a local standpoint alone. We have viewed it in the light of its bearing on the interest of the people of the whole State. The history of the location of the Capital at its present site shows that the settlement of this vexed question was submitted to the fairest arbitrament possible, and we only ask that your honorable body will give the question that fair and impartial consideration that should mark your action upon all questions in which the people of the State are interested; and believing that you will sustain the compact made between the contending sections, when the action of the Commissioners was approved and accepted, we have the honor to submit the question.

W. H. SNEED,
H. I. TODD,
Of the Committee.

Ordered, That said report be printed, and referred to the select committee heretofore raised upon the subject of the removal of the Capital.

A message was received from the Senate, asking leave to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled
An act to incorporate the Winchester Building and Accumulating Fund Association, of Winchester.

Which was granted, and the bill delivered to the Senate messenger. A message was also received from the Senate, asking to withdraw from the House the announcement of their passage of a bill, entitled

An act to prohibit the sale of liquors on the Sabbath day.

Which was granted, and said bill delivered to the Senate messenger.

Mr. Rowlett, from a select committee, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act for the protection of livery-stable keepers in this Commonwealth."

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Baker,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The House, according to order, took up and proceeded to consider further a bill, entitled

A bill to protect the interest of the State in turnpike roads and bridges.

Mr. Garnett offered an amendment thereto.

Mr. Clay offered a substitute for said bill and proposed amendment.

By consent of the House, further amendments were offered by Messrs. Brown, Ogilvie, and McAfee.

Mr. McAfee then moved to lay said bill and proposed amendments on the table.

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

On motion of Mr. Tucker, said bill and proposed amendments were recommitted to a select committee, consisting of Messrs. Wright, Garnett, Bascom, Clay, and Chrisman.

On motion, indefinite leave of absence was granted Messrs. Cook, Flippin, and Griffith.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled
An act for the benefit of William Bellis, jailer of Estill county; 
And also enrolled bills, which originated in the House of Represent­atives, of the following titles, viz: 
An act to incorporate the Merchants' Banking Company of Caverna; 
An act to declare certain lakes and creeks in Ballard county navigable; 
An act for the benefit of the town of Georgetown; 
An act to amend the charter of the St. Bernard Coal Company; 
An act to authorize the sale of the Clark and Montgomery Turnpike Road, in Clark county. 
An act to amend an act, entitled "An act to incorporate the White Stone Quarry Company;"
An act for the benefit of the stockholders of the Washington County Agricultural Society; 
An act to amend the charter of the Fox Run and Bulskin Turnpike Road Company, in Shelby county; 
An act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county; 
An act to amend an act, entitled "An act to incorporate Munday's Landing and Harrodsburg Turnpike Road Company, in Mercer county;"
An act to amend an act, entitled "An act creating the county of Josh Bell;"
An act for the benefit of the Garrard county court, and to vest them with certain powers; 
An act to authorize the county court of Pulaski county to sell grounds, levy taxes, and issue bonds to raise money to build a court-house; 
An act for the benefit of Harrison county; 
An act to authorize Bourbon county to build a court house; 
An act to authorize the county court of Pendleton county to sell the poor-house property in said county, and reinvest proceeds of said sale; 
An act for the benefit of John L. Farrar, of McCracken county; 
An act for the benefit of L. R. Thurman; 
And had found the same truly enrolled. 
Whereupon the Speaker affixed his signature thereto. 
Ordered, That Mr. Deaderick inform the Senate thereof.
Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled
An act for the benefit of the public schools of Louisville,
Reported the same without amendment.
On motion of Mr. Waide, the further consideration of said bill was postponed to, and made the special order of the day for, Friday, the 31st inst., at 11 o’clock, A. M.
Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled
An act to charter the Owenton High School,
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 and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
On motion of Mr. W. Evans, leave was given to bring in a bill, entitled
A bill to repeal all grants of lottery privileges which this General Assembly may constitutionally repeal, without destroying the vested rights of individuals.
Mr. Wright moved that the Committee on the Judiciary be directed to prepare and bring in the same.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. W. Evans and Brown, were as follows, viz:
Those who voted in the affirmative, were—
Mr. Speaker (McCready), R. D. Cook, J. R. Sanders,
Wm. A. Allen, R. L. Cooper, C. C. Scales,
Alpheus W. Bascom, M. Woods Ferguson, L. W. Trafton,
S. C. Bell, C. D. Foote, Joseph T. Tucker,
J. C. S. Blackburn, Joseph P. Foree, T. W. Varnon,
W. B. M. Brooks, Clinton Griffith, J. L. Waring,
George Carter, E. Polk Johnson, C. H. Webb,
James S. Chrisman, Bryan S. McClure, Mordecai Williams,
J. Guthrie Coke,

Those who voted in the negative, were—
A. C. Armstrong, C. P. Gray, Lewis Potter,
R. Tarv. Baker, J. P. Hampton, Hiram S. Powell,
W. R. Bates, Wm. A. Hoskins, E. A. Robertson,
W. N. Beckham, George M. Jessee, John Rowan,
JAN, 29.] HOUSE OF REPRESENTATIVES.

John A. Bell, T. J. Jones, William Sellers, 
Church H. Blakey, J. S. Lawson, James W. Snyder, 
Wm. P. Bond, G. W. Little, J. S. Taylor, 
William Brown, J. J. McAfee, George M. Thomas, 
Thomas P. Cardwell, William J. McElroy, C. W. Threlkeld, 
B. E. Cassilly, M. E. McKenzie, Harry I. Todd, 
Josiah H. Combs, T. J. Megibben, E. P. Waide, 
W. W. Deaderick, J. C. Moorman, J. M. White, 
Walter Evans, Wm. Mynhier, Jonas D. Wilson, 
W. H. Evans, J. L. Nall, J. N. Woods, 
James Garnett, Mat. Nunan, S. H. Woolfolk—47. 
Wm. Cassius Goodloe, Julian N. Phelps, 

On motion of Mr. W. Evans,

Ordered, That the Committee on Circuit Courts prepare and bring in the same.

Mr. Todd moved the following resolution, viz:

Resolved, That the Commissioners appointed under act of 1869, to superintend the erection of fire-proof public offices, be, and they are hereby, requested to report to this House whether or not they have settled with John Haly; and if so, what amount, if anything, is now due said Haly, together with all the facts connected therewith.

Which was adopted.

Bills were reported by the Committee on Education, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Gray, from the Committee on Education—
A bill for the benefit of school districts No. 22 and No. 73, in Madison county.

By Mr. Armstrong, from the same committee—
A bill for the benefit of school district No. 5, in Ballard county.

By same—
A bill to amend an act, entitled “An act for the benefit of common school district No. 12, in Woodford county.”

By same—
A bill for the benefit of common school district No. 59, Bath county.

By same—
A bill to amend an act to cause good school-houses to be erected in the eighth and ninth Congressional Districts.

By same—
A bill in relation to the Murray Male and Female Institute, in common school district No. 35, in Calloway county.
By same—
A bill for the benefit of common school district No. 8, in Harrison county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bills being 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. Corbett—
1. A bill to repeal the 202d section of the charter of the city of Paducah, entitled “Tobacco Inspection.”

On motion of Mr. Bates—

On motion of same—
3. A bill to repeal an act, entitled “An act to repeal an act creating Urania school district, in Barren county.”

On motion of same—

On motion of Mr. Williams—
5. A bill for the benefit of John Pinkerton, of Carter county.

On motion of same—
6. A bill for the benefit of S. M. Goble, of Carter county.

On motion of same—
7. A bill authorizing the Carter county court to levy an ad valorem tax for bridge purposes.

On motion of Mr. Hoskins—
8. A bill to amend the charter of the town of Danville.

On motion of Mr. Cardwell—
9. A bill for the benefit of Jake Hays, of Breathitt county.

On motion of same—
10. A bill to declare War creek a navigable stream, in Breathitt county.
On motion of Mr. Brooks—
11. A bill to amend an act, entitled "An act to amend the charter of the Taylorsville and Snider's Turnpike Road Company."

On motion of Mr. Tucker—

On motion of same—
13. A bill to incorporate the Mount Sterling Water-works Company.

On motion of same—

On motion of Mr. Hampton—
15. A bill to change the time of holding the quarterly courts in Lee county.

On motion of same—
16. A bill for the benefit of the steam mills of Clay and Owsley counties.

On motion of Mr. Woods—
17. A bill to better define the line between the counties of Crittenden and Caldwell.

On motion of Mr. Sellers—
18. A bill to amend an act, entitled "An act for the benefit of the citizens of Garrard county."

On motion of Mr. Nall—
19. A bill for the benefit of the Hodgenville and Elizabethtown Turnpike Road Company.

On motion of same—

On motion of same—
21. A bill to re-enact an act, entitled "An act to amend the charter of Elizabethtown."

On motion of Mr. Megibben—
22. A bill to amend an act, entitled "An act authorizing the Harrison county court to appropriate money to aid in building a bridge across Main Licking, at Claysville, and to levy a tax therefor," approved March 21, 1871.

On motion of same—
23. A bill for the benefit of common school district No. 8, in Harrison county.

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On motion of same—
   On motion of Mr. Foote—
   On motion of same—
26. A bill to require delinquent tax lists to be recorded in the county court clerk’s office.
   On motion of same—
27. A bill to make it unlawful for circuit court clerks and county court clerks to form partnerships for the purpose of practicing law.
   On motion of Mr. Blackburn—
28. A bill to amend an act, entitled “An act for the benefit of common school district No. 12, in Woodford county.”
   On motion of Mr. Thomas—
   On motion of same—
30. A bill to amend the act incorporating the Vanceburg, Quick’s Run, and Concord Turnpike Road Company.
   On motion of same—
31. A bill to amend an act incorporating the Vanceburg, Quincy, and Springville Turnpike Road Company.
   On motion of same—
32. A bill submitting to the people of the State the propriety of calling a convention to make a new Constitution.
   On motion of Mr. Varnon—
33. A bill for the benefit of E. G. Walls, committee of Sarah Jane Walls, a pauper idiot, of Lincoln county.
   On motion of same—
34. A bill directing the assessors of this Commonwealth, in making the enumeration required by law, to have a column for population.
   On motion of Mr. Webb—
35. A bill for the benefit of Mary G. Davis, of Livingston county.
   On motion of same—
36. A bill for the benefit of common school district No. 28, in Livingston county.
   On motion of Mr. Blakey—
37. A bill to compensate assessors for making an enumeration of the qualified voters of the State.
On motion of same—
38. A bill for the benefit of the clerk of the Logan county court.
On motion of Mr. Scales—
On motion of Mr. Ferguson—
40. A bill to charter the Vilda Park Railroad.
On motion of Mr. Phelps—
41. A bill for the benefit of school district No. 23, in Edmonson county.
On motion of Mr. Speaker McCreary—
42. A bill for the benefit of John Hill, of Madison county.
On motion of same—
43. A bill to incorporate the Richmond, Irvine, and Beattyville Railroad Company.
On motion of Mr. Ogilvie—
44. A bill to facilitate the collection of taxes in the city of Paducah.
On motion of same—
45. A bill to legalize oral testimony in certain cases in the city of Paducah.
On motion of Mr. McAfee—
46. A bill to increase the compensation of assessors in this Commonwealth.
On motion of same—
47. A bill for the benefit of Scotta P. Proctor, in Mercer county.
On motion of same—
48. A bill to establish a pest-house and prevent the spreading of small-pox in Mercer county.
On motion of same—
49. A bill for the benefit of W. E. Cleland, sheriff of Mercer county.
On motion of Mr. Force—
50. A bill to change the time of holding the circuit courts in the ninth judicial district.
On motion of same—
51. A bill to amend the charter of the Beatty's Mill and Todd's Point Turnpike Road Company, in Shelby county.
On motion of same—
52. A bill to amend an act, entitled "An act to amend the charter
of the Shelbyville Railroad Company, and to authorize certain counties to take stock therein."

On motion of Mr. Potter—

53. A bill for the benefit of common school districts Nos. 70 and 73, in Warren county.

On motion of Mr. Little—

54. A bill to provide for indexing certain books belonging to the office of the clerk of the Whitley county court.

On motion of same—

55. A bill to amend the penal laws of this Commonwealth.

On motion of same—

56. A bill for the benefit of the sureties of William Cummins, late sheriff of Whitley county.

On motion of same—

57. A bill to refund certain money to the Whitley county court.

On motion of same—

58. A bill to amend section 2, article 4, of the common school law of this Commonwealth.

On motion of same—

59. A bill to amend an act, entitled "An act to incorporate the town of Williamsburg."

On motion of Mr. Jones—

60. A bill to exempt all persons over fifty-five years old from poll-tax.

On motion of Mr. Griffith—

61. A bill to incorporate an Odd Fellows' Lodge in the city of Owensboro.

Ordered, That the Committee on Agriculture and Manufactures prepare and bring in the 1st; the Committee on Revised Statutes the 2d, 3d, 4th, 29th, 30th, 31st, 32d, 34th, 37th, 38th, 42d, 46th, and 55th; the Committee on Claims the 5th, 6th, 25th, 33d, 35th, 39th, 49th, and 57th; the Committee on County Courts the 7th, 15th, 17th, 22d, 44th, 45th, 48th, and 56th; the Committee on Corporate Institutions the 8th, 13th, 14th, 19th, 50th, and 61st; the Committee on Propositions and Grievances the 9th, 10th, 16th, 18th, and 60th; the Committee on Internal Improvement the 11th, 20th, and 51st; the Committee on Railroads the 12th, 40th, 43d, and 52d; the Committee on Education the 21st, 23d, 28th, 36th, 41st, 53d, and 58th; the Committee on Banks the 24th; the Committee on the Judiciary the 26th, 27th, and 47th; the Committee on Circuit Courts the 50th; and the Committee on Codes of Practice the 54th.

And then the House adjourned.
A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:


An act to amend section 82 of the Civil Code of Practice.
An act to amend section 328 of the Civil Code of Practice.
An act to amend an act, entitled "An act to amend the charter of the Owenton and Ross Mill Turnpike Road Company."
An act to amend the charter of the Bardstown and Green River Turnpike Road Company.
An act to amend the city charter of Lexington.
Resolution in relation to the joint committee on the revision of the Statutes.

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

An act to incorporate the Nevada and Dixville Turnpike Road Company, in Mercer county.
An act for the benefit of W. M. Gray, of Trigg county
An act for the benefit of W. H. Jefferson, jailer of Trigg county.
An act for the benefit of Dr. T. B. Jefferson, of Trigg county.
And that they had passed bills of the following titles, viz:
1. An act for the benefit of E. W. Hughes, of Logan county.
2. An act to amend an act to incorporate the Cumberland and Ohio Railroad Company.
3. An act to declare Upper Twin Branch, in Lawrence county, a navigable stream.
4. An act to amend an act, entitled "An act to amend an act incorporating the town of Calvert City, in Marshall county."
5. An act to amend the charter of the town of Carlisle, in Nicholas county.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Railroads; the 3d to the Committee on Internal Improvement; and the 4th and 5th to the Committee on Corporate Institutions.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors in Cave City precinct, in the county of Barren.

An act to amend the charter of the Louisville, Cincinnati, and Lexington Railroad Company.

An act to re-enact an act, entitled “An act to amend an act to incorporate the Bank of Union County.”

An act amendatory of the charter of the town of Glasgow.

An act to extend the time of the assessor of Harrison county for returning his assessment books.

An act to amend an act incorporating the Riverton Iron and Mining Company.

An act to repeal the second section of an act to amend chapter 3, article 1, section 825, of the Civil Code of Practice, approved 22d February, 1860.

An act to legalize certain proceedings of the Garrard county court.

An act to amend the charter of the Tygart Valley Iron Company.

An act to amend an act, entitled “An act to incorporate the German Insurance Bank,” approved 14th March, 1872.

An act to amend an act, entitled “An act for the benefit of Martin county,” approved February 16, 1872.

An act for the benefit of Misses Virginia and Lizzie Smith.

An act to amend an act, entitled “An act authorizing the sale of certain alleys in the town of Winchester,” approved February 19, 1849.

An act to amend an act, entitled “An act to incorporate the Christian County Bank,” approved March 2, 1872.

On motion, indefinite leave of absence was granted Messrs. Goodloe and Conrad.
Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Salem Church, in Cumberland county;

An act to prohibit the sale of ardent, vinous, malt, spirituous, or intoxicating liquors, or the mixture thereof, in the county of Breathitt;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to tax pawnbrokers;

An act to incorporate the Riverton Savings Bank;

An act for the benefit of John S. Humphreys;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

Mr. Carpenter, from the Committee on Education, who were directed to prepare and bring in the same, reported:

A bill to increase the salaries of the Superintendent of Public Instruction and his clerk.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Waide,

Ordered, That said bill be printed, and the further consideration thereof be postponed to, and made the special order of the day for, Wednesday, February 5th, at 11 o'clock, A. M.

Mr. Cooper, from the Committee on Education, who were directed to prepare and bring in the same, reported:

A bill to amend an act, entitled "An act to amend an act, entitled 'An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,'" approved March 13, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Davidson moved an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Corbett, from the Committee on the Penitentiary, who were directed to prepare and bring in the same, reported

A bill authorizing the purchase of fire extinguishers for use in the Penitentiary.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Graves, said bill was laid on the table.

Mr. Moorman, from the Committee on Agriculture and Manufactures, who were directed to prepare and bring in the same, reported

A bill for the benefit of the proprietors of breeding farms and of training farms and stables in Boone county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Amendments were offered thereto by Messrs. Blackburn, Robertson, and Foree, which were adopted.

Mr. Ogilvie also moved an amendment.

Pending the consideration thereof, the hour of 12 o'clock, M., arrived, when Mr. Ogilvie moved to suspend the orders of the day, and proceed with the consideration of this bill.

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

The yeas and nays being required thereon by Messrs. W. Evans and Baker, were as follows, viz.:

Those who voted in the affirmative, were—

The amendment offered by Mr. Ogilvie was then adopted.

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

Mr. Scales then moved to reconsider the vote by which said bill, as amended, was ordered to be engrossed and read a third time.

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

Amendments were then offered by Messrs. Foote and Scales, which were adopted.

An amendment was offered by Mr. McElroy, which was rejected.

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

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the proprietors of breeding farms, and of training farms and stables, shall have a lien on the mares left with them to be bred, for breeding, the grazing; and feeding of such mares whilst in their possession; and that the proprietors of breeding or training farms and stables, shall have a lien on all horses, mares, or colts, which may be left in their possession to be trained, for the cost of training, feeding, and grooming: Provided, however, That if the owner of any such farm or stable shall surrender the possession of any such horse, mare, or colt, then the lien named herein shall be void and of no effect.

§ 2. This act shall be in force from its passage.

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

25—n. r.
The yeas and nays being required thereon by Messrs. McElroy and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready) C. D. Foote, E. A. Robertson,
Wm. A. Allen, Joseph P. Force, J. R. Sanders,
A. C. Armstrong, James Garnett, C. C. Scales,
G. W. Bailey, E. A. Graves, James W. Snyder,
Alpheus W. Bascom, C. P. Gray, J. S. Taylor,
W. R. Bates, Wm. A. Hoskins, George M. Thomas,
W. N. Beckham, George M. Jesse, Harry I. Todd,
John A. Bell, E. Polk Johnson, L. W. Trafton,
J. C. S. Blackburn, T. J. Jones, Joseph T. Tucker,
Wm. F. Bond, L. W. Lassing, T. W. Varnon,
B. E. Cassilly, J. S. Lawson, E. F. Waide,
C. M. Clay, jr., J. J. McAffee, J. L. Waring,
William G. Conrad, T. J. Megibben, J. M. White,
R. L. Cooper, J. L. Nall, Mordecai Williams,
Joseph M. Davidson, Mat. Nunan, S. H. Woolfolk,
James B. Fitzpatrick, Lewis Potter,

Those who voted in the negative, were—

W. W. Ayers, James S. Chrisman, Wm. Mynhier,
R. Tarv. Baker, Walter Evans, Julian N. Phelps,
S. C. Bell, W. H. Evans, Hiram S. Powell,
W. B M. Brooks, Bryan S. McClure, John Rowan,
Thomas P. Cardwell, William J. McElroy, C. W. Threlkeld,
John S. Carpenter, M. E. McKenzie, Jonas D. Wilson,

Resolved, That the title of said bill be changed so as to read:

An act to protect the owners of breeding and training farms and stables.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—An act for the benefit of and to reincorporate the Norton Iron Works.

By Mr. Megibben, from the Committee on Ways and Means—An act for the benefit of Levi Yocum, sheriff elect of Montgomery county.

By same—An act for the benefit of Joseph Robinson, late sheriff of Franklin county.

Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Potter, from the Committee on Agriculture and Manufactures, to whom was recommitted a bill from the Senate, entitled
An act to repeal an act, approved March 9, 1868, entitled "An act to amend an act for the protection of sheep in this Commonwealth,"
Reported the same without amendment.

On motion of Mr. Foote, said bill was recommitted to the Committee on Agriculture and Manufactures.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Gray, from the Committee on Education—
A bill to create a new school district in Clinton county.

By Mr. Carpenter, from the same committee—
A bill for the benefit of common schools in Jessamine county.

By same—
A bill for the benefit of school district No. 47, in Clay county.

By same—
A bill for the benefit of school districts Nos. 5 and 28, in Livingston county.

By Mr. Williams, from the same committee—
A bill to change the name of the Catlettsburg Normal Academy to that of the East Kentucky Normal Academy.

By same—
A bill to amend the charter of Jefferson College, in Jeffersontown.

By same—
A bill for the benefit of school district No. 1, in Letcher county.

By same—
A bill to amend the charter of Harrisburg Seminary.

By Mr. Cooper, from the same committee—
A bill for the benefit of school district No. 16, in Larue county.

By same—
A bill to incorporate Millersburg Academy.

By same—
A bill to establish an academy in the town of Germantown, in Bracken and Mason counties.
By Mr. Clay, from the Committee on Agriculture and Manufactures—
A bill to require the owners of stock scales in Boone county to have and keep test weights.

By Mr. Megibben, from the Committee on Ways and Means—
A bill for the benefit of James N. Frazer, late sheriff of Harrison county.

By Mr. Graves, from the same committee—
A bill for the benefit of John Hill, of Madison county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported
A bill authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats,

Without the expression of opinion thereon.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gray offered an amendment thereto.

Pending consideration thereof, the House adjourned.
FRIDAY, JANUARY 31, 1873.

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

An act to provide for the location and erection of the Third Lunatic Asylum.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of James W. Hogg, late sheriff of Letcher county.

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

An act to amend an act, entitled “An act to incorporate the Shelbyville Cemetery Company,” approved March 1, 1854.

An act for the benefit of Eli H. Murray.

An act to amend the law in relation to porters for the public offices.

An act to amend an act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits, and continue the same, approved March 2, 1872.

An act for the benefit of R. W. Williams, of Christian county.

An act to incorporate the town of Crofton, in Christian county.

An act for the benefit of Simon Humphreys, late sheriff of Nelson county, and his sureties,

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act to change and fix the time of holding the Hart circuit court.

2. An act to incorporate the Bank of Lagrange.

3. An act to incorporate Ivy Lodge, No. 21, Knights of Pythias.

4. An act for the benefit of school district No. 19, in Kenton county.

5. An act to amend an act, entitled “An act authorizing the clerk of the Nelson county court to make an index and cross-index to deeds in his office, and transcribe the marriage register in said office,” approved January 24, 1872.
6. An act for the benefit of John Scott, of Pike county.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Banks; the 3d to the Committee on Corporate Institutions; the 4th to the Committee on Education; the 5th to the Committee on County Courts; and the 6th to the Committee on Ways and Means.

The Speaker laid before the House the following communication, viz:

WASHINGTON, January 28, 1873.

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

Sir: You will please present the inclosed memorial and bill to the House of Representatives, and ask for their reference to the Judiciary Committee.

By prompt attention you will much oblige,

Yours, very respectfully,

D. B. SHERROD,


P. S. Please inform me as to the disposition of the inclosed papers.

Ordered, That the papers accompanying said communication be referred to the Committee on the Judiciary.

The following petitions were presented, viz:

By Mr. Woods—
1. The petition of citizens of Bell City, in Crittenden county, praying the passage of an act amending the charter of said town.

By Mr. Baker—
2. The petition of citizens of Cold Spring school district, in Campbell county, praying the passage of an act to allow the trustees thereof to levy a poll-tax, not exceeding one dollar and a half per head, for the purpose of erecting a suitable school-house, &c.

By Mr. Davidson—
3. The petition of citizens of Lewis county, praying the repeal of an act, entitled "An act incorporating the town of Quincy."
By Mr. Cooper—
4. The petition of certain citizens of Lewis county, asking the passage of a law to protect fish in Cabin creek.

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

Leave was given to bring in the following bills, viz:
On motion of Mr. Woods—
1. A bill to amend the charter of Bell City, in Crittenden county.

On motion of same—
2. A bill to repeal the court of common pleas in Crittenden county.

On motion of Mr. Davidson—
3. A bill for the benefit of Thomas Hamilton, Oliver McKenzie, and Joseph Salyer, jr., of Johnson county.

On motion of Mr. Phelps—
4. A bill for the benefit of Samuel Worley, of Butler county.

On motion of Mr. Speaker McCreary—
5. A bill to amend an act, entitled "An act to incorporate the Richmond Cemetery Company."

On motion of Mr. Trafton—
6. A bill to incorporate the Owensboro Masonic Mutual Relief Association.

On motion of Mr. Gray—
7. A bill for the benefit of school district No. 3, in Clinton county.

On motion of Mr. McAfee—
8. A bill for the benefit of W. E. Clelland, late sheriff of Mercer county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 5th, and 6th; the Committee on Circuit Courts the 2d; the Committee on Propositions and Grievances the 3d; the Committee on Claims the 4th; the Committee on Education the 7th; and the Committee on Ways and Means the 8th.

On motion, indefinite leave of absence was granted Messrs. Robertson, S. C. Bell, J. R. Sanders, McElroy, Moorman, Bascom, McKenzie, and Hoskins.

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act for the benefit of E. W. Hughes, of Logan county,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Bond, from the Committee on Ways and Means—
An act for the benefit of M. A. Pickering, late sheriff of Caldwell county, and his deputy;

By Mr. McKenzie, from the same committee—
An act for the benefit of Marshall Morris, of Grayson county.

By same—
An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties.

By Mr. Graves, from the same committee—
An act for the benefit of John DeHart, of Elliott county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the Louisville College of Pharmacy,

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

The House then, according to order, took up and resumed the consideration of a bill from the Senate, entitled

An act for the benefit of the public schools of Louisville.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, By an act, entitled "An act for the benefit of the public schools in the city of Louisville," approved January 17, 1870, the general council of the city of Louisville was authorized to execute and deliver to the board of trustees of the male high school, female high school, and other public schools of Louisville, eighty five bonds of said city, for one thousand dollars ($1,000) each, bearing interest at the rate of seven per cent. per annum, and the sinking fund of said city was charged with the principal and interest of said bonds, and the receiver of taxes of said city was directed to pay out of the school revenues, to the commissioners of the sinking fund, sums sufficient to meet the principal and interest of said bonds at maturity; and twenty-one of said bonds have been paid; and it has been represented, that if the school revenues are relieved of the payment to the sinking fund of the remaining sixty-four bonds, and the sums
thus relieved appropriated to the construction of three school-houses for colored children in Louisville, the school board will be enabled to provide adequate educational facilities for the colored children of said city; now, therefore, to effectuate these ends,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the second section of an act, entitled "An act for the benefit of the public schools in the city of Louisville," approved January 17, 1870, shall be, and read as follows: The sinking fund of the city of Louisville is charged with the payment of the principal and interest of the said bonds.

§ 2. That the portion of the school revenues which, under the act mentioned in the first section of this act, would have gone to the commissioners of the sinking fund, shall be appropriated and used by the Louisville school board in the construction and equipment of three school-houses for colored children, to be respectively located in the eastern, western, and central portions of the city of Louisville; and said school-houses, and the schools to be established and operated therein, shall be under the control and management of said school board: Provided, however, That any balance left after building said houses, shall be set apart and invested for the benefit of the colored schools; and the interest arising therefrom shall be exclusively and sacredly applied to the payment of teachers of said schools, and for their maintenance and operation.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) John W. Dyer, Walter Evans, E. A. Robertson,
Wm. A. Allen, W. H. Evans, John Rowan,
A. C. Armstrong, M. Woods Ferguson, J. P. Sacksteder,
R. Tarv. Baker, J. P. Hampton, J. C. S. Scales,
W. N. Beckham, Wm. A. Hoskins, William Sellers,
John A. Bell, E. Polk Johnson, George M. Thomas,
J. C. S. Blackburn, G. W. Little, Harry I. Todd,
Church H. Blakey, J. J. McAfee, L. W. Trafton,
Wm. F. Bond, J. L. Nall, Joseph T. Tucker,
Thomas P. Cardwell, Mat. Nunan, J. L. Waring,
John S. Carpenter, John W. Ogilvie, J. M. White,
George Carter, Julian N. Phelps, Mordecai Williams,
C. M. Clay, jr., Lewis Potter, Jonas D. Wilson,
Josiah H. Combs, Hiram S. Powell, J. N. Woods,

26-n. R.
Those who voted in the negative, were—

W. W. Ayers, James Garnett, Wm. Mynhier,
G. W. Bailey, E. A. Graves, John P. Rowlett,
S. C. Bell, C. F. Gray, J. R. Sanders,
Robert M. Carlisle, T. J. Jones, Samuel M. Sanders,
B. E. Cassilly, L. W. Lassing, J. S. Taylor,
James S. Chrisman, J. S. Lawson, C. W. Threlkeld,
J. Guthrie Coke, Bryan S. McClure, E. F. Waide,
James B. Fitzpatrick, William J. McElroy, C. H. Webb,

Resolved, That the title of said bill be as aforesaid.

Bills were reported by the committee, who was directed to prepare and bring in the same, of the following titles, viz:

By Mr. Lassing, from the Committee on Ways and Means—
A bill for the benefit of George W. Cooper, of Logan county.

By same—
A bill for the benefit of colored public schools at Bowling Green.

By Mr. Bond, from the same committee—
A bill to empower the Edmonson county court to levy an additional tax and issue bonds to build a new court-house.

By same—
A bill for the benefit of James P. Bailey, late sheriff of Lincoln county.

By same—
A bill for the benefit of S. H. Piles, late sheriff of Livingston county.

By same—
A bill for the benefit of S. A. Walker, of Graves county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the public schools in Louisville;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
The House then took up from the orders of the day, and proceeded further, to consider, a bill, entitled
A bill authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats.

Mr. W. Evans then offered an amendment to the amendment proposed by Mr. Gray on yesterday, which was adopted.
The amendment, as amended, was then rejected.
Mr. Lassing offered an amendment, which was adopted.
Ordered, That said bill, as amended, be engrossed and read a third time.
Said bill, as amended, being engrossed, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That every person who shall kill a wolf, red fox, grey fox, or wild cat, within this State, shall be paid out of the Public Treasury, for each wolf two dollars, and each red fox one dollar, and each grey fox one dollar, and each wild cat one dollar.

§ 2. Before the amount allowed for killing a wolf, red fox, grey fox, or wild cat, shall be paid, the person killing the same shall produce the head before the clerk of the county court in which the same was killed, who shall administer to him the following oath or affirmation: You do solemnly swear, that the head now produced by you is the head of a wolf, red fox, grey fox, or wild cat, which you have killed in this State, and that you did not take said wolf, red fox, grey fox, or wild cat in any other State and bring the same into this State; that you did not breed and raise the same, nor was it done by another, to your knowledge or belief; and [that you did not] kill the same for the purpose of obtaining the reward for killing wolves, red foxes, grey foxes, and wild cats; that you will truly state the time and county in which said animal was killed.

§ 3. The clerk shall issue to such person by name a certificate, stating the facts, and that he has taken the oath required by law. The clerk shall forthwith destroy the head.

§ 4. Upon the production of such certificate to the circuit court of the same county, if it shall, in the opinion of the court, be in due form, the amount which such person is entitled to receive from the Treasury shall be certified by the said court, or the allowance thereof be certified by said clerk to the Auditor, and the Auditor shall draw his warrant on the Treasury in favor of the person entitled thereto.

§ 5. Any clerk who shall make a false or fraudulent certificate shall be fined not less than one hundred dollars. Such clerk shall be paid by the person entitled to said reward twenty cents for each certificate.

§ 6. This act shall take effect from its passage.
Mr. Bascom then 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. Davidson and McClure, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Hoskins then moved to reconsider the vote by which said bill was ordered to be engrossed and read a third time.

Mr. Davidson moved to lay the motion of Mr. Hoskins on the table.

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

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

The yeas and nays being required thereon by Messrs. Blakey and Dyer, were as follows, viz:
Those who voted in the affirmative, were—

W. W. Ayers,                James B. Fitzpatrick,  John Rowan,
G. W. Bailey,                C. D. Foote,          John P. Rowlett,
R. Tarv. Baker,              Joseph P. Force,     J. P. Sacksteder,
W. R. Bates,                 James Garnett,      J. R. Sanders,
S. C. Bell,                  E. A. Graves,       Samuel M. Sanders,
J. C. S. Blackburn,          J. P. Hampton,      C. C. Scales,
W. B. M. Brooks,             T. J. Jones,        James W. Snyder,
William Brown,               L. W. Lassing,     William Tarlton,
Thomas P. Cardwell,          J. S. Lawson,       J. S. Taylor,
George Carter,               G. W. Little,       George M. Thomas,
B. E. Cassilly,              Bryan S. McClure,  Harry I. Todd,
J. Guthrie Coke,             M. E. McKenzie,    L. W. Trafton,
Josiah H. Combs,             Wm. Mynhier,       T. W. Varnen,
R. L. Cooper,                J. L. Nall,         E. F. Waide,
Thomas H. Corbett,           Mat. Nunan,        J. M. White,
Joseph M. Davidson,          John W. Ogilvie,   Mordecai Williams,
John W. Dyer,                Julian N. Phelps,  F. A. Wilson,
Walter Evans,                Lewis Potter,       Jonas D. Wilson,
W. H. Evans,                 Hiram S. Powell,   J. N. Woods,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Wm. F. Bond,                Wm. A. Hoskins,
Wm. A. Allen,                 Robert M. Carlisle,  J. J. McAfee,
A. C. Armstrong,              John S. Carpenter,  William J. McElroy,
Alpheus W. Bascom,            James S. Chrisman,  T. J. Megibben,
W. N. Beckham,                C. M. Clay, jr.,    William Sellers,
John A. Bell,                 C. P. Gray,         C. W. Threlkeld—19.
Church H. Blakey,

Resolved, That the title of said bill be as aforesaid.

Mr. Brown then moved to reconsider the vote by which said bill was passed.

Mr. Davidson moved to lay the motion of Mr. Brown on the table.

And the question being taken on the motion of Mr. Davidson, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

W. W. Ayers,                M. Woods Ferguson,  John P. Rowlett,
G. W. Bailey,                James B. Fitzpatrick, J. R. Sanders,
R. Tarv. Baker,              Joseph P. Force,     Samuel M. Sanders,
W. R. Bates,                 James Garnett,      James W. Snyder,
S. C. Bell,                  E. A. Graves,       William Tarlton,
J. C. S. Blackburn,          J. P. Hampton,      J. S. Taylor,
W. B. M. Brooks,             T. J. Jones,        George M. Thomas,
William Brown,               L. W. Lassing,     Harry I. Todd,
Thomas P. Cardwell,          J. S. Lawson,       L. W. Trafton,
Robert M. Carlisle,  
John S. Carpenter,  
George Carter,  
B. E. Cassilly,  
J. Guthrie Coke,  
Josiah H. Combs,  
R. L. Cooper,  
Thomas H. Corbett,  
Joseph M. Davidson,  
Walter Evans,  
W. H. Evans,  
G. W. Little,  
Bryan S. McClure,  
M. E. McKenzie,  
Wm. Mynhier,  
J. L. Nall,  
Mat. Nunan,  
Julian N. Phelps,  
Lewis Potter,  
Hiram S. Powell,  
E. A. Robertson,  
John Rowan,  
Joseph T. Tucker,  
T. W. Varnon,  
E. F. Waide,  
J. L. Waring,  
C. H. Webb,  
J. M. White,  
Mordecai Williams,  
F. A. Wilson,  
Jonas D. Wilson,  
J. N. Woods,  
J. M. Wright—60.

Those who voted in the negative, were—

Mr. Speaker (M‘Creary) Church H. Blakey,  
Wm. A. Allen,  
A. C. Armstrong,  
Alpheus W. Bascom,  
John A. Bell,  
Wm. A. Hoskins,  
William J. McElroy,  
T. J. Megibbon,  
William Sellers,  
C. W. Threlkeld—14.

And then the House adjourned.

SATURDAY, FEBRUARY 1, 1873.

A message was received from the Senate, announcing that they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of S. Hodge.

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

1. An act to amend an act to prevent the destruction of fish in Dix river and Hanging Fork.
   An act to change the time of holding courts in the seventh judicial district.

   And that they had passed bills of the following titles, viz:

   1. An act for the benefit of R. H. Williams, sheriff of Owen county, and his sureties.
   2. An act to prevent the wanton destruction of fish in Crocus creek, in Cumberland county.
   3. An act for the benefit of R. G. Scott, of Rowan county.
4. An act to amend an act, entitled "An act to incorporate the Western German Savings Bank of Louisville."

5. An act to amend the charter of the Newport Street Railway Company.

6. An act to incorporate the Oakland Cemetery Company.

7. An act to amend the city charter of Covington.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Education; the 4th to the Committee on Banks; the 5th to the Committee on Railroads; and the 6th and 7th to the Committee on Corporate Institutions.

The following petitions were presented, viz:

By Mr. Sellers—

1. The petition of certain citizens of Garrard county, praying the passage of an act to submit the question of taxation to the taxpayers of the people of said county, for the purpose of raising money to pay for the right of way for the Cincinnati Southern Railway through said county.

By Mr. Carter—

2. The petition of certain citizens of Lawrence county, praying the passage of an act to authorize George W. Jordan, of said county, to sell ardent spirits in said county without license.

By Mr. Gray—

3. The petition of James T. Baker, assessor of Cumberland county, praying the passage of an act increasing the fees of assessors.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d to the Committee on Religion; and the 3d to the Committee on Propositions and Grievances.

On motion, indefinite leave of absence was granted Messrs. Woods, Brooks, Blakey, Webb, and Fitzpatrick.

The House then took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Simon Humphreys, late sheriff of Nelson county, and his sureties.
An act to incorporate the town of Crofton, in Christian county.
An act for the benefit of Elizabeth M. Johnson.
An act authorizing the clerk of the Lewis county court to make out a new cross-index to deeds recorded in the clerk's office of the Lewis county court.

Said amendments were concurred in; and the title of the last named bill changed so as to read:
An act to provide for indexing certain records of the circuit courts, criminal courts, chancery courts, courts of common pleas, and county courts.

Mr. Woolfolk, from the Committee on Corporate Institutions, to whom were referred the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled
An act to amend and reduce into one the several acts concerning the town of Madisonville,
Reported the same with an amendment to the amendment proposed by the Senate.
Said amendment was adopted.
The Senate amendment, as amended, was then concurred in.

Bills from the Senate, of the following titles, were reported without amendment, by the committee to whom they had been referred, viz:
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to amend the charter of the Tug Fork Lead, Iron, Salt, and Oil Mining and Manufacturing Company, approved February 27, 1865.
By same—
An act to amend an act, approved March 18, 1872, entitled "An act to incorporate the Church House for Females and Infirmary for the Sick."
By same—
An act to authorize the Louisville Club, of the city of Louisville, to change its name to the Beargrass Club.
By same—
An act to amend an act incorporating the town of Greensburg.
By same—
An act to incorporate the Strangers' Rest Lodge, No. 13, I. O. O. F., Henderson, Kentucky.

Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Bills were reported by the committee, who was directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the town of Springville, in Greenup county.

By same—
A bill to incorporate the Columbus and Milburn Gravel and Plank Road.

By same—
A bill to amend an act, entitled "An act to incorporate the Richmond Cemetery Company," approved January 25, 1848.

By same—
A bill to amend the charter of the town of Georgetown.

By same—
A bill to incorporate the World's Fair Association of Woodford county.

By same—
A bill to amend an act to incorporate the city of Cynthiana, approved January 22, 1863.

By same—
A bill to incorporate the Caseyville Coal and Transportation Company.

By same—
A bill in relation to the transfer of the property of the Harrison Academy in the city of Cynthiana.

By Mr. Mynhier, from the same committee—
A bill to amend an act to reduce into one all previous acts incorporating the town of Woodville, in the counties of McCracken and Ballard.

By same—
A bill to incorporate the Victor Coal Mining Company.

By same—
A bill for the benefit of the Key's Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works.

27-H. H.
By Mr. Woolfolk, from the same committee—
A bill to incorporate the Guylena Mining and Manufacturing Company.

By same—
A bill to incorporate the Fleming Coal Company.

By same—
A bill to incorporate the Collier Mining and Manufacturing Company.

By same—
A bill to incorporate the Muhlenburg Coal and Iron Company.

By same—
A bill to amend the charter of the Diamond Coal Mining and Manufacturing Company.

By same—
A bill to incorporate the town of Stantonville, in Mason county.

By same—
A bill to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county."

By same—
A bill to incorporate the Society Franco-American of Mutual Assistance of the city of Paducah.

By Mr. Scales, from the same committee—
A bill to amend an act, entitled "An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons."

By same—
A bill to incorporate the Mechanics' Loan and Building Association, of Lexington.

By same—
A bill to incorporate Phantom Lodge, No. 15, of the Knights of Pythias.

By same—
A bill to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky.

By same—
A bill to amend an act, entitled "An act to incorporate the Union and Richwood Turnpike Road Company."

By Mr. Bailey, from the same committee—
A bill to incorporate Walton Lodge, No. 183, of the Independent Order of Odd Fellows.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Graves moved the following resolution, viz:

Resolved, That the Committee on Revised Statutes be directed to prepare and bring in a bill, to make it unlawful for any person in this Commonwealth to sell, give, loan, or hire any pistol, or any other deadly weapon, to any minor in this State, without first having the consent of such parent, guardian, or other person having legal control of such minor, in writing, with suitable penalties imposed for the violation thereof, as soon as may be practicable.

Which was adopted.

Mr. Graves moved the following resolution, viz:

Resolved, That the Committee on Insurance of the House be directed to inquire whether it would or would not be expedient for the State of Kentucky to take charge of the insurance business of this State, whether of fire, marine, or life—that is, to become the insurer herself, and to issue all policies, to all persons citizens of this Commonwealth, or who may be doing business in this State, or who may have property or property interest therein, and to deny the right of insuring any policies to any person or persons as aforesaid by any corporation of insurance, whether chartered by the laws of the State or of any other State—and thus to monopolize all the insurance business of this State to herself, and to receive all of the premiums and profits arising from the insurance business of this State. The net profits of which to go either to the credit of the revenue proper or to the credit of the school fund, thus saving to the people of Kentucky the hundreds of thousands of dollars paid by the people thereof, to build up and to make rich insurance companies of other States, by reason of the exorbitant rates of insurance charged by these insurance companies of other States doing business in this State, especially since the occurrence of the great fires in Chicago and Boston. It is the profits arising upon the insurance of country property and in country towns that creates the wealth of these companies—none of whom are ever broken or greatly injured by reason of fires in the country or in country towns, but by fires in other great cities outside of this State.

Which was referred to the Committee on Insurance.
Mr. Graves moved the following resolution, viz:

Resolved, That it shall be the duty of the Clerk of this House to record in the Journal thereof, immediately after the names of those voting in the affirmative and negative, of those not voting on any call of the yeas and nays.

Which was postponed, and made special order for Wednesday next, at 10½ o'clock, A. M.

Mr. Armstrong moved the following preamble and resolution, viz:

WHEREAS, A great deal of time of this Legislature is spent in proposing local bills for the benefit of common schools in this Commonwealth,

Resolved, That the Committee to whom was referred the report of Commissioners on the revision of the Statutes be requested, at an early day, to report the school bill proposed therein, with such amendments and modifications as they may be pleased to make.

Which were adopted.

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

On motion of Mr. Clay—
1. A bill to amend an act to incorporate the Bourbon Female College, approved March 14, 1872.

On motion of Mr. Williams—
2. A bill authorizing the clerk of the Carter circuit court to procure a general cross-index, and to index and cross-index all the equity and ordinary suits of the docket on file in his office.

On motion of Mr. Ayers—
3. A bill for the benefit of school district No. 2, in Calloway county.

On motion of Mr. Powell—
4. A bill to submit to the qualified voters of this Commonwealth the propriety of prohibiting the sale of ardent spirits in this Commonwealth.

On motion of same—
5. A bill to appropriate money to clear out obstructions in Rockcastle river.

On motion of same—
6. A bill for the benefit of Elias W. Robison, of Jackson county.

On motion of same—
7. A bill in relation to the liquor laws of this Commonwealth.

On motion of Mr. Sellers—
8. A bill to provide for the education of the colored children in Garrard county.
On motion of same—
9. A bill for the benefit of the sheriff of Garrard county.
On motion of Mr. Megibben—
10. A bill to revise and codify the charter of the city of Cynthiana.
On motion of Mr. Carter—
11. A bill for the benefit of the jailer of Lawrence county.
On motion of Mr. Thomas—
12. A bill to amend the act incorporating the Salt Lick, Esculapia, and Mt. Carmel Turnpike Road Company.
On motion of same—
13. A bill authorizing the Lewis county court to levy a tax for the purpose of improving the jail of Lewis county.
On motion of same—
14. A bill to amend the law upon the subject of descent and distribution.
On motion of Mr. Graves—
15. A bill for the benefit of the jailer of Marion county.
On motion of same—
16. A bill to regulate the rates of interest or usury on money.
On motion of Mr. Taylor—
17. A bill to change the time of holding circuit courts in the 5th judicial district.
On motion of Mr. Potter—
18. A bill to preserve the records of the county surveyors of this Commonwealth.
On motion of Mr. Nunan—
On motion of Mr. Blackburn—
20. A bill for the benefit of the Midway Baptist Church, in Woodford county.
On motion of same—
21. A bill for the benefit of the Woodford Cream Cheese Company.
On motion of Mr. Brown—
22. A bill for the benefit of the town of Nicholasville.
On motion of Mr. Sackssteder—
23. A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except bank-
ing and insurance and railroad companies;" approved March 15, 1870.

On motion of same—

24. A bill to re-enact an act, entitled "An act to amend an act, entitled 'An act to regulate the sale of liquors,'" approved February 1, 1870.

On motion of Mr. Ogilvie—

25. A bill to amend the charter of the city of Paducah.

On motion of same—

26. A bill to make valid certain acts of the city council of Paducah.

On motion of same—

27. A bill to amend the charter of the town of Lebanon.

Ordered, That the Committee on Education prepare and bring in the 1st, 3d, and 8th; the Committee on Circuit Courts the 2d and 17th; the Committee on Religion the 4th, 7th, and 24th; the Committee on Internal Improvement the 5th, 6th, 12th, 13th, and 14th; the Committee on Propositions and Grievances the 9th, 20th, and 21st; the Committee on Corporate Institutions the 10th, 22d, and 27th; the Committee on County Courts the 11th, 15th, and 19th; the Committee on Claims the 15th; the Committee on Ways and Means the 16th; the Committee on the Judiciary the 23d; a select committee, consisting of Messrs. Corbett, Trafton, and Ogilvie, the 25th; and a select committee, consisting of Messrs. Corbett, Graves, and Varnon, the 26th.

And then the House adjourned.
MONDAY, FEBRUARY 3, 1873.

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

An act to repeal an act approved March 11, 1871, declaring Roundstone creek, in Rockcastle county, a navigable stream.

An act in relation to the town of South Carrollton.

An act for the benefit of Isaac N. Webb, jailer of Harrison county.

An act for the benefit of Emily S. Tucker, an idiot of Wayne county.

An act for the benefit of A. W. Dudley and D. M. Bowen, citizens of Franklin county.

An act to prohibit the sale of spirituous, vinoles, or malt liquors in Glasgow Junction precinct, in Barren county.

An act to prevent the sale of spirituous liquors near Harmony Church, in Garrard county.

An act for the benefit of the German Evangelical St. Paul Church, of Paducah.

An act to prohibit the sale of ardent spirits in Headquarters, Nicholas county.

An act for the benefit of school district No. 5, in Ballard county.

An act to amend an act, entitled "An act for the benefit of common school district No. 12, in Woodford county."

An act for the benefit of common school district No. 59, Bath county.

An act to amend an act to cause good school-houses to be erected in the eighth and ninth Congressional Districts.

An act in relation to the Murray Male and Female Institute, in common school district No. 35, in Callaway county.

An act for the benefit of common school district No. 8, in Harrison county.

An act to require the owners of stock scales in Boone county to have and keep test weights.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Dallasburg Cemetery Company.
2. An act to legalize the acts of W. N. Roaz, as deputy clerk of the Graves county court.

3. An act for the benefit of John Ewell, jailer of McCracken county.

4. An act to amend an act to incorporate the Laboring Man's Loan and Aid Association of Louisville, approved March 15, 1869.

5. An act for the benefit of the janitor of the Court of Appeals.

6. An act to amend section 16 of an act, entitled "An act to amend an act to incorporate the town of Smith's Grove."

7. An act for the benefit of the town of Bell Point, in Franklin county.

8. An act to prohibit the sale of ardent spirits in Wolfe county.

9. An act to prohibit the destruction of fish by traps, and by seineing and netting in the spawning season, in Barren river and its tributaries, in Allen county.

10. An act for the benefit of J. B. Otter, of Edmonson county.

11. An act to incorporate the Decourcy Station, Taylor Road, and Bank Lick Short Line Turnpike Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 4th, and 6th to the Committee on Corporate Institutions; the 2d to the Committee on County Courts; the 5th to the Committee on Claims; the 6th to the Committee on Ways and Means; the 7th and 8th to the Committee on Religion; the 9th to the Committee on Propositions and Grievances; the 10th to the Committee on the Judiciary; and the 11th to the Committee on Internal Improvement.

Mr. Williams presented a petition of citizens of Olive Hill, Carter county, praying the passage of a law permitting C. H. Scott to take a certain amount of toll on all the grain ground at his steam mill.

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

The Speaker laid before the House a petition of the citizens of the town of Caseyville, Union county, praying that the House may take action with respect to the alleged misconduct of H. A. Pierson, police judge of said town.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.
Leave was given to bring in the following bills, viz:

On motion of Mr. Powell—
1. A bill to repeal an act, entitled "An act to change the line between the counties of Harlan and Letcher."

On motion of Mr. Mynhier—
2. A bill for the benefit of Magoffin county.

On motion of same—
3. A bill for the benefit of school districts Nos. 1 and 12, of Morgan county.

On motion of same—
4. A bill for the benefit of James Brough and Oscar McKenzie, of Morgan county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on County Courts the 2d and 3d; and the Committee on Education the 4th.

On motion, indefinite leave of absence was granted Messrs. Carlisle, Trafton, and Carter.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to declare certain lakes and creeks in Ballard county navigable.

An act to amend an act, entitled "An act to incorporate the White Stone Quarry Company."

An act to authorize the sale of the Clark and Montgomery Turnpike Road, in Clark county.

An act to amend the charter of the St. Bernard Coal Company.

An act for the benefit of the stockholders of the Washington County Agricultural Society.

An act to amend an act, entitled "An act to incorporate Munday's Landing and Harrodsburg Turnpike Road Company, in Mercer county."

An act to amend an act, entitled "An act creating the county of Josh Bell."

An act to authorize Bourbon county to build a court-house.

An act for the benefit of the Garrard county court, and to vest them with certain powers.

An act for the benefit of L. R. Thurman.
An act for the benefit of John L. Farrar, of McCracken county.
An act to authorize the county court of Pendleton county to sell the poor-house property in said county, and reinvest proceeds of said sale.
An act for the benefit of Fleming county.
An act for the benefit of John S. Humphreys.
An act to tax pawnbrokers.
An act for the benefit of the town of Georgetown.
An act to authorize the county court of Pulaski county to sell grounds, levy taxes, and issue bonds to raise money to build a court-house.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Corbett, from a select committee—
A bill to amend the charter of the city of Paducah.

By same—
A bill to legalize certain acts, contracts, and proceedings of the common council of the city of Paducah.

By Mr. Bailey, from the Committee on Corporate Institutions—
A bill for the benefit of the West Point and Elizabethtown Turnpike Company.

By Mr. Woolfolk, from the same committee—
A bill to amend the charter of the town of West Point, in Hardin county.

By same—
A bill to amend an act, entitled "An act to incorporate the Henderson Horseshoe Bend Fence Company.

By same—
A bill to incorporate the St. Joseph's Catholic Benevolent Society, of Frankfort.

By same—
A bill to amend the charter of the town of Livermore, in McLean county.

By same—
A bill to amend an act, entitled "An act to incorporate the Marble City Mining and Manufacturing Company,"

By same—
A bill to amend the charter of the Boone Bridge Company.

By same—
A bill to incorporate the Bath Iron Company.
By Mr. Mynhier, from the same committee—
A bill to incorporate the Rush Branch Coal, Iron, Mining, Lumbering, and Manufacturing Company, in Morgan county.
By Mr. J. D. Wilson, from the Committee on Internal Improvement—
A bill to incorporate the Tradewater Navigation and Manufacturing Company.
By Mr. Ogilvie, from the same committee—
A bill to amend the charter of the Frankfort and Flat Creek Turnpike Road Company.
By same—
A bill to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county.
By same—
A bill to amend an act, entitled "An act to incorporate the Boone Mining and Manufacturing Company," approved February 16, 1866.
By same—
A bill to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.
By Mr. Corbett, from the same committee—
A bill amending an act, entitled "An act incorporating the Vancburg, Quincy, and Springville Turnpike Road Company," approved February 18, 1869.
By same—
A bill amending an act incorporating the Vancburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company.
By same—
A bill to amend an act incorporating the Cabin Creek Turnpike Road Company.
By same—
A bill to amend an act, entitled "An act to incorporate the Vancburg, Quick's Run, and Concord Turnpike Road Company," approved December 17, 1867.
By same—
A bill to amend an act, entitled "An act to incorporate the Salt Lick, Esclapia, and Mount Carmel Turnpike Road Company," approved March 9, 1867.
By Mr. Mynhier, from the Committee on County Courts—
A bill authorizing and empowering the levy court or court of
claims of Magoffin county to increase the county levy, and to levy an ad valorem tax.

By same—
A bill for the benefit of James Brough and Oscar McKenzie, of Morgan county.

By same—
A bill to authorize the Ballard county court to increase the taxes to pay off the debts hereafter created by said county.

By same—
A bill to abolish the quarterly court of Ballard county.

By same—
A bill to facilitate the collection of taxes in the city of Paducah.

By same—
A bill to legalize oral testimony in certain cases in the city of Paducah.

By Mr. W. Evans, from the Committee on Circuit Courts—
A bill authorizing the clerk of the Carter circuit court to procure general index books, and to index and cross-index all the equity and ordinary suits off the docket on file in his office.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Woolfolk, from the Committee on Corporate Institutions—
An act to incorporate the Hopkinsville Car Manufacturing Company.

By same—
An act to amend an act, entitled "An act to amend an act incorporating the town of Calvert City, in Marshall county."
By same—
An act to amend the charter of the town of Carlisle, in Nicholas county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to declare Upper Twin Branch, in Lawrence county, a navigable stream.

By Mr. Rowlett, from the same committee—
An act to amend an act, entitled "An act to incorporate the Bank of Mayfield," approved March 10, 1870.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

On motion of Mr. Reeves, a message was sent to the Senate, asking leave to withdraw therefrom the announcement of the disagreement of the House to a bill, which originated in the Senate, entitled
An act for the benefit of E. W. Hughes, of Logan county.

The message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

And thereupon, Mr. Reeves moved to reconsider the vote by which said bill was disagreed to.

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

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

An act to legalize certain acts, contracts, and proceedings of the common council of the city of Paducah.

Mr. Rowlett, from the Committee on Banks, to whom was referred a bill from the Senate, entitled
An act to provide for the organization and regulating of banking companies, and to repeal various charters,

Reported the same with amendments thereto.

Ordered, That said bill and amendments be printed, and that the consideration thereof be postponed to, and made the special order of the day for, Friday, the 7th inst., at 10½ o'clock, A. M.

Mr. Todd, from the Committee on Banks, who were directed to prepare and bring in the same, reported
A bill for the benefit of the Farmers' Bank of Kentucky.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and the consideration thereof be postponed to, and made special order of the day for, Monday, the 10th inst., at 11 o’clock, A. M.

Mr. Taylor moved to suspend the rules and allow him to offer a joint resolution.

And the question being taken on said motion, it was decided in the negative—no quorum voting thereon.

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

Those who voted in the affirmative, were—

W. W. Ayers, Bryan S. McClure, John P. Rowlett, James W. Snyder,
Thomas H. Corbett, Julian N. Phelps, J. S. Taylor,
James Garnett, Lewis Potter, T. W. Varnon,
Wm. Cassius Goodloe, W. L. Reeves, Jonas D. Wilson—16.
J. P. Hampton, John Rowan,
J. J. McAfee,

Those who voted in the negative, were—

Wm. A. Allen, Walter Evans, Mat. Nunan,
A. C. Armstrong, W. H. Evans, John W. Ogilvie,
G. W. Bailey, M. Woods Ferguson, Samuel M. Sanders,
W. N. Beckham, C. P. Gray, George M. Thomas,
J. C. S. Blackburn, E. Polk Johnson, Harry I. Todd,
William Brown, T. J. Jones, E. F. Waide,
George Carter, J. S. Lawson, J. L. Waring,
James S. Chrisman, G. W. Little, J. M. White,
C. M. Clay, jr., W. A. Morin, Mordecai Williams,
W. W. Deaderick, Wm. Mynhier, F. A. Wilson,

On motion of Mr. Graves, the roll was called, and the following members appeared in their seats, viz:

Mr. Speaker (McCreary)Joseph P. Force, Hiram S. Powell,
Wm. A. Allen, James Garnett, W. L. Reeves,
A. C. Armstrong, E. A. Graves, John Rowan,
W. W. Ayers, C. P. Gray, John P. Rowlett,
G. W. Bailey, J. P. Hampton, Samuel M. Sanders,
W. N. Beckham, E. Polk Johnson, James W. Snyder,
J. C. S. Blackburn, T. J. Jones, J. S. Taylor,
William Brown, J. S. Lawson, George M. Thomas,
Thomas P. Cardwell, G. W. Little, Harry I. Todd,
George Carter, J. J. McAfee, T. W. Varnon,
James S. Chrisman, Bryan S. McClure, E. F. Waide,
Mr. Allen moved the following resolution, viz:

Resolved, That permission will not hereafter be given to any member of this body to absent himself from its deliberations, unless he will, in person, state, upon his word of honor, that his family is sick, or that indispensable business requires his absence.

Mr. Graves moved to amend said resolution by striking out the words "indispensable business."

Mr. Little moved to lay said resolution and amendment on the table.

And the question being taken on the motion of Mr. Little, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

A. C. Armstrong, E. Polk Johnson, John P. Rowlett,
William Brown, J. S. Lawson, James W. Snyder,
Thomas P. Cardwell, G. W. Little, George M. Thomas,
George Carter, J. J. McAfee, Harry L. Todd,
Thomas H. Corbett, W. A. Morin, E. F. Waide,
W. W. Deaderick, J. L. Nall, J. L. Waring,
John W. Dyer, Mat. Nunan, Mordecai Williams,
Walter Evans, John W. Ogilvie, F. A. Wilson,
W. H. Evans, Julian N. Phelps, Jonas D. Wilson,
J. P. Hampton,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) Joseph P. Force, Lewis Potter,
Wm. A. Allen, James Garnett, W. L. Reeves,
W. W. Ayers, E. A. Graves, John Rowan,
G. W. Bailey, C. P. Gray, Samuel M. Sanders,
W. N. Beckham, T. J. Jones, J. S. Taylor,
J. C. S. Blackburn, Bryan S. McClure, T. W. Varnon,
C. M. Clay, Jr.,

Mr. Rowlett then moved to reconsider the vote by which said resolution and amendment were laid on the table.

Mr. Garnett moved to reconsider the vote by which, on Saturday last, a resolution offered by Mr. Armstrong was adopted, instructing
the Committee on the Revision of the Statutes to report that portion thereof relating to common schools.

The House took up a resolution from the Senate, entitled Resolution appointing a joint committee for certain purposes.

Said resolution was concurred in.

And thereupon the Speaker appointed on said committee Messrs. Woolfolk, Powell, Waide, Nall, and Morin.

The House then took up a resolution from the Senate, entitled Resolution concerning State Library.

On motion of Mr. Corbett, the further consideration of said resolution was postponed to, and made special order of the day for, Thursday, the 6th inst., at 10½ o'clock, A.M.

At 12½ o'clock, P.M., Mr. W. Evans moved that the House do now adjourn.

And the question being taken thereon, and no quorum voting, and no call of the roll, or other step to compel an attendance of a majority being taken, the Speaker thereupon declared the House to be adjourned for the want of a quorum until to-morrow at 10 o'clock, A.M.

The yeas and nays on the motion to adjourn being required by Messrs. Graves and Ayers, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, G. W. Little, James W. Snyder,
William Brown, J. J. McAfee, George M. Thomas,
Thomas P. Cardwell, W. A. Morin, J. M. White,
W. W. Deaderick, Wm. Mynhier, F. A. Wilson,
Walter Evans, Mat. Nunan, Jonas D. Wilson,
M. Woods Ferguson,

Those who voted in the negative, were—

Mr. Speaker(M'Creeary)James Garnett, W. L. Reeves,
W. W. Ayers, E. A. Graves, John Rowan,
G. W. Bailey, C. P. Gray, John P. Rowlett,
W. N. Beckham, E. Polk Johnson, Samuel M. Sanders,
J. C. S. Blackburn, T. J. Jones, J. S. Taylor,
George Carter, J. S. Lawson, Harry I. Todd,
James S. Chrisman, Bryan S. McClure, T. W. Varnon,
C. M. Clay, jr., J. L. Nall, E. F. Waide,
Thomas H. Corbett, Julian N. Phelps, J. L. Waring,
Joseph P. Force, Lewis Potter, Mordecai Williams—30

And then the House adjourned.
Mr. Graves presented the petition of James W. Hopper, county attorney for Marion county, acting under authority of the county court of said county, praying the passage of an act for the more efficient collection of the State and county taxes in said county.

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

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

On motion of Mr. McAfee—
1. A bill for the benefit of Mrs. Eugenia C. Lopsley, of Mercer county.

On motion of Mr. Beckham—
2. A bill prescribing the sanitary regulations for the Jefferson county jail.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st, and a select committee, consisting of Messrs. Waide, E. Polk Johnson, and Wright, the 2d.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled,

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties of this Commonwealth."

Also asking leave to withdraw from the House the announcement of the passage by the Senate of a bill, entitled

An act amending an act approved March 9, 1868, entitled "An act fixing the time for the election in this State of Representatives to the Congress of the United States."

Which was granted, and the said bill delivered to the Senate messenger.

Mr. Garnett, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 5, article 2, chapter 83, of the Revised Statutes.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Foote offered an amendment to said bill, which was rejected. The question was then put, "Shall the bill be engrossed and read a third time?" and it was decided in the negative.

And so said bill was rejected.

Mr. Baker, from the Committee on Circuit Courts, to whom were referred bills from the Senate of the following titles, viz:

An act to regulate the time of holding the circuit courts in the counties of Nicholas and Mason;
An act to regulate the time of holding circuit courts in the fifteenth judicial district;

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to an amendment of the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act to reduce into one the several acts concerning the town of Madisonville.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Mynhier, from the Committee on Corporate Institutions—
A bill to amend the town charter of Lebanon.

By same, from the Committee on County Courts—
A bill to require the clerk of the Harrison circuit court to index and cross-index certain cases.

By same—
A bill to authorize the county court of Whitley county to issue bonds to raise funds for county purposes.

By same—
A bill to authorize the Warren county court to employ counsel.

By same—
A bill for the benefit of Washington county, authorizing the
county court of said county to levy and collect taxes to pay its present indebtedness.

By same—
A bill to change the time of holding the Lee county quarterly courts.

By same—
A bill for the benefit of the jailer of Lawrence county.

By Mr. Trafton, from the same committee—
A bill to authorize the court of claims of Oldham county to levy tax for the erection of a new jail.

By same—
A bill to legalize certain orders and proceedings of the Larue county court.

By same—
A bill for the benefit of the Lewis county court.

By Mr. Baker, from the Committee on Circuit Courts—
A bill to regulate official sales of real and personal property, and of settlements of estates, in the counties of Pendleton, Lewis, Bracken, and Hickman.

By Mr. Tucker, from the Committee on Revised Statutes—
A bill for the benefit of Clinton county court of claims.

By same—
A bill to repeal an act, entitled “An act relating to school district No. 14, in Simpson county.”

By same—
A bill to fix the time of holding terms of circuit courts in the tenth judicial district.

By same—
A bill to incorporate the Mount Sterling Water-works Company.

By same—
A bill to incorporate the Mount Sterling Free Stone Company.

By same—
A bill to incorporate the Enterprise Improvement and Manufacturing Company.

By Mr. Thomas, from the same committee—
A bill in relation to granting tavern license in the Vanceburg election precinct, in Lewis county.

By same—
A bill in relation to the city of Vanceburg.
By same—
A bill for the benefit of James R. Garland, of Lewis county.
By same—
A bill for the benefit of R. B. Lovel, late sheriff of Lewis county.
By Mr. Garnett, from the same committee—
A bill to empower Division No. 129 to convey lot.
By same—
A bill to legalize the proceedings of the Metcalfe county court at its June term 1869.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the location and erection of the Third Lunatic Asylum, and the enlargement of the Western Lunatic Asylum;
An act for the benefit of John DeHart, of Elliott county;
An act for the benefit of Joseph Robinson, late sheriff of Franklin county;
An act for the benefit of M. A. Pickering, late sheriff of Caldwell county, and his deputy;
An act to amend an act, approved March 18, 1872, entitled "An act to incorporate the Church House for Females and Infirmary for the Sick;"
An act to incorporate the Louisville College of Pharmacy;
An act for the benefit of Marshall Morris, of Grayson county;
An act for the benefit of Levi Yocum, sheriff elect of Montgomery county;
An act to amend the charter of the Tug Fork Lead, Iron, Salt, and Oil Mining and Manufacturing Company, approved February 27, 1865;
An act to amend an act incorporating the town of Greensburg;
An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties;

An act for the benefit of, and to reincorporate, the Norton Iron Works;

An act to authorize the Louisville Club, of the city of Louisville, to change its name to the Beargrass Club;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Webster County Chalybeate and Sulphur Springs Company;

An act to incorporate the Nevada and Dixville Turnpike Road Company, in Mercer county;

An act in relation to roads in Breckinridge county;

An act to amend an act to prevent the destruction of fish in Dix river and Hanging Fork;

An act to change the time of holding courts in the seventh judicial district;

An act for the benefit of W. M. Gray, of Trigg county;

An act for the benefit of R. W. Williams, of Christian county;

An act for the benefit of W. H. Jefferson, jailer of Trigg county;

An act for the benefit of Dr. T. B. Jefferson, of Trigg county;

An act to amend an act, entitled "An act to incorporate the Shelbyville Cemetery Company," approved March 1, 1854;

An act for the benefit of Eli H. Murray;

An act to amend the law in relation to porters for the public offices;

An act to amend an act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits, and continue the same, approved March 2, 1872;

An act for the benefit of the German Evangelical St. Paul Church, of Paducah;

An act for the benefit of common school district No. 50, of Bath county;

An act to legalize certain acts, contracts, and proceedings of the common council of the city of Paducah;

An act to amend the charter of the city of Paducah;

An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth;"
Resolution for the benefit of S. Hodge;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
The hour of 11 o'clock, A. M., having arrived, the House, according to order, resumed the consideration of a bill, entitled
A bill to subject the railroads of this Commonwealth to the payment of local and municipal taxes.
Mr. W. Evans offered the following amendment thereto, viz:
Add to said bill: "That the value of all bank stock in this State shall also be subject to taxation for county and municipal purposes, and the assessors shall be required to list the same accordingly; but the owners of said stock shall only be required to pay on the same to the county and city in which they may reside."
Mr. Wright moved to amend the amendment of Mr. Evans, by adding thereto the following, viz:
"Provided, That nothing in this act shall be construed so as to produce any inequality in the taxation of bank stock in this State."
After debate thereon, on motion of Mr. Baker,
Ordered, That the further consideration of said bill and proposed amendments be postponed to, and made special order of the day for, to-morrow, at half-past 11 o'clock, A. M.
And then the House adjourned.
WEDNESDAY, FEBRUARY 5, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the public schools in Louisville.

An act to prohibit the sale of ardent, vinous, malt, spiritual, or intoxicating liquors, or the mixture thereof, in the county of Breathitt.

An act to prohibit the sale of spiritual, vinous, or malt liquors within one mile of Salem Church, in Cumberland county.

An act for the benefit of William Bellis, jailer of Estill county.

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

An act for the various school districts in Hancock county.

An act to amend the charter of Jefferson College, in Jefferson-town.

An act to amend an act, entitled "An act to incorporate the Richmond Cemetery Company," approved January 25, 1848.

An act to amend the charter of the Diamond Coal Mining and Manufacturing Company.

An act to amend an act, entitled "An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons."

An act to legalize oral testimony in certain cases in the city of Paducah.

And that they had passed bills of the following titles, viz:

1. An act authorizing the county court of Bullitt county to grant a tavern license to Charles Rufer.

2. An act to charter the Barren County Bank.

3. An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and establish water-works," approved January 6, 1871.

4. An act to incorporate the Richmond and Three Forks Railroad Company.

5. An act to incorporate the Louisville Coal Field and Atlanta Railroad Company.

Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Religion; the 2d to the Committee on Banks; the 3d to the Committee on the Judiciary; and the 4th and 5th to the Committee on Railroads.

On motion of Mr. Baker, leave was given Mr. Foote to record his vote in the affirmative on the passage of a bill by the House, entitled

A bill authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats.

The following petitions and remonstrances were presented, viz:

By Mr. Tucker—
1. The petition of citizens of Aaron's Run and vicinity, praying the repeal of an act approved 8th March, 1871, prohibiting the sale of intoxicating liquors at said place and in its vicinity.

By Mr. Nunan—
2. The petition of certain citizens of Washington county, praying the passage of an act to remove their county seat.

By Mr. Sellers—
3. The petition of certain citizens of Garrard county, praying that certain damages adjudged against R. F. Scott, late sheriff of Garrard county, may be released.

By Mr. Powell—
4. The petition of certain citizens of Jackson county, praying the passage of a law allowing Elias W. Robinson to build a mill-dam across Station Camp creek.

By Mr. Waring—
5. The petition of citizens of Greenup, praying the passage of a law reducing the rate of ferriage across the Ohio river at said place.

By Mr. Deaderick—
6. The petition of certain citizens of Pendleton county, in regard to the Falmouth and Claysville Turnpike Road.

By Mr. Cooper—
7. The remonstrance of citizens of Maysville and vicinity, against the passage of a bill prohibiting the manufacture of Nitro-Glycerin.

By same—
8. The remonstrance of citizens of Maysville and vicinity, against the passage of an act incorporating the town of Stantonville.

By Mr. Bates—
9. The remonstrance of the members of the bar of Glasgow, against the passage of an act reducing the number of the days of their circuit court.
Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion; the 2d, 3d, and 4th to the Committee on Propositions and Grievances; the 5th to the Committee on Revised Statutes; the 6th to the Committee on Internal Improvement; the 7th and 9th to the Committee on the Judiciary; and the 8th to the Committee on Corporate Institutions.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 5, 1873.

Hon. J. B. McCreary, Speaker of the House of Representatives:

Sir: You will do me the honor to lay before the House over which you preside, for the information of the General Assembly, the receipts and expenditures of the Blind Asylum for the year ending the 31st of December, 1872, which I herewith transmit to you.

With great respect,

Your obedient servant,

D. HOWARD SMITH, Auditor.

[For Report—see Legislative Document No. 16.]

On motion of Mr. Jessee,

Ordered, That the Public Printer print five hundred copies of said report.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 4, 1873.

Hon. J. B. McCreary, Speaker of the House of Representatives:

Sir: I herewith transmit you, for the information of the General Assembly, the receipts and expenditures of the Deaf and Dumb Asylum for the year ending the 31st of October, 1872.

I have the honor to be,

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, Auditor.

[For Report—see Legislative Document No. 17.]

On motion of Mr. Jessee,

Ordered, That the Public Printer print five hundred copies of said report.

30-8. R.
Mr. Clay moved to reconsider the vote by which, on yesterday, the House refused to order to be engrossed and read a third time a bill, entitled
A bill to amend section 5, article 2, chapter 83, of the Revised Statutes.
The House then, according to order, took up for consideration a resolution offered by Mr. Graves on Saturday last, directing the Clerk to enter on the Journal the names of members not voting on a call of the yeas and nays.
Mr. W. Evans moved to lay said resolution on the table.
And the question being taken on said motion, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Graves and Armstrong, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on the adoption of said resolution, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Graves and Dyer, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) James Garnett, W. L. Reeves,
Wm. A. Allen, E. A. Graves, John Rowan,
W. W. Ayers, C. F. Gray, Samuel M. Sanders,
R. Tarby Baker, George M. Jesse, J. S. Taylor,
Alphens W. Bascom, T. J. Jones, Joseph T. Tucker,
W. N. Beckham, J. S. Lawson, E. F. Waide,
J. C. S. Blackburn, J. J. McAllee, J. L. Waring,
W. B. M. Brooks, Bryan S. McClure, C. H. Webb,
Robert M. Carlisle, W. A. Morin, J. M. White,
William G. Conrad, Wm. Mynhier, Mordecai Williams,
C. D. Foote, Julian N. Phelps,

Those who voted in the negative, were—

G. W. Bailey, John W. Dyer, Lewis Potter,
W. R. Bates, Walter Evans, Hiram S. Powell,
John A. Bell, W. H. Evans, John P. Rowlett,
Church H. Blakey, M. Woods Ferguson, J. P. Sacksteder,
Wm. F. Bond, Joseph P. Force, C. C. Scales,
William Brown, Wm. Cassius Goodloe, William Sellers,
J. P. Hampton,
W. W. Bush, James W. Snyder,
Thomas P. Cardwell, Wm. A. Hoskins, George M. Thomas,
John S. Carpenter, E. Poik Johnson, C. W. Threlkeld,
B. E. Cassilly, Thomas M. Johnson, Harry J. Todd,
James S. Chrisman, G. W. Little, L. W. Trafton,
C. M. Clay, Jr., William J. McElroy, T. W. Varnon,
J. Guthrie Coke, T. J. Megibbon, F. A. Wilson,
Josiah H. Combs, J. G. Moorman, Jonas D. Wilson,
R. L. Cooper, J. L. Nall, J. N. Woods,

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Commissioners appointed to revise the Statutes of this Commonwealth are hereby discharged from further duty, and that they be compensated according to the law relating thereto for labor already performed; and further, that the remainder of the revision be intrusted to the Joint Committee that has been raised to revise the partial report of said Commissioners.

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

Whereas, It has been made known to this General Assembly, that persons descending the Kentucky river with coal to Frankfort, are required to pay a heavy city tax before they are permitted to retail
their coal to the citizens of Frankfort or vicinity, which is a great hardship, not only to the seller, but the buyer; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That hereafter, any person or persons descending the Kentucky river, and reaching Frankfort, may, without city tax or restriction, be allowed to retail or sell their coal by retail or otherwise.

The House then, according to order, took up for further consideration a bill, entitled

A bill to increase the salaries of the Superintendent of Public Instruction and his clerk.

Mr. Gray moved to recommit said bill to the Joint Committee on the Revision of the Statutes.

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

Mr. Chrisman then moved an amendment to said bill, which was rejected.

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

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the salary of the Superintendent of Public Instruction be, and the same is hereby, increased to the sum of three thousand dollars.

§ 2. That the salary of the clerk of the Superintendent of Public Instruction be, and the same is hereby, increased to the sum of twelve hundred dollars.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

B. E. Cassilly, J. J. McAfee, C. H. Webb,
James S. Chrisman, T. J. Meggibbon, Mordecai Williams,
C. M. Clay, Jr., W. A. Morin, Jonas D. Wilson,
J. Guthrie Coke, J. L. Nall, J. N. Woods,
William G. Conrad,

Those who voted in the negative, were—

W. W. Ayers, George M. Jessee, W. L. Reeves,
G. W. Bailey, Thomas M. Johnson, John Rowan,
W. R. Bates, T. J. Jones, Samuel M. Sanders,
Thomas P. Cardwell, G. W. Little, William Sellers,
Robert M. Carlisle, Bryan S. McClure, J. S. Taylor,
John W. Dyer, William J. McElroy, George M. Thomas,
James Garnett, J. C. Moorman, J. M. White,
E. A. Graves, Wm. Mynhier, F. A. Wilson,
J. P. Hampton,

Resolved, That the title of said bill be as aforesaid.

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

On motion of Mr. Garnett—

1. A bill to enable the counties in this State through which the Cincinnati Southern Railway passes to pay for and secure the right of way.

On motion of Mr. Bond—


On motion of Mr. Williams—

3. A bill to amend an act, entitled "An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years to build a school-house in said district."

On motion of same—

4. A bill to incorporate the Miners' Union, of Boyd and Carter counties.

On motion of same—

5. A bill authorizing C. H. Scott to take the one sixth of all the grain ground at his steam mill in Carter county.

On motion of same—

6. A bill to incorporate the Oakland Iron Company.

On motion of Mr. Dyer—

7. A bill to organize the Morganfield public school.

On motion of same—

8. A bill to regulate the jurisdiction of the circuit court and court of common pleas of Union and Henderson counties.
On motion of Mr. F. A. Wilson—
9. A bill to fix a standard weight for unslacked lime.

On motion of Mr. Walter Evans—
10. A bill to amend section 15 of chapter 24, Revised Statutes.

On motion of Mr. Tucker—
11. A bill to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.

On motion of same—

On motion of same—
13. A bill for the benefit of the Lexington and Winchester Turnpike Road Company.

On motion of same—

On motion of same—
15. A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

On motion of Mr. Woods—
16. A bill submitting to the voters of each county or voting district in this Commonwealth the question of license to retail spirituous or malt liquors.

On motion of Mr. Goodloe—
17. A bill to create a lien in favor of real estate agents in certain localities.

On motion of same—
18. A bill to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

On motion of Mr. Ferguson—
19. A bill to amend the charter of the Louisville Water Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st, 14th, and 15th; the Committee on Agriculture and Manufactures the 2d; the Committee on Education the 3d and 7th; the Committee on Corporate Institutions the 4th, 6th, 11th, 18th, and 19th; the Committee on Propositions and Grievances the 5th; the Committee on the Judiciary the 8th; the Committee on County Courts the 9th; the Committee on Revised Statutes the 10th and 17th; the Committee on Banks the 12th; the Committee on Claims the 13th; and the Committee on Religion the 16th.
Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the Strangers' Rest Lodge, No. 13, I. O. O. F., Henderson, Kentucky;

An act to amend an act, entitled "An act to incorporate the Bank of Mayfield," approved March 10, 1870;

An act to incorporate the Hopkinsville Car Manufacturing Company;

An act to declare Upper Twin Branch, in Lawrence county, a navigable stream;

An act to amend an act, entitled "An act to amend an act incorporating the town of Calvert City, in Marshall county;"

An act to amend the charter of the town of Carlisle, in Nicholas county;

Resolution appointing a joint committee for certain purposes.

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Crofton, in Christian county;

An act for the benefit of Elizabeth M. Johnson;

An act for the benefit of Simon Humphreys, late sheriff of Nelson county, and his sureties;

An act to repeal an act approved March 11, 1871, declaring Roundstone creek, in Rockcastle county, a navigable stream;

An act for the benefit of Isaac N. Webb, jailer of Harrison county;

An act for the benefit of Emily S. Tucker, an idiot of Wayne county;

An act for the benefit of A. W. Dudley and D. M. Bowen, citizens of Franklin county;

An act to prohibit the sale of spirituous, vinous, or malt liquors in Glasgow Junction precinct, in Barren county;

An act to prevent the sale of spirituous liquors near Harmony Church, in Garrard county;

An act to prohibit the sale of ardent spirits in Headquarters, Nicholas county;

An act for the benefit of school district No. 5, in Ballard county;

An act to amend an act, entitled "An act for the benefit of common school district No. 12, in Woodford county;"

An act to amend an act to cause good school-houses to be erected in the eighth and ninth Congressional Districts;
An act in relation to the Murray Male and Female Institute, in common school district No. 35, in Calloway county;
An act for the benefit of common school district No. 8, in Harrison county;
An act to require the owners of stock scales in Boone county to have and keep test weights;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
The House then, according to order, resumed the further consideration of a bill, entitled
A bill to subject the railroads of this Commonwealth to the payment of State and municipal taxes,
With the amendments proposed thereto.
Mr. Wright then withdrew his proposed amendment to the amendment offered by Mr. Evans.
After discussion thereon, on motion of Mr. Scales, the further consideration of said bill and proposed amendment was postponed to, and made special order of the day for, to-morrow, at 11 o'clock, A. M.
And then the House adjourned.

THURSDAY, FEBRUARY 6, 1873.

Mr. Hoskins presented the petition of the trustees of the Danville Theological Seminary, and of citizens of Boyle county, praying that certain property belonging to said seminary may be exempted from taxation.
Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.
On motion, indefinite leave of absence was granted Messrs. Nall and Goodloe.
A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled
An act to protect the navigation of Beech Fork of Salt river, in Nelson county.
That they had passed a bill, which originated in the House of Representatives, entitled
An act to amend an act, entitled "An act to build a turnpike road in Lewis and Mason counties."

And that they had passed bills of the following titles, viz:
1. An act to locate and define the county line between Estill and Lee counties.
2. An act authorizing the sale of the poor-house farm in Estill county.
3. An act authorizing the Cumberland county court to change the name of Sarah C. Shey.
5. An act to charter the Ohio River, Owenton, and Lexington Railway Company.
6. An act authorizing the trustees of the town of Barbourville to guarantee to the first railroad company making a railroad through Knox county sufficient land in said town, or adjacent thereto, for a depot.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, 3d, and 4th to the Committee on County Courts, and the 5th and 6th to the Committee on Railroads.

A message was also received from the Senate, asking to withdraw from the House the announcement of their passage of a bill, which originated in the Senate, entitled
An act authorizing the county court of Bullitt county to grant a tavern license to Charles Rufer.

Which was granted, and the said bill delivered to the Senate messenger.

Mr. Trafton 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 inquire and report what additional work and appropriations are necessary to furnish the new wing to the Capitol, known as Fire-proof Offices, and prepare the rooms therein for the use of this General Assembly and the State
officers; and that they also inquire and report what facilities and conveniences are or may be offered at other places for the location of the Seat of Government.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That the population of this State now exceeds one million five hundred thousand, and it is the sense of this General Assembly that the State should be divided into twenty-four judicial districts; therefore,

Resolved further, That a committee of eight members—five on the part of the House, to be appointed by the Speaker, and three on the part of the Senate, to be appointed by the Speaker—he appointed, and are instructed to bring in a bill dividing the State into twenty-four judicial districts, having due regard to business, territory, and population, and providing for the election of the additional judges and holding of the courts in said districts.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses of the General Assembly adjourn on Monday, the 24th day of February, inst., they will adjourn sine die.

On motion of Mr. Woods,

Ordered, That a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of a bill, entitled

An act to incorporate the Tradewater Navigation and Manufacturing Company.

The message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

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

On motion of Mr. Todd—
1. A bill for the benefit of Nancy Morton, of Franklin county.
On motion of Mr. Woolfolk—
2. A bill to incorporate the Dozier Mountain Coal Company.
On motion of same—
3. A bill to amend the charter of the town of Earlington.
On motion of same—
4. A bill to charter the Bank of Madisonville.
On motion of Mr. E. Polk Johnson—
5. A bill for the benefit of the sheriff of Jefferson county.
On motion of Mr. Brown—
6. A bill to establish a criminal court in the tenth judicial district.
On motion of same—
7. A bill to increase the pay of officers of election in this Commonwealth.

On motion of Mr. Cook—
8. A bill to give relief to the policy-holders in the Kentucky Insurance Company.

On motion of Mr. Fitzpatrick—
9. A bill for the benefit of Elijah Cornett, of Perry county.

On motion of Mr. Blakey—
10. A bill to provide for the conveyance of convicts to the House of Reform.

On motion of same—
11. A bill to amend the charter of the town of Adairville, in Logan county.

On motion of Mr. Graves—
12. A bill to provide for the collection of the tax delinquent list in Marion county.

On motion of same—
13. A bill to amend the road laws of this Commonwealth.

On motion of Mr. Blakey—

On motion of Mr. S. C. Bell—
15. A bill for the benefit of J. G. Scott, sheriff of Metcalfe county, and his sureties.

On motion of Mr. Flippin—

On motion of Mr. Mynhier—

On motion of same—
18. A bill to declare the State Road Fork of Licking river, in Morgan county, a navigable stream, from its mouth to John Q. A. Bailey's mills.

On motion of same—
19. A bill to declare the Lower Long Branch of Grassy creek, in Morgan county, a navigable stream, from its mouth to opposite the school-house, on Jackson Goodpasters' lands.
On motion of Mr. Beckham—

On motion of Mr. McAfee—
21. A bill for the benefit of John Wilson, of Mercer county.

On motion of same—
22. A bill for the benefit of school district No. 46, in Mercer county.

On motion of same—

On motion of same—

On motion of Mr. Griffith—

On motion of same—
26. A bill to amend the school laws of Owensboro.

Ordered, That the Committee on Prepositions and Grievances prepare and bring in the 1st, 9th, 15th, 16th, and 17th; the Committee on Corporate Institutions the 2d, 3d, 11th, 25th, and 26th; the Committee on Banks the 4th and 14th; the Committee on Circuit Courts the 5th and 6th; the Committee on County Courts the 7th and 23d; the Committee on the Judiciary the 8th; the Committee on Revised Statutes the 18th and 13th; the Committee on Ways and Means the 12th and 21st; the Committee on Internal Improvement the 18th and 19th; the Committee on Agriculture and Manufactures the 20th; the Committee on Education the 22d; and a select committee, consisting of Messrs. Scales, Bascom, and McAfee, the 24th.

Mr. Garnett, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported
A bill to amend an act concerning county courts.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Jessee, from a select committee, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Louisville Stock and Bond Board," approved 18th March, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Waide,

Ordered, That said bill be recommitted to the Committee on Banks.

Mr. Rowlett, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of John Ewell, jailer of McCracken county, Reported the same without amendment.

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 Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of the State in favor of John Ewell, jailer of McCracken county, for whatever amount may be allowed him by the McCracken circuit or common pleas court, for his services in imprisoning, keeping, and providing for James Peay, a prisoner confined in the jail of McCracken county, under an indictment on a charge of murder: Provided, The allowance shall not exceed the fees now prescribed by law for similar services by jailers.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Thomas H. Corbett, Mat. Nunan,
Wm. A. Allen, Joseph M. Davidson, John W. Ogilvie,
A. C. Armstrong, John W. Dyer, Julian N. Phelps,
W. W. Ayers, Walter Evans, Lewis Potter,
G. W. Bailey, M. Woods Ferguson, E. A. Robertson,
R. Tarv. Baker, James B. Fitzpatrick, John Rowan,
Alphens W. Bascom, Manlius T. Flippin, John P. Rowlett,
W. R. Bates, C. D. Foote, J. P. Sacksteder,
W. N. Beckham, Joseph P. Force, Samuel M. Sanders,
John A. Bell, E. A. Graves, C. C. Scales,
S. C. Bell, C. P. Gray, William Sellers,
Wm. F. Bond, Clinton Griffith, James W. Snyder,
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W. B. M. Brooks, J. P. Hampton, J. S. Taylor,
William Brown, Wm. A. Hoskins, George M. Thomas,
W. W. Bush, E. Polk Johnson, C. W. Threikeld,
Thomas P. Cardwell, Thomas M. Johnson, Harry I. Todd,
Robert M. Carlisle, T. J. Jones, L. W. Trafton,
John S. Carpenter, J. S. Lawson, Joseph T. Tucker,
B. E. Cassilly, G. W. Little, T. W. Varnon,
James S. Chrisman, J. J. McAfee, E. F. Waide,
E. M. Clay, jr., Bryan S. McClure, J. M. White,
J. Guthrie Coke, William J. McElroy, Mordecai Williams,
Josiah H. Combs, T. J. Megibben, F. A. Wilson,
William G. Conrad, J. C. Moorman, Jonas D. Wilson,
R. D. Cook, W. A. Morin, J. N. Woods,

These who voted in the negative, were—

Church H. Blakey, W. L. Reeves—2.

Resolved, That the title of said bill be as aforesaid.

Mr. McAfee, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of N. E. Hobbs, of Mercer county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The House then, according to order, took up and proceeded further to consider a bill, entitled

A bill to subject the railroads of this Commonwealth to the payment of local and municipal taxes,

With the amendment proposed thereto.

After debate thereon, on motion of Mr. Brown,

Ordered, That the further consideration of said bill and proposed amendment be postponed to, and made special order of the day for, to-morrow, at 11 o’clock, A. M.

And then the House adjourned.
FRIDAY, FEBRUARY 7, 1873.

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

- An act for the benefit of Levi Jones, of Greenup county.
- An act authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats.
- An act to incorporate the town of Springville, in Greenup county.
- An act to amend the charter of the town of Georgetown.
- An act in relation to the transfer of the property of the Harrison Academy to the city of Cynthiana.
- An act to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county."
- An act to amend the charter of the town of West Point, in Hardin county.

And that they had passed bills of the following titles, viz:

1. An act in relation to the collection of delinquent taxes that may be owing the county of Nelson.
2. An act to exempt the counties of Estill and Lee from the provisions of section 14, chapter 67, of the Revised Statutes.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means, and the 2d to the Committee on County Courts.

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

On motion of Mr. Mynhier—

1. A bill to declare the Rockhouse Fork of Licking river a navigable stream.

On motion of same—

2. A bill for the benefit of George Sublett, of Elliott county.

On motion of Mr. Jones—

3. A bill for the benefit of Pauline J. Chaney, an idiot.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Claims the 2d; and the Committee on the Judiciary the 3d.
On motion of Mr. Foote, the House took up from the orders of the day, and proceeded to consider further, a bill, entitled
A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors.
On motion of Mr. Foote, said bill was recommitted to a select committee, consisting of Messrs. Baker, Sacksteder, and Foote, with instructions to report thereon on Tuesday next, at half-past 10 o'clock, A. M.
A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties in this Commonwealth."
An act to legalize certain acts, contracts, and proceedings of the common council of the city of Paducah.
An act to amend the charter of the city of Paducah.
An act in relation to roads in Breckinridge county.
An act to change the time of holding courts in the seventh judicial district.
An act for the benefit of Dr. T. B. Jefferson, of Trigg county.
An act for the benefit of W. H. Jefferson, jailer of Trigg county.
An act to amend an act to require the clerk of the Louisville chancery court to make a cross-index to suits and cross-suits, and continue the same, approved March 2, 1872.
An act to amend the law in relation to porters for the public offices.
An act in relation to the Murray Male and Female Institute, in common school district No. 35, in Calloway county.
An act to prohibit the sale of spirituous, vinous, or malt liquors in Glasgow Junction precinct, in Barren county.
An act to prohibit the sale of ardent spirits in Headquarters, Nicholas county.
An act to amend an act, entitled "An act for the benefit of common school district No. 12, in Woodford county."
An act for the benefit of A. W. Dudley and D. M. Bowen, citizens of Franklin county.
An act to prevent the sale of spirituous liquors near Harmony Church, in Garrard county.

An act for the benefit of Elizabeth M. Johnson.

An act for the benefit of Emily S. Tucker, an idiot of Wayne county.

An act for the benefit of common school district No. 8, in Harrison county.

An act to repeal an act approved March 11, 1871, declaring Roundstone creek, in Rockcastle county, a navigable stream.

An act to incorporate the town of Crofton, in Christian county.

An act for the benefit of school district No. 5, in Ballard county.

An act for the benefit of Simon Humphreys, late sheriff of Nelson county, and his sureties.

An act to amend an act to cause good school-houses to be erected in the eighth and ninth Congressional Districts.

An act to require the owners of stock scales in Boone county to have and keep test weights.

An act for the benefit of Isaac N. Webb, jailer of Harrison county.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the time of holding circuit courts in the fifteenth judicial district;

An act to regulate the time of holding the circuit courts in the counties of Nicholas and Mason;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to reduce into one the several acts concerning the town of Madisonville;

An act authorizing the clerk of the Lewis county court to make out a new cross-index to deeds recorded in the clerk's office of the Lewis county court;

An act in relation to the town of South Carrollton;

An act to amend the charter of Jefferson College, in Jefferson town;

An act for the various school districts in Hancock county;

An act to amend an act, entitled "An act to incorporate the Richmond Cemetery Company," approved January 25, 1848, 32-\(\text{II}\). a.
An act to amend the charter of the Diamond Coal Mining and Manufacturing Company;
An act to amend an act, entitled "An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons;"
An act to legalize oral testimony in certain cases in the city of Paducah;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Reeves inform the Senate thereof.
The following remonstrance and petitions were presented, viz:
By Mr. Griffith—
1. The remonstrance of citizens of Ohio county, against the creation of the proposed new county out of parts of Ohio and Daviess counties.
By Mr. Trafton—
2. The petition of citizens of Henderson county, praying the submission to vote an act to prohibit the sale of liquors in and near Spottsville.
By Mr. Todd—
3. The petition of citizens of Peak's Mill precinct, in Franklin county, praying the repeal of the law prohibiting the sale of liquor in said precinct.
By Mr. Moorman—
4. The petition of the trustees of the town of Paradise, praying for an extension of their corporate limits.
By Mr. Arnold—
5. The petition of citizens of school district No. 2, in Hickman county, praying the repeal of an act approved 10th March, 1871, entitled "An act authorizing the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes."
By Mr. Griffith—
6. The petition of sundry members of the bar of Kentucky, praying an appropriation of one year's salary to the widow and family of the late Judge Kavanaugh, in consideration of his services to the State.
Which were received, the reading dispensed with, and referred—the 1st and 4th to the Committee on Propositions and Grievances; the 2d to the Committee on Religion; the 3d to the Committee on Corporate Institutions; the 5th to the Committee on Education; and the 6th to the Committee on Claims.
Mr. Coke, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act for the benefit of Charles M. Thruston, clerk of the Jefferson county court,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Garnett, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:
A bill to amend an act, entitled "An act to regulate sales made under decrees of the Barren circuit court."
A bill to repeal an act, entitled "An act to repeal an act to organize Urania district, in Barren county."
A bill amending an act approved February 26, 1862, entitled "An act to amend the Revised Statutes in regard to filling vacancies in the office of sheriff."
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being 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. Foote,
Ordered, That a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of a bill, entitled
An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky.
Said message being delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.
And thereupon the votes by which said bill was ordered to be engrossed and read a third time, and by which the same was passed,
were, on motion of Mr. Foote, reconsidered, and the same recom-mitted to a select committee, consisting of Messrs. Foote, Scales, and Trafton.

On motion of Mr. Todd,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, entitled

An act to incorporate the St. Joseph's Catholic Benevolent Society, of Frankfort.

The message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

On motion of Mr. Cooper,

*Ordered*, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, entitled

An act to incorporate the town of Stantonville, in Mason county.

The message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

And thereupon, on motion of Mr. Cooper, the votes by which said bill was ordered to be engrossed and read a third time, and by which said bill was passed, were reconsidered.

On motion of Mr. Cooper, said bill was recommitted to the Committee on Corporate Institutions.

The House then, according to order, took up and resumed the consideration of a bill from the Senate, with the amendments proposed thereto, entitled

An act to provide for the organization and regulation of banking companies, and to repeal various charters.

On motion of Mr. Waide, the further consideration of said bill and proposed amendments were postponed to, and made special order of the day for, Wednesday, 12th inst., at 11 o'clock, A. M.

Mr. Garnett, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend section 1, article 26, chapter 27, Revised Statutes.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The further consideration of said bill was cut off by the arrival of the hour for taking up a special order.
The hour of 11 o'clock, A. M., having arrived, the House then, according to order, took up and resumed the further consideration of a bill, with the amendments proposed thereto, entitled

A bill to subject the railroads of this Commonwealth to the payment of State and municipal taxes.

Mr. W. Evans withdrew the amendment heretofore proposed by him.

Mr. Clay then offered the following amendment to the bill, viz:

Add thereto: "Provided, That every part of a railroad shall be exempt from the provisions of this act until such part shall have been completed and operated five years."

Mr. Blakey offered the following substitute for the bill and proposed amendment.

Strike out all after enacting clause and insert the following, viz:

§ 1. That all the railroads in this Commonwealth shall be taxable for county purposes as other property is now taxable situated in such counties, and said roads shall be valued for such taxation as they are now valued for State revenue purposes, and no higher: Provided, That no unfinished part of a railroad shall be taxable; and provided, that no road nor part thereof shall be taxable to pay debts, or interest thereon, incurred to build such railroad.

§ 2. This act shall take effect on and after its passage.

Mr. Chrisman then moved to lay the bill and proposed amendments on the table.

On motion of Mr. Baker, the roll was called, when the following members responded to their names, viz:

The question was then taken on the motion of Mr. Chrisman, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), John W. Dyer, W. L. Reeves,
A. C. Armstrong, Walter Evans, E. A. Robertson,
A. S. Arnold, James B. Fitzpatrick, John P. Rowlett,
John A. Bell, C. D. Foote, J. P. Sacksteder,
Church H. Blakey, Wm. Cassius Goodloe, J. R. Sanders,
Wm. F. Bond, Clinton Griffis, C. C. Scales,
W. B. M. Brooks, J. P. Hampton, James W. Snyder,
William Brown, Wm. A. Hoskins, George M. Thomas,
Thomas P. Cardwell, Thomas M. Johnson, C. W. Threlkeld,
Robert M. Carlisle, J. S. Lawson, Harry I. Todd,
John S. Carpenter, G. W. Little, L. W. Tratton,
B. E. Cassilly, William J. McElroy, T. W. Varnum,
James S. Chrisman, T. J. Megibben, E. F. Waide,
J. Guthrie Coke, J. C. Moorman, Mordecai Williams,
Josiah H. Combs, Wm. Mynhier, F. A. Wilson,
William G. Conrad, Lewis Potter, Jonas D. Wilson,

Those who voted in the negative, were—

Wm. A. Allen, Thomas H. Corbett, Mat. Nunan,
W. W. Ayers, W. W. Denderick, John W. Ogilvie,
G. W. Bailey, M. Woods Ferguson, Julian N. Phelps,
R. Tarv. Baker, Manlius T. Flippin, John Rowan,
Alpheus W. Bascom, Joseph P. Force, Samuel M. Sanders,
W. R. Bates, James Garnett, J. S. Taylor,
W. N. Beckham, E. A. Graves, J. L. Waring,
S. C. Bell, C. P. Gray, C. H. Webb,
J. C. S. Blackburn, T. J. Jones, J. M. White,
W. W. Bush, Bryan S. McClure, J. N. Woods,
R. D. Cook, W. A. Morin,

Mr. W. Evans moved to reconsider the vote by which said bill and amendments were laid on the table.

Mr. Sacksteder moved to lay the motion of Mr. Evans on the table.
And the question being taken on the motion of Mr. Sacksteder, it was decided in the affirmative.

When the name of Mr. E. Polk Johnson was called on the motion of Mr. Chrisman, he rose and stated that he had paired off with Mr. Tucker, who favored the bill; but that he was opposed to the original bill and amendments, and would therefore, if voting at all, vote to lay the same on the table.

And then the House adjourned.

SATURDAY, FEBRUARY 8, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the location and erection of the Third Lunatic Asylum, and the enlargement of the Western Lunatic Asylum.

An act to amend an act, entitled "An act to amend an act incorporating the town of Calvert City, in Marshall county."

An act to incorporate the Strangers' Rest Lodge, No. 13, I. O. O. F., Henderson, Kentucky.

An act to declare Upper Twin Branch, in Lawrence county, a navigable stream.

An act to amend the charter of the town of Carlisle, in Nicholas county.

An act partitioning the Fairfield and Samuels' Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox's Creek Turnpike Road Company, and the Samuels' Depot and Cox's Creek Turnpike Road Company.

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

An act to prohibit the sale of spirituous, vinous, or malt liquors in the Clintonville precinct in Bourbon county.
An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of Pleasant Grove Church or schoolhouse, at the fork of Stinson creek, in Carter county.

An act to prohibit the sale of spirituous liquors in the town of Powersville, Bracken county.

An act to authorize the county court of Whitley county to issue bonds to raise funds for county purposes.

And that they had passed bills of the following titles, viz:
1. An act to amend the charter of the city of Hopkinsville.
2. An act to incorporate the St. Catherine’s Convent of Sisters of Mercy.
3. An act to amend the charter of the Frankfort Lumber, Brick, and Implement Manufacturing Company.
4. An act to amend section 77 of the Civil Code of Practice.
5. An act to incorporate the Wilson Coal and Mining Company.
6. An act for the benefit of common schools of Perry county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, and 3d to the Committee on Corporate Institutions; the 4th to the Committee on Codes of Practice; the 5th to the Committee on Railroads; and the 6th to the Committee on Education.

On motion of Mr. Ogilvie,

Ordered, That a committee be appointed, to act with such committee as may be appointed by the Senate, to wait upon the Governor, and request him to return to the House unsigned a bill which originated in the House of Representatives, entitled

An act for the benefit of the German Evangelical St. Paul Church, of Paducah.

And thereupon Messrs. Ogilvie, McClure, and T. M. Johnson, were appointed said committee.

On motion of Mr. Todd, the vote by which the House ordered to be engrossed and read a third time, and the vote by which it passed a bill, entitled

An act to incorporate the St. Joseph’s Catholic Benevolent Society, of Frankfort,

Were reconsidered.
On motion of Mr. Todd, said bill was recommitted to the Committee on Corporate Institutions.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to amend the charter of Adairville.

By Mr. Cassilly, from the Committee on Internal Improvement—
A bill to amend the charter of the Orangeburg and Tollsboro Turnpike Road, in Mason county.

By Mr. Waring, from the Committee on Railroads—
A bill to incorporate the Cairo and Tennessee River Railroad Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Trafton, from a select committee, to whom was recommitted a bill, entitled

A bill to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky,

Reported the same with an amendment thereto, which was adopted.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Said bill having been reported to the Senate, a message was afterwards received therefrom, announcing that they had passed said bill.

On motion, indefinite leave of absence was granted Messrs. Woods, Foree, Brown, W. H. Evans, Goodloe, J. D. Wilson, Ogilvie, and Ayers.
A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common school district No. 59, of Bath county.

An act for the benefit of W. M. Gray, of Trigg county.

An act for the benefit of the German Evangelical St. Paul’s Church, of Paducah.

An act for the benefit of R. W. Williams, of Christian county.

An act to amend an act, entitled “An act to incorporate the Shelbyville Cemetery Company,” approved March 1, 1854.

An act for the benefit of Eli H. Murray.

An act to incorporate the Webster County Chalybeate and Sulphur Springs Company.

An act to amend the charter of the Fox Run and Bullskin Turnpike Road Company, in Shelby county.

An act for the benefit of Wilson Morgan, collector of the revenue of Clay county for the year 1870, and his securities.

An act for the benefit of Fleming county.

An act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county.

An act to incorporate the Nevada and Dixville Turnpike Road Company, in Mercer county.

An act for the various school districts in Hancock county.

The following petitions and remonstrance were presented, viz:

By Mr. Rowlett—
1. The petition of sundry citizens of Hardyville, praying the passage of an act giving to the police judge of said town exclusive jurisdiction in said town, and concurrent jurisdiction with the justices of that district.

By Mr. Foote—
2. The petition of sundry citizens of Covington, praying the repeal of the act exempting the wages of laborers from attachment, &c.

By Mr. Griffith—
3. The remonstrance of citizens and voters of Owensboro, against the passage of a bill imposing an additional tax for school or other purposes, without submitting the same to a vote of the city.
Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on County Courts, and the 3d to the Committee on Corporate Institutions.

On motion of Mr. Scales, leave was given him to withdraw the resolution heretofore offered by him, discharging the Commissioners on the Revision of the Statutes from further service, &c.

Mr. Thomas moved the following resolutions, viz:

Resolved, That it is the sense of this House, that the act authorizing the purchase of Collins' History, to be paid for out of the school fund, is unconstitutional, and ought to be repealed; therefore,

Resolved, That the Committee on Education be instructed to bring in a bill repealing said act.

Mr. Cooper moved to refer said resolutions to the Committee on the Judiciary.

And the question being taken on the motion of Mr. Cooper, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thomas and W. Evans, were as follows, viz:

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<th>Those who voted in the affirmative, were—</th>
<th>Those who voted in the negative, were—</th>
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<td>Mr. Speaker (McCready), R. L. Cooper,</td>
<td>Wm. Cassius Goodloe, Hiram S. Powell,</td>
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<td>John W. Ogilvie, E. F. Wade,</td>
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<td>Julian N. Phelps, J. M. White,</td>
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<td>B. E. Cassilly,</td>
<td>Lewis Potter, F. A. Wilson—37.</td>
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<td>C. M. Clay, Jr., J. Guthrie Coke,</td>
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Mr. Thomas moved the following resolutions, viz:

Resolved, That it is the sense of this House, that the act authorizing the purchase of Collins' History, to be paid for out of the school fund, is unconstitutional, and ought to be repealed; therefore,

Resolved, That the Committee on Education be instructed to bring in a bill repealing said act.

Mr. Cooper moved to refer said resolutions to the Committee on the Judiciary.

And the question being taken on the motion of Mr. Cooper, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Thomas and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

| Mr. Speaker (McCready), R. L. Cooper,   | T. J. Megibben,                                    |
| A. C. Armstrong,                        | W. A. Morin,                                       |
| Alpheus W. Bascom,                      | W. L. Reeves,                                      |
| W. R. Bates,                            | John P. Rowlett,                                   |
| W. N. Beckham,                          | J. R. Sanders,                                     |
| S. C. Bell,                             | C. C. Scales,                                      |
| J. C. S. Blackburn,                     | Harry I. Todd,                                     |
| Church H. Blakey,                       | L. W. Trafton,                                     |
| Wm. F. Bond,                            | T. W. Varnon,                                      |
| W. W. Bush,                             | J. L. Waring,                                      |
| Robert M. Carlisle,                     | C. H. Webb,                                        |
| B. E. Cassilly,                         | Mordecai Williams,                                 |
| C. M. Clay, Jr., J. Guthrie Coke,       | J. M. Wright—41.                                   |
| Wm. A. Allen,                          | Wm. Cassius Goodloe, Hiram S. Powell,              |
| A. S. Arnold,                           | E. A. Graves,                                      |
| W. W. Ayers,                            | C. P. Gray,                                        |
| G. W. Bailey,                           | Thomas M. Johnson,                                 |
| John A. Bell,                           | T. J. Jones,                                       |
| W. B. M. Brooks,                        | C. W. Little,                                      |
| Thomas P. Cardwell,                     | William J. McElroy,                                |
| James S. Chrisman,                      | J. C. Moorman,                                     |
| Josiah H. Combs,                        | Mat. Nunan,                                        |
| William G. Conrad,                      | John W. Ogilvie,                                   |
| R. D. Cook,                             | Julian N. Phelps,                                  |
| Walter Evans,                           | Lewis Potter,                                      |

Those who voted in the negative, were—
Mr. Goodloe read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, that the Auditor of Public Accounts be directed to draw his warrant on the Treasurer, in favor of D. L. Price, of Fayette county, for a sum equal to the per diem of a member of the Legislature from the 6th of December, 1871, up to the 24th of January, 1872, that being the length of time from the filing of his petition contesting the right of W. C. Goodloe to a seat on this floor up to the decision of said contest by this House.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up and twice read.

The question was then taken on the adoption thereof, but not receiving a constitutional majority, was rejected.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), Thomas H. Corbett, G. W. Little,
A. C. Armstrong, W. W. Dederick, M. E. McKenzie,
G. W. Bailey, John W. Dyer, T. J. Megibben,
Alpheus W. Bascom, M. Woods Ferguson, W. A. Morin,
W. R. Bates, James B. Fitzpatrick, Wm. Mynhier,
W. N. Beckham, C. D. Foote, John W. Ogilvie,
John A. Bell, Joseph P. Force, J. R. Sanders,
S. C. Bell, James Garnett, C. C. Scales,
J. C. S. Blackburn, Wm. Cassius Goodloe, Harry I. Todd,
Thomas P. Cardwell, E. A. Graves, L. W. Trafton,
John S. Carpenter, Wm. A. Hoskins, Joseph T. Tucker,
George Carter, Thomas M. Johnson, T. W. Varnon,
C. M. Clay, Jr., L. W. Lassing, Mordecai Williams,

Those who voted in the negative, were—

Wm. A. Allen, Walter Evans, John Rowan,
A. S. Arnold, Manlius T. Flippin, John P. Rowlett,
W. W. Ayers, C. P. Gray, William Sellers,
Church H. Blakey, Clinton Griffith, James W. Snyder,
Wm. F. Bond, T. J. Jones, J. S. Taylor,
W. B. M. Brooks, Bryan S. McClure, George M. Thomas,
W. W. Bush, William J. McElroy, C. W. Threlkeld,
Robert M. Carlisle, J. C. Moorman, E. F. Waide,
B. E. Cassilly, Mat. Nunan, J. L. Waring,
James S. Chrisman, Julian N. Phelps, C. H. Webb,
J. Guthrie Coke, Hiram S. Powell, J. M. White,
R. D. Cook, W. L. Reeves, J. N. Woods,
Mr. Griffith then moved to reconsider the vote by which said resolution was rejected.

At ten minutes past 12 o'clock, P. M., Mr. Goodloe moved that the House do now adjourn.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. W. Deaderick, Julian N. Phelps,
A. C. Armstrong, Walter Evans, Hiram S. Powell,
G. W. Bailey, M. Woods Ferguson, John P. Rowlett,
Alphens W. Bascom, James Garnett, J. R. Sanders,
James S. Chrisman, Wm. Cassins Goodloe, James W. Snyder,
C. M. Clay, jr., G. W. Little, C. W. Threlkeld,
Josiah H. Combs, J. J. McAfee, J. M. White,
Thomas H. Corbett, John W. Ogilvie,

Those who voted in the negative, were—

Wm. A. Allen, R. D. Cook, Lewis Potter,
A. S. Arnold, C. D. Foote, W. L. Reeves,
W. W. Ayers, Joseph P. Foree, E. A. Robertson,
W. R. Bates, E. A. Graves, John Rowan,
W. N. Beckham, C. P. Gray, Samuel M. Sanders,
John A. Bell, Wm. A. Hoskins, C. C. Scales,
S. C. Bell, Thomas M. Johnson, J. S. Taylor,
J. C. S. Blackburn, T. J. Jones, George M. Thomas,
Church H. Blakey, Bryan S. McClure, Harry I. Todd,
Wm. F. Bond, William J. McElroy, T. W. Varnon,
W. W. Bush, M. E. McKenzie, E. F. Waide,
Robert M. Carlisle, T. J. Megibben, C. H. Webb,
B. E. Cassily, J. C. Moorman, Mordecai Williams,
J. Guthrie Coke, Wm. Mynhier, J. N. Woods,

So the House refused to adjourn at this hour.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, It shall be a joint standing rule of each House, for the remainder of the present session, that the roll of members of each House be called by the Clerk thereof, at 10½ o'clock, A. M., each day.

2. That the Clerk of each House shall carefully note the absence of each member failing to answer on such call.

3. The member absent at such call shall forfeit his per diem for that day.
4. The Clerk of each House shall, at the close of each day, notify the Auditor of the names of those thus absent, who shall deduct the per diem of that day from the pay of such member: Provided, however, That leave of absence, for reasons shown, may be given any member, and for such absence the member so absent shall not forfeit his per diem under this rule.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up and twice read.

On motion of Mr. Goodloe, said resolution was referred to the Committee on the Judiciary.

Mr. Graves then moved to reconsider the vote by which said resolution was so referred.

Mr. Foote moved to lay the motion of Mr. Graves on the table.

The consideration of said motion was cut off by the arrival of the hour for taking up the orders of the day.

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

On motion of Mr. Threlkeld—
1. A bill to incorporate the Young Men's Savings Association of New Liberty, Owen county.

On motion of Mr. J. A. Bell—

On motion of Mr. Nunan—
3. A bill to amend the charter of the Springfield and Chaplin Turnpike Road Company, in Washington county.

On motion of Mr. Bailey—
4. A bill to repeal an act, entitled “An act to prohibit the sale of intoxicating liquor in the town of Claysville, in Webster county.”

On motion of Mr. Little—
5. A bill to authorize the county court of Whitley county to sell certain public grounds.

On motion of same—
6. A bill to establish a criminal court in the fifteenth judicial district.

On motion of same—
7. A bill for the benefit of F. B. Creekmore, of Whitley county.

On motion of Mr. Blackburn—
8. A bill for the benefit of Newton Craig, of Scott county.

On motion of Mr. Chrisman—
9. A bill to appropriate a sum sufficient to erect a suitable monu-
ment over the remains of Ephraim L. Van Winkle, late Secretary of State.

On motion of Mr. McElroy—
10. A bill to repeal so much of an act, entitled “An act to erect a Third Lunatic Asylum,” as appropriates one hundred thousand dollars to enlarge the Western Lunatic Asylum at Hopkinsville.

On motion of Mr. Corbett—
11. A bill to incorporate Corbett’s Cemetery, in or adjoining the town of Blandville, in Ballard county.

On motion of same—

On motion of Mr. Bates—
13. A bill for the benefit of school district No. 5, in Barren county.

On motion of Mr. Bascom—
14. A bill for the benefit of James Wills, of Menifee county.

On motion of same—
15. A bill to incorporate the Exchange and Deposit Bank of Owingsville.

On motion of Mr. Clay—
16. A bill for the benefit of the Stoner Mouth congregation of the Presbyterian Church, Bourbon county.

On motion of Mr. Williams—
17. A bill to amend an act, entitled “An act to incorporate the Big Sandy Highway Bridge Company.”

On motion of same—
18. A bill for the benefit of colored schools in the town of Catlettsburg.

On motion of Mr. Armstrong—
19. A bill for the benefit of the Agricultural Association of Bracken and Mason counties.

On motion of Mr. Cardwell—
20. A bill for the benefit of John Gibbs and wife, of the county of Wolfe.

On motion of Mr. Morin—
21. A bill to incorporate the California and Twelve-mile Turnpike Road Company, in Campbell county.

On motion of Mr. Woods—
22. A bill allowing R. M. Walker, late sheriff of Crittenden county, further time to return his delinquent list.
On motion of Mr. Davidson—
23. A bill for the benefit of the Prestonsburg Academy and Normal School.

On motion of same—

On motion of same—
25. A bill for the benefit of the late sheriffs of this Commonwealth.

On motion of Mr. Todd—
26. A bill to allow compensation to jurors in quarterly, police, and justices' courts, in the city of Frankfort.

On motion of same—
27. A bill to incorporate the town of Peak's Mill, in Franklin county.

On motion of Mr. T. M. Johnson—
28. A bill to economize in the management of the charitable institutions of this Commonwealth.

On motion of same—
29. A bill to require county creditors to file their claims with the clerk for ten days preceding the court of claims.

On motion of Mr. Waring—
30. A bill for the benefit of school district No. 6, in Greenup county.

On motion of Mr. Megibben—
31. A bill to amend an act, entitled "An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies," approved March 15, 1870.

On motion of Mr. Rowlett—
32. A bill to charter the town of Bacon Creek, in Hart county.

On motion of Mr. Arnold—
33. A bill to amend the charter of the town of Clinton.

On motion of same—
34. A bill for the benefit of Hickman county.

On motion of same—
35. A bill for the benefit of Henry Yarber, of Hickman county.

On motion of same—
36. A bill to amend the charter of the Mississippi Railroad Extension through Kentucky.

On motion of Mr. Carlisle—
37. A bill for the benefit of H. W. Eggleston, of Kenton county.
On motion of Mr. Foote—
38. A bill for the benefit of Martha A. Hightower, of Kenton county.

On motion of Mr. Fitzpatrick—
39. A bill for the benefit of George W. Daniels, of Owsley county.

On motion of Mr. Graves—
40. A bill to amend the town charter of Lebanon.

On motion of Mr. Varnon—
41. A bill to charter the Hustonville Cemetery Company.

On motion of same—
42. A bill to amend the charter of the town of Crab Orchard.

On motion of Mr. Blakey—
43. A bill to amend the charter of the Logan Female College Company.

On motion of Mr. Wright—
44. A bill to incorporate the Evansville and Henderson Railroad Packet Company.

On motion of Mr. Speaker McCrory—
45. A bill to amend the charter of the Paint Lick and High Point Turnpike Road Company, in Madison county.

On motion of Mr. Graves—
46. A bill to amend the law in reference to carrying deadly weapons.

On motion of Mr. Cooper—
47. A bill to amend the charter of the Union Agricultural Society, of Mason and Bracken counties.

On motion of Mr. Rowan—
48. A bill for the benefit of Eliza Clark, of Daviess county.

On motion of Mr. Little—
49. A bill to repeal an act to exempt homesteads from sale for debt in this Commonwealth.

On motion of Mr. Deaderick—
50. A bill for the benefit of the Falmouth and Claysville Turnpike Road.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 2d, 11th, 27th, 32d, 33d, 40th, 41st, 42d, and 44th; the Committee on County Courts the 3d, 5th, 29th, and 37th; the Committee on Propositions and Grievances the 4th, 17th, 25th, and 48th; the Committee on the Judiciary the 6th, 26th, and 31st; the
Committee on Education the 7th, 16th, 18th, 23d, and 30th; the Committee on Claims the 8th, 14th, 24th, and 34th; the Committee on Public Buildings the 9th; the Committee on Charitable Institutions the 10th, 28th, and 38th; the Committee on Revised Statutes the 12th, 43d, 45th, 46th, and 49th; the Committee on Banks the 15th; the Committee on Agriculture and Manufactures the 19th and 47th; the Committee on Ways and Means the 20th, 22d, and 35th; the Committee on Internal Improvement the 21st and 50th; the Committee on Military Affairs the 39th; the Committee on Railroads the 36th; and a select committee, consisting of Messrs. Morin, S. C. Bell, and T. M. Johnson, the 13th.

And then the House adjourned.

MONDAY, FEBRUARY 10, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of, and to reincorporate, the Norton Iron Works.
An act for the benefit of Levi Yocum, sheriff elect of Montgomery county.
An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties.
An act for the benefit of John DeHart, of Elliott county.
An act to incorporate the Louisville College of Pharmacy.
An act for the benefit of Marshall Morris, of Grayson county.
An act to amend an act, approved March 18, 1872, entitled "An act to incorporate the Church House for Females and Infirmary for the Sick."
An act to amend the charter of the Tug Fork Lead, Iron, Salt, and Oil Mining and Manufacturing Company, approved February 27, 1865.
An act to amend an act incorporating the town of Greensburg.
An act to authorize the Louisville Club, of the city of Louisville, to change its name to the Beargrass Club.
An act for the benefit of Joseph Robinson, late sheriff of Franklin county.
An act to incorporate the Hopkinsville Car Manufacturing Company.
An act for the benefit of J. M. Curry, late sheriff of Pendleton county, and his sureties.
An act to incorporate the town of Dulaney, in Caldwell county.
An act for the benefit of A. Q. Baker, late sheriff of Boone county.
An act to amend an act, entitled “An act to incorporate the Bank of Mayfield,” approved March 10, 1870.
An act to regulate the time of holding circuit courts in the fifteenth judicial district.
Resolution appointing a joint committee for certain purposes.
That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the Society Franco-American of Mutual Assistance of the city of Paducah.
An act to incorporate Phantom Lodge, No. 15, of the Knights of Pythias.
That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of school district No. 1, in Letcher county.
An act for the benefit of John Hill, of Madison county.
An act for the benefit of colored public schools at Bowling Green.
An act to empower the Edmonson county court to levy an additional tax and issue bonds to build a new court-house.
An act to incorporate the Caseyville Coal and Transportation Company.
An act for the benefit of the Key’s Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works.
An act to incorporate the Guylena Mining and Manufacturing Company.
An act to incorporate the Collier Mining and Manufacturing Company.
An act to incorporate the Muhlenburg Coal and Iron Company.
An act to incorporate Walton Lodge, No. 183, of the Independent Order of Odd Fellows.

An act to amend an act, entitled "An act to incorporate the Boone Mining and Manufacturing Company," approved February 16, 1866.

An act to fix the time of holding terms of circuit courts in the tenth judicial district.

And that they had passed bills of the following titles, viz:


2. An act for the benefit of Nancy Edwards, an idiot, of Lawrence county.

3. An act to amend chapter 47 of the Revised Statutes, entitled "Husband and Wife."

4. An act to authorize the county court of Cumberland county to establish ferries across Cumberland river, in said county.

5. An act for the benefit of Daviess county.

6. An act to charter the Owenton Cemetery Company.

7. An act to incorporate the River Transportation Company.

8. An act to incorporate the Eclipse Woolen Mills.

9. An act to amend an act, entitled "An act to incorporate the Second Presbyterian Church of the city of Louisville."

10. An act for the benefit of the Maysville and Lexington Railroad, Northern Division.

11. An act to incorporate the Spring Station Railway Company.


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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Education; the 2d to the Committee on Claims; the 3d to the Committee on Revised Statutes; the 4th, 5th, and 13th to the Committee on County Courts; the 6th, 7th, 8th, and 9th to the Committee on Corporate Institutions; and the 10th, 11th, and 12th to the Committee on Railroads.

The following petitions were presented, viz:

By Mr. Bascom—

1. The petition of citizens residing on Licking river, praying the
repeal of certain provisions of the act incorporating the Licking River Lumbering and Mining Company.

By Mr. Dyer—

2. The petition of John Rush and wife, praying the passage of an act to allow his said wife to trade as a feme sole.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Corporate Institutions, and the 2d to the Committee on Propositions and Grievances.

On motion of Mr. Speaker McCrory, leave was given to bring in a bill, entitled

A bill for the benefit of Sally Stagner, of Madison county.

Ordered, That the Committee on the Revised Statutes prepare and bring in the same.

The Clerk was directed to return to the Senate, and report as passed, a bill, which originated in the House of Representatives, entitled

An act to incorporate the Tradewater Navigation and Manufacturing Company.

Which was accordingly done.

The House took up for consideration the message of the Governor, returning to the House, with his objections thereto, a bill which originated in the House of Representatives, entitled

An act in aid of the construction of a levee on the Mississippi, in Fulton county.

The question was then put, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Arnold, Thomas P. Cardwell, Hiram S. Powell—5.
W. R. Bates, James B. Fitzpatrick,

Those who voted in the negative, were—

Mr. Speaker (McCready) Manlius T. Flippin, W. L. Reeves,
Wm. A. Allen, C. D. Foote, E. A. Robertson,
G. W. Bailey, James Garnett, John Rowan,
Alpheus W. Bascom, E. A. Graves, Samuel M. Sanders,
John A. Bell, C. P. Gray, C. C. Scales,
S. C. Bell, Wm. A. Hoskins, William Sellers,
J. C. S. Blackburn, George M. Jessup, James W. Snyder,
Church H. Blakey, Thomas M. Johnson, J. S. Taylor,
Wm. F. Bond, T. J. Jones, George M. Thomas,
Mr. W. Evans read and laid on the table the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on Thursday, the 6th day of March, 1873, it adjourns to meet again, at 10 o'clock, A. M., of Wednesday, the 1st day of May, 1873.

2. That the Joint Committee on the Revision of the Statutes and Code be, and they are hereby, authorized and directed to sit during the recess aforesaid; and those members of said joint committee who attend at the sittings of said committee, or who are absent therefrom by its leave, shall receive pay during said recess as though the General Assembly were in session; but the other members of the General Assembly, and the officers thereof, shall not be paid for the time from the 9th day of March, 1873, to the 27th day of April, 1873, both inclusive.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Thomas, from the Committee on Revised Statutes—

A bill in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.

By same—

A bill in relation to the county levy in Lewis county, and the collection of the same.

By same—

A bill authorizing the Lewis county court to levy an additional tax to pay off the debt of said county, and to aid in the building of turnpike roads in said county.

By same—

A bill in relation to the assessment and collection of turnpike taxes in Lewis county.

By same—

A bill authorizing the Lewis county court, at the court of claims,
to levy a tax to repair the old jail in Lewis county, or building a new jail and jailer's house in said county.

By same—
A bill for the benefit of Richard W. and Lizzie B. Lockhart, of Ballard.

By Mr. Wright, from the same committee—
A bill to amend an act, entitled "An act to regulate the sale and storage of illuminating oils, made from coal, petroleum, and other bituminous substances, &c," approved March 26, 1870.

By same—
A bill to prevent the killing of birds in Garrard county.

By Mr. Garnett, from the same committee—
A bill to amend an act, entitled "An act to incorporate the Paint Lick and High Point Turnpike Road Company, in Madison county."

By same—
A bill for the benefit of Sally Stagner, of Madison county.

By Mr. Scales, from the Committee on Corporate Institutions—
A bill to incorporate the Covington Printing Company.

By Mr. Bascom, from the Committee on Banks—
A bill to amend an act, entitled "An act to incorporate the First German Savings Bank of Louisville."

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Bates, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported
A bill for the protection of litigants in Barren county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Revised Statutes.
Mr. Tucker, from the Committee on Revised Statutes, who were
directed to prepare and bring in the same, reported
A bill to increase the powers of the corporate authorities of the
towns of Georgetown and Monticello.
Which bill was read the first time and ordered to be read a second
time.
The rule of the House and constitutional provision as to the second
reading of said bill being dispensed with,
Mr. Chrisman offered an amendment to said bill, which was
adopted.
Ordered, That said bill, as amended, be engrossed and read a third
time.
The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with, and the same being en-
grossed,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
According to order, the House took up and resumed the considera-
tion of a bill, entitled
A bill for the benefit of the Farmers' Bank of Kentucky.
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with, and the same being en-
grossed
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
Mr. Tucker, from the Committee on Revised Statutes, who were
directed to prepare and bring in the same, reported
A bill providing for the appointment of Commissioners to repre-
sent Kentucky at the International Exposition at Vienna.
Which was read the first time as follows, viz:
WHEREAS, A Grand International Exposition for the display of the
manufactures, arts, and products of the whole country will be held
in Vienna, Austria, commencing in May, 1873, in which all the
nations of the civilized world are manifesting an interest, and to
which delegates have already been appointed from nearly all the
leading powers of Europe, and from many States of this Union;
and whereas, the United States Government has been duly invited
to make such arrangements as are right and proper to promote the
success of this Grand Exhibition; and the Governor of this Com-
monwealth has received communications asking the co-operation of
the General Assembly and the people of Kentucky in securing a
proper representation there of our minerals, arts, products, and manufactures, whereby the whole of Europe may know and understand the wealth and resources of our State, and duly appreciate the advantages which Kentucky presents to the industrious immigrant and to the capitalist seeking investment; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is, authorized and empowered to appoint three citizens of Kentucky, as Commissioners to attend said Exposition at Vienna, and take charge of the interests of this State, and promote, in every way that is necessary and proper, a full representation there of our minerals, arts, products, and manufactures.

§ 2. That when the Commissioners shall have performed the duties herein set forth, they shall present to the Governor of this Commonwealth vouchers, showing the necessary expense of each in going to said Exposition and attending to the aforesaid duties, and returning to Kentucky; and thereupon the Governor shall direct the Auditor to draw his warrant on the Treasurer for such sum for each as he may think right and proper.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. McAfee moved to amend said bill by “designating the persons that we desire to represent Kentucky in the International Exposition.”

Mr. Bascom then moved to lay said bill and proposed amendment on the table.

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

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

Those who voted in the affirmative, were—

Wm. A. Allen, Josiah H. Combs, Julian N. Phelps,
A. S. Arnold, William G. Conrad, John Rowan,
G. W. Bailey, Manus T. Flippin, Samuel M. Sanders,
Alpheus W. Bascom, C. P. Gray, J. S. Taylor,
S. C. Bell, Thomas M. Johnson, C. W. Threlkeld,
Church H. Blakey, L. W. Lassing, J. M. White,
Thomas P. Cardwell, Mat. Nunan,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Walter Evans, W. L. Reeves,
A. C. Armstrong, James B. Fitzpatrick, E. A. Robertson,
W. R. Bates, C. D. Foote, J. P. Sacksteder,
W. N. Beckham, James Garnett, C. C. Scales,
John A. Bell, E. A. Graves, William Sellers.

35-v. R.
On motion of Mr. Tucker, said bill and proposed amendment were recommitted to the same committee.

A message was received from the Senate, asking leave to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Society Franco-American of Mutual Assistance of the city of Paducah,

Which was granted, and the bill delivered to the Senate messenger.

Mr. Bascom, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to charter the Barren County Bank.

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 and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Bascom, from the Committee on Banks, to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Louisville Stock and Bond Board," approved 18th March, 1872,

Reported the same without amendment.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:
An act for the benefit of Charles M. Thruston, clerk of the Jefferson county court;
An act for the benefit of John Ewell, jailer of McCracken county;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats;
An act to amend the charter of the town of Georgetown;
An act in relation to the transfer of the property of the Harrison Academy to the city of Cynthiana;
An act to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county;"
An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky;
An act to amend the charter of the town of West Point, in Hardin county;
An act to authorize the county court of Whitley county to issue bonds to raise funds for county purposes;
An act to amend an act, entitled "An act to build a turnpike road in Lewis and Mason counties;"
An act for the benefit of Levi Jones, of Greenup county;
An act to prohibit the sale of spirituous, vinous, or malt liquors in the Clintonville precinct in Bourbon county;
An act to prohibit the sale of spirituous liquors in the town of Powersville, Bracken county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Deaderick inform the Senate thereof.

On motion, indefinite leave of absence was granted Mr. Thomas.
The Speaker laid before the House the following response from the Governor to a resolution heretofore adopted by the House, viz:

EXECUTIVE OFFICE, FRANKFORT, February 10, 1873.

Gentlemen of the House of Representatives:
The resolution adopted by your honorable body, calling upon "the Commissioners appointed under act of 1869, to superintend the erection of the Fire-proof Public Offices, to report whether or not they have settled with John Haly, and if so, what amount, if anything, is now due said Haly, together with all the facts connected therewith," was handed to me ten days ago; and although I was not one of that Board of Commissioners, yet the Governor being by the terms of the
act ex-officio Chairman of the Board, I have felt it to be my duty to take action under the resolution, and now report to you that I have attempted to convene said Board of Commissioners, but failed to get them together.

Their records and papers pertaining to theirs and Mr. Haly's accounts are in the hands of the Secretary of the late new Board of Commissioners, appointed to superintend improvement of said Public Offices, and can be seen and inspected by any one you may desire.

I respectfully refer you to my message accompanying the report of said new Board of Commissioners to the General Assembly, made 31st January, 1872, which is upon Senate Journal, pages 306-7.

I can but restate the same facts there reported.

Respectfully,

P. H. LESLIE.

Ordered, That said response be referred to the Committee on Claims.

And then the House adjourned.

TUESDAY, FEBRUARY 11, 1873.

The following petitions and remonstrance were presented, viz:

By Mr. Armstrong—
1. The petition of citizens of Bracken county, praying the passage of a law for the better protection of sheep against the ravages of dogs.

By Mr. Todd—
2. The remonstrance of citizens of Peak's Mill precinct, against the passage of a law to repeal the act prohibiting the sale of intoxicating liquors in said precinct.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures, and the 2d to the Committee on Religion.
A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school district No. 5, in Garrard county.

An act to incorporate the Winchester Building and Accumulating Fund Association.

An act to amend the act incorporating the Vanceburg Male and Female Academy.

An act to exempt undertakers from serving on juries.

An act for the benefit of Charles Kirtley, assignee of James M. Durham, of Rockcastle county.

An act for the benefit of S. C. Cardwell and Daniel Moore, of Mercer county.

An act to amend an act, and the amendments thereto, incorporating the school board of the city of Covington.

An act for the benefit of school districts No. 22 and No. 73, in Madison county.

An act to create a new school district in Clinton county.

An act for the benefit of school district No. 47, in Clay county.

An act to change the name of the Catlettsburg Normal Academy to that of the East Kentucky Normal Academy.

An act to amend the charter of Harrisburg Seminary.

An act to establish free schools for the colored people in Hancock county.

An act for the benefit of S. A. Walker, of Graves county.

An act to incorporate the World's Fair Association of Woodford county.

An act to incorporate the Fleming Coal Company.

An act to incorporate the Rush Branch Coal, Iron, Mining, Lumbering, and Manufacturing Company, in Morgan county.

An act authorizing and empowering the levy court or court of claims of Magoffin county to increase the county levy, and to levy an ad valorem tax.

An act to authorize the Ballard county court to increase the taxes to pay off the debts hereafter created by said county.

An act to facilitate the collection of taxes in the city of Paducah.

An act for the benefit of Washington county, authorizing the county court of said county to levy and collect taxes to pay its present indebtedness.
An act to change the time of holding the Lee county quarterly court.

An act to authorize the court of claims of Oldham county to levy tax for the erection of a new jail.

An act for the benefit of Clinton county court of claims.

An act to incorporate the Mount Sterling Water-works Company.

An act for the benefit of school districts Nos. 10 and 47, in Jefferson county.

An act for the benefit of common schools in Jessamine county.

An act for the benefit of school districts Nos. 5 and 23, in Livingston county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,'" approved March 13, 1872.

An act to amend an act to incorporate the city of Cynthiana, approved January 22, 1868.

An act to amend the town charter of Lebanon.

With amendments to the last six named bills.

And that they had passed bills of the following titles, viz:

1. An act to legalize the official actions of William W. White, deputy clerk of the Clay circuit court.


3. An act authorizing an additional examiner in Floyd county.

4. An act to require the clerk of the Wolfe circuit court to index and cross-index certain judgment and order-books in his office.

5. An act to authorize the city of Hickman to subscribe and pay for stock in the Mississippi River Levee Company.

6. An act to incorporate Greensburg Lodge, of Free and Accepted York Masons.

7. An act to incorporate Cox Lodge, No. 464, of Ancient York Masons.

8. An act to amend an act, entitled "An act to incorporate the Maysville, Flemingsburg Coal and Iron Region Railway Company."

9. An act to authorize the county court of Knox county to guarantee the right of way through said county to the first company making a railroad through said county.

10. An act authorizing the judge of the Owen county court to convey the Owen County Seminary.
11. An act to authorize the Pike county court to issue bonds for court-house and other purposes.
12. An act to authorize Wm. A. Varney to erect a mill-dam across Pond creek, in Pike county.
13. An act to define the boundary line of the town of Prestonsburg, and submitting to a vote of the citizens thereof the question of regulating the sale of spirituous and vinous liquors therein.
15. An act to amend section 621 of the Civil Code of Practice.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, 3d, and 4th to the Committee on the Judiciary; the 5th, 6th, and 7th to the Committee on Corporate Institutions; the 8th and 9th to the Committee on Railroads; the 10th and 11th to the Committee on County Courts; the 12th to the Committee on Propositions and Grievances; the 13th to the Committee on Religion; the 14th to the Committee on Education; and the 15th to the Committee on Codes of Practice.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled “An act to incorporate the Richmond Cemetery Company,” approved January 25, 1848.

An act to amend the charter of Jefferson College, in Jefferson-town.

An act to amend an act, entitled “An act to incorporate Augusta Lodge, No. 80, of Free and Accepted Masons.”

An act in relation to the town of South Carrollton.

An act to legalize oral testimony in certain cases in the city of Paducah.

An act to amend the charter of the Diamond Coal Mining and Manufacturing Company.

An act to provide for indexing certain records of the circuit courts, criminal courts, chancery courts, courts of common pleas, and county courts.
And that certain bills, which originated in the House of Representatives, had become laws without the signature of the Governor, of the following titles, viz:

An act to incorporate the Riverton Savings Bank.
An act to incorporate the Merchants' Banking Company of Caverna.

Mr. J. A. Bell, 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 Laboring Man's Loan and Aid Association of Louisville, approved March 16, 1869,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Bills were reported by the committee, who was directed to prepare and bring in the same, of the following titles, viz:

By Mr. Trafford, from the Committee on County Courts—
A bill to authorize the Whitley county court to sell certain lands.
By Mr. F. A. Wilson, from the same committee—
A bill for the benefit of the sureties of Wm. Cummins, late sheriff of Whitley county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Garnett, from the Committee on the Revised Statutes, who originated the same, reported a bill, entitled

A bill to protect the interests of the Commonwealth of Kentucky in certain cases.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all actions and proceedings in the courts of this
or any other State, or the courts of the United States, to which the
Commonwealth of Kentucky is a party, or in which it has an inter-
est, and for the defense or prosecution of which provision is not oth-
ewise provided by law, the Governor of this State shall have power
to employ counsel to represent and attend to such interest; and may
direct the Auditor to draw his warrant upon the Treasurer for a rea-
soneable fee for said counsel, and such other cost, including witness
claims, as may be incurred in prosecuting or defending said actions
and proceedings, and the same shall be paid.
§ 2. This act shall take effect and be in force from and after its
passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second
reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with, and the same being en-
grossed,

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

The yeas and nays being required thereon in pursuance to a pro-
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M’Creary) M. Woods Ferguson, Mat. Nunan,
Wm. A. Allen, James B. Fitzpatrick, Julian N. Phelps,
A. S. Arnold, C. D. Foote, Lewis Potter,
G. W. Bailey, James Garnett, Hiram S. Powell,
Apheaus W. Bascom, E. A. Graves, W. L. Reeves,
W. R. Bates, C. P. Gray, E. A. Robertson,
W. N. Beckham, Clinton Griffith, John Rowan,
John A. Bell, Wm. A. Hoskins, John P. Rowlett,
S. C. Bell, George M. Jesse, J. R. Sanders,
J. C. S. Blackburn, E. Polk Johnson, C. C. Scales,
Wm. F. Bond, Thomas M. Johnson, William Sellers,
W. B. M. Brooks, T. J. Jones, James W. Snyder,
Robert M. Carlisle, L. W. Lassing, C. W. Threlkeld,
B. E. Cassilly, J. S. Lawson, Harry I. Todd,
James S. Chrisman, G. W. Little, Joseph T. Tucker,
C. M. Clay, jr., J. J. McAfee, T. W. Varnon,
J. Guthrie Coke, Bryan S. McClure, E. F. Waide,
William G. Conrad, William J. McElroy, J. L. Waring,
R. L. Cooper, M. E. McKenzie, J. M. White,
Joseph M. Davidson, T. J. Megibben, Mordecai Williams,
W. W. Deaderick, J. C. Moorman, F. A. Wilson,
Walter Evans, W. A. Morin, S. H. Woolfolk—66.

36-H. r.
Those who voted in the negative, were—

Manlius T. Flippin,

Resolved, That the title of said bill be as aforesaid.

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

An act to charter the Owenton High School.

And that they had adopted a resolution, entitled

Resolution making certain inquiries of the Auditor.

On motion of Mr. Evans, the House took up and proceeded to consider the resolution offered by him on yesterday, entitled

Resolution providing for a recess of this General Assembly, and its reassemblage on a certain day.

Mr. Blakey offered the following amendment thereto, viz:

Add, “Provided, That upon the reassembling of the Legislature at the time herein specified, no other business shall be considered except the report of the Commissioners on the revision of the Statutes; and provided further, That no mileage shall be allowed for such reassembling.”

Mr. Scales then moved to lay the resolution and proposed amendment on the table.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Evans and Graves, were as follows, viz:

Those who voted in the affirmative, were—

W. N. Beckham,     J. C. S. Blackburn,     Wm. F. Bond,
Robert M. Carlisle,     James S. Chrisman,     R. L. Cooper,
Joseph M. Davidson,     W. W. Deaderick,     John W. Dyer,
James B. Fitzpatrick,     John P. Rowlett,

Those who voted in the negative, were—

Mr. Speaker (McCready) William G. Conrad,     W. A. Morin,
Wm. A. Allen,     A. C. Armstrong,     A. S. Arnold,
G. W. Bailey,     R. Tarv. Baker,     R. D. Cook,
A. C. Armstrong,     A. S. Arnold,     G. W. Bailey,
R. Tarv. Baker,     Manlius T. Flippin,     E. A. Robertson,
Mr. Robertson then offered the following amendment to the amendment proposed by Mr. Blakey, viz:  

Add thereto, “except also business that has been introduced and remaining unfinished at adjournment on the 6th of March, 1873.”

Mr. Graves then offered the following substitute for the resolution and proposed amendments, viz:  

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses of this General Assembly shall adjourn on Friday, the 7th day of March, 1873, they will adjourn sine die.

Mr. Bascom then moved the previous question.

And the question being taken, “Shall the main question be now put?” it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (Mr. Creary), Robert M. Carlisle, Julian N. Phelps,
Wm. A. Allen, B. E. Cassilly, E. A. Robertson,
A. C. Armstrong, William G. Conrad, John P. Rowlett,
C. W. Bailey, R. L. Cooper, C. C. Scales,
Alpheus W. Bascom, Thomas H. Corbett, William Sellers,
W. R. Bates, W. W. Deaderick, Joseph T. Tucker,
John A. Bell, John W. Dyer, C. H. Webb,
J. C. S. Blackburn, E. A. Graves, J. M. White,
Wm. F. Bond, M. E. McKenzie,

Those who voted in the negative, were—

A. S. Arnold, James Garnett, Lewis Potter,
R. Tarv. Baker, C. P. Gray, Hiram S. Powell,
W. N. Beckham, Clinton Griffith, W. L. Reeves,
S. C. Bell, Wm. A. Hoskins, John Rowan,
W. B. M. Brooks, George M. Jesse, J. P. Sacksteder,
Thomas P. Cardwell, E. Polk Johnson, J. R. Sanders,
John S. Carpenter, Thomas M. Johnson, James W. Snyder,
James S. Chrisman, T. J. Jones, J. S. Taylor,
On motion of Mr. Griffith, said resolution and proposed amendments were referred to the Committee on the Judiciary, with instructions to report thereon on Tuesday next, at 11 o'clock, A. M.

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

On motion of Mr. Coke—
1. A bill for the benefit of established merchants within the State of Kentucky.

On motion of Mr. McAfee—
2. A bill for the benefit of David Thompson, of Mercer county.

On motion of Mr. E. Polk Johnson—
3. A bill to amend the charter of the Broadway and West Louisville Railroad Company.

On motion of Mr. Griffith—
4. A bill to amend the charter of the Owensboro and Russellville Railroad Company.

On motion of Mr. E. Polk Johnson—
5. A bill to incorporate Valley Lodge, No. 511, of Free and Ancient York Masons.

On motion of Mr. Sacksteder—
6. A bill to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth with a family, from attachment or garnishee, not exceeding fifty dollars, approved March 27, 1872.

On motion of Mr. Bates—
7. A bill to amend the charter of the Glasgow Deposit Bank.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 2d; the Committee on Railroads the 3d and 4th; the Committee on Corporate Institutions the 5th; the Committee on Revised Statutes the 6th; and the Committee on Banks the 7th.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to charter the Owenton High School;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of Pleasant Grove Church or schoolhouse, at the fork of Stinson creek, in Carter county;

An act for the benefit of school district No. 1, in Letcher county;

An act for the benefit of John Hill, of Madison county;

An act for the benefit of colored public schools at Bowling Green;

An act to empower the Edmonson county court to levy an additional tax and issue bonds to build a new court-house;

An act to incorporate the town of Springville, in Greenup county;

An act to incorporate the Collier Mining and Manufacturing Company;

An act to amend an act, entitled "An act to incorporate the Boone Mining and Manufacturing Company," approved February 16, 1866;

An act to fix the time of holding terms of circuit courts in the tenth judicial district;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

On motion of Mr. Graves, the further consideration of a bill, entitled

A bill to increase the revenue,

Was postponed to, and made special order of the day for, tomorrow, at 11 o'clock, A. M.

Indefinite leave of absence was granted Mr. Dyer.

On motion of Mr. Foote, the further consideration of a bill, entitled

A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors,

Was postponed to, and made special order of the day for, tomorrow, at half-past 10 o'clock, A. M.

And then the House adjourned.
The following petitions and remonstrance were presented, viz:

By Mr. Foree—
1. The petition of citizens of Shelby county, praying the passage of an act creating an additional magistrates’ district in said county.

By Mr. Todd—
2. The petition of citizens of Peak’s Mill precinct, in Franklin county, praying the repeal of a law prohibiting the sale of spirituous liquors in said precinct.

By Mr. Nunan—
3. The remonstrance of citizens of Washington county, against the change of their county seat.

Which were received, the reading dispensed with, and referred—
the 1st to the Committee on County Courts; the 2d to the Committee on Religion; and the 3d to the Committee on Propositions and Grievances.

Indefinite leave of absence was granted Messrs. Williams and Davidson.

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

An act to authorize sales and conveyances by trustees under a power.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

On motion of Mr. McAfee,

Ordered, That a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage by the House of a bill, entitled

An act for the benefit of Bryantsville and Cane Run Turnpike Road Company.

According to order, the House resumed the consideration of a bill, with the amendments proposed thereto, entitled
A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors.

Ordered, That said bill and amendments be printed, and that the same be postponed to, and made special order of the day for, Tuesday, the 18th inst., at 11 o'clock, A. M.

On motion of Mr. Waide, the further consideration of a bill from the Senate, entitled
An act to provide for the organization and regulation of banking companies, and to repeal various charters,
Was postponed to, and made special order of the day for, Wednesday, the 19th inst., at 11 o'clock, A. M.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported
A bill for the benefit of Lewis F. Marshall, sheriff of Ballard county.

Which was read the first time as follows, viz:

WHEREAS, Under the act approved 22d March, 1871, amending the revenue laws of this Commonwealth, a penalty of five per cent. was imposed, and required to be collected, on all taxes remaining unpaid on the 1st day of April, 1872; and whereas, the Auditor of Public Accounts, under the provisions of said act, charged Lewis F. Marshall, sheriff of Ballard county, with said penalty of five per cent. on the amount due by him, as shown by the books in the Auditor's office on the 1st day of April, 1872; and whereas, it appears that said Marshall had in his hands claims upon the Treasury and money, amounting, together, to the sum of $4,307 92, on the 1st day of April aforesaid, but was prevented, by circumstances over which he had no control, from depositing the same to the credit of the Treasury of the State in the Commercial Bank of Kentucky, at Paducah, that being the nearest depository under the law, and distanced twenty-five miles from said Marshall's residence; and whereas, it appearing that said Marshall did deposit the said amount of $4,307 92 on the 2d day of April following, it seems but equitable and just that the said Marshall should have the five per cent. so paid on the said sum of $4,307 92 refunded him; therefore,
§ 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 for the sum of $215 39, in favor of Lewis F. Marshall, sheriff of Ballard county, that being the amount of the five per cent. charged on $4,307 92, against said Marshall, in his settlement of the revenue of Ballard county for the year 1871.

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

Ordered, That said bill be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. W. Deaderick, M. Woods Ferguson, Julian N. Phelps, Lewis Potter,
Wm. A. Allen, James B. Fitzpatrick, Hiram S. Powell,
A. C. Armstrong, C. D. Foote, E. A. Robertson,
G. W. Bailey, Joseph P. Force, John P. Rowlett,
R. Tarv. Baker, James Garnett, J. R. Sanders,
Alpheus W. Bascom, E. A. Graves, C. C. Scales,
W. R. Bates, C. P. Gray, James W. Snyder,
W. N. Beckham, Wm. A. Hoskins, J. S. Taylor,
John A. Bell, E. Polk Johnson, George M. Thomas,
S. C. Bell, Thomas M. Johnson, C. W. Threlkeld,
J. C. S. Blackburn, T. J. Jones, Harry I. Todd,
Church H. Blakey, G. W. Little, T. W. Varnon,
W. B. M. Brooks, Bryan S. McClure, E. F. Waide,
Thomas P. Cardwell, William J. McElroy, J. L. Waring,
Robert M. Carlisle, M. E. McKenzie, C. H. Webb,
John S. Carpenter, T. J. Megibben, J. M. White,
C. M. Clay, jr., J. C. Moorman, F. A. Wilson,
Josiah H. Combs, W. A. Morin, J. N. Woods,
William G. Conrad, Wm. Mynhier, S. H. Woolfolk,
R. L. Cooper, John W. Ogilvie,
Thomas H. Corbett.

In the negative, none—

Resolved, That the title of said bill be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Wright, from the Committee on Revised Statutes—

A bill to authorize the mayor of the city of Louisville to subscribe in the name, and for and in behalf of the said city, for ten thousand additional shares of the capital stock of the Elizabethtown and Paducah Railroad Company.

By Mr. Waring, from the Committee on Railroads—

A bill to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company.
By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of Samuel Cowan, jailer of Boone county.
Which bills were read the first time and ordered to be read a second
time.
The rule of the House and constitutional provision as to the second
reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with, and the same being en-
grossed!
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. Bates—
1. A bill to amend the law in regard to the mode of publishing
private and local acts of the General Assembly of the Common-
wealth of Kentucky.
On motion of Mr. Bascom—
2. A bill to amend the charter of the town of Marshall, in Bath
county.
On motion of Mr. Hoskins—
3. A bill to amend the charter of the town of Perryville, in Boyle
county.
On motion of same—
4. A bill for the benefit of H. L. Whitehouse, of Casey county.
On motion of Mr. Cardwell—
5. A bill to change the county line between the counties of Breath-
itt and Wolfe.
On motion of Mr. Brooks—
6. A bill to protect small birds and game in the county of Bullitt.
On motion of same—
7. A bill empowering the Spencer county court to sell the old cir-
cuit and county court clerks' offices in said county.
On motion of same—
8. A bill to amend section 1, article 3, chapter 47, Revised Statutes.
On motion of Mr. Powell—
On motion of same—
10. A bill for the benefit of Jackson county.
On motion of Mr. Jones—

11. A bill to pay jurors in justices of the peace and quarterly courts of this Commonwealth.

On motion of Mr. Megibben—

12. A bill to amend the charter of Leesburg, in Harrison county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 2d and 3d; the Committee on Propositions and Grievances the 4th, 5th, and 10th; the Committee on Religion the 6th; the Committee on County Courts the 7th and 12th; the Committee on Revised Statutes the 8th; the Committee on Circuit Courts the 9th; a select committee, consisting of Messrs. Graves, McElroy, and Mynhier, the 1st; and a select committee, consisting of Messrs. Gray, Corbett, and Allen, the 11th.

The House then, according to order, took up and proceeded further to consider a bill, with the amendments proposed thereto, entitled

A bill to increase the revenue.

After debate thereon, and the hour of 12 o'clock, M., having arrived, Mr. W. Evans moved to suspend the order of the day, and proceed with the consideration of said bill and amendments.

And the question being taken on the motion of Mr. W. Evans, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary)E. A. Graves, W. L. Reeves,
Wm. A. Allen, C. P. Gray, E. A. Robertson,
A. C. Armstrong, T. J. Jones, John Rowan,
W. W. Ayers, L. W. Lassing, James W. Snyder,
W. R. Bates, J. J. McAtee, J. S. Taylor,
John A. Bell, Bryan S. McClure, George M. Thomas,
S. C. Bell, William J. McElroy, C. W. Threlkeld,
C. M. Clay, jr., M. E. McKenzie, Harry I. Todd,
William G. Conrad, T. J. Megibben, L. W. Traiton,
R. L. Cooper, J. C. Moorman, J. M. White,
Thomas H. Corbett, W. A. Morin, F. A. Wilson,
Walter Evans, John W. Ogilvie, J. N. Woods,

Those who voted in the negative, were—

A. S. Arnold, J. E. Cosson, Julian N. Phelps,
G. W. Bailey, W. W. Deaderick, John P. Rowlett,
R. Tarv. Baker, James B. Fitzpatrick, J. P. Sackettder,
Alpheus W. Bascom, C. D. Foote, J. R. Sanders,
W. B. M. Brooks, Joseph P. Force, Samuel M. Sanders,
Robert M. Carlisle, Wm. A. Hoskins, Joseph T. Tucker,
John S. Carpenter, J. S. Lawson, T. W. Varnon,
B. E. Cassilly, G. W. Little, E. F. Waide,
James S. Chrisman, J. L. Nall, C. H. Webb,

R. D. Cook,

Said bill was then placed in the orders of the day.
The House took up from the orders of the day a bill, entitled
A bill to amend section 1, article 26, chapter 27, Revised Statutes.
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with, and the same being en­
grossed,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
The House also took up from the orders of the day a bill from the
Senate, entitled
An act to amend an act, entitled “An act to amend chapter 15,
title 10, Civil Code of Practice,” approved March 16, 1889.
Ordered, That said bill be recommitted to the Committee on Re­
vised Statutes.
The House then took up the amendments proposed by the Senate
to bills, which originated in the House of Representatives, of the
following titles, viz:
An act to amend the town charter of Lebanon.
An act to amend an act to incorporate the city of Cynthiana, ap­
proved January 22, 1868.
An act for the benefit of school districts Nos. 5 and 28, in Liv­ing­
ston county.
An act to amend an act, entitled “An act to amend an act, entitled
‘An act to cause good school-houses to be erected in the Eighth and
Ninth Congressional Districts,’” approved March 13, 1873.
Said amendments were concurred in.
The House took up the motion, heretofore made by Mr. Reeves, to
reconsider the vote by which the House disagreed to a bill from the
Senate, entitled
An act for the benefit of E. W. Hughes, of Logan county.
Mr. Reeves then withdrew his motion to reconsider said vote, and
the Clerk was directed to report said bill to the Senate as disagreed to.
Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported
A bill to prohibit the sale of spirituous liquors in the town of Caverna.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House resumed the consideration of a bill, entitled
A bill to provide for a geological and mineralogical survey of the State.
Ordered, That the further consideration of said bill be postponed to, and made special order of the day for, to-morrow, at half-past 10 o'clock, A. M.
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act to authorize the mayor of the city of Louisville to subscribe in the name and for and in behalf of said city, for ten thousand additional shares of the capital stock of the Elizabethtown and Paducah Railroad Company.
And then the House adjourned.
THURSDAY, FEBRUARY 13, 1873.

The following petitions and remonstrance were presented, viz:

By Mr. Scales—
1. The petition of a committee of the school board of the city of Covington, praying that some provision may be made by law, not inconsistent with the Constitution of the State, for the education of the colored children of the State.

By Mr. Brooks—
2. The petition of Ben Chapeze and others, praying that the act of 15th March, 1871, entitled “An act for the benefit of common school district No. 31, in Bullitt county,” be repealed, and that certain taxes collected thereunder should be refunded.

By Mr. Nunan—
3. The remonstrance of certain citizens of Washington county, against the passage of a law removing their county seat.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Education, and the 3d to the Committee on Propositions and Grievances.

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

On motion of Mr. Mynhier—
1. A bill to provide for transcribing the original surveys, plats, and certificates of Morgan county.

On motion of Mr. Waring—

Ordered, That the Committee on County Courts prepare and bring in the 1st, and the Committee on Corporate Institutions the 2d.

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

An act to authorize the Whitley county court to sell certain lands.
An act for the benefit of the sureties of Wm. Cummins, late sheriff of Whitley county.

And that they had passed bills of the following titles, viz:
1. An act for the benefit of Hugh Barclay, jr., of Logan county.
2. An act to prohibit the carrying of concealed deadly weapons.
3. An act to amend an act, entitled "An act to amend the charter of the Bank of Ashland, and incorporate the Bank of Shelbyville," approved February 24, 1869.


5. An act for the benefit of A. C. Bowman, late sheriff of Breathitt county, and his sureties.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and second to the Committee on the Judiciary; the 3d and 4th to the Committee on Banks; and the 5th to the Committee on Ways and Means.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported
A bill to fix the rate of tolls to be taken and charged by owners and operators of water-mills and horse-mills.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blakey offered an amendment, which was adopted.
Mr. Cardwell also offered an amendment.
Mr. Graves then moved to lay said bill and proposed amendments on the table.
And the question being taken thereon, it was decided in the affirmative.
And so said bill was rejected.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. McKenzie, from the Committee on Ways and Means—
An act for the benefit of Charles G. Ragan, sheriff of Montgomery county.

By Mr. F. A. Wilson, from the Committee on County Courts—
An act for the benefit of Daviess county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill to amend an act, entitled "An act to incorporate the town of Marshall, in Bath county."

A bill for the benefit of the marshal of Mt. Sterling.

A bill to amend the charter of the city of Louisville.

A bill for the benefit of the city of Louisville.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

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

An act providing for the collection of the revenue tax and county levy for the years 1872 and 1873, for Clay and Breathitt counties.

On motion of Mr. Powell, the rule requiring said bill to be referred to a committee being suspended, said bill was taken up and read the first time.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

According to order, the House took up and resumed the consideration of a bill, entitled

A bill to provide for a geological and mineralogical survey of the State.

Mr. J. R. Sanders offered an amendment, which was rejected.
Amendments were offered by Messrs. Foote and J. R. Sanders, which were adopted.

Mr. Scales offered an amendment, which was rejected.

The question was then put, "Shall the bill, as amended, be engrossed and read a third time?" and it was decided in the affirmative.

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

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<th>Those who voted in the affirmative, were—</th>
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<tr>
<td>Mr. Speaker (M'Cready)</td>
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<td>W. W. Deaderick</td>
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<td>A. C. Armstrong</td>
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<td>M. Woods Ferguson</td>
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<td>A. S. Arnold</td>
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<td>C. D. Foote</td>
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<td>James Garnett</td>
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<td>W. R. Bates</td>
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<td>E. A. Graves</td>
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<td>W. N. Beckham</td>
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<td>C. P. Gray</td>
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<td>Church H. Blakey</td>
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<td>Clinton Griffith</td>
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<td>Wm. F. Bond</td>
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<td>Wm. A. Hoskins</td>
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<td>W. B. M. Brooks</td>
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<td>George M. Jessew</td>
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<td>Thomas P. Cardwell</td>
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<td>John S. Carpenter</td>
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<td>Thomas M. Johnson</td>
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<td>B. E. Cassilly</td>
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<td>J. S. Lawson</td>
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<td>C. M. Clay, Jr.</td>
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<td>William J. McElroy</td>
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<td>J. Guthrie Coke</td>
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<td>M. E. McKenzie</td>
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<td>Josiah H. Combs</td>
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<td>T. J. Megibben</td>
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<td>R. D. Cook</td>
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<td>J. C. Moorman</td>
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<td>Thomas H. Corbett</td>
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<td>Wm. Mynhier</td>
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<td>J. E. Cosson</td>
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<td>J. L. Nall</td>
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<th>Those who voted in the negative, were—</th>
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<td>W. A. Allen</td>
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<td>Manlius T. Flippin</td>
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<td>W. W. Ayers</td>
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<td>T. J. Jones</td>
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<td>R. Tarv. Baker</td>
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<td>J. J. McAfee</td>
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<td>S. C. Bell</td>
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<td>Bryan S. McClure</td>
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<td>Robert M. Carlisle</td>
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<td>John W. Ogilvie</td>
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<td>James S. Chrisman</td>
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<td>Julian N. Phelps</td>
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<td>William G. Conrad</td>
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<td>John Rowan</td>
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Mr. McAfee then 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. McAfee and Samuel M. Sanders, were as follows, viz:

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<th>Those who voted in the affirmative, were—</th>
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<td>W. W. Ayers</td>
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<td>Walter Evans</td>
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<td>G. W. Bailey</td>
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<tr>
<td>C. P. Gray</td>
</tr>
</tbody>
</table>

| John Rowan                             |
| Samuel M. Sanders                      |
| C. C. Scales                            |

Those who voted in the negative, were—


The hour of 12 o'clock, M., having arrived, Mr. Foree moved to dispense with the orders of the day, and proceed with the consideration of this bill.

And the question being taken on the motion of Mr. Foree, it was decided in the negative, not having received the number of votes required under the rule.

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

Those who voted in the affirmative, were—

Those who voted in the negative, were—
Mr. Speaker (M'Cready) Manlius T. Flippin, Julian N. Phelps,
Wm. A. Allen, C. P. Gray, E. A. Robertson,
W. W. Ayers, Wm. A. Hoskins, John Rowan,
G. W. Bailey, T. J. Jones, Samuel M. Sanders,
R. Tarv. Baker, L. W. Lassing, William Sellers,
James S. Chrisman, J. S. Lawson, J. S. Taylor,
Josiah H. Combs, J. J. McAfee, George M. Thomas,
William G. Conrad, Bryan S. McClure, C. W. Threlkeld,
Walter Evans,

Said bill was then placed in the orders of the day.

Mr. Reeves, from the Committee on Railroads, who were directed
to prepare and bring in the same, reported
A bill to authorize certain counties in this Commonwealth to levy
a tax and pay for right of way and depot grounds for Cincinnati
Southern Railway.

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

The rule of the House and constitutional provision as to the second
reading of said bill being dispensed with,

Amendments were offered by Messrs. Tucker and Carlisle, which
were adopted.

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

Said bill being engrossed, as amended, was read a third time as
follows, viz:

WHEREAS, An act was passed by this General Assembly, approved Feb-
ruary 13th, 1872, entitled "An act to authorize the trustees of the Cincin-
nati Southern Railway to acquire the right of way, and to extend a line
of railway through certain counties in this Commonwealth," and whereas,
the people of the counties hereinafter named are deeply interested in the
location and construction of said line of railway and its appendages in
and through said counties; and it is necessary, in order to enable them to
secure such location and construction, and the benefits arising therefrom,
that a sum of money sufficient to pay the costs and expenses of procuring
the right of way and providing depot grounds for said railway, should be
raised by each of said counties; and whereas, the people of said counties
have applied to this General Assembly for authority to raise money by
taxation, and by the issue of bonds, for the purposes aforesaid, upon the
conditions hereinafter stated; now, therefore,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That whenever any ten residents and owners of property assessed for taxation for State revenue purposes in any of the counties of Whitley, Laurel, Madison, Clark, Bourbon, Harrison, Kenton, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Adair, Metcalfe, Josh Bell, Gallatin, Knox, Clay, Owsley, Jackson, and Estill, shall make application therefor, in writing, to the presiding judge of the county court in which said applicant resides and owns property as aforesaid, it shall be the duty of such judge forthwith to cause the several justices of the peace in and for said county to be summoned, to meet within ten days after said application is made; and, when so assembled, they may make an order upon the records of said court, submitting to the qualified voters in said county the question of raising, by taxation, and by the issue of bonds, in such sums as may be required, not greater than the amount hereafter named, and directing a poll, to be opened at the usual voting place or places in each election precinct in said county, on a day designated in said order, for the purpose of taking the sense of said voters upon the said question; the said election shall be held within thirty days after the date of said order, and not less than fifteen days' notice thereof shall be given by printed posters, one of which shall be put up at the door of the court-house, and one at each voting place in said county. It shall be the duty of the presiding judge, at the time such election is ordered, to appoint the necessary officers to conduct the same; who shall have all the powers, perform all the duties, and receive the compensation prescribed by the general laws of this Commonwealth in cases of election for county officers. The poll-book shall be returned to the clerk of the county court within three days after the election; and the clerk shall forthwith report the same to the presiding judge of said court; and said judge, together with the clerk, shall at once proceed to ascertain the result of said election, and enter the same upon the records of the court, which record shall be conclusive of the regularity and result of said election; the result or validity of said election shall not be questioned, unless proceedings for that purpose be commenced within thirty days after said result is ascertained and stated upon the records of the court.

§ 2. At said election the following questions shall be propounded to each voter: "Are you in favor of raising, by taxation, the sum of — dollars (the amount specified in the application and order to be here inserted), upon condition that the Cincinnati Southern Railway shall be located and constructed through this county, and the said money to be expended within this county solely, for paying for the right of way and depot grounds?" and the sense of the voters shall be recorded in the affirmative or negative, as the case may be. In case a majority of the votes cast at said election shall be in the affirmative, it shall be the duty of the presiding judge at once to appoint three commissioners, who shall, under oath, ascertain and report the cost of the right of way through said county; and he shall cause the several justices of the peace for said county to assemble within ten days after the said report is received; and when so assembled, the said commissioners shall report the cost of the right of way as aforesaid; and it shall be the duty of the said justices at once to levy a tax upon the taxable property in said county, subject to taxation for State revenue purposes, sufficient to raise the sum specified in said report, or such part thereof as may be determined upon; and for the remainder of the amount authorized to be raised the presiding judge
shall forthwith issue the bonds of said county, for an amount not less than one hundred dollars each, nor more than one thousand dollars each, signed by him as presiding judge, and countersigned by the clerk of the county court, payable to bearer, with interest at any rate not exceeding ten per cent. per annum, payable semi-annually, at such place as said presiding judge may determine; and said bonds shall have coupons or interest warrants attached thereto, attested by the signature of the clerk of the county court. It shall be the duty of said court, annually, at its sitting as a court of claims, to levy and cause to be collected a tax upon the taxable property in said county subject to assessment for State revenue purposes, sufficient to pay the interest on said bonds, and to provide a sinking fund for the redemption of the bonds at maturity; said bonds, when issued, shall be delivered to the Commissioners of the Sinking Fund as hereinafter provided.

§ 3. All taxes levied under authority of this act shall be collected by the sheriff at the same time and in the same manner that the county levy is required to be levied; but before proceeding to collect the same, he shall execute a bond, with good and sufficient security, to be approved by the presiding judge of the county court, stipulating for a faithful performance of his duties under this act, and that he will promptly pay over to the Commissioners of the Sinking Fund for said county all moneys collected by him; and in case he shall fail or refuse to execute such bond, the presiding judge shall appoint a special collector, who shall execute a like bond, and exercise all the powers of a sheriff in making such collections. The sheriff or special collector shall receive the same compensation, for making collections under this act, as is allowed by law for collecting the State revenue. For a breach of the bond of the sheriff or special collector, the Commissioners of the Sinking Fund may sue in their own names for the use and benefit of the county; and in case of their refusal to sue when required by any tax-payer, such tax-payer may prosecute an action on said bond in the name of said commissioners; but he shall be liable for all costs and expenses in case such suit is not successful.

§ 4. It shall be the duty of said justices of the peace, at their second meeting, as required by this act, or within thirty days thereafter, and every two years afterwards, to elect three Commissioners of the Sinking Fund, who shall serve two years, and until their successors are elected and qualified. The said commissioners shall take an oath that they will faithfully perform the duties of their office, and shall execute separate bonds, with good and sufficient sureties, to be approved by the presiding judge of the county court, conditioned that they will well and truly do and perform all the things required of them by this act, and any amendments thereto; and that they will promptly account for and pay over to the proper persons all moneys received by them, all moneys raised by taxation under this act, and all moneys raised by the sales of bonds authorized by this act, that may come to their hands. They shall receipt for all moneys that may come to their hands. They may sell or hypothecate said bonds.

§ 5. Whenever the Cincinnati Southern Railway shall be located in any one of the said counties, and its construction actually commenced therein, it shall be the duty of the Commissioners of the Sinking Fund for such county to pay the owners of the land required to be taken for right of way and depot grounds the sums ascertained to be due them.

§ 6. The amount authorized to be raised by taxation, and by the issue of bonds, shall not be greater in any of the counties herein named than a sum actually necessary to pay for right of way and depot grounds for said railway; and this shall in no county exceed the sum of seventy-five
thousand dollars. In case such election shall be set aside, a second election may be ordered and held, upon new application being made; but no such election shall be held until after the expiration of sixty days from the date of the first election, and no more than two elections shall be held under this act in any one county.

§ 7. The Commissioners of the Sinking Fund shall, out of the money in their hands raised for that purpose, pay the interest on any bonds issued under the provisions of this act; and they shall have the custody and management of all money raised for the redemption of said bonds, and may loan the same out, from time to time, upon good security; until the maturity of said bonds; or they may, when so authorized by the presiding judge, by an order entered upon the records of his court, use the whole, or any part of said last mentioned money, in purchasing said bonds before maturity. They shall, once in each year, make a settlement of their accounts with the presiding judge in the same manner that administrators and guardians are required to settle, and the same shall be recorded in a book to be kept for that purpose. The presiding judge shall, at each annual settlement, allow said commissioners a reasonable compensation for their services, to be paid out of the money in their hands; said judge shall receive the sum of three dollars for making each settlement, to be paid in like manner.

§ 8. Any Commissioner of the Sinking Fund may be removed by the presiding judge, for good cause shown, upon ten days' notice; and in case of such removal, or in case of vacancy from any other cause, the presiding judge shall fill the same by appointment. It shall be the duty of the presiding judge to see that the surety furnished by the said commissioners is at all times sufficient; and he shall, whenever applied to by the county attorney or any tax-payer, make inquiry concerning the solvency or sufficiency of any surety, and shall forthwith remove any commissioner who fails or refuses to furnish new or additional security when required.

§ 9. A majority of the justices of the peace in commission in said county shall constitute a quorum to transact business under this act; and in case of the absence of the presiding judge, they shall elect one of their number to preside. The failure or omission of the presiding judge or justices of the peace to perform any act, or enter any order, at the time the same is herein required to be performed or entered, shall not avoid any proceeding herein authorized or required; but such act may be performed, and such order entered, at any subsequent time, with the same effect as if there had been no such failure or omission.

§ 10. When said railway shall pass through any election precinct, in any of the counties named in the first section of this act, any ten residents and owners of property assessed for taxation for State revenue purposes in said precinct shall make application in writing, to the presiding judge of the county court, it shall be the duty of said judge to cause the justices of the peace for said precinct or precincts to be summoned, as directed in the first section of this act; and when so assembled they may make an order, submitting to the qualified voters of such precinct the question of raising by taxation, and the issue of bonds, such sum as may be necessary to pay for the right of way and for depot grounds in said precinct for said railway. Said election shall be held, the result ascertained, the same proceedings had, by the same persons and officers as required by this act for submitting said question to the vote of the county. Said court shall appoint Commissioners of the Sinking Fund, levy and cause to be collected the tax, and do all other things as is required by this act in cases where counties vote a tax under this act. If bonds
shall be issued for any precinct under this act, said judge, in addition to the other things required by this act, shall specify in said bond the number and name of the precinct. The purpose and meaning of this section is hereby declared to be, that if said railway shall pass through any precinct in any of the counties named in this act, and such county shall not submit the question stated in this act to the people of the county, then said question may be submitted to a vote of the people in such election precinct; and said election, and all proceedings thereunder shall be in accordance with the provisions of this act.

§ 11. The provisions of this act shall not apply to, or operate upon, the third legislative district of the county of Kenton.

§ 12. This act shall take effect and be in force from and after its passage.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.

Mr. Chrisman moved to reconsider the vote by which said bill was passed.

Mr. Foote moved to lay the motion of Mr. Chrisman on the table.
And the question being taken on the motion of Mr. Foote, it was decided in the affirmative.

On the question of the passage of this bill Mr. Speaker McCreary asked to be, and was, excused from voting thereon, for reasons stated by him.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill to amend chapter 53 of the Revised Statutes, entitled "Interest and Usury."

Without an expression of opinion thereon by the committee.

Said bill was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for all persons to contract by memorandum, in writing, signed by the party or parties chargeable thereon, to pay or receive any rate of interest for the loan or forbearance of money which may be agreed on by the parties to such contract, not exceeding eight dollars upon one hundred dollars for a year, and at the same rate for a greater or less sum and for a longer or shorter time.

§ 2. That no contract for the payment of a greater rate of interest than six per cent. per annum, for the loan or forbearance of money, shall be binding in law, unless a memorandum thereof shall be made in writing, and signed by the party chargeable thereon.

§ 3. That all judgments rendered upon any contract, in writing, for the payment of money, shall bear the same rate of interest which is provided by such contract; but upon contracts in which no rate of interest is agreed upon, the judgment shall bear six per cent. per annum.

§ 4. After the death of the payor or obligor of a contract for the loan or forbearance of money at a higher rate of interest than six per centum per annum, such contract, after maturity, and any judgment rendered thereon, shall bear six per centum per annum.

§ 5. That if any rate of interest exceeding the rate authorized by the first section of this act shall be charged, the whole interest shall be forfeited; and if the lender in such usurious contract refuse, before suit brought, a tender of the principal, without interest, he may, in any suit brought on such contract or assurance, recover the principal, but shall pay the costs of such suit.

§ 6. That nothing in this act shall be construed to authorize any bank, or other incorporated institution, to charge a greater amount, including exchange, than eight per cent. per annum on any bill, bond, note, or other obligation, discounted or purchased by it.

§ 7. That all acts or parts of acts coming in conflict with the provisions of this are hereby repealed, and especially the act approved March 14th, 1871, chapter 1554.

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

At half-past 1 o'clock, P. M., Mr. E. Polk Johnson moved that the House do now adjourn.

And the question being taken on the motion of Mr. Johnson, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Graves and Sanders, were as follows, viz:

Those who voted in the affirmative, were—

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<td>Mr. Speaker (McCreary)</td>
<td>B. E. Cassilly</td>
<td>E. A. Robertson</td>
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<td>A. C. Armstrong</td>
<td>R. L. Cooper</td>
<td>George M. Thomas</td>
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<td>A. S. Arnold</td>
<td>W. W. Deaderick</td>
<td>C. W. Thralked</td>
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<td>G. W. Bailey</td>
<td>Walter Evans</td>
<td>E. F. Waide</td>
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<td>Alpheus W. Bascom</td>
<td>E. Polk Johnson</td>
<td>J. M. White</td>
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<td>W. W. Bush</td>
<td>J. L. Null</td>
<td>J. M. Wright—18</td>
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Those who voted in the negative, were—

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<tr>
<td>Wm. A. Allen</td>
<td>E. A. Graves</td>
<td>Lewis Potter</td>
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<td>W. W. Ayers</td>
<td>C. P. Gray</td>
<td>Hiram S. Powell</td>
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<td>R. Tarv. Baker</td>
<td>Clinton Griffith</td>
<td>W. L. Reeves</td>
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<td>W. R. Bates</td>
<td>George M. Jesse</td>
<td>John Rowan</td>
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<td>W. N. Beckham</td>
<td>Thomas M. Johnson</td>
<td>John P. Rowlett</td>
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<td>S. C. Bell</td>
<td>T. J. Jones</td>
<td>J. R. Sanders</td>
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<td>J. C. S. Blackburn</td>
<td>L. W. Lassing</td>
<td>Samuel M. Sanders</td>
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<td>Church H. Blakey</td>
<td>J. S. Lawson</td>
<td>C. C. Scales</td>
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<td>W. B. M. Brooks</td>
<td>G. W. Little</td>
<td>William Sellers</td>
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<td>Thomas P. Cardwell</td>
<td>J. J. McAfee</td>
<td>James W. Snyder</td>
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<td>Robert M. Carlisle</td>
<td>Bryan S. McClure</td>
<td>J. S. Taylor</td>
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<td>John S. Carpenter</td>
<td>William J. McElroy</td>
<td>Harry L. Todd</td>
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<td>C. M. Clay, jr.</td>
<td>M. E. McKenzie</td>
<td>L. W. Truitt</td>
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<td>William G. Conrad</td>
<td>T. J. Megibben</td>
<td>T. W. Varnon</td>
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<td>R. D. Cook</td>
<td>J. C. Moorman</td>
<td>F. A. Wilson</td>
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<tr>
<td>Joseph P. Foree</td>
<td>Wm. Mynkier</td>
<td>S. H. Woolfolk—50</td>
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<tr>
<td>James Garnett</td>
<td>Julian N. Phelps</td>
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Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Thomas then moved to lay said bill on the table.

And the question being taken on the motion of Mr. Thomas, it was decided in the negative.

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

Those who voted in the affirmative, were—

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<td>Wm. A. Hoskins</td>
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<td>B. E. Cassilly</td>
<td>J. S. Lawson</td>
<td>J. N. Woods</td>
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<tr>
<td>C. M. Clay, jr.</td>
<td>G. W. Little</td>
<td>J. M. Wright—22</td>
</tr>
<tr>
<td>William G. Conrad</td>
<td></td>
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</tbody>
</table>
Those who voted in the negative, were—

Mr. Speaker (McCreary) E. A. Graves, Hiram S. Powell,
Wm. A. Allen, C. P. Gray, W. L. Reeves,
W. W. Ayers, George M. Jessee, John Rowan,
G. W. Bailey, Thomas M. Johnson, John P. Rowlett,
R. Tarv. Baker, L. W. Lassing, J. R. Sanders,
W. R. Bates, Bryan S. McClure, Samuel M. Sanders,
W. N. Beckham, William J. McElroy, C. C. Scales,
S. C. Bell, M. E. McKenzie, James W. Snyder,
Church H. Blakely, T. J. Megibben, J. S. Taylor,
W. B. M. Brooks, J. C. Moorman, C. W. Threlkeld,
Thomas P. Cardwell, Wm. Mynhier, Harry I. Todd,
R. D. Cook, J. L. Nall, I. W. Trafton,
J. E. Cosson, Mat. Nunan, T. W. Varnon,
Joseph P. Force, Julian N. Phelps, J. M. White,

At 2 o'clock, P. M., Mr. Bascom moved that the House do now adjourn.

And the question being taken on said motion, it was decided in the negative.

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

Those who voted in the affirmative, were—

G. W. Bailey, E. Polk Johnson, J. R. Sanders,
Alpheus W. Bascom, G. W. Little, William Sellers,
Robert M. Carlisle, J. C. Moorman, George M. Thomas,
E. E. Cassilly, J. L. Nall, J. L. Waring,
William G. Conrad, Mat. Nunan, J. M. White,

Those who voted in the negative, were—

Mr. Speaker (McCreary) C. P. Gray, John Rowan,
Wm. A. Allen, George M. Jessee, John P. Rowlett,
W. W. Ayers, Thomas M. Johnson, J. P. Sacksteder,
W. R. Bates, L. W. Lassing, Samuel M. Sanders,
S. C. Bell, J. S. Lawson, C. C. Scales,
W. B. M. Brooks, Bryan S. McClure, James W. Snyder,
Thomas P. Cardwell, William J. McElroy, J. S. Taylor,
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C. M. Clay, Jr., T. J. Megibben, Harry I. Todd,
R. D. Cook, Wm. Mynhier, L. W. Trafton,
J. E. Cosson, Julian N. Phelps, T. W. Varnon,
Joseph P. Force, Hiram S. Powell, F. A. Wilson,
James Garnett, W. L. Reeves, J. N. Woods—40.
Ordered, That said bill be printed, and that the further consideration thereof be postponed to, and made special order of the day for, Monday, the 10th day of March next, at 11 o'clock, A. M.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, February 13, 1873.

Gentlemen of the Senate and House of Representatives:

I have the honor, in accordance with request, to transmit a copy of the proceedings of a public meeting of the citizens of Frankfort and Franklin county, held in this city the 10th instant. The request is coupled with one that I shall make such remarks as I may deem proper under the circumstances. In my annual message, page 13, under the head of criminal law and the courts, I took occasion to call your attention to this general subject, and to recommend legislative action for the better detection, apprehension, and punishment of the class of offenders denounced by this meeting, and I know not how I can do more than to cite you again to those remarks, and recommend them to your earnest consideration. In doing so, I must be permitted to express the gratification with which I have witnessed this very prompt and unanimous expression of the people of Frankfort and Franklin county in condemnation of lawlessness in all its forms. It tends to remove the impression which may have gone abroad that they are indifferent to such acts, and as an organization of public sentiment, will, I am confident, go far to aid the law in their thorough suppression.

Respectfully,

P. H. LESLIE.

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

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the mayor of the city of Louisville to subscribe in the name, and for and in behalf of the said city, for ten thousand additional shares of the capital stock of the Elizabethtown and Paducah Railroad Company;

An act for the benefit of school district No. 5, in Garrard county;
An act to amend an act incorporating the Vanceburg Male and Female Academy;
An act to exempt undertakers from serving on juries;
An act for the benefit of Charles Kirtley, assignee of James M. Durham, of Rockcastle county;
An act for the benefit of S. C. Cardwell and Daniel Moore, of Mercer county;
An act to amend an act, and the amendments thereto, incorporating the school board of the city of Covington;
An act for the benefit of school districts No. 22 and No. 73, in Madison county;
An act to create a new school district in Clinton county;
An act for the benefit of school district No. 47, in Clay county;
An act to change the name of the Catlettsburg Normal Academy to that of the East Kentucky Normal Academy;
An act to amend the charter of Harrisburg Seminary;
An act to establish free schools for the colored people in Hancock county;
An act for the benefit of S. A. Walker, of Graves county;
An act to incorporate the Caseyville Coal and Transportation Company;
An act for the benefit of the Key's Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works;
An act to incorporate the Guylena Mining and Manufacturing Company;
An act to incorporate the Fleming Coal Company;
An act to incorporate the Muhlenburg Coal and Iron Company;
An act to incorporate Walton Lodge, No. 183, of the Independent Order of Odd Fellows;
An act authorizing and empowering the levy court or court of claims of Magoffin county to increase the county levy, and to levy an ad valorem tax;
An act to amend the town charter of Lebanon;
An act for the benefit of Washington county, authorizing the county court of said county to levy and collect taxes to pay its present indebtedness;
An act to change the time of holding the Lee county quarterly court;
An act to authorize the court of claims of Oldham county to levy tax for the erection of a new jail;
An act to legalize certain orders and proceedings of the Larue county court;
An act for the benefit of Clinton county court of claims;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Dederick inform the Senate thereof.
And then the House adjourned.
FRIDAY, FEBRUARY 14, 1873.

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

- An act for the benefit of Marcus Devary, of Clark county.
- An act for the benefit of Stephen Nethercutt, of Carter county.
- An act for the benefit of M. S. Napier.
- An act to incorporate the Victor Coal Mining Company.
- An act to amend an act, entitled “An act to incorporate the Marble City Mining and Manufacturing Company.”
- An act to amend the charter of the Boone Bridge Company.
- An act to amend the charter of the Frankfort and Flat Creek Turnpike Road Company.
- An act for the benefit of Sally Stagner, of Madison county.
- An act to prohibit the sale of ardent spirits in Lee county.
- With an amendment to the last named bill.
- And that they had passed bills of the following titles, viz:
  1. An act to authorize railroad companies incorporated by the laws of this Commonwealth to execute, issue, and sell their mortgage bonds, and to secure the payment thereof by executing mortgages upon their property, rights, and franchises.
  2. An act respecting companies organized, and to be organized, under an act, entitled “An act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies,” approved March 15, 1870.
  3. An act to amend the charter of the Citizens’ Passenger Railway Company of Louisville.
  4. An act to incorporate the Short Route Railway Transfer Company.
  5. An act to incorporate the Harlan County Mining and Railroad Company.
  6. An act to authorize John E. Cooper, of Morgan county, to build a mill-dam across Licking river, in Morgan county.
  7. An act for the benefit of T. P. Cardwell, of Breathitt county.
  8. An act to incorporate the National Pipe Contract Company.
  9. An act to incorporate the Slate Ford Coal Company.
10. An act to amend an act incorporating the Merchants' Insurance Company, approved February 28, 1860.

11. An act to amend section 665, title 13, of the Civil Code of Practice, on evidence.

12. An act to incorporate the Central University.

13. An act to amend an act approved March 28, 1872, authorizing sheriffs to sell real estate to pay revenue tax.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 3d, 4th, and 5th to the Committee on Railroads; the 2d, 8th, and 9th to the Committee on Corporate Institutions; the 6th and 7th to the Committee on Internal Improvement; the 10th to the Committee on Insurance; the 11th to the Committee on Codes of Practice; the 12th to the Committee on Education; and the 13th to the Committee on Ways and Means.

The following petitions and remonstrances were presented, viz:

By Mr. Flippin—
1. The petition of sundry citizens of Tompkinsville, praying the passage of an act prohibiting the sale or giving of spirituous liquors within one mile of said town.

By Mr. McClure—
2. The petition of sundry citizens of Casey county, praying an appropriation for the erection of a bridge across Green river.

By Mr. Waring—
3. The petition of certain citizens of Greenup county, praying the passage of a law prohibiting the sale of spirituous, vinous, or malt liquors, in the county of Greenup.

By Mr. Powell—
4. The petition of certain citizens of Jackson county, praying to be refunded the expenses incurred for payment of certain guards.

By Mr. Carlisle—
5. The petition of sundry citizens of Kenton county, praying the passage of a law to prohibit the sale of liquors in a portion of said county.

By Mr. Magibbon—
6. The petition of sundry citizens of Cynthiana, praying an amendment of the charter of said city.
By the same—

7. The remonstrance of sundry citizens of Cynthiana, against the proposed amendment of the charter of said city.

By Mr. Waring—

8. The remonstrance of certain citizens of Greenup county, against the passage of a prohibitory liquor law.

Which were received, the reading dispensed with, and referred—the 1st and 5th to the Committee on Religion; the 3d and 8th to the Committee on the Judiciary; the 4th to the Committee on Propositions and Grievances; the 6th and 7th to the Committee on Corporate Institutions; and the 2d to a select committee, consisting of Messrs. McClure, Hoskins, Varnon, Cooper, and Garnett.

The Speaker laid before the House the memorial of Anton Sontag, in regard to immigration, which was read.

Ordered, That the same be referred to the Committee on Immigration and Labor.

Ordered, That Mr. Beckham be added to the Committee on Immigration and Labor.

On motion, indefinite leave of absence was granted Messrs. Armstrong, Little, Morin, and Garnett.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors in the Clintonville precinct, in Bourbon county.

An act to incorporate the Grand Lodge of the Ancient Order of United Workmen of Kentucky.

An act in relation to the transfer of the property of the Harrison Academy to the city of Cynthiana.

An act authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats.

An act to authorize the county court of Whitley county to issue bonds to raise funds for county purposes.

An act to prohibit the sale of spirituous liquors in the town of Powersville, Bracken county.

An act to amend an act, entitled “An act to incorporate the Boone Mining and Manufacturing Company,” approved February 16, 1866.
An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of Pleasant Grove Church or schoolhouse, at the fork of Stinson creek, in Carter county.

An act to incorporate the Collier Mining and Manufacturing Company.

An act to empower the Edmonson county court to levy an additional tax and issue bonds to build a new court-house.

An act for the benefit of colored public schools at Bowling Green.

An act to amend the charter of the town of Georgetown.

An act for the benefit of Levi Jones, of Greenup county.

An act to amend the charter of the town of West Point, in Hardin county.

An act to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county."

An act to amend an act to reduce into one the several acts concerning the town of Madisonville.

An act to amend an act, entitled "An act to build a turnpike road in Lewis and Mason counties."

An act to fix the time of holding terms of circuit courts in the tenth judicial district.

The Speaker laid before the House the Report of the Trustees of the American Printing House for the Blind.

[For Report—see Legislative Document No. 12.]

Ordered, That the Public Printer print the usual number of said report for the use of the House, and that the same be referred to the Committee on Charitable Institutions.

Bills were reported, by the committee originating the same, of the following titles, viz:

By Mr. Thomas, from the Committee on Revised Statutes—

A bill authorizing the Lewis county court to make an allowance to the clerk of the Lewis circuit court, for continuing the general and cross-index to suits in the Lewis circuit court.

By Mr. Bates, from the same committee—

A bill to prevent the selling, giving, or furnishing of spirituous, vinous, or malt liquors, in the town of Glasgow, on the Sabbath.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

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

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Tucker, from the Committee on Revised Statutes—
A bill for the benefit of the Iron Works Turnpike Road Company.

By same—
A bill for the benefit of Scotta P. Proctor, in Mercer county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to amend an act, entitled “An act to reduce into one the several acts concerning the town of Perryville, in Boyle county.”

By Mr. Morin, from the Committee on Education—
A bill to continue in force an act, entitled “An act for the benefit of the common schools in Newport, Campbell county.”

By Mr. Tucker, from the Committee on Revised Statutes—
A bill to authorize the circuit court clerk of Butler county to make a general cross-index.

By same—
A bill for the benefit of the Schoolsville Branch of the Winchester and Red River Iron Works Turnpike Road Company.

By Mr. Bascom, from the Committee on Banks—
A bill to amend the charter of the Glasgow Deposit Bank, approved February 27, 1869.

By Mr. Ayers, from the Committee on Religion—
A bill to incorporate the Christian Church in the town of Ghent, in Carroll county.

By Mr. Wright, from the Committee on Revised Statutes—
A bill to amend an act, entitled “An act to incorporate the Southwestern Furniture Manufacturing Company,” approved March 5, 1868.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

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

Mr. Tucker, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled A bill to amend an act, entitled "An act to exempt homesteads from sale for debt,"

Reported the same without amendment.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Corbett then moved to reconsider the vote by which said bill was passed.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported A bill to allow compensation to jurors in quarterly, police, and justices' courts, in the city of Frankfort.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett offered an amendment thereto.

On motion of Mr. Todd, said bill was recommitted to the Committee on Revised Statutes.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported A bill for the benefit of Mrs. Barthea Goodhart, of McCracken county,

Without expression of opinion thereon.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Reeves moved to lay said bill on the table.

40–n. R.
And the question being taken on the motion of Mr. Reeves, it was decided in the affirmative.
And so said bill was rejected.
Mr. Wright, from the Committee on Revised Statutes, who originated the same, reported
A bill to further amend the law in relation to peddlers.
Which was read the first time as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, No person shall be deemed a peddler within the meaning of any law of this Commonwealth because of the selling by him, in any way, of agricultural implements, sewing machines, or portable mills.
§ 2. This act shall take effect and be in force from and after its passage.
Ordered, That said bill be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. Phelps and Johnson, were as follows, viz:

Those who voted in the affirmative, were—

 Those who voted in the negative, were—
Mr. Speaker (McCreary) C. P. Gray, Wm. A. Allen, R. Tarv. Baker, Alpheus W. Bascom, Lewis Potter, Clinton Griffith, Wm. A. Hoskins, George M. Jesse, John Rowan,
J. C. S. Blackburn, Thomas M. Johnson, John P. Rowlett,
W. B. M. Brooks, T. J. Jones, J. R. Sanders,
W. W. Bush, J. S. Lawson, Samuel M. Sanders,
Robert M. Carlisle, J. J. McAfee, C. C. Scales,
James S. Chrisman, M. E. McKenzie, James W. Snyder,
R. L. Cooper, J. C. Moorman, J. S. Taylor,
J. E. Cosson, W. M. Mynhier, C. W. Threlkeld,
W. W. Deaderick, J. L. Nall, L. W. Trafton,
James B. Fitzpatrick, John W. Ogilvie, J. M. White,
E. A. Graves,

And so said bill was rejected.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill for the benefit of J. J. Wood, late sheriff of Clinton county, &c.

Which was read the first time as follows, viz:

WHEREAS, In the year 1861 the revenue of Clinton county amounted to the sum of $2,448.90. J. J. Wood, then sheriff of said county, was prevented from collecting any of said revenue except $1,100. The amount of payments made by him and his securities, Thomas Travis, James H. Wood, Wm. Perkins, and Ballinger Wright, administrator of Ambrose Pierce, deceased, is $3,646.77; whereas, we find, after deducting the aforesaid sum of $1,100, and $975 costs, his payments exceed his receipts the sum of $2,537.02; then deduct attorneys' fees of $110.98, leaves a balance in excess of collections by said sheriff of $2,426.04; then deduct the sum of $1,985.89, amount refunded to said Wood and his sureties by act of the General Assembly of the Commonwealth of Kentucky, his payments then exceed his credits by the sum of $1,340.15; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the said sum of $1,340.15 be, and the same is hereby, refunded to the said J. J. Wood, Thos. Travis, James H. Wood, Wm. Perkins, and Ballinger Wright, administrators of Ambrose Pierce, deceased, said sheriff's securities; and for said sum the Auditor of Public Accounts will draw his warrant on the Treasury, payable to the said J. J. Wood, Thomas Travis, J. H. Wood, William Perkins, and Ballinger Wright, administrator as aforesaid, to be paid out of any money in the Treasury not otherwise appropriated, of which said sum, $382.95 shall be paid to the said Ballinger Wright, as administrator aforesaid, it being the full amount paid by said decedent's estate, by reason of said decedent's suretyship; the said Thomas Travis and James H. Wood shall receive of said fund hereby appropriated the full amount, less interest paid out by him on said revenue bond, subject to a credit of any amount or amounts received by them, or either of them; and the said Wm. Perkins shall receive of said fund hereby appropriated the full amount, less interest paid out by him on said revenue bond, after giving a credit for
what he sold the land for he bought at sheriff's sale, as the property of the said J. J. Wood, and all and every other sum or amounts received by him from the said J. J. Wood, or any other person or persons for him.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative, C. H. Webb—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Wright, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported
A bill to repeal an act, entitled "An act to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth with a family, from attachment or garnishee not exceeding fifty dollars."

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. W. Evans offered an amendment thereto.

Mr. Graves offered a substitute for the bill and proposed amendment.

Mr. Bates offered an amendment to the substitute proposed by Mr. Graves.

Mr. Bascom then moved to recommit said bill and proposed amendments to the Committee on Revised Statutes.

And the question being taken on the motion of Mr. Bascom, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

A. C. Armstrong, R. L. Cooper, Wm. Mynhier,
A. S. Arnold, Thomas H. Corbett, J. L. Nall,
R. Tarv. Baker, J. E. Cossen, Mat. Nunan,
Alpheus W. Bascom, Walter Evans, E. A. Robertson,
W. N. Beekham, James Garnett, J. R. Sanders,
Church H. Blakey, C. P. Gray, Samuel M. Sanders,
Wm. F. Bond, Clinton Griffith, William Sellers,
W. W. Bush, Wm. A. Hoskins, George M. Thomas,
Robert M. Carlisle, George M. Jessee, Harry I. Todd,
B. E. Cassilly, T. J. Jones, L. W. Trafion,
C. M. Clay, Jr., L. W. Lassing, J. L. Waring,
Josiah H. Combs, M. E. McKenzie, J. M. White,

Those who voted in the negative, were—

Mr. Speaker (M’Creary) William G. Conrad, Lewis Potter,
Wm. A. Allen, M. Woods Ferguson, Hiram S. Powell,
W. W. Ayers, James B. Fitzpatrick, W. L. Reeves,
G. W. Bailey, E. A. Graves, John Rowan,
W. R. Bates, Thomas M. Johnson, James W. Snyder,
John A. Bell, J. S. Lawson, J. S. Taylor,
J. C. S. Blackburn, J. J. McAfee, C. W. Threlkeld,
W. B M. Brooks, Bryan S. McClure, Joseph T. Tucker,
Thomas P. Cardwell, William J. McElroy, F. A. Wilson,
John S. Carpenter, T. J. Megibben, J. N. Woods,
George Carter, J. C. Moorman, S. H. Woolfolk—35.
James S. Chrisman, Julian N. Phelps,

On motion of Mr. Griffith,

Ordered, That Mr. Beckham be added to the committee raised on
the question of the propriety of the removal of the Capitol, &c.

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

1. A bill to regulate the salaries of county judges in this Common-
    wealth.

2. A bill to prohibit the sale of spirituous liquors, &c., in Monroe
    county.

3. A bill legalizing certain surveys of land made by R. J. Moxey,
late surveyor of Monroe county.

4. A bill for the benefit of tax-payers and collectors in this Com-
    monwealth.

5. A bill to incorporate the Claysville Male and Female Academy,
in Webster county.

6. A bill for the benefit of Mary F. Rush, of Union county.

7. A bill for the benefit of John S. Geigel, late clerk of the Union
    county court.

8. A bill to establish public schools for the benefit of colored chil-
    dren of McCracken county.

9. A bill to amend the charter of the Fisherville and Buck Creek
    Turnpike Road Company.

10. A bill to add Graves county to the common pleas court district,
    and establish a chancery term of said court in said county.

11. A bill for the benefit of school district No. 24, in Larue county.

12. A bill to amend the charter of the Hodgenville and Elizabeth-
town Turnpike Road Company.
On motion of Mr. Cosson—
13. A bill to legalize an act of the Pulaski county court made at its January term, 1873.

On motion of Mr. Bates—

On motion of Mr. Clay—

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st; the Committee on Religion the 2d; the Committee on Codes of Practice the 3d; the Committee on the Sinking Fund the 4th; the Committee on Education the 5th, 8th, 11th, and 14th; the Committee on Propositions and Grievances the 6th; the Committee on County Courts the 7th and 13th; the Committee on Internal Improvement the 9th and 12th; the Committee on the Judiciary the 10th; and the Committee on Charitable Institutions the 15th.

And then the House adjourned.

SATURDAY, FEBRUARY 15, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to regulate the time of holding the circuit courts in the counties of Nicholas and Mason.

An act for the benefit of Charles M. Thurston, clerk of the Jefferson county court.

An act for the benefit of John Ewell, jailer of McCracken county.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Margaret S. Lillard, guardian of Charles K. Lillard.
An act for the benefit of James N. Frazer, late sheriff of Harrison county.

An act for the benefit of N. E. Hobbs, of Mercer county.

An act to require the clerk of the Harrison circuit court to index and cross-index certain cases.

An act to amend an act, entitled "An act to regulate sales made under decrees of the Barren circuit court."

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

An act to amend an act to reduce into one all previous acts incorporating the town of Woodville, in the counties of McCracken and Ballard.

An act for the benefit of the West Point and Elizabethtown Turnpike Company.

An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county.

An act to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.

An act amending an act, entitled "An act incorporating the Vanceburg, Quincy, and Springville Turnpike Road Company," approved February 18, 1869.

An act to amend an act, entitled "An act to incorporate the Vanceburg, Quick's Run, and Concord Turnpike Road Company," approved December 17, 1867.

An act to amend an act, entitled "An act to incorporate the Salt Lick, Esclapia, and Mount Carmel Turnpike Road Company," approved March 9, 1867.

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

An act to empower Division No. 129 to convey lot.

An act to legalize the proceedings of the Metcalfe county court at its June term 1869.

An act to amend an act, entitled "An act to incorporate the Louisville Stock and Bond Board," approved 18th March, 1872.

An act in relation to the county levy in Lewis county, and the collection of the same.

An act authorizing the Lewis county court, at the court of claims, to levy a tax to repair the old jail in Lewis county, or building a new jail and jailer's house in said county.

An act to incorporate the Covington Printing Company.

An act to amend the charter of the city of Louisville.
An act for the benefit of the city of Louisville.
An act to amend an act, entitled "An act to regulate the sale and storage of illuminating oils, made from coal, petroleum, and other bituminous substances, &c." approved March 26, 1870.
An act to prevent the killing of birds in Garrard county.
With amendments to the last two named bills.
And that they had passed bills of the following titles, viz:
1. An act for the benefit of A. H. Kininmonth, of Butler county.
2. An act for the benefit of William E. Paull, jailer of Cumberland county.
3. An act for the benefit of Andrew Rainey, of Estill county.
4. An act to amend an act, entitled "An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county," approved February 8, 1872.
5. An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 10, 1854.
6. An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.
7. An act to amend the charter of the Mount Freedom and Jessamine County Turnpike Road Company.
8. An act for the benefit of the Big Sandy Telegraph Company.
9. An act for the benefit of the Owenton and Steel's Run Turnpike Road Company.
10. An act to empower the Grayson county court to levy an additional tax to build a new jail.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st, 2d, and 3d to the Committee on Claims; the 4th to the Committee on Circuit Courts; the 5th to the Committee on the Judiciary; the 6th, 7th, and 9th to the Committee on Internal Improvement; the 8th to the Committee on Corporate Institutions; and the 10th to the Committee on County Courts.
The following petitions were presented, viz:
By Mr. McClure—
The petition of the officers of the Middleburg and Liberty Turnpike...
pike Road Company, and of the county judge of Casey county, praying the passage of an act to allow them to erect two full gates on said road, from Middleburg to Liberty.

By Mr. Cossen—

The petition of certain citizens of Pulaski county, praying for an act of incorporation for a turnpike road from Bryant’s road to a certain point in Pulaski county.

Which were received, the reading dispensed with, and referred to the Committee on Internal Improvement.

Indefinite leave of absence was granted Messrs. Moorman, Fitzpatrick, Taylor, Seales, Clay, and Bush.

On motion of Mr. Waring,

Ordered, That a committee, consisting of Messrs. Waring, Webb, and McElroy, be appointed, in conjunction with such committee as may be appointed by the Senate for same purpose, to wait on the Governor, and request him to return unsigned to the House enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Springville, in Greenup county.

An act for the benefit of the Key’s Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works.

Mr. Bascom moved to reconsider the vote by which the House, on yesterday, rejected a bill, entitled

A bill to amend the laws in relation to peddlers.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to charter the Owenton High School.

An act to exempt undertakers from serving on juries.

An act for the benefit of S. C. Cardwell and Daniel Moore, of Mercer county.

An act for the benefit of school district No. 47, in Clay county.

An act to incorporate Walton Lodge, No. 183, of the Independent Order of Odd Fellows.

An act to change the time of holding the Lee county quarterly court.

An act to amend the charter of Harrisburg Seminary.

An act to establish free schools for the colored people in Hancock county.
An act to incorporate the Fleming Coal Company.
An act to amend an act, and the amendments thereto, incorporating the school board of the city of Covington.
An act to authorize the court of claims of Oldham county to levy tax for the erection of a new jail.
An act to incorporate the Caseyville Coal and Transportation Company.
An act to incorporate the Guylena Mining and Manufacturing Company.
An act for the benefit of Charles Kirtley, assignee of James M. Durham, of Rockcastle county.
An act to amend the town charter of Lebanon.
An act for the benefit of school districts No. 22 and No. 73, in Madison county.
An act to amend an act incorporating the Vanceburg Male and Female Academy.
An act to legalize certain orders and proceedings of the Larue county court.
An act for the benefit of Clinton county court of claims.
An act for the benefit of Washington county, authorizing the county court of said county to levy and collect taxes to pay its present indebtedness.
An act to create a new school district in Clinton county.
An act to change the name of the Catlettsburg Normal Academy to that of the East Kentucky Normal Academy.
An act authorizing and empowering the levy court or court of claims of Magoffin county to increase the county levy, and to levy an ad valorem tax.
An act for the benefit of S. A. Walker, of Graves county.
An act for the benefit of John Hill, of Madison county.
A message was received from the Senate, announcing that they had adopted joint resolutions of the following titles, viz:
Resolution in relation to the completion of the Public Buildings, known as the Fire-Proof Offices.
Resolution consenting to the purchase of certain grounds in the city of Paducah, and county of McCracken, by the Government of the United States, for custom-house and other purposes.
And that they had passed bills of the following titles, viz:
1. An act for the benefit of the Eastern Lunatic Asylum.
2. An act to amend the charter of the Elizabethtown and Paducah Railroad Company.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st to the Committee on Charitable Institutions, and the 2d to the Committee on Railroads.
The Speaker laid before the House the following communication from the Auditor of Public Accounts, which was taken up and read as follows, viz:

**Office Auditor Public Accounts,**
Frankfort, Ky., February 15, 1873.

Hon. J. B. McCready, Speaker of the House of Representatives:
Sir: I herewith transmit to you, for the information of the General Assembly, statements of the receipts and expenditures of the Feebleminded Institute, from the 1st of January to 30th of June, 1872, and from the 1st of July to 17th of December, 1872.

Previous to the 1st of July last, the money of the institution was disbursed by the Superintendent—since that date by the Treasurer.

Hence two separate statements.

I have the honor to be,
Very respectfully,
Your obedient servant,
D. Howard Smith, Auditor.

[For Report—see Legislative Document No. 15.]

On motion of Mr. Jesse,
Ordered, That two hundred copies of said report be printed for the use of the House and said Institution.
Mr. Gray, from a select committee, who were directed to prepare and bring in the same, reported
A bill to pay jurors in justices and quarterly courts in this Commonwealth.
Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be legal for six jurors to try all civil cases before the justices of the peace and quarterly courts of this Commonwealth, when a jury is demanded by either party; and the party so demanding said jury shall be taxed three dollars to pay the same, unless it is agreed by both parties to have a jury, then three dollars is to be taxed as a jury fee, to be paid by the unsuccessful party in the action.
§ 2. That no jury shall be required to try any civil case in the justices' or quarterly court, unless demanded by one or the other parties to the action, or by the agreement of parties, as directed in the first section of this act.

§ 3. This act to take effect from and after its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett offered the following amendment, viz:

Strike out the word "six," from the first section of the bill, and insert the word "twelve."

Mr. T. M. Johnson moved to lay the bill and proposed amendment on the table.

And the question being taken on the motion of Mr. Johnson, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Powell moved to postpone the further consideration of said bill and proposed amendment until Wednesday, the 19th inst., at 11 o'clock, A. M.

And the question being taken on the motion of Mr. Powell, it was decided in the negative.

The yeas and nays being required thereon by Messrs. S. M. Sanders and Ogilvie, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) Joseph P. Foree, Wm. Sellers, 
Alpheus W. Bascom, E. A. Graves, George M. Thomas, 
John A. Bell, Thomas M. Johnson, C. W. Thralkeld, 
S. C. Bell, J. J. McAfee, Harry I. Todd, 
J. C. S. Blackburn, William J. McElroy, L. W. Trafton, 
Thomas P. Cardwell, Wm. Mynhier, Joseph T. Tucker, 
Robert M. Carlisle, Hiram S. Powell, T. W. Varnon, 
Josiah H. Combs, W. L. Reeves, J. L. Waring, 

Those who voted in the negative, were—

Wm. A. Allen, C. P. Gray, John W. Ogilvie, 
W. W. Ayers, Wm. A. Hoskins, Julian N. Phelps, 
G. W. Bailey, George M. Jesse, Lewis Potter, 
W. R. Bates, E. Polk Johnson, John Rowan, 
Wm. F. Bond, T. J. Jones, J. R. Sanders, 
W. B. M. Brooks, J. S. Lawson, Samuel M. Sanders, 
George Carter, Bryan S. McClure, C. H. Webb, 
William G. Conrad, M. E. McKenzie, J. M. White, 
Thomas H. Corbett, J. L. Nall, J. N. Woods, 

M. Woods Ferguson, 

The amendment proposed by Mr. Corbett was then rejected.

Mr. Graves then moved to recommit said bill to the Committee on the Judiciary.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) M. Woods Ferguson, William Sellers, 
Alpheus W. Bascom, Joseph P. Foree, George M. Thomas, 
John A. Bell, E. A. Graves, L. W. Trafton, 
S. C. Bell, Thomas M. Johnson, Joseph T. Tucker, 
J. C. S. Blackburn, Wm. Mynhier, T. W. Varnon, 
Thomas P. Cardwell, Hiram S. Powell, J. L. Waring, 
Robert M. Carlisle, W. L. Reeves, F. A. Wilson, 

R. D. Cook, 

Those who voted in the negative, were—

Wm. A. Allen, Wm. A. Hoskins, Julian N. Phelps, 
W. W. Ayers, E. Polk Johnson, Lewis Potter, 
G. W. Bailey, T. J. Jones, John Rowan, 
W. R. Bates, L. W. Lassing, J. R. Sanders, 
Wm. F. Bond, J. S. Lawson, Samuel M. Sanders, 
W. B. M. Brooks, J. J. McAfee, James W. Snyder,
Mr. Ogilvie then moved the previous question.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so the main question was ordered.

The main question was then put, "Shall the bill be engrossed and read a third time?" and it was decided in the affirmative.

The further consideration of said bill was suspended by the arrival of the hour for taking up the orders of the day.

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

An act to incorporate the Louisville Hotel Company.

Mr. E. Polk Johnson moved to suspend the rule and order of business, as also the rule requiring the reference of said bill to a committee, and take up said bill.

And the question being taken on the motion of Mr. Johnson, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Force and Graves, were as follows, viz:

Those who voted in the affirmative, were:

- Mr. Speaker (M‘Creary)
- Wm. A. Allen
- W. W. Ayers
- Alpheus W. Bascom
- W. R. Bates
- John A. Bell
- S. C. Bell
- J. C. S. Blackburn
- Wm. F. Bond
- W. B. M. Brooks
- Thomas P. Cardwell
- Robert M. Carlisle
- Josiah H. Combs
- William G. Conrad
- Thomas H. Corbett
- J. E. Cosson
- C. P. Gray
- Wm. A. Hoskins
- E. Polk Johnson
- Thomas M. Johnson
- T. J. Jones
- L. W. Lassing
- J. S. Lawson
- Bryan S. McClure
- M. E. McKenzie
- Wm. Mynher
- J. L. Nall
- Mat. Nunan
- John W. Ogilvie
- Lewis Potter
- Hiram S. Powell
- W. L. Reeves
- E. A. Robertson
- J. R. Sanders
- James W. Snyder
- George M. Thomas
- C. W. Threlkeld
- Harry I. Todd
- L. W. Trafton
- Joseph T. Tucker
- T. W. Varnon
- J. L. Waring
- J. M. White
- F. A. Wilson
- J. N. Woods
- J. M. Wright—47.

Those who voted in the negative, were:

- R. D. Cook
- Manlius T. Flippin
- Joseph P. Force
- E. A. Graves
- George M. Jessee
- Julian N. Phelps
- J. J. McAfee
- William J. McElroy

Said bill was then taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

On motion of Mr. Bates, the following statement was entered on the Journals of the House:

When the bill, entitled "An act to repeal an act, entitled 'An act to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth with a family, from attachment or garnishee not exceeding fifty dollars,'" was under consideration on yesterday, it appears from the Journal that Mr. Bates offered an amendment to the substitute proposed by Mr. Graves.

The amendment so offered by Mr. Bates was not designed to be considered as an amendment to Mr. Graves' substitute, but to the bill repealing the law exempting the wages of laborers to the amount
of fifty dollars, and for the purpose of continuing in force said law, so far as it applied to debts owing by laborers to vendors of spirituous, vinous, or malt liquors.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to incorporate the Louisville Hotel Company;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Winchester Building and Accumulating Fund Association, of Winchester;

An act for the benefit of school districts Nos. 5 and 28, in Livingston county;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts,'" approved March 13, 1872;

An act to amend an act to incorporate the city of Cynthiana, approved January 22, 1868;

An act to amend the charter of the Boone Bridge Company;

An act to incorporate the Rush Branch Coal, Iron, Mining, Lumbering, and Manufacturing Company, in Morgan county;

An act to authorize the Ballard county court to increase the taxes to pay off the debts hereafter created by said county;

An act to facilitate the collection of taxes in the city of Paducah;

An act to authorize the Whitley county court to sell certain lands;

An act for the benefit of the sureties of Wm. Cummins, late sheriff of Whitley county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.

The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of school districts Nos. 10 and 47, in Jefferson county.

Said amendments were concurred in.

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

Resolved, That from and after Monday, the 17th inst., the House will meet at half-past 9 o'clock, A. M., Saturdays excepted, take a recess at 1 o'clock until 3 o'clock, P. M., and adjourn at 5 o'clock,
P. M. At the evening session the business shall be confined to reports from Standing Committees.

Ordered, That the consideration of said resolution be postponed to, and made special order of the day for, Wednesday, 19th inst., at 11 o'clock, A. M.

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

Resolved by the General Assembly of the Commonwealth of Kentucky, That it is the sense of this House that it cannot complete the revision of the Statutes this session; that this General Assembly will, on Monday next, at 12 M., adjourn sine die.

Which lies one day on the table.

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

Whereas, It is believed that the revision of the Statutes and Code of Practice was prematurely ordered; and whereas, the revision and codification have not been completed in the time prescribed by law, and will not be in time for this Legislature to act on the same with that care and caution that their importance demands; and whereas, there was and is no positive necessity for said revision and codification; and whereas, there is much reason to believe that the people of this Commonwealth will require a revision of their State Constitution at no great distance of time, which, if done, would seem to require another revision of the Statutes and of the Code of Practice; and whereas, this Legislature is much advanced in its second month, and nothing having been done upon this subject in either House of this General Assembly on the subject of said revision of the Statutes and of the Code of Practice, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That from and after the passage of this joint resolution, all further efforts at completion of said revision and codification cease and determine.

Which lies one day on the table.

Mr. Graves moved the following resolution, viz:

Resolved, That the Committee on the Revised Statutes be directed to bring in a bill supplemental to the law known as the "red fox scalp law," to require the respective county courts of this Commonwealth, at their several courts of claims, to provide the means and pay for all wolf, red fox, grey fox, and wild cat scalps produced in their respective counties as having been killed therein, as now provided by law, instead of the same being paid for at the State Treasury.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. F. A. Wilson and Bell, were as follows, viz:
Those who voted in the affirmative, were—

Wm. A. Allen, M. Woods Ferguson, E. A. Robertson,
Alpheus W. Bascom, E. A. Graves, William Sellers,
W. R. Bates, Wm. A. Hoskins, C. W. Threlkeld,
John A. Bell, George M. Jesse, Joseph T. Tucker,
J. C. S. Blackburn, E. Polk Johnson, F. A. Wilson,
Wm. E. Bond, J. J. McAfee, J. N. Woods,
Robert M. Carlisle, W. L. Reeves,

Those who voted in the negative, were—

Mr. Speaker (McCreary) C. P. Gray, Hiram S. Powell,
W. W. Ayers, Thomas M. Johnson, John Rowan,
G. W. Bailey, T. J. Jones, J. R. Sanders,
S. C. Bell, L. W. Lassing, Samuel M. Sanders,
Thomas P. Cardwell, J. S. Lawson, James W. Snyder,
George Carter, Bryan S. McClure, George M. Thomas,
Josiah H. Combs, M. E. McKenzie, Harry I. Todd,
William G. Conrad, Wm. Mynhier, L. W. Trabon,
R. D. Cook, J. L. Nall, T. W. Varnon,
Thomas H. Corbett, Mat. Nunan, J. L. Waring,
J. E. Cossen, John W. Ogilvie, C. H. Webb,

Mr. McAfee moved the following resolution, viz:

Resolved, That the following shall be a standing rule of this House during the remainder of this session of the General Assembly: The regular order of business in this House shall not be suspended or interrupted unless the same shall be ordered by a vote of seven eighths of the members voting, and upon such question the yeas and nays shall be called: Provided, That the yeas and nays may not be called where the rules are unanimously suspended.

Which was postponed until next Wednesday, at 11 o'clock, A.M.

Ordered, That the consideration of said resolution be postponed till Wednesday, 19th inst., at 11 o'clock, A.M.

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

On motion of Mr. Foree—

1. A bill for the benefit of the trustees of school district No. 62, in Shelby county.

On motion of same—

2. A bill to incorporate the Harrisonville and Hardinsville Turnpike Road Company, in Shelby county.

On motion of same—

3. A bill to amend chapter 751 of the acts of 1871-'72.

On motion of Mr. Carlisle—

4. A bill to incorporate the Covington Iron Company.
On motion of Mr. Cook—
5. A bill for an appropriation to remove obstructions out of Rockcastle river, above where the Lebanon branch of the Knoxville Railroad crosses said river.

On motion of Mr. Varnon—
6. A bill for the benefit of Mildred Broadus, a pauper idiot of Lincoln county.

On motion of Mr. Ferguson—
7. A bill to reduce the jurisdiction of magistrates and justices of the peace in Jefferson county.

On motion of same—
8. A bill to charter Falls City Club, of Louisville.

On motion of Mr. Wright—
9. A bill to prevent blackmailling, and to punish persons guilty of the same.

On motion of same—
10. A bill to incorporate Clay Lodge, No. 1, Knights of Pythias, of Louisville.

On motion of same—
11. A bill to provide for the registration of voters.

On motion of Mr. Ogilvie—
12. A bill to amend the charter of the Paducah, Benton, and Mur-ray Gravel Road Company, in McCracken county.

On motion of Mr. McAfee—
13. A bill to regulate the fees of circuit court clerks and define the duties of Commonwealth Attorneys.

On motion of same—

On motion of Mr. Speaker McCreary—
15. A bill for laying off the county of Madison into new school districts.

On motion of same—
16. A bill to legalize certain acts of the Mercer county court.

On motion of Mr. Threlkeld—
17. A bill to enable constables to collect delinquent taxes in Owen county.

On motion of Mr. McKenzie—
18. A bill to regulate the compensation of members of the General Assembly.
On motion of Mr. Potter—
19. A bill to amend the charter of the city of Bowling Green.

On motion of Mr. Sellers—
20. A bill to authorize the Garrard county court to levy a tax to build a hospital for small-pox patients.

On motion of same—
21. A bill in regard to the turnpike roads in Garrard county.

On motion of same—
22. A bill for the benefit of the several county judges of this Commonwealth.

On motion of Mr. Corbett—
23. A bill to amend the charter of the town of Blandville, Ballard county.

On motion of Mr. McClure—

On motion of Mr. Jesse—
25. A bill in aid of the unfinished turnpike roads of Henry county.

Ordered, That the Committee on Education prepare and bring in the 1st and 16th; the Committee on Internal Improvement the 2d, 5th, 12th, 24th, and 25th; the Committee on County Courts the 3d, 14th, 15th, 17th, 20th, and 21st; the Committee on Corporate Institutions the 4th, 8th, 10th, 19th, and 23d; the Committee on Claims the 6th; the Committee on Revised Statutes the 7th, 13th, and 22d; the Committee on the Judiciary the 9th and 11th; and the Committee on Ways and Means the 18th.

On motion of Mr. Graves, the resolution heretofore offered by Mr. Thomas, declaring the population of the State to exceed one million five hundred thousand, and that the State be divided into twenty-four judicial districts, was referred to the Committee on the Judiciary.

Mr. Brooks moved the following resolution, viz:

Resolved, That it is the sense of this House that the resolution just offered by the gentleman from Marion (Mr. Graves) in relation to the revision of the Statutes, in so far as it sets forth that "the revision was prematurely ordered," &c., is a censure upon the House, and therefore ought to be withdrawn.

Pending consideration of said resolution, the House adjourned.
MONDAY, FEBRUARY 17, 1873.

The following petitions were presented, viz:
By Mr. Woods—
1. The petition of William Watson and others, praying to be taken from the county of Livingston and added to the county of Crittenden.
By Mr. S. C. Bell—
2. The petition of certain citizens of the town of Edmonton, praying the passage of a law permitting Henry Shannon to keep a coffee-house in said town upon payment of the required tax.
By Mr. Rowlett—
3. The petition of certain citizens of Canmer, praying the repeal of an act passed in the year 1871 in regard to the selling of spirituous liquors, so far as to allow druggists to sell the same for medical purposes.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts, and the 2d and 3d to the Committee on Religion.

A message was received from the Senate, announcing that they had adopted a resolution, entitled Resolution in relation to land to be acquired by the United States in the city of Covington, for the erection of a public building.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the Bath Iron Company.
An act to incorporate the Mount Sterling Free Stone Company.
An act for the benefit of James Brough and Oscar McKenzie, of Morgan county.

With an amendment to the last named bill.
And that they had passed bills of the following titles, viz:
1. An act to incorporate the Bell Mine Coal and Transportation Company.
2. An act to incorporate the Pomeroy Coal Company.
3. An act for the benefit of the stockholders of the Bath Seminary, in Bath county.
4. An act to incorporate the trustees of the Baptist Female College of Liberty Association, in the State of Kentucky.
5. An act for the benefit of citizens of foreign birth in municipal elections.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on Corporate Institutions; the 3d and 4th to the Committee on Education; and the 5th to the Committee on the Judiciary.

On motion of Mr. Waide, leave was given to bring in a bill, entitled

A bill to protect the people of this Commonwealth against the unlawful acts of disguised persons, midnight marauders, or ku-klux.

Ordered, That a select committee, consisting of Messrs. Beckham, Reeves, Waide, and Todd, prepare and bring in the same.

Mr. Flippin moved the following resolution, viz:

Resolved, That the Commissioners now engaged in revising and compiling the Statutes of Kentucky be requested to furnish this House, by to-morrow morning at half-past 10 o'clock, a statement showing what portion of the Statutes has not yet been reported to the General Assembly by them, what further portion, if any, they are now ready to report, and at what time they can make a complete and final report to this General Assembly of all the work assigned them by the commission under which they are acting.

Which was adopted.

Indefinite leave of absence was granted Mr. Thomas.

Mr. Waring, from the joint committee appointed to wait on the Governor and request him to return, unsigned, bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Springville, in Greenup county;
An act for the benefit of the Key's Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works;

Reported that they had discharged their duty; that said bills were returned to them unsigned by the Governor, and were by them laid on the table of the Clerk of the Senate.

And after a time, a message was received from the Senate, asking leave to withdraw from the House the announcement of the passage of said bills by the Senate, which was granted.

Mr. Tucker, from the Committee on Revised Statutes, who were directed to prepare and bring in the same, reported

A bill to amend the road laws of this Commonwealth.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Tucker,

Ordered, That said bill be recommitted to the Committee on Railroads.

Mr. Varnon, from the Committee on Codes of Practice, to whom was referred a bill from the Senate, entitled

An act to amend section 77 of the Civil Code of Practice,

Reported the same without amendment.

Mr. Wright moved to amend said bill by striking out the word "conductor," which was rejected.

Mr. Wright also moved to amend said bill by striking out the words "other legal process."

Mr. W. Evans then moved to recommit said bill and proposed amendments to the Committee on Codes of Practice, with instructions to report thereon on Wednesday next, at half-past 10 o'clock, A.M.

And the question being taken on the motion of Mr. Evans, it was decided in the negative.

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

Those who voted in the affirmative, were—
Robert M. Carlisle, E. Polk Johnson, E. F. Waide,
Walter Evans, George M. Thomas,

Those who voted in the negative, were—
Mr. Speaker (McCreary) R. D. Cook, Thomas H. Corbett, Julian N. Phelps,
Wm. A. Allen, J. E. Cosson, Lewis Potter,
A. S. Arnold, M. Woods Ferguson, Hiram S. Powell,
W. W. Ayers, Manlius T. Flippin, W. L. Reeves,
G. W. Bailey, E. A. Graves, E. A. Robertson,
Alpheus W. Bascom, C. P. Gray, John Rowan,
W. R. Bates, Wm. A. Hoskins, Samuel M. Sanders,
John A. Bell, T. J. Jones, William Sellers,
S. C. Bell, James W. Snyder,
J. C. S. Blackburn, J. S. Lawson, C. W. Threlkeld,
Wm. F. Bond, Bryan S. McClure, L. W. Trafton,
W. B. M. Brooks, William J. McElroy, T. W. Varnon,
Thomas P. Cardwell, M. E. McKenzie, J. L. Waring,
B. E. Cassily, Wm. Mynhier, C. H. Webb,
James S. Chrisman, Mat. Nunan, J. M. White,
The hour of 12 o'clock, M., having arrived, Mr. Varnon moved to suspend the orders of the day and proceed with the consideration of this bill.

And the question being taken on the motion of Mr. Varnon, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), M. Woods Ferguson, Lewis Potter,
Wm. A. Allen, Manlius T. Flippin, Hiram S. Powell,
A. S. Arnold, E. A. Graves, W. L. Reeves,
W. W. Ayers, C. P. Gray, E. A. Robertson,
G. W. Bailey, Clinton Griffith, John Rowan,
Alpheus W. Bascom, Wm. A. Hoskins, John P. Rowlett,
W. R. Bates, E. Polk Johnson, J. P. Sacksteder,
John A. Bell, T. J. Jones, Samuel M. Sanders,
S. C. Bell, L. W. Lassing, James W. Snyder,
J. C. S. Blackburn, J. S. Lawson, C. W. Threlkeld,
Wm. F. Bond, Bryan S. McClure, Harry I. Todd,
W. B. M. Brooks, William J. McElroy, L. W. Trafton,
Robert M. Carlisle, M. E. McKenzie, Joseph T. Tucker,
B. E. Cassilly, Wm. Mynhier, T. W. Varnon,
James S. Chrisman, J. L. Nall, J. L. Waring,
William G. Conrad, Mate Nunan, C. H. Webb,
Thomas H. Corbett, John W. Ogilvie, J. M. White,

Those who voted in the negative, were—

Josiah H. Combs, William Sellers, E. F. Waide,

The second amendment proposed by Mr. Wright was then rejected.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

[For bill—see Acts present session.]

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

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Springville, in Greenup county, With an amendment thereto.

Said amendment was taken up and concurred in.
Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Charles G. Ragan, sheriff of Montgomery county;
An act for the benefit of Daviess county;
An act providing for the collection of the revenue tax and county levy for the years 1872 and 1873, for Clay and Breathitt counties;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Marcus Devary, of Clark county;
An act for the benefit of Stephen Nethercutt, of Carter county;
An act for the benefit of M. S. Napier;
An act to incorporate the World's Fair Association of Woodford county;
An act to incorporate the Victor Coal Mining Company;
An act to amend an act, entitled "An act to incorporate the Marble City Mining and Manufacturing Company;"
An act to amend the charter of the Frankfort and Flat Creek Turnpike Road Company;
An act to incorporate the Mount Sterling Water-works Company;
An act for the benefit of Sally Stagner, of Madison county;
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

A message was received from the Senate, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend an act to establish an additional voting precinct in the county of Jefferson, approved March 12, 1809.

On motion of Mr. E. Polk Johnson, the rule requiring the reference of said bill to a committee was suspended, and said bill taken up and read the first time.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Tucker, from the Committee on Revised Statutes—
A bill to regulate official sales in Trigg county.

By same—
A bill to authorize the clerk of the circuit court of Madison county to procure index books, and to index and cross-index equity and ordinary suits off the docket on file in his office.

By same—
A bill to re-enact an act, entitled "An act to amend an act to regulate the sale of liquors," approved February 1, 1870.

By same—
A bill to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.

By Mr. Gray, from the Committee on Education—
A bill to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city."

By same—
A bill for the organization of the public schools in the town of Clayville, in Webster county.

By Mr. Bascom, from the Committee on Banks—
A bill to incorporate the Exchange and Deposit Bank of Owingsville.

By Mr. Varnon, from the Committee on Codes of Practice—
A bill to provide for indexing certain books belonging to the office of the clerk of the Whitley county court.

By Mr. E. Polk Johnson, from the same committee—
A bill to amend section 646 of the Civil Code of Practice.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to charter the Lebanon Wooden Ware Manufacturing Company.

By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill for the benefit of the Baptist Church of Midway, in Woodford county.

By same—
A bill for the benefit of the Woodford Cream Cheese Company.
By Mr. Blackburn, from the Committee on Railroads—
A bill to amend an act to charter the Owensboro and Russellville Railroad Company, approved February 27, 1867.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Bills were reported, by the committees originating the same, of the following titles, viz:

By Mr. Wright, from the Committee on Revised Statutes—
A bill to authorize the judge of the Jefferson county court to appoint a collector of back taxes for Jefferson county.

By Mr. Sacksteder, from the Committee on Codes of Practice—
A bill to provide for an interpreter for the Louisville chancery court and the Jefferson court of common pleas.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Varnon, from the Committee on Codes of Practice, to whom was referred a bill from the Senate, entitled

An act to amend section 621 of the Civil Code of Practice,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act to authorize the judge of the Jefferson county court to appoint a collector of back taxes for Jefferson county.

At ten minutes past 1 o'clock, P. M., Mr. Powell moved that the House do now adjourn.

And the question being taken on the motion of Mr. Powell, it was decided in the negative.

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

Those who voted in the affirmative, were—

G. W. Bailey, Wm. A. Hoskins, J. R. Sanders,
Alpheus W. Bascom, L. W. Lassing, James W. Snyder,
Robert M. Carlisle, William J. McElroy, George M. Thomas,
George Carter, M. E. McKenzie, C. W. Threlkeld,
James S. Chrisman, Julian N. Phelps, Harry I. Todd,
J. E. Cossen, John Rowan,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) Walter Evans, E. A. Robertson,
Wm. A. Allen, M. Woods Ferguson, John P. Rowlett,
A. S. Arnold, E. A. Graves, J. P. Sacksteder,
W. W. Ayers, C. P. Gray, Samuel M. Sanders,
W. R. Bates, Clinton Griffith, William Sellers,
John A. Bell, E. Polk Johnson, L. W. Trafton,
S. C. Bell, J. S. Lawson, Joseph T. Tucker,
J. C. S. Blackburn, Bryan S. McClures, T. W. Varnon,
Wm. F. Bond, Wm. Mynhier, J. L. Waring,
Thomas P. Cardwell, J. L. Nall, C. H. Webb,
B. E. Cassilly, Mat. Nunan, F. A. Wilson,
William G. Conrad, Lewis Potter, J. N. Woods,

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the Eclipse Woolen Mills.

By same—
An act to incorporate the Slate Ford Coal Company.

By Mr. Gray, from the Committee on Education—
An act to amend an act to incorporate Alexander College, in the town of Burksville.
By Mr. Reeves, from the Committee on Railroads—
An act to incorporate the Short Route Railway Transfer Company.
By Mr. Blackburn, from the same committee—
An act to amend an act, entitled "An act to incorporate the Maysville, Flemingsburg Coal and Iron Region Railway Company."
Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
And then the House adjourned.

TUESDAY, FEBRUARY 18, 1873.
A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill which originated in the Senate, entitled
An act to charter the Barren County Bank.
That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of schools in New Castle, Henry county.
An act for the benefit of John Ellis, of the county of Barren.
An act for the benefit of Scotta P. Proctor, in Mercer county.
That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act, entitled "An act to incorporate the Henderson Horseshoe Bend Fence Company."
An act amending an act incorporating the Vanceburg, Salt Lick, Tolsboro, and Maysville Turnpike Road Company.
An act amending an act incorporating the Cabin Creek Turnpike Road Company.
An act to incorporate the Cairo and Tennessee River Railroad Company.
An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Perryville, in Boyle county."

An act to amend an act, entitled "An act to incorporate the Southwestern Furniture Manufacturing Company," approved March 5, 1868.

And that they had passed bills of the following titles, viz:
1. An act in relation to the fees of officers in certain cases.
2. An act to amend article 25, chapter 28, of the Revised Statutes.
3. An act to amend the charter of the city of Louisville.
4. An act to repeal an act, entitled "An act to prohibit the sale of ardent spirits in Headquarters, in Nicholas county."

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Revised Statutes; the 3d to the Committee on Education; and the 4th to the Committee on Religion.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend an act to establish an additional voting precinct in the county of Jefferson, approved March 12, 1889,
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
The following petition and remonstrances were presented, viz:

By Mr. Bond—
1. The petition of citizens of Anderson county, praying the passage of an act more effectually to suppress seining in Salt river in said county.

By Mr. McKenzie—
2. The remonstrance of sundry citizens of Trigg county, against the passage of an act to prohibit the traffic in ardent spirits at, or within three miles of, the Trigg Furnace, in said county.

By Mr. Mynhier—
3. The remonstrance of citizens of Morgan county, against the erection of mill-dams across Licking river.
By Mr. Trafton—

4. The remonstrance of citizens, male and female, of Spottsville, Henderson county, against the repeal of the act of the last session prohibiting the sale of ardent spirits in said town.

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

On motion, indefinite leave of absence was granted Mr. Ogilvie.

The Speaker laid before the House the following response of the Commissioners to revise the Statutes, to a resolution heretofore adopted by the House, viz:

FRANKFORT, KY., February 18, 1873.

HON. JAMES B. MCCRARY, Speaker of House of Representatives:

SIR: In answer to a resolution of the branch of the General Assembly over which you preside, we respectfully state that the following chapters of the revision of the Statutes have not been reported, viz:

1. Fees of Public Officers.
2. Landlord and Tenant.
4. Revenue Agent, now called Agent of the Auditor.
5. Revenue and Taxation.
7. United States Senator, how elected or appointed.

The chapters on Revenue and Taxation, Landlord and Tenant, Treasury Warrant Claims, and United States Senator, are printed, and, without being reported, have been placed upon the tables of the members of both Houses.

The chapter on the Militia is at the press, and will be completed in a short time.

The chapter on Revenue Agent is also at the press, and we are awaiting the proof impression.

We are now at work upon the chapter on Fees. This chapter is lengthy, and, to make it perfect, requires the examination of every law in the Statutes and Codes of Practice in any way relating to the subject of Fees. We hope to complete this chapter by the first of March.

The resolution calls upon us to state at what time we can make a complete and final report of all the work assigned us by the law under which we were appointed. This we can not now do, for the following reason: the law requires us to make to the Statutes notes of the decisions of the Court of Appeals bearing upon them. This we have not attempted, because the proper time to begin that work has not arrived, and will not, until the General Assembly adopts at least one chapter of our report. When that is done, we will add the notes at once, and hope if the work is taken up chapter after chapter
by the General Assembly, to keep up with them, at all events, we will do so as nearly as we can.

We ask permission here to say, that if we were permitted to make marginal references opposite each section to the book and page in which a decision touching the section may be found, much time would be saved; the book would be greatly diminished in size, much more convenient, and of more real value. But above all, give us time to make a complete index; for, without that, all law books are comparatively worthless, and especially those to which constant reference is required.

We have, in the course of our practice, seen courts compelled to adjourn juries, and spend hours of time hunting for sections of the law, which, with complete indices, might have been found in as many minutes.

It will afford us great pleasure to answer, as far as we can, any resolution of the General Assembly, or any inquiry of any one of the members, in respect to what we have done or may be doing.

Respectfully,

E. I. BULLOCK,
J. M. NESBITT,
Comrs.

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

On motion of Mr. Cooper—
A bill to incorporate the Maysville Chair Company.

On motion of Mr. Foote—
A bill to incorporate the Williams Machine Company of Covington.

Ordered, That the Committee on Corporate Institutions prepare and bring in said bills.

A message was also received from the Senate, asking to withdraw from the House the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of James N. Frazer, late sheriff of Harrison county, and his sureties,
Which was granted.

On motion of Mr. Foote, the further consideration of a bill, entitled
A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors,
Was postponed to, and made special order of the day for, to-morrow, at 11 o'clock, A. M.
Leave was given to bring in the following bills, viz:

On motion of Mr. Ferguson—
1. A bill to amend an act approved March 21, 1872, entitled “An act for the benefit of Jefferson county.”

On motion of Mr. Snyder—
2. A bill for the benefit of the sheriff of Hancock county, and his sureties.

On motion of same—
3. A bill for the benefit of the heirs of Horace Willford, deceased.

On motion of Mr. Clay—

On motion of Mr. Woods—
5. A bill for the benefit of William, Geo. T., and William H. Watson, of Livingston county.

On motion of Mr. Graves—
6. A bill to charter the Sulphur Spring Turnpike Road Company, in Marion county.

Order, That the Committee on County Courts prepare and bring in the 2d, 3d, and 5th; the Committee on Banks the 4th; the Committee on Internal Improvement the 6th; and that a select committee, consisting of Messrs. E. Polk Johnson, Brooks, and Sackstéder, the 1st.

A message was received from the Senate, announcing that they had passed a bill, entitled
An act to amend the charter of the Jefferson Southern Pond Draining Company.

On motion of Mr. E. Polk Johnson, the rule requiring its reference to a committee was suspended, and said bill taken up and read the first time.

Order, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Order, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. W. Evans, from the majority of the committee to whom was referred a resolution, entitled
Resolution providing for a recess of this General Assembly, and its reassemblage on a certain day,

Reported the following as a substitute for the resolution and proposed amendments thereto, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on Thursday, the 6th day of March, 1873, it will adjourn to meet again at 10 o'clock, A. M., on Thursday, the 1st day of May, 1873.

2. That the Joint Committee on the Revision of the Statutes and Code be, and they are hereby, authorized and directed to sit during the recess aforesaid; and those members of said joint committee who attend at the sittings of said committee, or who are absent therefrom by its leave, shall receive pay during said recess as though the General Assembly were in session; but the other members of the General Assembly, and the officers thereof, shall not receive mileage for their attendance, nor per diem from the ninth day of March, 1873, to the 27th day of April, 1873, both exclusive: Provided, That on the reassembling of the Legislature at the time herein specified, no other business shall be considered except the report of the Commissioners on the Revision of the Statutes, and such other business as has been introduced and remains unfinished at adjournment on the 6th of March, 1873.

Mr. Jones moved to amend said resolution as follows, viz:

Add thereto: That the Clerk of the Joint Committee shall report the names of the members absent, and that their pay shall stop for every day they are absent; and the Clerk shall make out a list of the names of each member absent, and the number of days absent, and forward the same to the Auditor.

Mr. Gray moved to amend the amendment offered by Mr. Jones, as follows, viz:

Add thereto: No member of the Joint Committee shall have leave of absence unless in case of sickness of himself or family; and in case of absence, his per diem shall cease for the time he is absent.

Mr. Graves then offered the following amendment as a substitute for the resolution and proposed amendments, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses of this General Assembly shall adjourn on Monday, the 10th day of March, 1873, they will adjourn sine die.

Mr. Corbett then moved to lay said resolution and proposed amendments on the table.

And the question being taken on the motion of Mr. Corbett, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Robertson and J. R. Sanders, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (McCreary), W. W. Deaderick, W. H. Evans, Julian N. Phelps, Lewis Potter,
Wm. A. Allen, A. S. Arnold, W. W. Ayers, W. W. Ayers, C. D. Foote, Hiram S. Powell,
Alpheus W. Bascom, Joseph F. Force, John Rowan, C. R. Sanders,
W. R. Bates, Clinton Griffith, C. C. Scales, James W. Snyder,
John A. Bell, Wm. A. Hoskins, C. W. Thrkel, Harry I. Todd,
W. B. M. Brooks, E. Polk Johnson, L. W. Trafton, Joseph T. Tucker,
Thomas P. Cardwell, Thomas M. Johnson, T. W. Vanon, T. W. Vanon,
George Carter, T. J. Jones, J. L. Waring, J. L. Waring,
B. E. Cassilly, L. W. Lassing, J. H. Webb, C. H. Webb,
James S. Chrisman, J. S. Lawson, J. M. White, F. A. Wilson,
Josiah H. Combs, J. J. McAfee, S. H. Woolfolk, S. H. Woolfolk,
R. D. Cook, M. E. McKenzie, E. C. Scales,
R. L. Cooper, T. J. Megibben, J. J. McAfee,
Thomas H. Corbett, J. C. Moorman, J. J. McAfee,
J. E. Cosson, J. L. Nall, J. J. McAfee,
Joseph M. Davidson,

Those who voted in the negative, were—

G. W. Bailey, Manlius T. Flippin, John P. Rawlott, W. M. Cassius Goodloe, J. P. Sacksteder,
R. Tarv. Baker, E. A. Graves, Samuel M. Sanders, William Sellers,
W. N. Beckham, C. P. Gray, William Sellers, W. M. Cassius Goodloe,
S. C. Bell, George M. Jessee, William Tarlton, J. P. Sacksteder,
Wm. F. Bond, Bryan S. McClure, J. S. Taylor,
Robert M. Carlisle, Wm. Mynhier, Jonas D. Wilson,
J. Guthrie Coke,
Walter Evans, E. A. Roberton,
Bills from the Senate, of the following titles, were reported with amendments, by the several committees to whom they had been referred, viz:

By Mr. Scales, from the Committee on Corporate Institutions—
An act to amend the city charter of Covington.
By Mr. Waring, from the Committee on Railroads—
An act to incorporate the Chatsroi Railway Company.
By Mr. Reeves, from the same committee—
An act to incorporate the Richmond and Three Forks Railroad Company.

Said amendments were severally concurred in.

Ordered, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid, except the last named bill, which is changed so as to read:
An act to incorporate the Richmond, Irvine, and Three Forks Railroad Company.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:
By Mr. Carlisle, from the Committee on Internal Improvement—
An act to incorporate the Decourcey Station, Taylor Road, and Bank Lick Short Line Turnpike Company.
By Mr. Scales, from the Committee on Railroads—
An act to amend the charter of the Newport Street Railway Company.
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the National Pipe Contract Company.
By Mr. Bascom, from the Committee on Banks—
An act to amend the charter of the Merchants' Bank of Kentucky, and the act amendatory thereof, approved March 3, 1860.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:
By Mr. Baker, from the Committee on Circuit Courts—
A bill to create an additional voting place in Jefferson county.
By Mr. Flippin, from the Committee on Codes of Practice—
A bill for the benefit of John C. Conklin, late clerk of the Monroe county court.
By Mr. McKenzie, from the Committee on Ways and Means—
A bill for the benefit of O. G. Moore, late sheriff of Edmonson county, and his securities.
By Mr. Waring, from the Committee on Railroads—
A bill to incorporate the Cairo and Ship Island Railroad Company.
By Mr. Scales, from the same committee—
A bill to amend an act, entitled "An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in same."
By Mr. F. A. Wilson, from the Committee on County Courts—
A bill for the benefit of G. W. Taylor, sheriff of Hancock county.
By Mr. Foote, from the same committee—
A bill for the benefit of G. W. Taylor, sheriff of Hancock county, 
and his sureties.
By Mr. Lassing, from the Committee on Ways and Means—
A bill for the benefit of R. N. Walker, late sheriff of Crittenden 
county.
By Mr. Bond, from the same committee—
A bill for the benefit of W. E. Clelland, late sheriff of Mercer 
county.
By Mr. Bascom, from the Committee on Banks—
A bill to incorporate the Deposit Bank of Cynthiana.
Which bills were read the first time and ordered to be read a second 
time.
The rule of the House and constitutional provision as to the second 
reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third 
reading of said bills being dispensed with, and the same being en-
grossed,
Resolved, That said bills do pass, and that the titles thereof be as 
aforesaid.
Mr. Griffith, from the Committee on Claims, who originated the 
same, reported
A bill to amend an act, entitled "An act for the benefit of Eli H. 
Murray."
Which bill was read the first time and ordered to be read a second 
time.
The rule of the House and constitutional provision as to the 
second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third 
reading of said bill being dispensed with, and the same being en-
grossed,
Resolved, That said bill do pass, and that the title thereof be as 
aforesaid.
Mr. Griffith, from the Committee on Claims, to whom was recom-
mitt ed a bill, entitled
A bill for the benefit of Thomas Ballew, of Pulaski county,
Reported the same without amendment.
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 Ordered, That said bill be engrossed and read a third time.
 The rule of the House and constitutional provision as to the third
 reading of said bill being dispensed with, and the same being en-
grossed,

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

 And then the House adjourned.

 WEDNESDAY, FEBRUARY 19, 1873.

 A message was received from the Senate, announcing that they
 had disagreed to a bill, which originated in the House of Represent-
 atives, entitled
 An act to regulate official sales of real and personal property, and
 of settlements of estates, in the counties of Pendleton, Lewis, Bracken,
 and Hickman.

 That they had passed bills, which originated in the House of Rep­
 resentatives, of the following titles, viz:
 An act for the benefit of R. H. Morrow, sheriff of Gallatin county.
 An act for the benefit of William Green, of the county of Mont­
gomery.

 An act to amend an act, entitled "An act to incorporate the Union
 and Richwood Turnpike Road Company."

 An act authorising the clerk of the Carter circuit court to procure
 general index books, and to index and cross-index all the equity and
 ordinary suits off the docket on file in his office.

 An act to amend the charter of the Orangeburg and Tollesboro
 Turnpike Road, in Mason county.

 An act to amend an act, entitled "An act to incorporate the Paint
 Lick and High Point Turnpike Road Company, in Madison county."

 An act for the benefit of Samuel Cawan, jailer of Boone county.

 An act for the benefit of the Iron Works Turnpike Road Company.

 An act to prevent the selling, giving, or furnishing of spirituous,
 vinous, or malt liquors, in the town of Glasgow, on the Sabbath.
An act for the benefit of the Schoolsville Branch of the Winchester and Red River Iron Works Turnpike Road Company.

An act to amend the charter of the Glasgow Deposit Bank, approved February 27, 1869.

An act to incorporate the Christian Church in the town of Ghent, in Carroll county.

An act to incorporate the Exchange and Deposit Bank of Owingsville.

And that they had passed a bill, entitled

An act to authorize the election of police judge and town marshal in the town of Brownsville, in Edmonson county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The following petitions were presented, viz:

By Mr. Foote—

1. The petition of certain citizens of Covington, praying the passage of an act to repeal an act approved March 27, 1872, to exempt the wages of laborers.

By Mr. Trafton—

2. The petition of certain citizens of Cairo, in the county of Henderson, praying the passage of an act legalizing certain acts of the police judge, marshal, and town trustees of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts, and the 2d to the Committee on Corporate Institutions.

Mr. Chrisman moved to reconsider the vote by which the House, on yesterday, laid on the table a resolution offered by Mr. Evans, providing for an adjournment of this General Assembly, and its reassembling on a certain day.

The House took up the motion heretofore made to reconsider the vote rejecting a bill, entitled

A bill to further amend the laws in relation to peddlers.

And the question being taken on the motion to reconsider said vote, it was decided in the affirmative.

Mr. Bascom then moved to reconsider the vote by which said bill was ordered to be engrossed and read a third time.
And the question being taken thereon, it was decided in the affirmative.

After debate thereon, it was again ordered that said bill be engrossed and read a third time.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, No person shall be deemed a peddler within the meaning of any law of this Commonwealth because of the selling by him, in any way, of agricultural implements, sewing machines, or portable mills.

§ 2. This act shall take effect and be in force from and after its passage.

The question was again taken on the passage of said bill, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), Josiah H. Combs, T. J. Megibben,
Wm. A. Allen, William G. Conrad, Mat. Nunan,
A. C. Armstrong, R. D. Cook, W. L. Reeves,
W. W. Ayers, R. L. Cooper, E. A. Robertson,
G. W. Bailey, Thomas H. Corbett, J. P. Sacksteder,
Alpheus W. Bascom, Joseph M. Davidson, Samuel M. Sanders,
W. N. Beckham, Walter Evans, C. C. Sceales,
John A. Bell, W. H. Evans, William Sellers,
S. C. Bell, C. D. Foote, G. W. Threlkeld,
Wm. F. Bond, Joseph P. Foree, Harry I. Todd,
W. B. M. Brooks, Wm. Cassius Goodloe, Joseph T. Tucker,
William Brown, E. A. Graves, T. W. Varon,
Thomas P. Cardwell, Clinton Griffith, E. F. Waide,
John S. Carpenter, Wm. A. Hoskins, J. L. Waring,
George Carter, E. Polk Johnson, Jonas D. Wilson,
B. E. Cassilly, T. J. Jones, S. H. Woolfolk,
C. M. Clay, Jr., J. S. Lawson, J. M. Wright—53.
J. Guthrie Coke, J. J. McAfee,

Those who voted in the negative, were—

R. Tarv. Baker, Bryan S. McClure, J. R. Sanders,
James S. Chrisman, J. C. Moorman, James W. Snyder,
J. E. Cosson, Wm. Mynhier, J. S. Taylor,
Manlius T. Flippin, Julian N. Phelps, L. W. Traffon,
C. P. Gray, Lewis Potter, C. H. Webb,
George M. Jessee, Hiram S. Powell, F. A. Wilson,

Resolved, That the title of said bill be as aforesaid.

45-H. R.
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of O. G. Moore, late sheriff of Edmonson county, and his securities,

With an amendment thereto.

Said amendment was taken up and concurred in.

Mr. Bates moved the following resolution, viz:

Resolved, That no member of this House shall be privileged hereafter to speak more than five minutes on any bill or question appertaining thereto; and shall not speak but once until every other member desiring to do so has spoken on the same.

Mr. Cook moved to lay said resolution on the table.

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

The yeas and nays being required thereon by Messrs. Bates and Cassilly, 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, asking leave to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled
An act for the benefit of schools in New Castle, Henry county.
Which was granted, and said bill returned to the Senate.
Leave was given to bring in the following bills, viz:

On motion of Mr. Bond—
1. A bill for the benefit of A. Portwood, sheriff of Anderson county.

On motion of Mr. Corbett—
2. A bill to repeal the proviso in section 1 of an act, entitled “An act authorizing the Auditor to remit damages on delinquent property,” approved March 28, 1872.

On motion of same—
3. A bill to extend the corporate limits of the town of Lovelaceville, in Ballard county.

On motion of same—
4. A bill to authorize the transfer of civil cases from the circuit court to the court of common pleas, in Ballard county.

On motion of Mr. Bates—

On motion of Mr. Speaker McCready—

On motion of Mr. Cardwell—
7. A bill for the benefit of William S. Allen, late sheriff of Breathitt county.

On motion of Mr. F. A. Wilson—
8. A bill for the benefit of school district No. 3, in Logan county.

On motion of same—
9. A bill for the benefit of Mary Carter, a miner, in Lyon county.

On motion of Mr. Ayers—
10. A bill for the benefit of C. E. Curd, of Calloway county.

On motion of Mr. Baker—
11. A bill to amend the charter of the Newport and Licking Turnpike Road Company, in Campbell county.

On motion of Mr. McClure—
12. A bill for the benefit of Casey county.

On motion of Mr. Gray—
13. A bill for the benefit of Major J. A. Brents, of Clinton county.

On motion of Mr. Woods—
14. A bill to prohibit the sale of spirituous or malt liquors in Crittenden county.
On motion of same—
15. A bill to amend the charter of Marion, in Crittenden county.
On motion of Mr. Griffith—
16. A bill to amend the charter of the Owensboro Savings Bank.
On motion of Mr. J. R. Sanders—
17. A bill for the benefit of J. B. Pierce, former jailer of Trimble county.
On motion of Mr. Davidson—
18. A bill to incorporate the Northeastern Kentucky Mineral, Improvement, and Railway Company.
On motion of Mr. Todd—
19. A bill to run and re-mark the line between the counties of Franklin and Woodford.
On motion of Mr. Sellers—
20. A bill to incorporate the Antioch and Burdett's Mill Turnpike Road Company, in Garrard county.
On motion of Mr. Lassing—
21. A bill to encourage and protect the planting and cultivating of hedge fences in Boone county.
On motion of Mr. Nall—
22. A bill to prevent certain trespasses in Hardin county.
On motion of same—
23. A bill to charter the Elizabethtown and Middle Creek Turnpike Road Company.
On motion of same—
24. A bill to increase the pay of justices of the peace of Hardin county to four dollars per day, while holding court of claims in said county.
On motion of same—
25. A bill to require express agents to pay county court clerks a fee of fifty cents for filing the license of said agents.
On motion of Mr. Combs—
26. A bill to create and regulate the office of county treasurer for Perry and Harlan counties.
On motion of Mr. Megibben—
27. A bill to authorize the Harrison county court to appropriate money for the erection of a bridge on the Cynthiana and Ashbrook Mills Turnpike Road.
On motion of Mr. Rowlett—

On motion of Mr. Jessee—
29. A bill for the benefit of the heirs of Squire Jones, deceased, of Henry county.

On motion of Mr. Arnold—
30. A bill for the benefit of the heirs of Wm. Cook, of Hickman county.

On motion of same—
31. A bill for the benefit of Wm. Jones, of Hickman county.

On motion of Mr. E. Polk Johnson—
32. A bill to amend an act, entitled "An act to establish a State House of Reform."

On motion of Mr. Brown—
33. A bill to amend the charter of the Mt. Freedom and Jessamine County Turnpike Road Company.

On motion of same—
34. A bill for the benefit of the heirs of Mary Scott, of Jessamine county.

On motion of same—
35. A bill for the benefit of Andrew J. McCampbell, late sheriff of Jessamine county.

On motion of same—
36. A bill to regulate proceedings under sale of real or personal estate of infants sold by their trustees under judgment or decree of court.

On motion of Mr. W. H. Evans—
37. A bill for the benefit of Spencer King, sheriff of Josh Bell county.

On motion of same—
38. A bill for the benefit of John F. King, sheriff of Knox county.

On motion of Mr. Carter—
39. A bill to amend and continue in force an act to empower the county court of Lawrence county to levy an additional tax in said county, and for other purposes.

On motion of same—
40. A bill for the benefit of common school district No. 1, in Lawrence county.
On motion of Mr. Coke—
41. A bill to repeal an act, entitled “An act for the benefit of the judge of the city court of Louisville,” approved February 3, 1871.
On motion of same—
42. A bill to regulate the fees of officers of the city court of Louisville.
On motion of Mr. Cassilly—
43. A bill for the benefit of the Irish Building and Loan Association, of Louisville.
On motion of Mr. Sacksteder—
44. A bill to prevent delays of criminal prosecution on account of the absence of defendant’s witnesses.
On motion of same—
45. A bill to compensate attorneys who are appointed by the courts to defend persons who are charged with criminal offenses who are unable to employ counsel.
On motion of Mr. Davidson—
46. A bill to amend the road laws of this Commonwealth.
On motion of Mr. Cooper—
47. A bill to amend the charter of the town of Germantown, in Bracken and Mason counties.
On motion of same—
48. A bill requiring certain qualifications of physicians previous to their practicing medicine or surgery.
On motion of Mr. Allen—
49. A bill to authorize the county court of Meade county to raise a fund to complete the payment for building the new courthouse.
On motion of Mr. Threlkeld—
50. A bill to amend the charter of Harrisburg Seminary, in Owen county.
On motion of Mr. J. A. Bell—
51. A bill to incorporate the Press Printing Company.
On motion of Mr. Forre—
52. A bill for the benefit of school district No. 47, in Shelby county.
On motion of Mr. Nunan—
53. A bill to legalize certain acts of the Washington county court.
On motion of Mr. Chrisman—
54. A bill to abolish the printing of the private acts of the General Assembly, and directing the Secretary of State to cause the same to be substantially bound in manuscript in lieu thereof.
On motion of Mr. Bailey—

55. A bill for the benefit of a male and female academy in the town of Claysville, Webster county.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st, 6th, and 7th; the Committee on Revised Statutes the 2d, 29th, 41st, 42d, 44th, 45th, and 46th; the Committee on Corporate Institutions the 3d, 15th, 20th, 32d, 33d, 47th, 50th, and 51st; the Committee on Circuit Courts the 4th and 38th; the Committee on County Courts the 8th, 9th, 24th, 25th, 27th, 37th, 38th, 39th, and 53d; the Committee on Proposals and Grievances the 10th, 19th, 22d, 26th, 48th, and 49th; the Committee on the Judiciary the 11th, 31st, and 43d; the Committee on Military Affairs the 13th; the Committee on Religion the 14th; the Committee on Banks the 16th; the Committee on Claims the 17th, 28th, 34th, and 35th; the Committee on Railroads the 18th; the Committee on Agriculture and Manufactures the 21st; the Committee on Internal Improvement the 23d; the Committee on Education the 40th, 52d, and 55th; the Committee on Printing the 54th; a select committee, consisting of Messrs. T. M. Johnson, Jesse, and Morin, the 5th; a select committee, consisting of Messrs. Hoskins, Varnon, Cosson, Nall, and Garnett, the 12th; and a select committee, consisting of Messrs. Arnold, Jones, and Bond, the 30th.

A message was received from the Senate, announcing that they had adopted a resolution, entitled

Resolution in relation to the duties of the Commissioners on the revision of the Statutes.

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

An act to create an additional voting place in Jefferson county.

An act to amend an act, entitled "An act for the benefit of Eli H. Murray."

A bill for the benefit of G. W. Taylor, sheriff of Hancock county.

An act for the benefit of G. W. Taylor, sheriff of Hancock county, and his sureties.

With an amendment to the last named bill.

And that they had passed a bill, entitled

An act for the benefit of John P. Barrett, late sheriff of Ohio county.

Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Mr. Griffith, from the Committee on Claims, to whom was re-committed a bill, entitled

A bill for the benefit of Sanford Goin, of Franklin county,
Reported the same without amendment.

Ordered, That the further consideration of said bill be postponed to, and made special order of the day for, Tuesday, 25th inst., at 11 o'clock, A. M.

On motion of Mr. Waide, the further consideration of a bill from the Senate, entitled

An act to provide for the organization and regulation of banking companies, and to repeal various charters,
Was postponed to, and made special order of the day for, to-morrow, at 11 o'clock, A. M.

On motion of Mr. Foote,
A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors,
Was postponed to, and made special order of the day for, to-morrow, at half-past 10 o'clock, A. M.

Mr. Todd, from the Committee on Public Offices, to whom was re-committed bills from the Senate of the following titles, viz:

An act to increase the salary of the chief clerk of the Land Office;

An act to promote public service in the Auditor's Office;
Reported the same without amendment.

Ordered, That the further consideration of said bills be postponed to, and made special order of the day for, Tuesday next—the 1st at half-past 10 o'clock, A. M., and the 2d at fifteen minutes before 11 o'clock, A. M.

Mr. E. Polk Johnson moved the following preamble and joint resolution, viz:

WHEREAS, The following acts of the General Assembly of the Commonwealth of Kentucky, and Journals of the two Houses thereof, are missing from the Library of the State, viz: Acts from 1792 to 1798; Acts from 1799 to 1806; Acts from 1807 to 1812; Journals from 1792 to 1815; Journals from 1816 to 1822; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That the State Librarian is hereby instructed to purchase, for the use of the State, such copies of the above mentioned Acts and Jour-
nals as he may be able to secure, to an extent not exceeding two sets of each; and upon his certifying the cost of the same to the Auditor, he shall draw his warrant on the Treasurer for the amount expended.

Which lies one day on the table.

Mr. Threlkeld moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and members in Congress requested, to use all honorable means in their power to have the law giving pensions to the soldiers of eighteen hundred and twelve so amended as to apply to all who were in actual service, without regard to the length of time of such service; also to pension the surviving widows of said soldiers, whether married before or after the war.

Which lies one day on the table.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Bascom, from the Committee on Banks—
A bill incorporating the Citizens' Bank of Paris.

By same—
A bill to incorporate the Winchester Savings Bank.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to extend the streets and alleys of Marion, in Crittenden county.

By same—
A bill to amend an act, entitled "An act to incorporate Bell City, in Crittenden county."

By Mr. Graves, from the Committee on Ways and Means—
A bill for the benefit of Charles K. Oldham, sheriff of Madison county.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of school district No. 6, in Greenup county.

By Mr. Ayers, from the Committee on Religion—
A bill to prohibit the selling of spirituous, vinous, or malt liquors in Tompkinsville, Monroe county, or within one mile thereof.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

46-H. R.
The rule of the House and constitutional provision as to the third reading of said bills being 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. Evans, the rule was suspended, and the following resolution, heretofore offered by Mr. McAfee, was taken up for consideration, viz:

Resolved, That the following shall be a standing rule of this House during the remainder of this session of the General Assembly: The regular order of business in this House shall not be suspended or interrupted unless the same shall be ordered by a vote of seven eighths of the members voting, and upon such question the yeas and nays shall be called: Provided, That the yeas and nays may not be called where the rules are unanimously suspended.

Mr. Griffith offered the following amendment, viz:

Provided, That the resolution shall not apply to the postponement of, or dispensing with, the orders of the day.

Mr. Walter Evans then moved to amend the amendment by excepting Tuesdays and Fridays.

Mr. Brown offered the following substitute for the resolution and amendments, viz:

That during the remainder of this session the regular order of business shall not be suspended for any purpose except by unanimous consent of the House.

The question was then taken on the adoption of the substitute proposed by Mr. Brown, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, J. Guthrie Coke, Hiram S. Powell,
A. C. Armstrong, Josiah H. Combs, John Rowan,
W. W. Ayers, R. D. Cook, J. P. Sacksteder,
G. W. Bailey, W. W. Deaderick, Harry I. Todd,
W. R. Bates, Joseph P. Force, Joseph T. Tucker,
S. C. Bell, Wm. Cassius Goodloe, T. W. Varnon,
William Brown, E. A. Graves, E. F. Waide,
Thomas P. Cardwell, T. J. Jones, J. M. White,
John S. Carpenter, Wm. Mynhier, Jonas D. Wilson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) W. H. Evans, Lewis Potter,
R. Tarv. Baker, M. Woods Ferguson, W. L. Reeves,
Alpheus W. Bascom, Manlius T. Flippin, John P. Rowlett,
W. N. Beckham, C. D. Foote, J. R. Sanders,
The amendment proposed to the amendment of Mr. Griffith, as also the amendment proposed by Mr. Griffith, were then rejected.

The question was then taken on the adoption of the resolution as proposed by Mr. McAfee, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said resolution was adopted.
Mr. Foree then moved to reconsider the vote by which said resolution was adopted.

Mr. Graves moved to lay the motion of Mr. Foree on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Walter Evans, Hiram S. Powell,
Wm. A. Allen, W. H. Evans, E. A. Robertson,
W. W. Ayers, C. D. Foote, John Rowan,
G. W. Bailey, Joseph P. Force, John P. Rowlett,
R. Tarv. Baker, E. A. Graves, J. R. Sanders,
W. R. Bates, C. P. Gray, Samuel M. Sanders,
W. N. Beckmann, Wm. A. Hoskins, William Sellers,
John A. Bell, E. Polk Johnson, James W. Snyder,
S. C. Bell, Thomas M. Johnson, J. S. Taylor,
Wm. F. Bond, J. S. Lawson, C. W. Threlkeld,
W. B. M. Brooks, J. J. McAfee, Harry I. Todd,
Thomas P. Cardwell, T. J. Jones, L. W. Trafton,
John S. Carpenter, Bryan S. McClure, Joseph T. Tucker,
George Carter, William J. McElroy, T. W. Varnon,
James S. Chrisman, M. E. McKenzie, E. F. Waide,
C. M. Clay, J. C. Moore, W. L. Reeves,
J. Guthrie Coke, Wm. Myhier, C. H. Webb,
Josiah H. Combs, J. L. Nall, J. M. White,
William G. Conrad, Mat. Nunan, F. A. Wilson,
R. D. Cook, Julian N. Phelps, Jonas D. Wilson,
J. E. Cosson, Lewis Potter, S. H. Woolfolk—64.

Those who voted in the negative, were—

A. C. Armstrong, Thomas H. Corbett, T. J. Megibben,
Alpheus W. Bascom, Joseph M. Davidson, W. L. Reeves,
William Brown, Manlius T. Flippin, J. P. Sacksteder,
B. E. Cassilly, Wm. Cassius Goodloe, C. C. Scales,

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to incorporate the Laboring Man's Loan and Aid Association, of Louisville, approved March 15th, 1864;
An act to charter the Barren County Bank;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of the West Point and Elizabethtown Turnpike Company;
An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county;
An act for the benefit of the jailer of Lawrence county;
An act to legalize the proceedings of the Metcalfe county court at its June term 1869;
An act to amend an act, entitled "An act to incorporate the Louisville Stock and Bond Board," approved 18th March, 1872;
An act in relation to the county levy in Lewis county, and the collection of the same;
An act authorizing the Lewis county court, at the court of claims, to levy a tax to repair the old jail in Lewis county, or building a new jail and jailer's house in said county;
An act for the benefit of the city of Louisville;
An act to authorize the judge of the Jefferson county court to appoint a collector of back taxes for Jefferson county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the Louisville Hotel Company.
An act to amend an act to incorporate the city of Cynthiana, approved January 22, 1868.
An act to facilitate the collection of taxes in the city of Paducah.
An act to incorporate the Winchester Building and Accumulating Fund Association, of Winchester.
An act to amend the charter of the Boone Bridge Company.
An act for the benefit of school districts Nos. 5 and 28, in Livingston county.
An act to incorporate the Rush Branch Coal, Iron, Mining, Lumbering, and Manufacturing Company, in Morgan county.
An act to amend an act, entitled "An act to amend an act, entitled 'An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts;"' approved March 13, 1872.
An act to authorize the Ballard county court to increase the taxes to pay off the debts hereafter created by said county.
An act for the benefit of the sureties of Wm. Cummins, late sheriff of Whitley county.

An act to authorize the Whitley county court to sell certain lands.

An act to amend an act to establish an additional voting precinct in the county of Jefferson, approved March 12, 1869.

An act to authorize the mayor of the city of Louisville to subscribe in the name, and for and in behalf of the said city, for ten thousand additional shares of the capital stock of the Elizabethtown and Paducah Railroad Company.

And then the House adjourned.

THURSDAY, FEBRUARY 20, 1873.

The following petitions and remonstrances were presented, viz:

By Mr. E. Polk Johnson—
1. The petition of citizens of Harrod's Creek precinct, in Jefferson county, praying the passage of an act to legalize the subscription of stock by the Jefferson county court to aid the construction of the Louisville, Harrod's Creek, and Westport Railway, and to authorize said county court to impose a tax upon the tax-payers of said precinct to pay said subscription.

By Mr. Force—
2. The petition of citizens of school district No. 47, in Shelby county, praying an appropriation to aid them in rebuilding a schoolhouse in said district.

By Mr. Deaderick—
3. The petition of sundry citizens of Pendleton county, praying the passage of an act to prohibit the sale of intoxicating liquors in the town of Falmouth, in said county.

By Mr. Sellers—
4. The remonstrance of sundry citizens of Garrard county, against the repeal or amendment of the acts passed for the protection of fish and game in said county.
By Mr. Lawson—

5. The remonstrance of citizens of Headquarters, in Nicholas county, against the repeal of an act to prohibit the sale of intoxicating liquors in said town.

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

Mr. Coke, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill for the benefit of the Louisville, Harrod's Creek, and Westport Railway Company.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

A message was received from the Senate, announcing that they had concurred in amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act to amend the city charter of Covington.
An act to incorporate the Chataroi Railway Company.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of James N. Frazer, late sheriff of Harrison county, and his sureties.

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

An act for the benefit of Lewis F. Marshall, sheriff of Ballard county.
An act to protect the interests of the Commonwealth of Kentucky in certain cases.
An act to amend an act, entitled "An act to incorporate the First German Savings Bank of Louisville."
An act for the benefit of the Louisville, Harrod's Creek, and Westport Railway Company.

A message was also received from the Senate, asking to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to regulate official sales of real and personal property, and of settlements of estates, in the counties of Pendleton, Lewis, Bracken, and Hickman.

Which was granted.

On motion, indefinite leave of absence was granted Mr. Snyder.

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

On motion of Mr. Bates—
1. A bill for the benefit of S. S. Farris, sheriff of Barren county.
On motion of Mr. Mynhier—
2. A bill to legalize a certain survey made in the name of William Day, in Morgan county.
On motion of same—
3. A bill to legalize a certain survey made in the name of D. J. Mosley and Joseph H. Amyt, in Morgan county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, and the Committee on Revised Statutes the 2d and 3d.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend section 77 of the Civil Code of Practice;
An act to amend section 621 of the Civil Code of Practice;
An act to amend an act to incorporate Alexander College, in the town of Bucksville;
An act to amend an act, entitled “An act to incorporate the Maysville, Flemingsburg Coal and Iron Region Railway Company;”
An act to incorporate the Short Route Railway Transfer Company;
An act to incorporate the Slate Ford Coal Company;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of William Green, of the county of Montgomery;
An act for the benefit of school districts Nos. 10 and 47, in Jefferson county;
An act to amend an act to reduce into one all previous acts incorporating the town of Woodville, in the counties of McCracken and Ballard;

An act to amend an act, entitled "An act to incorporate the Henderson Horseshoe Bend Fence Company;"

An act to incorporate the Bath Iron Company;

An act amending an act, entitled "An act incorporating the Vanceburg, Quincy, and Springville Turnpike Road Company," approved February 18, 1869;

An act amending an act incorporating the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company;

An act amending an act incorporating the Cabin Creek Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Vanceburg, Quick's Run, and Concord Turnpike Road Company," approved December 17, 1867;

An act to amend an act, entitled "An act to incorporate the Salt Lick, Escolapia, and Mount Carmel Turnpike Road Company," approved March 9, 1867;

An act to incorporate the Mount Sterling Free Stone Company;

An act to empower Division No. 139 to convey lot;

An act to incorporate the Cairo and Tennessee River Railroad Company;

An act to incorporate the Covington Printing Company;

An act for the benefit of Samuel Cowan, jailer of Boone county;

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

An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Perryville, in Boyle county;"

An act to amend an act, entitled "An act to incorporate the Southwestern Furniture Manufacturing Company," approved March 5, 1868;

An act for the benefit of O. G. Moore, late sheriff of Edmonson county, and his securities;

An act to amend an act, entitled "An act for the benefit of Eli H. Murray;"

An act for the benefit of G. W. Taylor, sheriff of Hancock county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.
A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the World's Fair Association of Woodford county.

An act to incorporate the Victor Coal Mining Company.

An act in relation to the county levy in Lewis county, and the collection of the same.

An act authorizing the Lewis county court, at the court of claims, to levy a tax to repair the old jail in Lewis county, or building a new jail and jailer's house in said county.

An act to legalize the proceedings of the Metcalfe county court at its June term, 1869.

An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county.

An act for the benefit of the West Point and Elizabethtown Turnpike Company.

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

An act for the benefit of Marcus Devary, of Clark county.

An act for the benefit of Stephen Nethercutt, of Carter county.

An act for the benefit of M. S. Napier.

An act for the benefit of Sally Stagner, of Madison county.

An act to amend the charter of the Frankfort and Flat Creek Turnpike Road Company.

An act providing for the collection of the revenue tax and county levy for the years 1872 and 1873, for Clay and Breathitt counties.

The House took up from the orders of the day the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent spirits in Lee county.

An act for the benefit of common schools in Jessamine county.

An act for the benefit of James Brough and Oscar McKenzie, of Morgan county.

An act to amend an act, entitled "An act to regulate the sale and storage of illuminating oils, made from coal, petroleum, and other bituminous substances, &c," approved March 26, 1870.

An act for the benefit of G. W. Taylor, sheriff of Hancock county, and his sureties.
An act to prevent the killing of birds in Garrard county.
Said amendments were severally concurred in.

Mr. Baker, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act to amend an act, entitled “An act to authorize the city of Newport to supply itself and others with pure water, and establish water-works,” approved January 6, 1871,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Reeves, from the Committee on Railroads, who were directed to prepare and bring in the same, reported
A bill to incorporate the St. Charles Coal Company.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Reeves, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled
An act to amend an act to incorporate the Cumberland and Ohio Railroad Company.

Reported the same with a substitute by way of amendment thereto.

On motion of Mr. Bates,

Ordered, That said substitute be printed, and the consideration thereof be postponed to, and made special order of the day for, Tuesday, the 25th inst., at 11 o’clock, A. M.

The House then, according to order, took up and proceeded to consider further a bill, entitled
A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors,

With the amendments proposed thereto by the committee.
Amendments were offered by Messrs. Sellers, Nunan, Graves, Trafton, and Arnold, which were adopted.

Mr. Coke moved to amend said bill by adding and including therein "the city of Louisville."

Mr. Waide then moved to lay said bill and amendments on the table.

And the question being taken on the motion of Mr. Waide, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The further consideration of said bill was cut off by the arrival of the hour for taking up the orders of the day.

The House then took up from the orders of the day joint resolutions from the Senate, of the following titles, viz:

Resolution making certain inquiries of the Auditor.
Resolution in relation to land to be acquired by the United States in the city of Covington, for the erection of a public building.
Resolution consenting to the purchase of certain grounds in the city of Paducah, and county of McCracken, by the Government of the United States, for custom-house and other purposes.

Said resolutions were severally concurred in.

On motion of Mr. Bascom, a joint resolution from the Senate, entitled

Resolution concerning State Library, and the amendment proposed thereto by Mr. Brown,

Were referred to the Committee on the Library.

The House then took up the motion heretofore made to reconsider the vote by which the House passed a bill, entitled

A bill to amend an act, entitled "An act to exempt homesteads from sale for debt."

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

And then, on motion of Mr. Graves, said bill was laid on the table.

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and establish water-works," approved January 6, 1871,

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.

And then the House adjourned.
FRIDAY, FEBRUARY 21, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act to establish an additional voting precinct in the county of Jefferson, approved March 12, 1869.
An act for the benefit of Daviess county.
An act to amend an act to incorporate the Laboring Man's Loan and Aid Association, of Louisville, approved March 15th, 1864.
An act for the benefit of Charles G. Ragan, sheriff of Montgomery county.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

A bill to increase the powers of the corporate authorities of the towns of Georgetown and Monticello.

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

An act for the benefit of school district No. 16, in Larue county.
An act to incorporate Millersburg Academy.
An act to establish an academy in the town of Germantown, in Bracken and Mason counties.
An act to amend the charter of Adairville.
An act to continue in force an act, entitled "An act for the benefit of the common schools in Newport, Campbell county."
An act to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.
An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city."
An act to charter the Lebanon Wooden Ware Manufacturing Company.
An act for the organization of the public schools in the town of Clayville, in Webster county.
An act incorporating the Citizens' Bank of Paris.
And that they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled “An act to authorize the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.”

2. An act empowering the board of trustees of the town of Ashland to purchase lands and establish a public park.

3. An act to amend section 33, chapter 24, Revised Statutes.

4. An act to incorporate the Christian Church at Warsaw.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Education; the 2d and 4th to the Committee on Corporate Institutions; and the 3d to the Committee on Revised Statutes.

The following petition was presented, viz:

By Mr. Varnon—
The petition of citizens of Highland precinct, in Lincoln county, praying the passage of a law to prohibit the sale of intoxicating liquors in said precinct.

Which was received, the reading dispensed with, and referred to the Committee on Religion.

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

On motion of Mr. Ogilvie—

1. A bill to repeal an act, entitled “An act for the benefit of the German Evangelical St. Paul Church, of Paducah,” approved 6th February, 1873.

On motion of Mr. Varnon—

2. A bill to amend and reduce into one the several acts relating to Stanford Female College.

Ordered, That the Committee on Religion prepare and bring in the 1st; and the Committee on Corporate Institutions the 2d.

Indefinite leave of absence was granted Messrs. Goodloe, Bates, and Bascom.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution directing the firing of a national salute on the 22d February, 1873.
The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up, twice read, and unanimously concurred in.

Mr. Reeves, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to incorporate the St. Bernard Transportation Company.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett then moved to amend said bill by striking out the eighteenth section thereof.

Mr. Blackburn offered an amendment to the amendment proposed by Mr. Corbett.

The further consideration of said bill and proposed amendments was cut off by the arrival of the hour for taking up the orders of the day.

The House then took up from the orders of the day, and proceeded with the further consideration of a bill, and the amendments thereto, entitled

A bill to provide for a geological survey and mineralogical survey of the State.

Said bill, as amended, being engrossed, 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 is hereby authorized and required, as soon as may be after the passage of this act, to appoint a State Geologist, who shall be a person of competent scientific and practical knowledge of the sciences of geology and mineralogy; and the said State Geologist shall, by and with the consent of the Governor, appoint two suitable persons to assist him in the discharge of his duties, one of whom shall be a competent and skilful chemist.

§ 2. That it shall be the duty of the said State Geologist and his assistants, as soon as may be practicable after his appointment, to commence and carry on, with as much expedition and dispatch as may be consistent with minuteness and accuracy, a thorough geological, mineralogical, and chemical survey of this State, with a view to determine the order and comparative magnitude of the several strata or geological formations of this State, and to discover and examine all beds or deposits of ore, coal, flora, and such other mineral substances as may be useful or valuable, and to analyze the same, and to perform such other duties as may be necessary to make a full and complete geological, mineralogical, and chemical survey of this State: Provided, That the survey contemplated by this act shall be a continuation of the survey already made by Professor Owen.
§ 3. That it shall be the duty of the said State Geologist and his assistants to make full and complete examinations, assays, and analyses of all rocks, ores, flora, or other substances, as may be submitted to them for that purpose, and to furnish, if required, a detailed and complete account of the results so obtained; and at the courthouse of each county in this State, in which he shall discover valuable mineral deposits, the said Geologist shall deliver either a written or verbal discourse upon their examinations, assays, and analyses of all such rocks, ores, and flora, within such county; and said Geologist, or his assistants, shall deposit at the clerk’s office of such county in which he shall discover minerals or other substances, such specimens as he shall deem of value, for the inspection of the citizens and visitors of said county.

§ 4. That it shall be the duty of the said Geologist and his assistants to visit and make such exploration of each county in this State, beginning with the mineral regions, as will be sufficient to satisfy him whether it contains valuable mineral or other deposits, and the extent, nature, and value thereof.

§ 5. That it shall be the duty of said Geologist and his assistants, on or before the 1st day of December in each and every year, to make a report of the progress of said survey, accompanied with such maps, drawings, and specimens as may be necessary and proper to exemplify and elucidate the same, to the Governor, who shall lay such report before the General Assembly.

§ 6. That it shall be the duty of the said Geologist and his assistants to forward to the Governor, from time to time, during the progress of said survey, such specimens of rock, flora, ores, coals, and other mineral substances or useful matters discovered and examined, as may be proper and necessary to form a complete cabinet of the specimens of geology, mineralogy, and other useful matters of the State; and the Governor shall cause the same to be deposited, in proper order, in some convenient room in the State Capitol, there to be preserved for public inspection. He shall also furnish like specimens to the Kentucky University, which shall be preserved by the officers thereof in like manner, for the use of the scholars in said University, and the examination of visitors thereof.

§ 7. That for the purpose of carrying into effect the provisions of this act, the sum of ten thousand dollars be, and the same is hereby, appropriated, to be expended under the direction of the Governor: Provided, however, the principal Geologist shall not receive more than ten dollars per day, nor the assistant more than seven dollars per day each, for the time they are in actual service: And provided further, that the appropriation herein made shall only be used so far as the Governor may find, on investigation, necessary to obtain the services of a competent Geologist and assistants during that part of the year when such Geologist can be profitably employed in the prosecution of such survey.

§ 8. The Governor shall have power to remove any of the persons appointed under this act for negligence or incompetency, or any other cause which he may deem sufficient for such removal, and appoint others in their stead.

§ 9. The principal Geologist and each of his assistants, before entering upon the duties of their offices, shall take an oath faithfully to perform all the services required of them under this act, and to abstain from all pecuniary speculations for themselves or others in the objects of their survey during their progress, and that they will not conceal any valuable discovery.
ery or information from the owner or owners of the land on which such discovery is made; but in all things will so conduct the survey, &c., as will (if practicable to do so) duly notify the community generally, and especially the owner or owners of the land on which all such valuable discoveries are made.

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

Mr. Davidson then moved to reconsider the vote by which said bill, as amended, was ordered to be read a third time.

And the question being taken on the motion of Mr. Davidson, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) Joseph M. Davidson, Lewis Potter, A. C. Armstrong, W. H. Evans, Hiram S. Powell,
Resolved, That the title of said bill be as aforesaid.

Mr. Baker moved the following resolution, viz:

Resolved, That when this House adjourns on this day, it will adjourn to meet again on Monday next, at 10 o'clock, A. M.

And the question being taken on the adoption of said resolution, it was decided in the negative.

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

Those who voted in the affirmative, were—


J. P. Hampton, C. P. Gray, T. J. Jones, Bryan S. McClure, T. J. Megibben, Mat. Nunnan, Julian N. Phelps, E. A. Robertson,


Those who voted in the negative, were—


Those who voted in the negative, were—

Mr. Speaker (McCreary) R. L. Cooper, Julian N. Phelps,
Wm. A. Allen, Lewis Potter,
A. C. Armstrong, John Rowan,
A. S. Arnold, John P. Rowlett,
W. W. Ayers, J. P. Sacksteder,
C. W. Bailey, Samuel M. Sanders,
Alpheus W. Bascom, J. S. Taylor,
W. N. Beckham, C. W. Threlkeld,
John A. Bell, J. M. White,
S. C. Bell, Mordecai Williams,
J. C. S. Blackburn, F. A. Wilson,
W. F. Bond, Jonas D. Wilson,
Thomas F. Cardwell, J. N. Woods,
George Carter, J. M. Wright—47.
James S. Chrisman, Wm. Mynhier,
William G. Conrad, :
R. L. Cooper, :

At fifteen minutes past one o'clock P. M., Mr. F. A. Wilson moved that the House do now adjourn.

And the question being taken on the motion of Mr. Wilson, it was decided in the negative.

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

 Those who voted in the affirmative, were—

Mr. Speaker (McCreary) J. E. Cosson, John Rowan,
G. W. Bailey, W. W. Deaderick, J. P. Sacksteder,
Alpheus W. Bascom, Walter Evans, William Tarton,
W. R. Bates, E. Polk Johnson, C. W. Threlkeld,
John S. Carpenter, J. S. Lawson, E. F. Waide,
B. E. Cassily, William J. McElroy, J. M. White,
James S. Chrisman, W. A. Morin, F. A. Wilson,
R. L. Cooper,

Those who voted in the negative, were—

Wm. A. Allen, C. D. Foot, Lewis Potter,
A. S. Arnold, Joseph P. Force, Hiram S. Powell,
W. W. Ayers, E. A. Graves, John P. Rowlett,
W. N. Beckham, Clinton Griffith, William Sellers,
John A. Bell, J. P. Hampton, J. S. Taylor,
S. C. Bell, Wm. A. Hoskins, Harry L. Todd,
J. C. S. Blackburn, Thomas M. Johnson, Joseph T. Tucker,
Wm. F. Bond, T. J. Jones, T. W. Varnon,
W. B. M. Brooks, Bryan S. McClure, J. L. Waring,
George Carter, T. J. Megibben, C. H. Webb,
C. M. Clay, jr., J. C. Moorman, Mordecai Williams,
Josiah H. Combs, Wm. Myhier, Jonas D. Wilson,
Joseph M. Davidson, Mat. Nunan, J. N. Woods—44.
Manlius T. Flippin, Julian N. Phelps,
A message was received from the Senate, announcing that they had adopted a joint resolution, entitled
Resolution appointing a joint committee to visit the House of Reform for Juvenile Delinquents, and report its fitness and capacity as a temporary lunatic asylum.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up and read as follows, to-wit:

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 visit the House of Reform for Juvenile Delinquents, and to report its fitness and capacity for the reception of lunatics as a temporary relief until the Third Lunatic Asylum is completed.

Mr. Brooks then offered the following amendment thereto, viz:

"They shall also visit Paroquet Springs in the county of Bullitt, and examine the property belonging to the springs company."

Mr. S. M. Sanders moved to amend the amendment proposed by Mr. Brooks as follows, viz:

Add thereto the following: "also the Rough Creek Springs in Hardin county."

The question being taken on the amendment to the amendment proposed by Mr. Sanders, it was decided in the negative.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) J. E. Gosson, J. L. Nall,
Wm. A. Allen, W. W. Deaderick, Mat. Nunan,
A. S. Arnold, W. H. Evans, Hiram S. Powell,
R. Tarv. Baker, Joseph P. Force, John P. Rowlett,
Alpheus W. Bascom, C. P. Gray, J. R. Sanders,
W. R. Bates, J. P. Hampton, C. C. Scales,
W. N. Beckham, Wm. A. Hoskins, William Sellers,
John A. Bell, George M. Jesse, William Tarlton,
J. C. S. Blackburn, E. Polk Johnson, C. W. Threlkeld,
Wm. F. Bond, Thomas M. Johnson, T. W. Varnon,
W. B. M. Brooks, T. J. Jones, J. L. Waring,
John S. Carpenter, J. S. Lawson, C. H. Webb,
B. E. Cassilly, J. J. McAfee, J. M. White,
Josiah H. Combs, William J. McElroy, Morecai Williams,
William G. Conrad, T. J. Megibben, S. H. Woolfolk,
Those who voted in the negative, were—

A. C. Armstrong, J. C. Moorman, Harry L. Todd,
S. C. Bell, E. A. Robertson, Joseph T. Tucker,
Manlius T. Flippin, John Rowan, E. F. Waide,
C. D. Foote, Samuel M. Sanders, Jonas D. Wilson,
E. A. Graves, J. S. Taylor, J. N. Woods—16.
Bryan S. McClure,

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCready) Joseph P. Force, John P. Rowlett,
Wm. A. Allen, C. P. Gray, J. P. Sacksteder,
A. C. Armstrong, Clinton Griffith, J. R. Sanders,
R. Tarv. Baker, J. P. Hampton, C. C. Scales,
Alpheus W. Bascom, Wm. A. Hoskins, William Sellers,
W. N. Beckham, George M. Jessue, William Tarlton,
John A. Bell, E. Polk Johnson, J. S. Taylor,
S. C. Bell, Thomas M. Johnson, C. W. Threlkeld,
J. C. S. Blackburn, T. J. Jones, Harry I. Todd,
Wm. F. Bond, J. S. Lawson, Joseph T. Tucker,
W. B. M. Brooks, J. J. McAfee, T. W. Varnon,
John S. Carpenter, Bryan S. McClure, E. F. Waide,
B. E. Cassilly, William J. McIntoy, J. L. Waring,
Josiah H. Combs, T. J. Megibben, C. H. Waring,
William G. Conrad, Wm. Mynhier, J. M. White,
R. L. Cooper, J. L. Nall, Mordecai Williams,
J. E. Cosson, Mat. Nunnan, Jonas D. Wilson,
Joseph M. Davidson, Lewis Potter, J. N. Woods,
W. H. Evans, Hiram S. Powell, S. H. Woelfolk,
C. D. Foote, E. A. Robertson, J. M. Wright—68.

Those who voted in the negative, were—

E. A. Graves, John Rowan,

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Chataroi Railway Company;
An act to amend the charter of the Newport Street Railway Company;
An act to incorporate the Decourcey Station, Taylor Road, and Bank Lick Short Line Turnpike Company;
An act to incorporate the Eclipse Woolen Mills;
An act to incorporate the National Pipe Contract Company;
An act to amend the charter of the Merchants' Bank of Kentucky, and the act amendatory thereof, approved March 3, 1860;
An act to amend the charter of the Jefferson Southern Pond Draining Company;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of R. H. Morrow, sheriff of Gallatin county;
An act to amend an act, entitled "An act to incorporate the Union and Richwood Turnpike Road Company;"
An act to amend an act, entitled "An act to incorporate the Paint Lick and High Point Turnpike Road Company, in Madison county;"
An act for the benefit of the Iron Works Turnpike Road Company;
An act to prevent the selling, giving, or furnishing of spirituous, vinous, or malt liquors, in the town of Glasgow, on the Sabbath;
An act for the benefit of the Schoolsville Branch of the Winchester and Red River Iron Works Turnpike Road Company;
An act to incorporate the Christian Church in the town of Ghent, in Carroll county;
An act to incorporate the Exchange and Deposit Bank of Owingsville;
An act to create an additional voting place in Jefferson county;
An act for the benefit of the Louisville, Harrod's Creek, and Westport Railway Company;
An act authorizing the clerk of the Carter circuit court to procure general index books, and to index and cross-index all the equity and ordinary suits off the docket on file in his office;
An act to amend an act, entitled "An act to regulate the sale and storage of illuminating oils, made from coal, petroleum, and other bituminous substances, &c," approved March 26, 1870;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
And then the House adjourned.
SATURDAY, FEBRUARY 22, 1873.

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

An act to incorporate the Enterprise Improvement and Manufacturing Company.

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

An act to amend an act, entitled "An act to incorporate the town of Marshall, in Bath county."

An act for the benefit of the marshal of Mt. Sterling.

An act for the benefit of the Woodford Cream Cheese Company.

An act to amend an act to charter the Owensboro and Russellville Railroad Company," approved February 27, 1867.

An act to amend an act, entitled "An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in same.

An act to extend the streets and alleys of Marion, in Crittenden county.

An act to amend an act, entitled "An act to incorporate Bell City, in Crittenden county."

An act for the benefit of school district No. 6, in Greenup county.

An act to protect the owners of breeding and training farms and stables.

With an amendment to the last named bill.

And that they had passed bills, of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Louisville Rolling Mill Company," approved February 28, 1850.

2. An act for the benefit of common school district No. 1, in Allen county.

3. An act for the benefit of common school district No. 42, in Allen county.

4. An act to provide for the leasing of the interest of the State in the Louisville and Nashville Turnpike Road, on the north side of Barren river, in the county of Warren.
5. An act for the benefit of Joseph Durham, of Lee county.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Corporate Institutions; the 2d and 3d to the Committee on Education; the 4th to the Committee on Internal Improvement; and the 5th to the Committee on County Courts.

A message was also received from the Senate, announcing that they had adopted a joint resolution and passed a bill, which originated in the Senate, of the following titles, viz:

Resolution of inquiry in relation to the leasing the locks and dams on the Kentucky river.
An act for the benefit of the Kentucky Institution for the Education of the Blind.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

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

On motion of Mr. Williams—
1. A bill to amend the charter of the town of Catlettsburg.

On motion of same—
2. A bill to increase the jurisdiction of the police court of the town of Ashland.

On motion of Mr. Armstrong—
3. A bill to incorporate the Augusta and Mt. Olivet Turnpike Road Company, in Bracken and Robertson counties.

On motion of Mr. Phelps—
4. A bill to amend an act, entitled “An act to provide for the improvement of the public roads in Butler county,” approved February 2d, 1872.

On motion of same—
5. A bill to establish a ferry on Green river, near Morgantown, Butler county.
On motion of Mr. Morin—
6. A bill to renew the charter of the Alexandria and Flagg Spring Turnpike Road Company, in Campbell county.

On motion of Mr. Gray—
7. A bill to pay Samuel Jones for keeping William Jones, a pauper idiot, from May, 1871, to September, 1872.

On motion of same—
8. A bill to repeal an act, entitled "An act for the benefit of the clerks of the county courts of Lewis, Clark, and Montgomery.

On motion of Mr. Davidson—
9. A bill for the benefit of Pike county.

On motion of same—
10. A bill for the benefit of Joseph T. Ratliffe, sheriff of Pike county, for the year 1871.

On motion of Mr. Jones—
11. A bill to authorize the justices of Graves county to distribute among the several school districts of Graves county the proceeds of the money arising from the sales of lands donated to Graves county by act in 1834, and to repeal an act passed March 8, 1872.

On motion of Mr. Combs—
12. A bill to legalize certain proceedings of the November term of the Perry county court, 1872.

On motion of Mr. Trafton—
13. A bill to amend an act entitled "An act to organize and establish a system of public schools in the city of Henderson."

On motion of Mr. Arnold—
14. A bill to amend an act authorizing the county clerk to appoint a deputy in the city of Columbus.

On motion of Mr. W. H. Evans—
15. A bill for the benefit of Leonard Farmer, of Bell county.

On motion of Mr. Speaker McCreary—

On motion of Mr. Beckham—
17. A bill to authorize Lewis Greenwell and others to erect a fish dam across Beech Fork, in the county of Nelson.

On motion of Mr. J. A. Bell—
18. A bill for the benefit of the Stamping Ground and Lecompt's Run Turnpike Road Company.
On motion of Mr. Blackburn—
19. A bill to amend an act, entitled "An act to incorporate the Public Library of Kentucky."

On motion of Mr. Deaderick—
20. A bill to amend the road laws of the county of Pendleton.

On motion of same—
21. A bill to prohibit the sale of intoxicating liquors in the town of Butler, in Pendleton county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 18th, and 19th; the Committee on the Judiciary the 2d and 8th; the Committee on Propositions and Grievances the 4th, 5th, 9th, and 10th; the Committee on Internal Improvement the 6th, 17th, and 20th; the Committee on Claims the 7th, 15th, and 16th; the Committee on County Courts the 12th and 14th; the Committee on Education the 13th; the Committee on Religion the 21st; and a select committee, consisting of Messrs. Jones, Corbett, Allen, and Nall, the 11th.

Mr. J: A. Bell presented the petition of the stockholders of the Stamping Ground and Lecompt's Turnpike Road Company, praying the passage of an act authorizing the sale of the same, and also authorizing the Scott county court to purchase it.

Which was received, the reading dispensed with, and referred to the Committee on Corporate Institutions.

Indefinite leave of absence was granted Messrs. Graves and Sellers.

Mr. Brown 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 of five members, two from the Senate and three from the House, to be named by the Speaker of the respective Houses, be appointed and directed to inquire into the management, receipts, expenditures, and all other material facts showing the condition of the Kentucky River Navigation Company, and to report the same to the General Assembly as early as practicable. The Committee are further directed to inquire into and report all material facts in regard to the receipts, expenditures, and management of the Kentucky river improvements before they were leased to the navigation committee; shall have power to send for persons and papers.

The House then took up and proceeded to further consider a bill, and the amendments proposed thereto, entitled

A bill to incorporate the St. Bernard Transportation Company.
Mr. Blackburn then withdrew the amendment proposed by him to the amendment of Mr. Corbett.

Mr. Corbett also withdrew his amendment.

Mr. Moorman offered an amendment, which was adopted.

Mr. Blackburn offered an amendment to said bill.

Mr. Scales then moved the previous question.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The amendment proposed by Mr. Blackburn was then adopted.

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

Said bill, as amended, being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John Feland, John B. Atkinson, Thomas Rutter, St. John Boyle, and E. G. Sebree, and their associates, successors, and assigns, are hereby created a body-politic and corporate, by the name of the St. Bernard Transportation Company, by which name it may sue and be sued, contract and be contracted with, have perpetual succession, and have and use a common seal, which they may alter at pleasure. Said company may have and fully exercise all the powers expressly conferred by this act, and all appropriate incidental powers.
§ 2. Said company shall have power to take by gift, to purchase in fee simple, to hold, to sell, lease, and in all lawful ways to use, real and personal estate, not to exceed in value three million dollars; to build, own, and navigate, on all navigable waters, steamboats, tugs, barges, and all other means of transportation by water; to buy, sell, and transport coal, petroleum, ores, and all kinds of produce and manufactured articles; to build, equip, own, and operate a railroad as hereinafter provided; to borrow money at a rate of interest not exceeding ten per cent. per annum; to pledge, hypothecate, and mortgage their real and personal property, but not their corporate franchises, to secure any debt they may create, and to sell and dispose of their property in all lawful ways; but they shall not exercise any banking privileges, nor shall they owe more than one hundred thousand dollars borrowed money at any time.

§ 3. The capital stock of said company shall be five hundred thousand dollars ($500,000), but the company after its organization may, from time to time, increase it until the whole amount thereof shall reach one million dollars. Said capital stock shall be personal estate, and shall be divided into shares of one hundred dollars each. Each share shall be entitled, at all meetings of the stockholders, to one vote; which vote may be cast by the owner of the stock in person, or by some other person authorized in writing to vote it.

§ 4. That the persons named in the first section of this act, or any three of them, may, as soon as practicable after the passage of this act, open books for subscriptions to the capital stock of the company, and when as much as three hundred thousand dollars of said stock is subscribed for, the persons so named, or any three of them, may call a meeting of such subscribers (giving to each due notice), at such time and place in the State of Kentucky as may be deemed most convenient; and such subscribers may, at such meeting, choose from among themselves a board of directors—five in number—and a secretary and a treasurer. The officers so chosen shall hold their offices until their successors are chosen. But said company shall not proceed to do business until at least forty thousand dollars shall be paid in on such subscription to said capital stock.

§ 5. Each board of directors chosen shall elect one of their number president. Such president shall preside also at all meetings of the stockholders, and the secretary of the company shall act as secretary of such meetings. In the absence of either from such meetings, their places for the occasion may be filled by the stockholders. The mode of selecting temporary officers may be regulated by the by-laws.

§ 6. There shall be a general meeting of the stockholders in the month of April in each year, of which due notice shall be given. The manner of giving such notice, and the precise day of such annual meeting, shall be fixed by by-law. There may also be called special meetings of the stockholders as hereinafter provided. At such meetings the stockholders may fix the duties and salaries of their officers and employees, and shall be supreme in all matters where power is conferred on said company by this act, whether such power be in terms given to the stockholders or to the board of directors.

§ 7. After the first board of directors all subsequent boards shall consist of not less than five nor more than eleven members, the precise number within those limits to be fixed by the stockholders at the time of election. They shall be chosen at the annual meetings in April, and shall hold their offices until their successors are chosen. At such meetings, also, the secretary and treasurer shall be elected and they shall hold their
offices in like manner. All of said officers shall be stockholders in the company. Said board of directors, after electing their president, may fix his duties, if they have not already been fixed by the stockholders. They may fill all vacancies in the board and in all other offices of the company. They may create all such subordinate offices for the company as may be deemed advisable by them, and may select persons to fill the same at pleasure. The board shall have general power to manage and conduct the affairs of the company; to employ its agents and to fix the duties of all the officers and employees of the company, and remove and dismiss the same at pleasure. The board shall, at the annual meetings of the company held in the month of April, cause full reports of the operations and condition of the company to be made to the stockholders. They shall require the books of the company to show their proceedings and the accounts of the company and the exact conditions of its affairs. They may also make calls upon the subscribers upon the unpaid stock, of not exceeding fifty per cent. at the first call, and not exceeding ten per cent. thereof at any subsequent call; but no call under this section shall be made under twenty days after a previous one.

§ 8. The board of directors shall, with the assets of the company, provide for the payment of its debts and liabilities, and may, from time to time, declare dividends to the stockholders, to be payable in such way and manner, and at such times, as they may direct.

§ 9. All the stock, assets, and property of the company shall be liable for the debts and liabilities of the company; but the property of the individual stockholders, except all their interest of every kind in the company, shall not be so liable.

§ 10. The secretary and the treasurer shall, before entering on the discharge of their duties as such, give bond to the company, with surety to be approved of by the board of directors, for the faithful discharge of all their duties. The duties of said officers may be fixed by the board of directors, and one person may fill both of them.

§ 11. Stock in the company may be paid for in cash, in real or personal estate, or in the stocks and bonds of the United States or either of the States, or of any other corporation, or in any other species of personal property which the board of directors may consent and agree to take in payment for such stock.

§ 12. The principal office of the company shall be at such place in this State as the company may, from time to time, appoint; and in all suits or proceedings against the company the summons, process, and notices may be served by delivering copies to the president, or secretary and treasurer, or other chief officer of the company, in the county where the suit was brought; or, if either of such officers shall not be found in such county, then such summons, notice, or process may be executed by delivering copies thereof to any authorized agent of the company in such county; but no mere laborer for the company shall therefore be deemed such agent. The said company may exercise its powers in this State, and in any other of the States of the Union, and elsewhere.

§ 13. The president of the board of directors may, at any time, call special meetings of the stockholders. On the request, in writing, of any three stockholders owning not less than one tenth of the shares of the capital stock of the company, the said president shall call a special meeting of the stockholders of the company, to be held within twenty days after such petition is presented. Due notice, as prescribed by the by-laws, shall be given of such meetings.
§ 14. The stockholders shall have power to remove their officers at pleasure; and they shall also have power to cancel any subscription when any subscriber to its capital stock, for ten days after the same is due, fails to pay the first call made for payment on such subscription; and should any subscriber to said stock have paid in part for the same, but fails, after due notification, to pay any subsequent call for ten days after the same was due, the stockholders who may have paid all such calls shall have power, at any general or called meeting, to order to be issued to such delinquent subscriber a paid up certificate of stock for as many shares thereof as the money paid by him on calls will fully pay for at par, or they may, by resolution, declare that no further dividends shall be made, paid, or allowed on the capital stock held by such delinquent until all arrears due from him are fully paid. On any increase of the capital stock of the company as allowed by the third section of this act, such increase may be disposed of by the company to the best interest of the stockholders.

§ 15. This company shall be liable to taxation like an individual by the State and the counties and cities in which its properties may be situated; but should it build a railroad, as herein provided for, then, on such railroad and its incidents, it shall pay taxes as provided for by the act to tax railroads, approved February 20, 1864.

§ 16. Said company may, by a vote of two thirds of the stock voting at any general or called meeting of the stockholders, issue not more than two hundred thousand dollars in preferred stock, which shall be a portion of the capital stock, and may be redeemed at par at such times as may be provided for, and stated in the certificates for said stock, or by agreement between the holder thereof and the board of directors or company; such preferred stock may, at any time, be exchanged for common stock, share for share. The holders of such preferred stock shall be entitled to dividends, in preference to the other stockholders, of not exceeding ten per cent per annum; and the rate of such preferred dividends shall be fixed by the stockholders when they vote to issue the preferred stock, and shall be stated in the certificates. In no year shall such preferred stock receive a larger dividend than that stipulated; and any deficiency in one year in such dividend shall be made up in succeeding years out of the net profits of the company.

§ 17. The board of directors may, by by-laws not inconsistent with this act and the laws of the State, regulate the manner of conducting all elections of the company, and may in the same way provide for the carrying into effect of any and all powers conferred by this act.

§ 18. Said company may, by writ of ad quod damnum, issued from the county or circuit court of the county where the land may be situated, condemn such land as they may need for landings, depots, places of deposit for coal, ores, produce, and merchandise, and for handling the same, and for right of way, not exceeding fifty feet in width, from any established railroad to the same. Proceedings on such writ shall be with the same effect, and, so far as applicable, shall be conducted in the same manner as provided by law in the 84th chapter of the existing Revised Statutes for the condemnation of land for roads and passways; but said company shall not enter on, or take possession of, such land, until they have paid to the owner of the land the full amount of money at which the damage to such owner was assessed; and on such payment they may enter on such land, and continue on same, notwithstanding any appeal from the judgment on the writ, until such judgment is reversed: Provided, That no land shall be condemned by said company under this rea-
tion which is used by the owner as a landing, or which he, in good faith, is preparing to use as such.

§ 19. Said company may, after acquiring the right of way by purchase, or by gift, or by writ of *ad quod damnum*, as provided in the next preceding section, construct, from any existing railroad or any railroad hereafter to be constructed, a way; of the kind to suit their business, whether railway or tramway, to any place of deposit or landing on any river that they may own or have leased or condemned. In constructing such way, said company shall not, except for purposes of construction, obstruct any public highway, nor shall they connect their way with any existing railroad, unless upon terms to be agreed on with such railroad company; or if no agreement with such railroad company can be made satisfactory to this company, then the right to connect and the connection with such railroad may be made, or compensation made to such railroad company, such compensation to be fixed, on a writ of *ad quod damnum* to be issued, and proceedings thereon regulated in all respects as provided for in the next preceding section. On the way so to be constructed said company may carry all the articles to be transported by them; and for the purpose may own and run engines and cars, and may make running arrangements with such railroad companies.

§ 20. The stock of this company shall only be transferable on the books of the company. On all stock fully paid for, the subscriber shall be entitled to certificates of stock; which certificates shall be issued under the seal of the company, and signed by the president and secretary thereof, and shall show the number of shares to which the holder is entitled. The certificates may be for as many of such shares as the owner may desire. Such certificates may be renewed, if proper; but on all renewals the old certificates, unless lost or destroyed, shall first be delivered up to be canceled; and when so canceled, they shall be preserved by the secretary. Should any such loss or destruction occur, on satisfactory proof thereof to the board of directors, new certificates shall be issued to replace those lost or destroyed.

§ 21. This act shall at all times be subject to modification or repeal at the pleasure of the General Assembly.

§ 22. The company created by this act is hereby empowered to construct, own, and operate a railroad, to begin in any place in Hopkins county which the board of directors may select; and said railroad may terminate at any point in this State west of the present line of the Evansville, Henderson, and Nashville Railroad, and if on the Ohio river, then not less than twenty miles west of the city of Henderson. They may, in order to own such railroad facilities as are intended to be hereby granted, agree with any railroad chartered by this State to lay down a third or fourth rail on said railroad on terms to be agreed on between this company and such other railroads. They may also buy any railroad which may be lawfully bought and sold under the laws of this State by individuals. They may bridge either the Cumberland, Tennessee, Tradewater, or Ohio rivers, and any intermediate streams in their route; but under the same rights and restrictions as are imposed on other railroad companies authorized to bridge such streams; and they shall not obstruct navigation in so bridging such streams. They may acquire all lands necessary for right of way (not over sixty feet in width), depots, workshops, machine shops, round houses, water tanks, and other proper and necessary structures for the railroad, either by purchasing the same, or by condemning the same by writ of *ad quod damnum*, with the same effect; and in the same way and manner, as the condemnation of property for other
purposes is provided for in the eighteenth section of this act. When the company shall have paid to the owners the money at which said land was first appraised by those appointed, the company may then enter upon the land, and proceed to subject it to the uses for which it was condemned; but in the event of an appeal from such original or any intermediate valuation, if on the trial and final termination of the cause the land is valued higher than by the persons aforesaid, the company shall forthwith pay such excess over the amount so paid, or else vacate the land so taken. But should they pay such excess and costs after vacating, as herein provided, they may then re-enter on such land. No exceptions to the report of such persons, nor shall any appeal in such cases, prevent the entry of the said company on such land after they have paid the original valuation of the same, and the costs of the proceeding. Said company may fix the gauge of their railroad, and may build it with single or double track. They may run engines and cars upon the same as other railroads are authorized to do. They may connect their track with that of other railroads incorporated by this State; and instead of terminating on either the Cumberland, Ohio, Tradewater, or Tennessee rivers, they may, on terms to be agreed on between the companies, connect their track with that of any other railroad, and may make running arrangements with any railroad in this State. But if said company shall purchase the Madisonville and Shawntown Railroad, such purchase shall be subject to the duty of the last named railroad company, in building their road, to build it by the town of Madisonville.

§ 23. Said company shall be public common carriers, and subject to the laws regulating such.

§ 24. That the provisions of this act shall not apply to the county of Muhlenburg.

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

Mr. Scales again moved the previous question.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker (McCready) Bryan S. McClure, Samuel M. Sanders, W. W. Ayers, William J. McElroy, William Tarlton,
The main question, "Shall the bill pass?" was then put, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) C. M. Clay, Jr., Lewis Potter,
Wm. A. Allen, J. Guthrie Coke, Hiram S. Powell,
A. C. Armstrong, Josiah H. Combs, W. L. Reeves,
A. S. Arnold, R. L. Cooper, E. A. Robertson,
G. W. Bailey, J. E. Cosson, J. P. Sacketter,
W. N. Beckham, W. W. Deadrick, C. C. Scales,
John A. Bell, W. H. Evans, Harry I. Todd,
S. C. Bell, Manlius T. Flippin, L. W. Trafton,
J. C. S. Blackburn, C. P. Gray, E. F. Waide,
Wm. F. Bond, J. P. Hampton, J. L. Waring,
W. B. M. Brooks, Wm. A. Hoskins, J. M. White,
William Brown, J. S. Lawson, Mordecai Williams,
John S. Carpenter, Bryan S. McClure, Jonas D. Wilson,
George Carter, W. A. Morin, J. N. Woods,

Those who voted in the negative, were—

A. O. Armstrong, J. L. Nall, William Tarlton,
T. J. Jones, John Rowan, J. S. Taylor,

J. C. Moorman,

Resolved. That the title of said bill be as aforesaid.

Mr. Brown then moved to reconsider the vote by which said bill was passed.

Mr. Hoskins moved to lay the motion of Mr. Brown on the table. Then, at fifteen minutes before 12 M., Mr. Trafton moved that the House do now adjourn.

And the question being taken on the motion of Mr. Trafton, it was decided in the negative.

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

Those who voted in the affirmative, were—

A. C. Armstrong, Clinton Griffith, William Tarlton,
W. B. M. Brooks, T. J. Jones, C. W. Threlkeld,
George Carter, W. A. Morin, Harry I. Todd—10.

Those who voted in the negative, were—

Mr. Speaker (McCreary), W. H. Evans; W. L. Reeves, E. A. Robertson,
Wm. A. Allen, Manlius T. Flippin, John Rowan, J. P. Sacksteder,
G. W. Bailey, C. P. Gray, Samuel M. Sanders, C. C. Scales,
W. N. Beckham, J. P. Hampton, J. S. Taylor, E. F. Waide,
John A. Bell, Wm. A. Hoskins, J. L. Waring, J. M. White,
S. C. Bell, J. S. Lawson, Mordecai Williams,
J. C. S. Blackburn, Bryan S. McClure, Jonas D. Wilson,
William Brown, William J. McElroy, J. N. Woods,
John S. Carpenter, M. E. McKenzie, J. M. Wright—43.
B. E. Cassilly, J. C. Moorman,
James S. Chrisman, Wm. Mynhier,
C. M. Clay, Jr., Julian N. Phelps,
Josiah H. Combs, Lewis Potter,
R. D. Cook, Hiram S. Powell,
Walter Evans,

The question was then taken on the motion of Mr. Hoskins, and it
was decided in the affirmative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, Josiah H. Combs, Hiram S. Powell,
John A. Bell, R. D. Cook, W. L. Reeves,
S. C. Bell, J. E. Cosson, J. P. Sacksteder,
J. C. S. Blackburn, W. W. Dederick, C. C. Scales,
Wm. F. Bond, W. H. Evans, C. W. Threlkeld,
William Brown, Manlius T. Flippin, Harry J. Todd,
John S. Carpenter, Wm. A. Hoskins, Mordecai Williams,
George Carter, J. S. Lawson, Jonas D. Wilson,
B. E. Cassilly, Bryan S. McClure, J. N. Woods,
J. Guthrie Coke, Lewis Potter,

Those who voted in the negative, were—

Mr. Speaker (McCreary), Clinton Griffith, John Rowan,
A. C. Armstrong, J. J. McAfee, Samuel M. Sanders,
A. S. Arnold, William J. McElroy, William Tarlton,
W. N. Beckham, M. E. McKenzie, J. S. Taylor,
W. B. M. Brooks, J. C. Moorman, E. F. Waide,
James S. Chrisman, Wm. Mynhier, J. L. Waring,
C. P. Gray, E. A. Robertson,

And so the motion to reconsider the vote by which said bill was
passed was laid on the table.

And then the House adjourned.
MONDAY, FEBRUARY 24, 1873.

The following petitions were presented, viz:

By Mr. Force—
1. The petition of sundry citizens of school district No. 62, in Shelby county, praying the passage of an act directing payment to be made out of the school fund to Mrs. J. J. Keeny, for teaching a school therein.

By Mr. Waring—
2. The petition of citizens of Greenup county, praying the passage of an act submitting to the voters of said county the question of prohibiting the sale of spirituous, vinous, or malt liquors in less quantities than one gallon, in said county.

By Mr. Hoskins—
3. The petition of the officers of the Boyle county court, praying the passage of an act to increase their jurisdiction.

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

Indefinite leave of absence was granted Mr. Hoskins.

On motion of Mr. Ferguson, leave was given to bring in a bill, entitled

A bill to reduce the tax on narrow-gauge railroads.

Ordered, That the Committee on Railroads prepare and bring in said bill.

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—
An act to legalize the acts of W. N. Boaz, as deputy clerk of the Graves county court.

By Mr. Blackburn, from the Committee on Railroads—
An act for the benefit of the Maysville and Lexington Railroad, Northern Division.

By same—
An act to incorporate the Spring Station Railway Company.
By same—
An act for the benefit of railroad contractors.

By same—
An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

By Mr. Reeves, from the same committee—
An act to incorporate the Wilson Coal and Mining Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Blackburn, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled
An act to re-enact and amend the charter of the Paducah and Tennessee Railroad Company,
Reported the same with amendments, which were adopted.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Arnold, from a select committee—
A bill for the benefit of William Cook's heirs.

By Mr. Blackburn, from the Committee on Railroads—
A bill providing for the collection of the railroad tax in the county of Montgomery.

By same—
A bill to amend an act, entitled "An act to incorporate the Kentucky and Southern Railroad Company."

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of O. G. Moore, late sheriff of Edmonson county, and his securities.
An act for the benefit of G. W. Taylor, sheriff of Hancock county.
An act to incorporate the Covington Printing Company.
An act to amend an act, entitled "An act to incorporate the Salt Lick, Eculapia, and Mount Carmel Turnpike Road Company," approved March 9, 1867.
An act to empower Division No. 129 to convey lot.
An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Perryville, in Boyle county."
An act to amend an act, entitled "An act to incorporate the Henderson Horseshoe Bend Fence Company."
An act to amend an act, entitled "An act for the benefit of Eli H. Murray."
An act for the benefit of Samuel Cowan, jailer of Boone county.
An act for the benefit of William Green, of the county of Montgomery.
An act for the benefit of school districts Nos. 10 and 47, in Jefferson county.
An act to amend an act, entitled "An act to incorporate the Southwestern Furniture Manufacturing Company," approved March 5, 1868.

Mr. Blackburn, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22, 1871.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the board of directors of the Bowling Green and Madisonville Railroad Company shall be composed of ten members.

§ 2. That on the fourth Tuesday in March, 1873, and annually thereafter, there shall be elected by the stockholders of said company five directors, who shall hold their offices as such for two years from the date of their election, or until their successors shall have qualified.
§ 3. That prior to said election the present board of directors of said company shall divide themselves into two classes, by lot or otherwise; the first class to consist of four members, and the second class to consist of five members; and the first class, so designated as aforesaid, shall vacate their offices on said fourth Tuesday in March, or when their successors, elected under the provisions of this act, shall have qualified; and annually thereafter there shall be an election by said stockholders for five directors, the second class aforesaid vacating their offices on the fourth Tuesday in March, 1874, or when their successors shall have qualified.

§ 4. That before any director shall serve as such, he shall take an oath, before some officer of this Commonwealth authorized to administer oaths, to faithfully and impartially discharge the duties of his office.

§ 5. Any stockholder in said corporation may cast his vote by duly authorized proxy.

§ 6. It shall be the duty of said board of directors to advertise the time and place of all elections for directors in the Bowling Green, Madisonville, and Greenville newspapers, at least ten days before said election; and it shall also be the duty of said board of directors to keep the books of said company open for the subscription of stock for at least twelve months from the date of the first election of directors aforesaid.

§ 7. No subscription of stock shall be valid unless to be paid in money, county, town, city, or district bonds, at their marketable value.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Potter offered the following substitute, by way of amendment, to said bill, viz:

WHEREAS, The charter of the Bowling Green and Madisonville Railroad Company makes no provision for the election of a board of directors after the first election, and the present board of directors hold their office for life.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the present president and directors of the Bowling Green and Madisonville Railroad Company shall vacate their offices on the fourth Monday in March, 1873, or as soon thereafter as their successors shall be duly elected and qualified; but said directors shall be eligible for re-election.

§ 2. It shall be the duty of the president and directors of said railroad company to cause an election to be held on the fourth Monday in March, 1873, at their principal office in the city of Bowling Green, for the purpose of electing a board of directors of said company, at which election the counties of Warren and Butler, and all persons who have subscribed stock in said company, shall be permitted to vote for a board of directors of said company, who shall hold their offices for the term of one year, and until their successors shall be duly elected and qualified; and unless the president and directors of the present board of directors shall cause said election to be held, any subsequent act of said board of directors shall be void, except they may cause an election of a board of directors as soon thereafter as practicable.

§ 3. It shall be the duty of the president and directors of the Bowling Green and Madisonville Railroad Company, immediately after their election, and before entering upon the duties of their office, to take an oath
faithfully to perform the duties imposed upon them by this act, and the act to which this is amendatory.

§ 4. It shall be the duty of said board of directors to advertise the time and place of holding all elections for a board of directors for said company, at least ten days in the newspapers published in Bowling Green, Greenville, and Madisonville, before said election is held.

§ 5. It shall be the duty of said board of directors to keep the books of said company open for the subscription of stock to said railroad company for at least twelve months from the date of the election, for the subscription of stock to said railroad company, or until a sufficiency of stock shall be subscribed to furnish a reasonable guarantee that said company can build said road; then said company shall put said road under contract, and prosecute it to completion as speedily as possible.

§ 6. No subscription of stock to said company hereafter taken shall be valid unless it be subscribed in good faith, payable in money or county, town, or city bonds, at their merchantable value.

§ 7. That no county that has voted to subscribe stock, or may hereafter vote subscriptions of stock to said railroad company, shall be required to issue their bonds to said company until, in the opinion of said board of directors, there shall be a sufficiency of stock subscribed to guarantee the completion of said road.

§ 8. Should the present board of directors fail to cause an election to be held to elect a board of directors for said company, as provided in this act, then a majority of the stockholders, and the counties of Warren and Butler (all stockholders casting one vote for every $100 of stock subscribed) by their representatives, may cause an election to be held for the election of a board of directors for said company, agreeably to the provisions of this act and the act to which this is amendatory; and in all elections held for a board of directors the counties having voted subscriptions of stock shall cast their votes by their representatives for a board of directors.

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

The question was then taken on the adoption of the substitute proposed by Mr. Potter, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, J. P. Hampton, Hiram S. Powell,
A. C. Armstrong, George M. Jesse, E. A. Robertson,
W. W. Ayers, Thomas M. Johnson, John Rowan,
G. W. Bailey, T. J. Jones, Samuel M. Sanders,
Thomas P. Cardwell, J. S. Lawson, William Sellers,
James S. Chrisman, J. J. McAfee, J. S. Taylor,
Josiah H. Combs, Bryan S. McClure, G. W. Threlkeld,
Thomas H. Corbett, M. E. McKenzie, J. M. White,
J. E. Cossen, Wm. Mynhiar, Jonas D. Wilson,
Manlius T. Flippin, J. L. Nall, J. N. Woods—35,
Joseph P. Foree, Lewis Potter,
Those who voted in the negative, were—

Mr. Speaker (M'Creary) W. W. Deaderick, C. C. Scales,
A. S. Arnold, M. Woods Ferguson, Harry I. Todd,
W. N. Beckham, Clinton Griffith, L. W. Tratton,
J. C. S. Blackburn, Wm. A. Hoskins, E. F. Waide,
William Brown, J. C. Moorman, J. L. Waring,
George Carter, Julian N. Phelps, Mordecai Williams,
R. L. Cooper, John P. Rowlett,

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

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of ardent spirits in Lee county;
An act for the benefit of common schools in Jessamine county;
An act for the benefit of James Brough and Oscar McKenzie, of Morgan county;
An act to amend the charter of Adairville;
An act to prevent the killing of birds in Garrard county;
An act to amend an act, entitled "An act to incorporate the First German Savings Bank of Louisville;"
An act to protect the interest of the Commonwealth of Kentucky in certain cases;
An act for the benefit of Lewis F. Marshall, sheriff of Ballard county;
An act to continue in force an act, entitled "An act for the benefit of the common schools in Newport, Campbell county;"
An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city;"
An act for the benefit of G. W. Taylor, sheriff of Hancock county, and his sureties;

And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Deaderick inform the Senate thereof.
And then the House adjourned.

50-H. x.
TUESDAY, FEBRUARY 25, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the city of Newport to supply itself and others with pure water, and establish water-works," approved January 6, 1871.

An act to amend an act to incorporate Alexander College, in the town of Burkesville.

An act to amend section 621 of the Civil Code of Practice.

That they had concurred in the amendments proposed by the House to a bill, which originated in the Senate, entitled

An act to incorporate the Richmond and Three Forks Railroad Company,

The title whereof, by said amendment, is changed so as to read:

An act to incorporate the Richmond, Irvine, and Three Forks Railroad Company,

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide for indexing certain books belonging to the office of the clerk of the Whitley county court.

An act to authorize the Warren county court to employ counsel.

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

An act for the benefit of George W. Cooper, of Logan county.

An act authorizing the Lewis county court to make an allowance to the clerk of the Lewis circuit court, for continuing the general and cross-index to suits in the Lewis circuit court.

An act to authorize the circuit court clerk of Butler county to make a general cross-index.

An act to authorize the clerk of the circuit court of Madison county to procure index books, and to index and cross-index equity and ordinary suits off the docket on file in his office.

An act to incorporate the Cairo and Ship Island Railroad Company.
And that they had adopted resolutions and passed bills of the following titles, viz:

Resolution appointing joint committee to visit the House of Reform and Feeble-minded Institute for certain purposes.

Resolution in relation to the disbursement of the funds of the State in support of the several charitable institutions.

1. An act to repeal all laws heretofore enacted adopting John Elrod as heir-at-law of H. B. Elrod or Jane Elrod, of Warren county.
2. An act for the benefit of the kindred of Pierre Victor Eustache, deceased, late of McCracken county.
3. An act for the benefit of Farish Arnett, sheriff of Magoffin county.
4. An act in relation to the arrest of drunken persons in the local jurisdiction of the police court of Bardstown.
5. An act legalizing certain proceedings of the Owen county court.
6. An act legalizing certain proceedings of the Boone county court.
7. An act to define the county line between the counties of Magoffin and Breathitt.
9. An act to amend an act, entitled “An act to authorize the Christian county court to issue bonds for the purpose of building a courthouse, and to establish a sinking fund to liquidate said bonds,” passed February 13, 1867.
10. An act to incorporate the Kentucky Society for the prevention of cruelty to animals.
11. An act of incorporation for Mayfield Lodge, No. 151, I. O. O. F.
12. An act to amend an act, entitled “An act to incorporate the Fulton County Agricultural Society,” approved January 18, 1867.
13. An act to incorporate the Owingsville Depot Turnpike Road Company, in Bath county.
14. An act to authorize the clerk of the Allen circuit court to make a cross-index to suits and causes on file in said office.
15. An act to establish the boundary of common school district No. 5, in Breathitt county.
16. An act to amend an act, entitled “An act to incorporate the Guthrie City and Franklin Railroad Company,” approved March 21, 1870.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, 3d, and 4th to the Committee on the Judiciary; the 5th, 6th, 7th, 8th, and 9th to the Committee on County Courts; the 10th and 11th to the Committee on Corporate Institutions; the 12th to the Committee on Agriculture and Manufactures; the 13th to the Committee on Internal Improvement; the 14th to the Committee on Circuit Courts; the 15th to the Committee on Education; and the 16th to the Committee on Railroads.

Indefinite leave of absence was granted Mr. Deaderick.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

Gentlemen of the House of Representatives:

After a careful consideration of the bill originating in your honorable body, entitled "An act to incorporate the Cairo and Tennessee River Railroad Company," I feel constrained to withhold my approval of it, and respectfully return it with my reasons for such conclusion. The bill creates Bernard A. Neal and others a corporation under the name of the Cairo and Tennessee River Railroad Company, and vests it with privileges and powers to build and operate a railway from the Mississippi river, in Ballard county, to the Tennessee State line, in the direction of Paris, Tennessee. It provides, in section one, that the company may, for that purpose, enter upon and take possession of so much land as may be necessary (not exceeding one hundred feet) to construct, complete, and operate said railroad and its appendages; and that if said company cannot agree with the owners as to compensation for land so taken, it is authorized to institute proceedings before a justice of the peace, and prosecute the same through the instrumentality of a sheriff and jury and the circuit court, by which the land is to be condemned and the right of use for such purpose made absolute in the company. The bill further provides, that "pending the inquisitions and other matters provided for in this section (section 1), the said company shall have full power, right, and authority to proceed with the work of constructing, completing, and operating the said railroad, over, upon, and through said lands, without awaiting the result of said inquisition; and on the final award of the court shall pay to the owners of the land such damages and costs so adjudged." It further provides that the jury, in estimating the damages sustained by the owner of land thus taken, shall "find the actual value thereof," and "for the extinguishment of damages," shall take into consideration the benefits resulting to the owner from constructing said railroad. My objections to this bill are:

1st. That it authorizes the company to enter upon and take possession of the land of a citizen before it is either bought or paid for, or even the process of condemnation is commenced, which is in plain contravention of the Constitution of Kentucky, which declares (article 13, section 14) that no man's property shall be taken or applied to public use without just compensation being previously made to him; the limit of legislative...
power on the subject being to prescribe the mode in which such compensation shall be ascertained and determined in a fair and just manner. In the case of Walker vs. Martin, Chief Justice Marshall delivering the opinion of the court, it is decided, that the Legislature has no constitutional right to grant such a power as this bill gives to the Cairo and Tennessee River Railroad Company, of entering upon and taking possession of lands before compensation has been made.

2d. No provision is made in the bill for the citizen to have any notice of the proceedings for condemnation at any time, either previous to, or pending their progress, or even after it has gone to the circuit court, and in the absence of such notice the company can proceed ex parte from first to last.

3d. There is no provision saving the rights of married women, infants, or other persons laboring under disabilities, nor is there any provision securing to such persons, or to non-residents, or even to the citizens, any notification or opportunity to be heard upon the questions—however important to them—which this rash proceeding may involve.

4d. The bill allows the company to seize and take out of the citizen's possession his land, and deprive him of its use and occupancy without compensation, and leaves him to the tardy chances of getting something only at the end of perhaps a tedious and expensive litigation.

5th. The bill, in undertaking to give directions to the jury as to what it shall do in holding the inquest, does not sufficiently secure to the citizen the full value of the property taken from him.

P. H. LESLIE.

The bill referred to in said message reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Bernard A. Neal, Lucian Anderson, S. Stotes Taylor, J. D. C. Adkins, R. D. Caldwell, J. M. Hudson, J. F. McElrath, J. L. Dismukes, R. Anderson, B. Harding, W. D. Sullivan, H. S. Hale, T. A. Henry, J. H. Oberly, Jno. D. Wilds, Jno. C. Harkless, W. H. Hale, Coleman Farning, Wm. Hall, Wm. Sheppard, A. Z. Warden, Jr., Henry P. Melton, Dr. R. M. Shelton, Thos H. Corbett, and S. S. Story, and their associates, successors, and assigns, be, and they are hereby, created a body-politic and corporate, under the name and style of the Cairo and Tennessee River Railroad Company, and by that name be, and they are hereby, made capable in law and in equity to sue and be sued, plead and be imploided, defend and be defended, in any court of law or equity in this State or elsewhere; to make, have, and use a common seal, and the same to revise and alter at pleasure; to have perpetual succession; to make, adopt, and repeal by-laws, rules, and regulations, for the government of the company, and shall be, and hereby are, invested with all the privileges, powers, and immunities which are or may be necessary to construct equip, complete, maintain, and operate a railroad, with such width of gauge as to said company may seem proper, with a single or double line of rails or track, with necessary depots, branches, switches, side-tracks and turnouts, from any point in Ballard county, in the State of Kentucky, opposite to or within one mile of a point opposite to the city of Cairo, in the State of Illinois, on the most eligible route by the way of, or within one mile of, the town of Blandville, Ballard county, and Mayfield, Graves county, to some point on the line dividing the States of Kentucky and Tennessee, in the direction of the town of Paris, in Henry county, in said State of Tennessee; and for that purpose to enter upon, take possession of, as hereinafter provided, so much land as may be necessary, not exceeding one hundred feet, to construct,
complete, and operate said railroad and its appendages; and if said company cannot agree with the owner or owners of said land taken as aforesaid, application may be made to any justice of the peace of the county in which the land may be situated; who, thereupon, shall issue his warrant, directed to the sheriff of his county, requiring him to summon a jury of twenty (20) bona fide housekeepers, not related to the owner or owners of the said land, or in anywise interested in the same, to meet on the land to be valued, or as near to it as practicable, on a day named in said warrant, not less than ten (10) nor more than twenty (20) days after the issuing of the same; and if any of the jurors shall fail to attend, said sheriff shall forthwith summon as many jurors as may be necessary, with those in attendance, to complete the panel aforesaid. From said panel or number each party, or the attorney or agent of either party, if present, if not, then the sheriff, for the party absent, may strike off four (4) jurors each, and the remaining twelve (12) shall act as the jury of inquest of damages, after having been sworn by the sheriff justly and impartially to fix the damages which the owner or owners shall sustain by the use and occupation of the land required by the company, and shall fix the actual value thereof. In estimating the damages the jury shall take into consideration the benefits resulting to the owner from constructing said railroad through the lands of said owner, but only in the extinguishment of damages. The jury shall reduce their verdict to writing, and sign the same, and it shall be returned by the sheriff to the clerk of the circuit court for said county, who shall docket the same as other suits, giving it the precedence of all civil business; and upon the call of the docket, the court shall enter an order confirming the said inquisition, unless defense be made and sufficient cause be shown against it; and when so confirmed, the clerk shall enter it of record, at the expense of the company; but if set aside, the court may direct another inquisition to be taken in the same manner. Such inquisition shall describe the bounds of the land taken, and the extent and duration of the interest in the same; and such damages, when tendered or paid to the owner or owners of said land, or his or her or their agent or legal representatives, or to the clerk of said court, for the use of any such owner, when he, she, or they may refuse to receive the same, or reside without the county, shall vest in said company the right to enter upon said lands. Pending the inquisitions and other matters provided for in this section, the said company shall have full right, power, and authority to proceed with the work of constructing, completing, and operating their said railroad over, upon, and through said lands, without awaiting the result of said inquisition; and on the final award of the court, shall pay to such person or persons the damages and costs so adjudged.

§ 2. Said company, in addition to having powers as aforesaid to construct, complete, and operate a line of railroad as aforesaid, shall be, and they are hereby, invested with full power and authority to purchase or lease, for a term of years or in perpetuity, any line or lines of railway with which their proposed line shall or may connect, or to let, lease, or sell their own proposed line of railway to any other railroad company, upon such terms as may to said Cairo and Tennessee River Railroad Company seem best and proper.

§ 3. The capital stock of said company shall be one million dollars, which may be increased by the company to such sum as will defray the cost of constructing said road, not to exceed five million dollars; which stock shall be divided into shares of fifty dollars ($50) each; and said shares shall be deemed personal property, and may be issued and transferred in such manner as the board of directors may prescribe.
§ 4. The affairs of said company shall be managed by a board of eleven directors, which may be increased to any number not exceeding twenty-five; and Bernard A. Neal, John O. Harkless, Lucian Anderson, J. L. Dismukes, J. D. C. Adkins, J. M. Hudson, T. A. Henry, S. Storms Taylor, B. Harding, John D. Wilds, and J. H. Overy, are hereby appointed the first board, who shall hold their offices until their successors are elected and qualified in such manner as hereafter prescribed. Said board shall have power to elect one of their number president, and appoint such other officers as may be prescribed by the by-laws.

§ 5. Said company shall have power to unite or connect its railroad with any other railroad now constructed, or which may hereafter be constructed; upon such terms as may be mutually agreed upon between the companies so connecting; and, from time to time, to borrow such sums of money, not exceeding its capital stock, as may be necessary for the purposes of said company, and at any rate of interest not exceeding ten (10) per cent. per annum; and to issue and dispose of its bonds, in denominations of not less than one hundred dollars each, for an amount so borrowed; and to mortgage their corporate property, real or personal, and their franchise, or convey the same by deed of trust, to secure the payment of the money so borrowed, or any other debt of said company.

§ 6. Said company may receive subscription to their capital stock payable in United States, State, city, county bonds, or money.

§ 7. The said board of directors named in the 4th section of this charter shall have power to open books for subscription to the capital stock of said company, at such times and places as they may designate; and where the sum of not less than twenty-five thousand dollars shall be subscribed and paid for, or secured to be paid, they shall proceed to give notice, of not less than twenty days, to the stockholders of said company. Said notice shall be in writing, stating time and place of holding said election; which election shall be held at some place within this Commonwealth. Each share of stock shall entitle the holder thereof to one vote for each share in value; and said vote may be cast either in person or by written proxy. And annually thereafter, on the first Monday in May, shall proceed to hold an election for directors of said Cairo and Tennessee River Railroad Company.

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

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative were—

Mr. Speaker (McCreary) Walter Evans, Lewis Potter,
Wm. A. Allen, W. H. Evans, Hiram S. Powell,
A. C. Armstrong, M. Woods Ferguson, W. L. Reeves,
W. W. Ayers, Manus T. Flippin, E. A. Robertson,
G. W. Bailey, C. D. Foote, John Rowan,
R. Tarv. Baker, Joseph P. Farrar, John P. Rowlett,
W. R. Bates, Wm. Cassius Goodloe, J. R. Sanders,
W. N. Beckham, C. P. Gray, Samuel M. Sanders,
Mr. Arnold moved to reconsider the vote by which the House, on yesterday, passed a bill from the Senate, entitled
An act for the benefit of railroad contractors.

On motion of Mr. Waide, a bill from the Senate, entitled
An act to amend an act to incorporate the Cumberland and Ohio Railroad Company,

Was postponed to, and made special order of the day for, to-morrow, at half-past 10 o’clock, A. M.

The following petitions and remonstrances were presented, viz:

By Mr. Reeves—
1. The petition of citizens of Todd county, praying the passage of an act prohibiting certain animals from running at large.

By Mr. Gray—
2. The petition of citizens of district No. 2, of Cumberland county, praying the passage of an act to change their voting place.

By Mr. Deaderick—
3. The petition of citizens of Pendleton county, praying the passage of an act to provide for the election of road commissioners and of common school commissioners by a vote of the people.

By Mr. Jessee—
4. The petition of certain citizens of Campbellsburg, Henry county, praying the passage of a Sunday prohibitory liquor law.

By Mr. Mynhier—
5. The remonstrance of certain citizens of Morgan county, against the erection of mill-dams across Licking river.

By Mr. Rowlett—
6. The remonstrance of certain citizens of Canmer, Hart county,
against the repeal of the law prohibiting the sale of spirituous liquors in said town.

By Mr. Deaderick—

7. The remonstrance of citizens of Pendleton county, against the passage of an act to prohibit the sale of liquors in the town of Butler, in said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Agriculture and Manufactures; the 2d to the Committee on Privileges and Elections; the 3d to the Committee on County Courts; the 4th, 6th, and 7th to the Committee on Religion; and the 5th to the Committee on Internal Improvement.

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

On motion of Mr. Powell—

1. A bill to define the boundary line between the counties of Clay and Jackson.

On motion of Mr. Jessee—

2. A bill to amend the charter of the town of Pleasureville, in Henry county.

On motion of same—

3. A bill to incorporate the town of Somers' Station, in Henry county.

On motion of same—

4. A bill to repeal the turnpike law in district No. 2, in Henry county.

On motion of same—

5. A bill to amend the charter of the Eminence and New Castle Turnpike Road, in Henry county.

On motion of same—

6. A bill to amend the turnpike law of Henry county, so as to allow the president and directors of any unfinished turnpike to sell or mortgage their road and franchise, to raise money to help complete them.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Revised Statutes the 2d; the Committee on Corporate Institutions the 3d; and the Committee on Internal Improvement the 4th, 5th, and 6th.

The House then took up and resumed the further consideration of a bill, entitled

A bill to amend the charter of the Bowling Green and Madisonville Railroad Company.

51-H. a.
According to order of yesterday, said bill, as amended, being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the board of directors of the Bowling Green and Madisonville Railroad Company shall be composed of ten members.

§ 2. That on the fourth Tuesday in March, 1873, and annually thereafter, there shall be elected by the stockholders of said company five directors, who shall hold their offices as such for two years from the date of their election, or until their successors shall have qualified.

§ 3. That prior to said election the present board of directors of said company shall divide themselves into two classes, by lot or otherwise; the first class to consist of four members, and the second class to consist of five members; and the first class, so designated as aforesaid, shall vacate their offices on said fourth Tuesday in March, or when their successors, elected under the provisions of this act, shall have qualified; and annually thereafter there shall be an election by said stockholders for five directors, the second class aforesaid vacating their offices on the fourth Tuesday in March, 1874, or when their successors shall have qualified.

§ 4. That before any director shall serve as such, he shall take an oath, before some officer of this Commonwealth authorized to administer oaths, to faithfully and impartially discharge the duties of his office.

§ 5. Any stockholder in said corporation may cast his vote by duly authorized proxy.

§ 6. It shall be the duty of said board of directors to advertise the time and place of all elections for directors in the Bowling Green, Madisonville, and Greenville newspapers, at least ten days before said election; and it shall also be the duty of said board of directors to keep the books of said company open for the subscription of stock for at least twelve months from the date of the first election of directors aforesaid.

§ 7. No subscription of stock shall be valid unless to be paid in money, county, town, city, or district bonds, at their marketable value.

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

Mr. Blackburn then moved to reconsider the vote by which said bill, as amended, was ordered to be engrossed and read a third time.

Mr. Potter moved to lay the motion of Mr. Blackburn on the table.

And the question being taken on the motion of Mr. Potter, it was decided in the negative.

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

These who voted in the affirmative, were—

Wm. A. Allen,       Manlius T. Flippin,       Lewis Potter,
W. W. Ayers,         J. P. Hampton,         Hiram S. Powell,
G. W. Bailey,        Thomas M. Johnson,      John Rowan,
W. R. Bates,         T. J. Jones,            Samuel M. Sanders,
Thomas P. Cardwell,  J. S. Lawson,          William Sellers,
James S. Chrisman,   J. J. McAfee,          J. S. Taylor,
Josiah H. Combs,     Bryan S. McClure,      C. W. Threlkeld,
William G. Conrad,   William J. McKelroy,    J. M. White,
Thomas H. Corbett,   W. A. Morin,           Jonas D. Wilson,
Those who voted in the negative, were—

Mr. Speaker (McCreary) R. L. Cooper, Julian N. Phelps,
A. C. Armstrong, Walter Evans, W. L. Reeves,
A. S. Arnold, M. Woods Ferguson, E. A. Robertson,
R. Tarv. Baker, C. D. Foote, John F. Rowlett,
W. N. Beckham, Wm. Cassius Goodloe, C. C. Scales,
John A. Bell, C. P. Gray, Harry I. Todd,
J. C. S. Blackburn, Clinton Griffith, L. W. Trafton,
Church H. Blakey, George M. Jesse, T. W. Varnon,
William Brown, E. Polk Johnson, E. F. Waide,
Robert M. Carlisle, L. W. Lassing, J. L. Waring,
John S. Carpenter, M. E. McKenzie, C. H. Webb,
George Carter, T. J. Megibben, Mordecai Williams,

Pending debate, the further consideration of said bill was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, took up and resumed consideration of a bill from the Senate, entitled

An act to increase the salary of the chief clerk of the Land Office.

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 present salary of Richard Sharp, the chief clerk of the Land Office, be, and the same is hereby, increased three hundred dollars per annum, payable as now provided by law.

§ 2. This act to be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, the same not having received a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Arnold, W. H. Evans, Hiram S. Powell,
R. Tarv. Baker, M. Woods Ferguson, W. L. Reeves,
W. R. Bates, Wm. Cassius Goodloe, John P. Rowlett,
John A. Bell, Clinton Griffith, J. R. Sanders,
J. C. S. Blackburn, J. P. Hampton, C. C. Scales,
William Brown, George M. Jesse, William Sellers,
Thomas P. Cardwell, E. Polk Johnson, Harry I. Todd,
John S. Carpenter, J. S. Lawson, L. W. Trafton,
George Carter, J. J. McAfee, T. W. Varnon,
Josiah H. Combs, M. E. McKenzie, J. L. Waring,
William G. Conrad, W. A. Morin, Mordecai Williams,
Those who voted in the negative, were—

Mr. Speaker (McCreary), E. Cosson, Lewis Potter,
Wm. A. Allen, Manlius T. Flippin, E. A. Robertson,
A. C. Armstrong, C. D. Foote, John Rowan,
W. W. Ayers, Joseph P. Force, Samuel M. Sanders,
G. W. Bailey, C. P. Gray, J. S. Taylor,
W. N. Beckham, Thomas M. Johnson, C. W. Threlkeld,
Church H. Blakey, T. J. Jones, E. F. Waide,
Wm. F. Bond, Bryan S. McClure, C. H. Webb,
Robert M. Carlisle, William J. McElroy, J. M. White,
James S. Chrisman, T. J. Megibben, Jonas D. Wilson,
C. M. Clay, jr., J. C. Moorman, J. N. Woods—34.

And so said bill was disagreed to.

Mr. Baker then moved to reconsider the vote by which said bill was disagreed to.

Mr. Todd presented the following letter, addressed to him by the Auditor of Public Accounts, which was read, viz:

Office Auditor of Public Accounts,
Frankfort, Ky., Feb. 24, 1873.

Hon. H. I. Todd, Chairman Committee on Public Offices, House of Representatives:

Sir: The Senate bill which passed that body last winter with great unanimity, for the purpose of increasing the compensation for clerk hire in this department, and now pending in the House of Representatives, is one of great importance to the public service, and I desire to call your attention, and that of the House, through you, to it.

The present compensation now allowed by law ($8,000 per annum) is totally inadequate to retain a sufficient force of trained, skilled, and competent clerks to enable me to discharge thoroughly and accurately the duties imposed upon me by law. An examination of the Auditor's report will, it seems to me, satisfy any intelligent man of that fact. That report does not show the amount of labor actually performed in this department, but it does show the results of that labor, the character of it, and the absolute necessity of having thoroughly competent men to discharge it.

The amount paid into the Treasury annually, as shown by my last report (and which, of course, has to be disbursed), exceeds $3,500,000. The whole of this large amount of money, which is paid into and out of the Treasury, is on papers prepared in the Auditor's Office, where all of the financial accounts of the State are kept. It would be difficult in a communication of this kind to go into any detailed statement of the minute manner in which these accounts are kept, so as to make the House understand fully the amount of labor to be performed in order to keep them correctly. But I will give a brief outline of my duties.

There are one hundred and sixteen counties in the State; from each of these counties one or more assessors' books are returned to my department. Each one of these books has to be thoroughly tested and tried, both in the extensions and additions; and when thus corrected, they are submitted to a system of recapitulations, in order to prove thoroughly their accuracy, in order to prevent errors. After this is done, the accounts
of the several sheriffs and collectors are made out from them, and the amount of the revenue due the State from each charged to them. This involves four or five months of the most arduous labor.

These separate accounts have to be kept with one hundred and sixteen county clerks, and as many circuit clerks and trustees of jury fund, to say nothing of clerks of other courts, and with every corporation in the State, embracing banks of every character, railroads, turnpike companies, insurance companies, manufacturing and mining companies, cities, towns, bridges collecting tolls, gas companies, &c., &c. Then comes the accounts of our charitable institutions, one hundred and sixteen school commissioners, agents of the State for forfeited lands and escheated estates, and the sinking fund accounts. And, in addition to all this immense amount of labor, every claim presented against the State has to be examined, it matters not how small or large the amount, the proper voucher prepared, and warrant drawn, and numbered for its payment, and then charged to the proper account.

The foregoing is but a very meagre outline of the work to be performed in the Auditor's Office; but it is sufficient, I hope, to give the House some idea of the amount, as well as the character, of the labor performed. No man is capable of filling the position of clerk in this office without being skillful in figures; and the most of them must be thorough accountants and good statutory lawyers. And even with these qualifications he must have considerable experience in the character of work to be done to fill his position satisfactorily. The Auditor's Office is no place for a mere boy or an inexperienced and unqualified man; the work to be done is too important and too constantly pressing.

I submit, in view of the facts stated, whether $8,000 divided between eight men, giving three of the most competent $1,200 each, four $800, and one $700 (leaving only $500 to pay for extra labor), is any thing like adequate compensation for the amount and character of labor rendered? I do not hesitate to state that there is no class of men in the State who are so inadequately paid for their services as the clerks in the Auditor's Office; and I cannot, therefore, hope to retain their services without an increase of the compensation now given them. The bill pending before the House does not, in my judgment, give them the full value of their services, but I hope it will enable me to retain or employ competent men.

I therefore ask, in the interest of the public service, and not as a personal favor to me or the clerks in my employ, the passage of the bill pending. The best interests of the State demand it, in my judgment. The labors of the Auditor's Office now are not what they were ten or fifteen years ago; they have greatly increased, and will continue to increase with the population and business of the State.

Very respectfully,
Your obedient servant,

D. HOWARD SMITH, Auditor.

The House took up, according to order, and resumed the consideration of a bill from the Senate, entitled

An act to promote public service in the Auditor's Office.

Mr. Jones offered an amendment to said bill.

Mr. Gray offered an amendment to the amendment proposed by Mr. Jones, which was rejected.

The amendment proposed by Mr. Jones was then rejected.
Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That, to enable the Auditor of Public Accounts to discharge his official duties with greater facility and promptness, and to enable him to pay the clerks employed in his department a compensation more nearly the value of the services rendered by them to the State, the sum of three thousand dollars per annum is hereby appropriated, in addition to the sum now allowed by law for all clerk hire in that department.

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

The question was then taken on the passage of said bill, and it was decided in the negative, the same not having received a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Manlius T. Flippin,

And so said bill was disagreed to.

Mr. Griffith then moved to reconsider the vote by which said bill was disagreed to.
Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled resolutions, which originated in the Senate, of the following titles, viz:

Resolution making certain inquiries of the Auditor;
Resolution consenting to the purchase of certain grounds in the city of Paducah, and county of McCracken, by the Government of the United States, for custom-house and other purposes;
Resolution in relation to land to be acquired by the United States in the city of Covington, for the erection of a public building;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school district No. 16, in Larue county;
An act amending an act approved February 26, 1862, entitled "An act to amend the Revised Statutes in regard to filling vacancies in the office of sheriff;"
An act to amend an act, entitled "An act to incorporate the town of Marshall, in Bath county;"
An act for the benefit of the marshal of Mt. Sterling;
An act to amend the charter of the Glasgow Deposit Bank, approved February 27, 1869;
An act to amend the charter of the Winchester and Muddy Creek Turnpike Road Company;
An act for the benefit of the Woodford Cream Cheese Company;
An act to amend the charter of the Owensboro and Russellville Railroad Company, approved February 27, 1867;
An act to amend an act, entitled "An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same;"
An act incorporating the Citizens' Bank of Paris;
An act to extend the streets and alleys of Marion, in Crittenden county;
An act to amend an act, entitled "An act to incorporate Bell City, in Crittenden county;"
An act for the benefit of school district No. 6, in Greenup county;
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

And then the House adjourned.
WEDNESDAY, FEBRUARY 26, 1873.

The following petitions were presented, viz:

By Mr. Foree—
1. The petition of certain citizens of school district No. 62, in Shelby county, praying that the trustees of said district be allowed to settle certain matters in dispute, in regard to the teaching of the common schools in said district.

By Mr. Combs—
2. The petition of sundry citizens of Clay county, praying for a change of the county line between the counties of Clay and Perry.

By Mr. Cooper—
3. The petition of citizens of Murphyville precinct, in Mason county, asking the prohibition of the sale of spirituous, vinous, and malt liquors in said precinct.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Education; the 2d to the Committee on Propositions and Grievances; and the 3d to the Committee on Religion.

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

An act to re-enact an act, entitled “An act to amend an act to regulate the sale of liquors,” approved February 1, 1870.

An act for the benefit of John C. Conkin, late clerk of the Monroe county court.

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

An act for the benefit of Thomas Ballew, of Pulaski county.

An act to increase the salaries of the Superintendent of Public Instruction and his clerk.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the Quarter-Master General of this Commonwealth.

2. An act to change the time of holding the circuit courts in the ninth judicial district.

3. An act to amend and reduce into one the several acts in relation to the town of Shelbyville.
4. An act to amend and reduce into one the several acts in relation to the town of Danville.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means; the 2d to the Committee on Circuit Courts; and the 3d and 4th to the Committee on Corporate Institutions.

Mr. Baker, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to authorize the transfer of causes pending in the circuit court to the court of common pleas, in Ballard county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Brown moved to suspend the regular order of business, and to take up a resolution offered by him on Saturday last, proposing to raise a joint committee to investigate the affairs of the Kentucky River Navigation Company.

Objections being made thereto, the yeas and nays were taken on said motion, which resulted as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker (M’Creary) J. Guthrie Coke, J. P. Sacksteder, J. R. Sanders, Samuel M. Sanders, J. M. White, F. A. Wilson—16.

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

Those who voted in the affirmative, were—

W. R. Bates, Julian N. Phelps, C. W. Threlkeld, Samuel M. Sanders,
Church H. Blakey, Lewis Potter, J. C. Moorman, E. L. McDowell,
J. C. Moorman, Samuel M. Sanders,

Those who voted in the negative, were—

Mr. Speaker (M’Creary) J. Guthrie Coke, Hiram S. Powell, W. L. Reeves,
Wm. A. Allen, William G. Conrad, E. A. Robertson,
A. S. Arnold, Thomas H. Corbett, John Rowan,
W. W. Ayers, Manlius T. Flippin, J. P. Sacksteder,
G. W. Bailey, C. D. Foote, J. R. Sanders,
W. N. Beckham, C. P. Gray, C. C. Scales,
John A. Bell, George M. Jesse, Harry I. Todd,
S. C. Bell, Thomas M. Johnson,
J. C. S. Blackburn, T. J. Jones, L. W. Trafton,
Wm. F. Bond, J. S. Lawson, T. W. Varnon,
Robert M. Carlisle, Bryan S. McClure, E. F. Waide,
John S. Carpenter, William J. McElroy, J. L. Waring,
George Carter, T. J. Megibben, Mordecai Williams,
C. M. Clay, jr., J. L. Nall, S. H. Woolfolk—42.

And so said amendment was rejected.

Mr. McElroy offered an amendment to said substitute, which was adopted.

Mr. McElroy also proposed the following amendments to said substitute, viz:

§ 9. That the bonds to be issued by the counties of Barren, Allen, and Trimble, in payment of the stock subscribed to the Cumberland and Ohio Railroad, shall all be prepared as of the same date, with coupons attached, and payable at the same place, and to fall due, as provided in the order made by the county courts submitting the question of subscription or no subscription to the voters of said counties; but said bonds shall only be delivered to the president and directors of said railroad company in payment of stock subscribed by the counties respectively, in monthly installments, as the work progresses in the counties respectively, upon the monthly report of the local engineer of the estimate of the value of the work done in such county on said railroad; which report shall be verified by the oath of said engineer, taken before the judge of the county court of such county in which the work is done, and shall be filed by him and preserved in his office.

§ 10. That when said report is made, sworn to, and filed, it shall then be the duty of the county judge of the county in which the work has been done, to deliver to the president and directors of said railroad company a sufficient number of said county bonds, at par value, to pay eighty-five per cent. of the amount so reported to have been done on said railroad in said county, and no more, until the estimates made, reported, and filed, and the work is done in said county, equal in amount to the whole amount of stock subscribed by such county to said railroad company; and then it shall be the duty of said county judge to deliver to said president and directors of said company the bonds of said county to an amount sufficient, with what has been previously delivered, to pay all the stock subscribed by said county.

§ 11. The bonds shall be signed by the county judge, and tested by the clerk of the county court, but the coupons shall only be signed by the clerk of the county court.

12. When the county judge shall have said bonds prepared for his and the clerk's signature, as herein provided, he shall summon all the justices of the peace of his county to convene at the court-house, and hold a term of said county court, and then determine, by an order on the records of said court, in what manner said bonds are to be safely and securely kept, until they are delivered to the president and directors of said railroad company, as herein provided:
Provided, however, That nothing in this act shall be so construed as to in any way affect the contract and agreement heretofore made between the president and directors of the Cumberland and Ohio Railroad Company, and the president and directors of the Glasgow Railroad Company; which contract the respective parties thereto are fully authorized to complete and carry out in good faith, anything in this act to the contrary notwithstanding.

§ 13. All parts of the charter of the Cumberland and Ohio Railroad Company, and the amendments to the same, in conflict with the foregoing sections, are repealed.

§ 14. Strike out section 9 of substitute, and add: This act shall take effect from its passage; but sections 9, 10, 11, 12, and 13 of this act shall apply only to the counties of Barren, Allen, and Trimble.

The question was then taken on the adoption of said proposed amendments, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, William G. Conrad, W. A. Morin,
G. W. Bailey, R. L. Cooper, J. L. Nall,
W. R. Bates, Manlius T. Flippin, Julian N. Phelps,
S. C. Bell, Joseph P. Force, Lewis Potter,
Church H. Blakey, C. P. Gray, J. S. Taylor,
James S. Chisman, William J. McElroy, C. W. Threlkeld,

Those who voted in the negative, were—

A. C. Armstrong, M. Woods Ferguson, E. A. Robertson,
A. S. Arnold, C. D. Foote, J. P. Sacksteder,
W. W. Ayers, Clinton Griffith, Samuel M. Sanders,
R. Tarv. Baker, George M. Jesse, C. C. Scales,
Alpheus W. Bascom, E. Polk Johnson, William Sellers,
W. N. Beckham, Thomas M. Johnson, Harry I. Todd,
John A. Bell, T. J. Jones, L. W. Tratton,
J. C. S. Blackburn, J. S. Lawson, E. F. Waide,
William Brown, J. J. McAfee, J. L. Waring,
Robert M. Carlisle, Bryan S. McClure, C. H. Webb,
John S. Carpenter, M. E. McKenzie, Mordecai Williams,
George Carter, T. J. Megibben, F. A. Wilson,
B. E. Cassilly, John W. Ogilvie, J. N. Woods,
J. Guthrie Coke, Hiram S. Powell, S. H. Woolfolk,
Walter Evans, W. L. Reeves, J. M. Wright—45.

And so said amendment was rejected.

The question was then taken on the adoption of the amendment proposed by the committee as a substitute for the original bill, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

Gentlemen of the House of Representatives:

I have had under consideration a bill, which originated in the House of Representatives, entitled “An act to incorporate the Muhlenburg Coal and Iron Company,” and not being willing to approve the same, I return it for your consideration, with my objections.

There are several grave and serious objections to suffering this bill to become a law, which I might feel disposed to overlook, and give it my sanction, because they may be regarded as being mere questions of policy, in which case I am greatly inclined to defer to the collected wisdom and superior information of the General Assembly; still, it may not be improper to advert to some of them. In the first place, this bill proposes to create D. C. Buell and his associates a body-politic. Who are the associates of D. C. Buell? What their names and place of residence? The public may have weighty reasons for desiring to know these facts; and yet there is nothing in the bill which requires that this information shall ever be furnished. It will be remembered that within the last three years a system of laws were perfected and passed amply providing for the incorporation of all companies of the character which this professes to be; and among the things required to be stated in the preliminary notice, is “the statement of the names of the corporators.” Every member of the General Assembly will readily suggest to himself states of case which, under our criminal laws, and for civil purposes, the names and places of residence of these corporators might be important to be known.

Again, the bill provides for conferring power upon a married woman, either with or without the consent or concurrence of her husband, to become the owner of stock in this company, and then declares that the stock or shares so held by a married woman shall be deemed her separate estate, and shall in nowise be subject to the control or be liable for the debts of her husband, &c.

The wife, according to this bill, can, with the means of the husband, become the owner of the stock, and when acquired, it shall in nowise be subject to his debts. An easier mode could not well be devised by which a dishonest husband, disinclined to pay his debts, can place his means in the name of his wife, enjoy the fruits of his fraudulent conduct, and leave his creditors to suffer. The unlimited and sweeping discretion and power given to “D. C. Buell and his associates” to embark in any conceivable business or avocation which is by them considered beneficial, with no liability for debts attaching to their private property, is to me a subject of alarm. Without enumerating seriatim the many things they are empowered to do as miners, millers, merchants, manufacturers, machinists, lumber dealers, ship-builders, and traders in general, suffices it to say that they have a general power to do anything “they may deem desirable,” anywhere in Kentucky, and almost anywhere else.

But passing any further notice of these objectionable features of the bill, there is one which, to my mind, is insuperable, and which constrains me to withhold my approval. I cannot resist the conviction that the bill,
in the shape it has passed, is in conflict with the 37th section of article two of the Constitution, which provides that "no law enacted by the General Assembly shall relate to more than one subject, and that shall be expressed in the title." The title of this bill is "An act to incorporate the Muhlenburg Coal and Iron Company." It would import that the subject therein expressed was the creation of a company to operate and transact some character of business connected with coal or iron, or both. That, then, "is the subject"—if it be conceded that coal and iron could by any intention be considered "one subject." But grant that the subject may be claimed to have been the creation of a corporation for the purpose of the transaction of any business connected with coal and iron—and this would be the largest latitude—then how, I ask, could a bill having the title purporting and expressing that much, be stretched to such breadth as to comprehend and operate upon almost every conceivable branch of business? Would any reasoning or reflecting man look into an act incorporating a coal and iron company to find the grant of a power to mine for and deal in lead, oil, salt, or any other minerals, "by whatsoever names they may be called," and prepare the same for market by converting them into such merchantable state, or manufacture them into such articles, as the company may deem necessary or desirable? Would any one expect to find therein a grant of power to engage in the business of building "steamboats, railroads, bridges, &c.;" to make lumber, flour, meal, or any other article the company deem desirable for its business? Not such, or so many, of these things, as night, in point of fact, be necessary as an incident to the main business of coal and iron, but just every thing this company may deem desirable, and in whatever county or neighborhood it shall choose in the State of Kentucky.

The section of the Constitution to which I have referred was regarded by the framers of that instrument as important, and for salutary purposes, not the least of which was to prevent hasty and inconsiderate legislation; and its beneficial influences have been felt and acknowledged by all our predecessors. It is gratifying to know that it has not been overlooked but in few instances.

With these suggestions, indicating my objections, I most respectfully return the bill. P. H. LESLIE.

The bill referred to in said message, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That D. C. Buell and his associates are created a body-corporate, under the name of the Muhlenburg Coal and Iron Company.

§ 2. The said corporation and their successors, under the name aforesaid, shall have perpetual succession, with power to contract and be contracted with, sue and be sued, answer and defend, in all courts and places, as an individual person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of said company, and the conduct of its affairs, not inconsistent with the Constitution and laws of this Commonwealth.

§ 3. The said company shall have power to purchase and hold such estate, in Kentucky and elsewhere, by lease, in fee or otherwise, and such mining privileges, rights of way, and other easements, as it may deem necessary or desirable for its business; shall have power to dig, bore, mine, and search for coal, iron, lead, fire-clay, oil, salt, and other minerals, products and deposits in or upon the earth, in whatever forms they may exist, and by whatever names they may be called; shall have power to purchase, extract, take out, develop, smelt, reduce, refine, manufacture,
and prepare for market any or all of such minerals, products, and deposits, to convert them into such merchantable state, or manufacture them into such articles, as the said company may deem necessary or desirable, and to use or transport and sell the same in their natural or manufactured state, in or out of this Commonwealth; shall have power to make lumber, flour and meal, and any other article or substance which the said company may deem desirable for its business, and to use or sell the same as it may deem advisable; shall have power to purchase, make, erect, or construct such furnaces, mills, houses, wharves or landings, wagon-roads, railroads, bridges, and other structures; such steamboats, barges, and other boats; such engines, machinery, tools, implements, goods, and personal property, as the said company may deem necessary or desirable in carrying on its business, and to use and dispose of the said structures, articles, and appliances, in any lawful way, as fully and freely as an individual person might do; shall have power to sell, convey, transfer, and assign all, or any part or interest in said estate, real or personal, corporeal or incorporeal, and to exercise any necessary and proper power to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said company any banking powers.

§ 4. It shall be lawful for the said company to borrow money upon notes, bills, bonds, or indorsements, at such rates of interest or discount as may be found necessary; and to pledge or mortgage its property as security for the payment thereof: Provided, That the sum so borrowed shall not at any time exceed three fourths of its capital stock.

§ 5. The stockholders shall not be individually liable for the contracts, liabilities, and debts of said company.

§ 6. The capital stock of said company shall be one hundred and fifty thousand dollars, divided into one hundred and fifty thousand shares, which shares shall be personal property, and shall be evidenced and transferable as the company may by its by-laws prescribe. Each share shall be entitled to an equal interest in the property and profits of the company, and to one vote in the meeting of stockholders; and the holder may give his vote in person or by proxy.

§ 7. The affairs of the company shall be managed by a president and board of directors in such manner as the by-laws may prescribe. The board of directors shall consist of not less than five nor more than nine stockholders, including the president, if there be that many, or all of the stockholders, if the number be less than five. The directors shall be elected by the stockholders. The president shall be chosen from among the directors, and shall be a member of the board; he may be elected by the stockholders or by the directors, as the by-laws may prescribe.

§ 8. The president and board of directors shall be elected annually, and shall continue in office until their successors are duly chosen and qualified. The directors may fill any vacancy occurring in the board during the interval between the annual meetings of stockholders.

§ 9. The by-laws of the said company shall be established by the stockholders, and shall only be set aside or amended by them. The by-laws shall prescribe the time and manner of holding meetings and elections; the functions and duties of the managers and officers of the company; the number of persons, within the limits prescribed in the charter, that shall compose the board of directors; and the number of members that shall constitute a quorum of the board.

§ 10. The principal office of the company may be located at such place in or out of this State as the company may deem advisable; but the com-
pany shall have in this State an office and an agent therein, upon whom process may be served in any action against the company.

§ 11. This act shall continue in force for the period of thirty years.

§ 12. At the expiration of this charter the board of directors last elected shall continue in office as trustees to close up the business of the company, dispose of its effects, settle outstanding debts, and divide the residue of the proceeds among the stockholders, in proportion to the number of shares they, the stockholders, may severally hold, or to make such other disposition of the interests of the company as the stockholders may determine upon: Provided, The stockholders shall not have elected other persons to perform those duties.

§ 13. It shall be lawful for married women to subscribe for, acquire, and hold, in their own name, any number of shares in the capital stock of said company; and the stock or shares so held by any married woman, in her name, shall be deemed her separate estate; shall in nowise be subject to the control, or liable for the debts, of her husband, and may be used or disposed of by her as freely as though she were unmarried.

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

On motion of Mr. Walter Evans,

Ordered, That said message and bill be printed, and that the further consideration thereof be postponed to, and made special order of the day for, Friday, 27th inst., at 11 o'clock, A. M.

The House then took up the amendment proposed as a substitute by the Senate to a bill, which originated in the House of Representatives, entitled

An act to protect the owners of breeding and training farms and stables.

The question being taken on concurring in the amendment proposed by the Senate, it was desided in the negative.

And so the House refused to concur in the same.

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

On motion of Mr. Bates—
1. A bill for the benefit of Christopher Poynter, of Barren county.

On motion of Mr. Williams—
2. A bill requiring timbermen to stamp their logs, and to fix the price for catching loose logs, platforms, and rafts on the Ohio, and Big and Little Sandy rivers.

On motion of same—
3. A bill creating an additional voting place in Boyd county.

On motion of Mr. Armstrong—
4. A bill to amend the charter of the city of Augusta, in Bracken county.

On motion of Mr. Morin—
5. A bill to amend the charter of the Newport and Dayton Street Railroad Company.
On motion of Mr. Gray—
6. A bill for the benefit of Daniel P. Wright, of Clinton county.

On motion of Mr. Sellers—

On motion of same—
8. A bill to amend an act, entitled "An act to incorporate the trustees of the Lancaster Presbyterian Church."

On motion of same—
9. A bill to fix the time of holding the Garrard circuit court.

On motion of same—
10. A bill to repeal section 616, Civil Code of Practice.

On motion of same—
11. A bill to amend the 8d article of chapter 86, Revised Statutes, and the several amendments thereto.

On motion of same—
12. A bill to amend the charter of the Bryantsville and Cane Run Turnpike Road Company.

On motion of same—

On motion of Mr. Speaker McCreary—
14. A bill to incorporate the Central Kentucky Coal and Mining Company.

On motion of Mr. Gray—

On motion of Mr. Waring—
16. A bill to prohibit the sale of spirituous, vinous, or malt liquors in Greenup county.

On motion of Mr. Trafton—
17. A bill to amend an act, entitled "An act to incorporate the town of Cairo, in Henderson county."

On motion of same—
18. A bill to establish a system of public schools in the town of Corydon, in Henderson county.

On motion of Mr. Arnold—
19. A bill to amend an act in relation to common pleas court in Hickman county.
On motion of same—
20. A bill to allow Hickman county to create a sinking fund.
On motion of same—
21. A bill to authorize the voters of the town of Clinton to vote whether whisky shall be sold in said town or not.
On motion of Mr. Brown—
22. A bill to amend the charter of the Nicholasville and Kentucky River Turnpike Road Company.
On motion of same—
23. A bill to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.
On motion of Mr. Carlisle—
24. A bill to require the clerk of the Kenton county court to make a cross-index of deeds and mortgages recorded at Independence.
On motion of same—
25. A bill to create an additional voting place in the third district in Kenton county.
On motion of Mr. Webb—
26. A bill for the benefit of E. J. Ross, assessor of Livingston county.
On motion of Mr. Blakey—
27. A bill to charter the Logan County Bank.
On motion of same—
28. A bill for the benefit of lessors.
On motion of Mr. Coke—
29. A bill to amend the charter of the Manufacturers' Bank of Louisville.
On motion of Mr. Ogilvie—
On motion of Mr. McAfee—
31. A bill to change and amend the boundary of the town of Harrodsburg.
On motion of same—
32. A bill for the benefit of M. T. Lowry, in Jessamine county.
On motion of Mr. S. C. Bell—
33. A bill authorizing the county court of Metcalfe to sell the poor-house of said county.
On motion of Mr. Cossen—
34. A bill to regulate the collection of the revenue in Pulaski county.
On motion of Mr. Beckham—
35. A bill to prohibit the sale of spirituous, vinous, and malt liquors in Nelson county.

On motion of Mr. J. A. Bell—
36. A bill to amend an act, entitled "An act to prevent and punish certain trespasses in Scott and Woodford counties."

On motion of Mr. Mynhier—
37. A bill for the benefit of Elliott county.

On motion of same—
38. A bill to incorporate Asher Lodge, No. 531, of Free and Accepted Masons.

On motion of Mr. Chrisman—

On motion of Mr. Bailey—
40. A bill authorizing the sale of the poor-house farm in Webster county.

On motion of Mr. Todd—
41. A bill for the benefit of C. C. Lee, of Franklin county.

On motion of Mr. Bascom—
42. A bill for the benefit of James Ficklin, late sheriff of Bath county.

Ordered, That the Committee on Revised Statutes prepare and bring in the 1st, 11th, and 15th; the Committee on Propositions and Grievances the 2d, 36th, 41st, and 42d; the Committee on County Courts the 3d, 12th, 20th, 24th, 25th, 26th, 33d, 37th, and 40th; the Committee on Corporate Institutions the 4th, 8th, 17th, 21st, 22d, 23d, 31st, and 38th; the Committee on the Judiciary the 5th and 28th; the Committee on Military Affairs the 6th; the Committee on Claims the 7th and 32d; the Committee on Circuit Courts the 9th; the Committee on Codes of Practice the 10th and 13th; the Committee on Railroads the 14th; the Committee on Privileges and Elections the 16th and 35th; the Committee on Education the 18th; the Committee on Banks the 27th and 29th; the Committee on Religion the 30th; the Committee on Ways and Means the 34th; the Committee on the Library the 39th; and a select committee, consisting of Messrs. Arnold, Corbett, and Bond, the 19th.

Mr. Williams moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That when this General Assembly adjourns on the 12th day of March, that it adjourn sine die.
Which lies one day on the table.

Mr. Foote moved the following resolution, viz:

*Resolved*, That this House will not entertain any new business, except the revision of the statutes, after the 4th day of March, 1873, except by the suspension of the rules of the House.

On motion of Mr. Brown, said resolution was laid on the table.

Mr. Foote 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 take a recess from and after the 7th day of March, 1873, until the second Tuesday in May, 1873, except the joint committee on statutes shall continue in session and draw their pay the same as if no recess took place; but the balance of the members of the two Houses shall not draw pay from the 10th day of March until Saturday previous to the said second Tuesday in May, 1873; that from and after the reassembling of the two Houses of this General Assembly, on the second Tuesday in May, 1873, no new business, except the revision of the statutes shall be taken up or introduced, except by a suspension of the rules by a vote of seven eighths of the members present.

Mr. Blakey moved and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky,*

That the joint committee raised for the purpose of looking out a suitable location for a temporary asylum for the insane, shall take into consideration the advantages and inducements offered by the Buena Vista Springs, in Logan county.

Mr. Blakey moved the following resolution, viz:

*Resolved*, That on and after the 27th of February the House will hold night sessions, except Saturdays, commencing at half-past 7 o'clock, and adjourning at half-past 9 o'clock.

Mr. Nall offered the following amendment as a substitute therefor, viz:

*Resolved*, That on and after the 3d day of March the House of Representatives meet at half-past 9 o'clock in the morning, adjourn at 1 o'clock; meet again at half-past 2 o'clock, and adjourn at 5 o'clock; and that the afternoon session of each day be devoted exclusively to the revision of the statutes.

On motion of Mr. Brown, said resolution and proposed amendment were laid on the table.

Mr. Beckham moved the following joint resolutions, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky,*

That when this General Assembly shall adjourn on the 13th day of March, 1873, it shall adjourn to meet again on the 13th day of May, 1873; and be it further
Resolved, That the joint committee of the two Houses on revision shall remain in session at the Capital during the interim, and that only said joint committee of the two Houses shall be entitled to receive compensation as members of the Legislature during said interim; and be it further

Resolved, That when this General Assembly shall reassemble as aforesaid, on the 13th day of May, 1873, that the work of the committee on revision of the statutes, and that alone, shall be considered.

Which lie one day on the table.

Indefinite leave of absence was granted Mr. Hampton.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to legalize the acts of W. N. Boaz, as deputy clerk of the Graves county court;

An act to incorporate the Richmond, Irvine, and Three Forks Railroad Company;

An act for the benefit of the Maysville and Lexington Railroad, Northern Division;

An act to amend the charter of the Elizabethtown and Paducah Railroad Company;

Resolution directing the firing of a national salute on the 22d February, 1873;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Millersburg Academy;

An act to incorporate the town of Springville, in Greenup county;

An act to amend an act incorporating the Concord and Tollsville Turnpike Road Company;

An act to incorporate the Enterprise Improvement and Manufacturing Company;

An act to amend the charter of the Orangeburg and Tollsville Turnpike Road, in Mason county;

An act to charter the Lebanon Wooden-ware Manufacturing Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.
THURSDAY, FEBRUARY 27, 1873.

The following petitions and remonstrances were presented, viz: 

By Mr. Foree—
1. The petition of citizens of Cropper's Depot, in Shelby county, praying the passage of an act prohibiting the sale of intoxicating liquors at or within one mile of said depot.

By Mr. Corbett—
2. The petition of citizens of Mayfield Creek Valley, in Ballard, praying for the passage of an act conferring certain powers upon the county judge of said county in relation to school districts, &c.

By Mr. Bascom—
3. The petition of citizens of Sharpsburg precinct, in Bath county, praying the passage of an act empowering the county court of Bath county to levy a tax on said precinct to aid in the construction of a turnpike road.

By Mr. Speaker (McCrea)—
4. The petition of citizens of Rockcastle county, praying the repeal of an act changing the boundary line between the counties of Rockcastle and Laurel.

By same—
5. The petition of colored citizens of Louisville, praying that equal educational privileges be granted to colored people of this Commonwealth.

By Mr. Bascom—
6. The remonstrance of citizens of Bath county, against the passage of an act providing for the sale of Bath Seminary.

By Mr. Scales—
7. The remonstrance of sundry citizens of Covington, against the repeal of the $50 garnishee law.

By Mr. Lawson—
8. The remonstrance of citizens of Headquarters, in Nicholas county, against all laws prohibiting the sale of intoxicating liquors in said town.

Which were received, the reading dispensed with, and referred—the 1st and 8th to the Committee on Religion; the 2d, 5th, and 6th to the Committee on Education; the 3d to the Committee on Corpo-
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rate Institutions; the 4th to the Committee on Propositions and Grievances; and the 7th to the Committee on County Courts.

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

An act to re-enact and amend the charter of the Paducah and Tennessee Railroad Company.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of William Cook's heirs.

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

An act providing for the collection of the railroad tax in the county of Montgomery.

An act to amend an act, entitled "An act to incorporate the Kentucky and Southern Railroad Company."

An act to incorporate the Deposit Bank of Cynthiana.

An act to incorporate the Winchester Savings Bank.

With amendments to the last two named bills.

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

Resolution authorizing the creation of an additional standing committee of the two Houses of the General Assembly.

1. An act to repeal the 4th section of an act, entitled "An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company."

2. An act to authorize the sale of the Stamping Ground and Lecompt's Turnpike Road.

3. An act for the benefit of school district No. 47, in Larue county.

4. An act making an appropriation for the benefit of J. C. Farley, of McCracken county.

5. An act to amend the title of an act, entitled "An act to amend an act, entitled 'An act to regulate the sale and storage of illuminating oils made from coal, petroleum, and other bituminous substances,'" approved February 24, 1873.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st and 2d to the Committee on Internal Improvement; the 3d to the Committee on Education; the 4th to the Committee on Claims; and the 5th to the Committee on Revised Statutes.

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

On motion of Mr. Varnon—
1. A bill to charter the Crab Orchard Springs Company and Female College.

On motion of same—
2. A bill to incorporate the Crab Orchard Salts Manufacturing Company.

On motion of Mr. Goodloe—
3. A bill to incorporate the Board of Trustees of the Kentucky Annual Conference of the Methodist Episcopal Church.

On motion of same—

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st and 2d; the Committee on Religion the 3d; and the Committee on Ways and Means the 4th.

Indefinite leave of absence was granted Mr. Threlkeld.

Mr. Bates moved to reconsider the vote by which the House, on yesterday, passed a bill from the Senate, entitled
An act to amend an act to incorporate the Cumberland and Ohio Railroad Company.

Mr. McElroy moved to suspend the regular order of business and take up said motion.

Objections being made thereto, under the rule the yeas and nays were taken on said motion, which resulted as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

W. R. Bates, Samuel M. Sanders,

And so the House decided to take up said motion.

Mr. T. M. Johnson then moved to lay the motion of Mr. Bates on the table.

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

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

Those who voted in the affirmative, were—

A. S. Arnold, J. E. Cosson, John Rowan,
W. W. Ayers, Walter Evans, J. P. Sacksteder,
Alpheus W. Bascom, C. D. Foote, G. C. Scales,
W. N. Beckham, George M. Jessee, William Sellers,
John A. Bell, E. Polk Johnson, Harry I. Todd,
J. C. S. Blackburn, Thomas M. Johnson, L. W. Trafton,
Wm. F. Bond, T. J. Jones, T. W. Varnon,
W. B. M. Brooks, J. S. Lawson, E. F. Waide,
Thomas P. Cardwell, Bryan S. McClure, J. L. Waring,
John S. Carpenter, M. E. McKenzie, C. H. Webs,
B. E. Cassilly, T. J. Megibben, Mordecai Williams,
C. M. Clay, jr. W. A. Morin, F. A. Wilson,
J. Guthrie Coke, John W. Ogilvie, Jonas D. Wilson,
Josiah H. Combs, Julian N. Phelps, J. N. Woods,
William G. Conrad, Hiram S. Powell, S. H. Wooldfolk,
R. L. Cooper, E. A. Robertson, J. M. Wright—47.

Those who voted in the negative, were—

Wm. A. Allen, Thomas H. Corbett, Wm. Mynhier,
G. W. Bailey, Joseph M. Davidson, J. L. Nall,
R. Tarv. Baker, W. H. Evans, Lewis Potter,
W. R. Bates, M. Woods Ferguson, J. R. Sanders,
S. C. Bell, Mauius T. Flippin, J. S. Taylor,
Church H. Blakey, E. A. Graves, O. W. Threlkeld,
Robert M. Carlisle, C. P. Gray, J. M. White,

George Carter, Bryan S. McClure, E. F. Waide,
B. E. Cassily, William J. McElroy, J. L. Waring,
James S. Chrisman, T. J. Megibben, C. H. Webs,
C. M. Clay, jr. J. C. Moorman, J. M. White,
J. Guthrie Coke, Wm. Mynhier, Mordecai Williams,
Josiah H. Combs, W. A. Morin, F. A. Wilson,
William G. Conrad, J. L. Nall, Jonas D. Wilson,
R. L. Cooper, John W. Ogilvie, J. N. Woods,
And so the motion to reconsider said vote was laid on the table, and the Clerk was directed to report said bill to the Senate as passed by the House.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

Gentlemen of the House of Representatives:

Four bills have been presented to me and carefully considered. They all originated in your honorable body, all pertain to Lewis county, and have the following titles:

No. 1. "An act to amend an act, entitled 'An act to incorporate the Vanceburg, Quick’s Run, and Concord Turnpike Road Company,’” approved December 20, 1867.

No. 2. "An act amending an act incorporating the Vanceburg, Salt Lick, Tollahoro, and Maysville Turnpike Road Company.”

No. 3. "An act to amend the act incorporating the Cabin Creek Turnpike Road Company.”

No. 4. "An act amending an act, entitled ‘An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company,'” approved 17th February, 1869.

These bills, each and all of them, make it the imperative duty of the county court of Lewis county to subscribe stock for and on behalf of Lewis county, amounting to many thousands of dollars, to the capital stock of various turnpike road companies, and to issue and deliver the bonds of the county therefor, and levy and have collected a tax upon the people of the county to pay the interest and principal of said indebtedness. If these bills had simply vested the power to be exercised in the discretion of the county court to subscribe for stock upon the part of the county in the companies, or if the privilege had been given to the people of that county to decide for themselves whether they desired to subscribe for the stock and tax themselves to pay for it, I should have cordially approved the bills; but assuming, as the bills do, that the stock shall be subscribed, and the taxes levied for its payment, is in effect that the Legislature makes the contract for the county to thus burden itself by such subscription, and directs the county court to execute the contract. If the Legislature has the power to require that court to subscribe for fifteen thousand dollars of stock in four turnpike road companies, then it also has the power to require any subscription of stock by that court to any other companies, and to any amount. Has the Legislature the power to decide for the people of the county that such county shall become a stockholder in any private corporation for any amount, and direct the subscription of stock and its payment by taxation? If so, the Legislature might select one or more lines of railroad projected through the State, and direct that the courts of the counties through which it is located shall make subscriptions of stock sufficient to build and complete it, or the burden might be distributed among all the counties of the State. I do not think such power belongs to the law-making department of the Government. The people of Lewis county have the right to judge for themselves whether they desire and are prepared to make such contract with the turnpike road companies referred to, and no power elsewhere has the right to impose such obligation upon them. There is a limit fixed in the Constitution, article 2, sections 35 and 36, beyond which the Legislature cannot impose a debt upon the State; and yet, if the power assumed in
the bills under consideration that the General Assembly can choose the corporations in which counties shall become stockholders, determine the amount, and command the subscription of stock, and direct its collection by taxation, it results that the entire property of the people can be encumbered by the Legislature with the most onerous burdens, and without their consent.

I do not, therefore, think that either of these bills should become a law. I have treated them all in this message because of each having the same objection.

With great respect, they are here returned with these my objections.

P. H. LESLIE.

Said bills were severally read as follows, viz:

AN ACT to amend an act, entitled "An act to incorporate the Vanceburg, Quick's Run, and Concord Turnpike Road Company," approved December 17th, 1867.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That sections 1, 2, 3, 4, 5, and 6 of said act are amended as follows: The said road shall be built by the taxes authorized to be collected and the subscription to be made by the Lewis county court. The county court shall select a president and three directors for said road, who shall be tax-payers on said road, and live within the boundary liable to taxation; which president and directors shall locate said road, and may employ a competent engineer to assist them. The president shall receive not exceeding two dollars per day, and the directors one dollar per day each, for the time they may be engaged in locating and superintending the building and construction of said road; their claims to be made out, sworn to, and allowed by the Lewis county court, and paid out of the taxes collected to build said road.

§ 2. The Lewis county court shall, in addition to the one thousand dollars per mile subscribed to aid in building said road, subscribe to the stock of said road the sum of three thousand dollars, to be used in building a bridge across Salt Lick creek where said road crosses said creek; and said three thousand dollars shall be paid out of the five-cent bridge tax funds; and said bridge tax is pledged for that purpose until said three thousand dollars is paid; and said bridge tax for 1873, and every year hereafter till said three thousand dollars is paid, shall be used for that purpose, and the bonds issued for said three thousand dollars shall be paid out of said bridge tax; and if there is any surplus of said tax now on hand, the same shall be used in making up said sum of three thousand dollars; and the Lewis county court shall make such orders as may be necessary to have said money paid over to aid in building said bridge.

§ 3. The tax authorized to be collected shall be collected for the year 1873, and every year thereafter until said road is completed. The president and directors of said road shall cause two miles and one half of said road to be built in the year 1873, commencing at Vanceburg, and shall use all the taxes collected in 1873 to build said two miles and one half and the bridge across Salt Lick creek; and if the taxes of 1873 are insufficient for that purpose, then the taxes for 1874 and other years shall be used till said bridge and two miles and one half are completed; and when completed, the said president and directors shall cause two miles and one half of said road to be built, commencing at Concord; and when said two miles and one half is completed, then the said president and directors shall cause two miles and one half of said road to be built on the Vanceburg end of said road, and so on in that manner until said road is completed.
§ 4. As soon as the bridge across Salt Lick creek is completed, and the two miles and one half of road built on the Vanceburg end of the road, then the president shall establish a toll-gate on said road at the bridge across Salt Lick creek, and collect full toll for said two miles and one half.

§ 5. To assist in building bridges on the two miles of said road, commencing at Concord, the county court shall subscribe one thousand dollars, in addition to the one thousand dollars per mile, to the stock of said company, which sum of one thousand dollars shall be paid out of the five-cent bridge fund in said county.

§ 6. All property liable to taxation for State revenue within the boundary authorized to be taxed shall be assessed and pay tax to aid in building said road; and the tax-payers may pay their taxes to the treasurer of said road on or before November first of each year; and all taxes not paid on that day shall be listed with the sheriff for collection, who shall proceed to collect the same on or before January first thereafter, and pay same over to the treasurer of said road. The sheriff shall collect all the taxes, and also ten per cent. on the amount from each person, and shall retain said ten per cent. in full for collecting and paying over said taxes. The tax shall be one dollar upon each one hundred dollars' worth of taxable property within the boundary authorized to be taxed.

§ 7. The president and directors of said road shall appoint an assessor, who shall be a tax-payer on said road, to assess the property each year liable to taxation on said road, who shall return his books to the Lewis county court on or before May first, and shall be allowed not exceeding ten cents for each list taken by him, to be paid out of the taxes collected.

§ 8. The president and directors of said road shall appoint a treasurer for said company, who shall give a bond, with good surety, which bond shall be taken by the Lewis county court. Said treasurer shall hold his office for one year, and until his successor is appointed and qualified; and shall be allowed one per cent. upon all sums collected or paid to him, which shall be in full for his compensation.

§ 9. No property liable to taxation on any other road shall be assessed for taxation on this road.

§ 10. The county attorney of Lewis county shall attend to the interest of the county in said road.

§ 11. When said road is completed, the president and directors shall not receive any salary, but they shall not pay any toll on said road while in office.

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

AN ACT amending an act incorporating the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, the county court of Lewis county is authorized to subscribe two thousand dollars to the stock of the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company, which two thousand dollars shall be in addition to the stock already held by Lewis county in said road; and said two thousand dollars shall be used in building bridges across Salt Lick creek and Cabin creek, where said road crosses said creeks—one thousand dollars to be appropriated to each bridge. The county judge of Lewis county shall make the subscription of the two thousand dollars to the stock of said company, on the part of Lewis county, at a regular or special term of the said county court, and issue to the said company the
bonds of Lewis county for the amount, drawing interest at the rate of ten per cent. from date till paid.

§ 2. The directors of said road company shall have the right to appoint an assessor or assessors to assess the taxable property authorized to be taxed to build said road, which assessor or assessors shall return their assessors' books to the Lewis county court, and shall be governed by the law regulating the duties of the county assessor; and the county court shall have the same power in reducing the assessments or controlling same as now allowed by law. The books shall be returned before May first of each year, and the assessors shall be allowed for making said assessment an amount not exceeding the amount now allowed to the county assessors by law.

§ 3. All laws exempting the stockholders from taxation to build said road are hereby repealed; and all stockholders in said road holding property within the boundary liable to taxation shall pay tax on their property in the same manner as other tax-payers.

§ 4. After the road is completed, the president shall not receive a salary exceeding fifty dollars per year; and the directors shall not receive any salary, but shall not pay any toll on said road during their continuance in office.

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

AN ACT to amend the act incorporating the Cabin Creek Turnpike Road Company.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said company is authorized to change the location of said road so as to cross Cabin creek (the south fork) near Henderson's house, and from thence on the south side of said creek to the Mason and Lewis county line, and form a junction with the Bull creek branch road.

§ 2. That said company may extend their road up Cabin creek so as to intersect the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road, but shall not tax any person paying tax on said road.

§ 3. In order to assist said company in building a bridge across Cabin creek, the county court of Lewis county shall subscribe one thousand dollars stock in addition to the one thousand dollars per mile, and issue the bonds of Lewis county to said company for said amount; and Lewis county shall have stock to that amount in said company, which bonds shall draw the same interest as the bonds authorized by the original act.

§ 4. That said company shall only elect two directors for said road.

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

AN ACT amending an act, entitled "An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company," approved February 18, 1869.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That sections second and third of said act are hereby repealed.

§ 2. That said road shall be built with the taxes and the county subscription. The tax shall be assessed and collected for the year 1873, and every year thereafter until said road is completed. The county court of Lewis county shall, in addition to the one thousand dollars per mile subscribed to aid in building said road, subscribe two thousand dollars to said company, to be used in building a bridge across Kinnelokinick creek,
where said bridge crosses said creek, and issue the bonds of Lewis county for that purpose upon the same terms as bonds authorized to be issued by the fifth section of the act of which this is an amendment.

§ 3. The county judge, county clerk, and county attorney of Lewis county, shall appoint a president and four directors for said road, two of which directors shall live above Kinniwick creek, and the other two below Kinniwick creek, and which president and directors shall hold their office for one year. The directors shall locate said road and make a report of the location to the county court, which said court shall confirm unless accepted to; and in that case the court shall hear the same in the same manner as in the establishment of county roads. The president and directors shall be tax-payers on said road, and live within the taxable boundary. The compensation of said president and directors shall be fixed by the county court, and shall not exceed two dollars per day for the president, and one dollar per day each for the directors, to be paid out the taxes collected to build said road. Before said officers shall be paid, they shall make out and swear to their accounts, and have the same allowed by the Lewis county court. The county court shall appoint an assessor to assess the property liable to tax to build said road, and his compensation shall not exceed ten cents for each list, to be allowed by the county court, and paid out of the taxes collected. The assessor shall return the assessment to the Lewis county court on or before May first in each year. The county court shall appoint a treasurer for said company, who shall give a bond in the Lewis county court, with good surety, and shall hold his office for one year, and until his successor is appointed and qualified, and shall be paid one per cent. upon all taxes paid to him, as a compensation for receiving and paying out the same. All tax-payers may pay their taxes to said treasurer on or before the first day of November in each year; and all taxes not paid on or before that day, shall be listed with the sheriff for collection, and said sheriff shall collect the same, and ten per cent. upon the amount, and which ten per cent. he shall retain in full for collecting said taxes. The sheriff shall collect and pay over said taxes on or before the first day of January after securing the same. The sheriff shall have the same power in collecting said taxes (and shall be liable for the same in the same manner and upon his official bond given to collect the county levy) as he has in collecting the State revenue.

§ 4. All taxes collected for the year 1873 shall be used in building the road, commencing at Vanceburg; and as soon as two and one half [miles] of said road is completed, a toll-gate shall be established on said road outside of the town limits of Vanceburg, and at or below Fairview, and shall collect one half toll. The taxes collected in 1874 shall be used in building the road from the Greenup line towards Vanceburg; and as soon as two miles and one half is completed, a toll-gate shall be established on said road, and shall collect one half toll. The taxes collected shall be so expended each year until the entire road is completed—that is, the entire tax shall be expended the first year on the Vanceburg end of the road, and then on the Springville end the next year, and in that order till the entire road is completed.

§ 5. The county attorney shall see to the interest of the county in said road.

§ 6. If the taxes for the year 1873 shall not be sufficient to build two miles and one half of said road, then so much of the taxes to be collected in 1874 as may be necessary, shall be used for that purpose; and the
county court shall make the necessary orders on the treasurer for the
taxes to be collected in 1874.
§ 7. As soon as the road is completed, the president and directors shall
not receive any salary, but shall not pay any toll on said road while in
office. Property taxed on another road shall not be taxed on this road.
§ 8. The president shall cause a survey to be made to ascertain the
land liable to taxation to aid in building said road.
§ 9. This act shall take effect from and after its passage.
On motion of Mr. Goodloe, the further consideration of said mes-
sage was postponed to, and made special order of the day for, Mon-
day, 10th March next, at 11 o’clock, A. M.
On motion of Mr. Ogilvie,
Ordered, That a committee be appointed, to act in conjunction
with a committee to be appointed by the Senate for same purpose,
to wait upon the Governor, and request him to return to the House,
unsigned, an enrolled bill, which originated in the House of Repre-
sentatives, entitled
An act to amend an act to reduce into one all previous acts incor-
porating the town of Woodville, in the counties of McCracken and
Ballard.
And thereupon the Speaker appointed on said committee Messrs.
Ogilvie, Bailey, and Lawson, who were instructed to inform the
Senate of their appointment.
On motion of Mr. Waide,
Ordered, That a committee be appointed, to act in conjunction
with a committee to be appointed by the Senate for same purpose,
to wait upon the Governor, and request him to return to the House
unsigned, an enrolled bill, which originated in the House of Repre-
sentatives, entitled
An act to amend the charter of the city of Louisville.
And thereupon the Speaker appointed on said committee Messrs.
Waide, Wright, and Ferguson, who were instructed to inform the
Senate of their appointment.
The House then took up the motion heretofore made, to reconsider
the vote by which the House ordered to be engrossed and read a
third time, as amended, a bill, entitled
A bill to amend an act, entitled “An act to incorporate the Bowl-
ing Green and Madisonville Railroad Company,” approved March
22, 1871.
And the question being taken on said motion, it was decided in the
affirmative.
And so said vote was reconsidered.
Mr. Blackburn then moved to reconsider the vote by which the amendment (by way of substitute) offered by Mr. Potter was adopted. And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative. And so said vote was reconsidered.

The question was then again taken on the adoption of the amendment (as a substitute) proposed by Mr. Potter, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, J. E. Cosson, John W. Ogilvie,
W. W. Ayers, Manlius T. Flippin, Lewis Potter,
G. W. Bailey, E. A. Graves, Hiram S. Powell,
W. R. Bates, C. P. Gray, E. A. Robertson,
S. C. Bell, T. J. Jones, John Rowan,
W. B. M. Brooks, J. S. Lawson, Samuel M. Sanders,
Thomas P. Cardwell, Bryan S. McClure, C. W. Threlkeld,
James S. Chrisman, William J. McElroy, J. M. White,
Thomas H. Gorbett, Wm. Mynhier,

Those who voted in the negative, were—

Mr. Speaker (McCready), Joseph M. Davidson, C. C. Scales,
A. S. Arnold, Walter Evans, J. S. Taylor,
R. Tarv. Baker, W. H. Evans, Harry I. Todd,
Alpheus W. Buscom, M. Woods Ferguson, L. W. Trafton,
W. N. Beckham, C. D. Foote, Joseph T. Tucker,
John A. Bell, Wm. Cassius Goodloe, T. W. Vannors,
J. C. S. Blackburn, E. Polk Johnson, E. P. Waide,
Church H. Blakey, M. E. McKenzie, J. L. Waring,
William Brown, T. J. Megibben, C. H. Webb,
Robert M. Carlisle, J. C. Moorman, Mordecai Williams,
George Carter, Julian N. Phelps, F. A. Wilson,
B. E. Casdill, W. L. Reeves, Jonas D. Wilson,
C. M. Clay, Jr., John P. Rowlett, S. H. Woolfolk,
J. Guthrie Coke, J. P. Sacksteder, J. M. Wright—44.
R. L. Cooper, J. R. Sanders,

And so said amendment was rejected.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House took up from the orders of the day a joint resolution from the Senate, entitled

Resolution appointing joint committee to visit the House of Reform and Feeble-minded Institute for certain purposes.

Said resolution reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed by the respective Speakers, whose duty it shall be to visit the State House of Reform for Juvenile Delinquents, and also the Feeble-minded Institute, and report to the two Houses the capacity of each of said institutions, and the number of lunatics who may therein be accommodated, and the probable cost of preparing the buildings for their reception; and that said committee be authorized to associate with them some person who is experienced in the management of such institutions.

Mr. Gray moved to amend said resolution by adding thereto:

"The committee shall also visit Paroquet Springs, in Bullitt county, and examine the buildings, and report as to their fitness, capacity, &c., for a temporary lunatic asylum, and upon what terms the buildings, together with the lands attached, can be leased by the State."

Mr. Blakey moved to amend the amendment proposed by Mr. Gray by adding thereto:

"And also Buena Vista Springs, in Logan county, for similar purposes."

The amendment proposed by Mr. Blakey to the amendment offered by Mr. Gray, as also the amendment offered by Mr. Gray, were then rejected.

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

The yeas and nays being required thereon by Messrs. Graves and S. C. Bell, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) William G. Conrad, J. L. Nall,
Wm. A. Allen, R. L. Cooper, John W. Ogilvie,
A. C. Armstrong, Thomas H. Corbett, Julian N. Phelps,
W. W. Ayers, J. E. Cosson, Lewis Potter,
G. W. Bailey, Joseph M. Davidson, Hiram S. Powell,
R. Tarv. Baker, Walter Evans, E. A. Robertson,
Alpheus W. Bascom, W. H. Evans, John Rowan,
W. R. Bates, M. Woods Ferguson, J. R. Sanders,
W. N. Beckham, Manlius T. Flippin, Samuel M. Sanders,
John A. Bell, C. D. Foote, C. C. Scales,
S. C. Bell, C. P. Gray, William Sellers;

55-\text{r.} \text{r.}
Those who voted in the negative, were—
E. A. Graves, J. J. McAfee, C. W. Threlkeld—3.

And so said resolution was concurred in.

The following preamble and resolution, offered heretofore by Mr. Cardwell, was then taken up, viz:

WHEREAS, It has been made known to this General Assembly that persons descending the Kentucky river with coal to Frankfort are required to pay a heavy city tax before they are permitted to retail their coal to the citizens of Frankfort or vicinity, which is a great hardship, not only to the seller but the buyer; therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, That hereafter any person or persons descending the Kentucky river, and reaching Frankfort, may, without city tax or restriction, be allowed to retail or sell their coal by retail or otherwise.

Said resolution was then adopted.

The following resolution, heretofore offered by Mr. Threlkeld, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators be instructed, and members in Congress requested, to use all honorable means in their power to have the law giving pensions to the soldiers of eighteen hundred and twelve so amended as to apply to all who were in actual service, without regard to the length of time of such service; also to pension the surviving widows of said soldiers, whether married before or after the war,

Was taken up and adopted.

The House took up a joint resolution from the Senate, entitled

Resolution in relation to the disbursement of the funds of the State in support of the several charitable institutions.

Mr. Davidson offered an amendment to said resolution, which was adopted.

The resolution, as amended, was then concurred in.

The House took up also a joint resolution from the Senate, enti-
Resolution in relation to the completion of the Public Buildings known as the Fire-proof Offices.
Said resolution was concurred in.
And then the House adjourned.

FRIDAY, FEBRUARY 28, 1873.

The following petitions and remonstrances were presented, viz:
By Mr. Beckham—
1. The petition of citizens of Nelson county, praying the passage of an act submitting to the voters of said county whether or not the sale of spirituous liquors, or any mixture thereof, may be sold in said county, to be drunk as a beverage.
By Mr. McClure—
2. The petition of James F. Robinson, praying that the name of Mary F. Gadberry may be changed to that of Mary F. Robinson; and that she may be adopted as his heir and representative.
By Mr. W. H. Evans—
3. The petition of Nelson Durham, the sheriff of Bell county, praying the passage of a law allowing him further time to collect unpaid taxes and fee bills for the years 1869 and 1870; and also directing the Auditor to credit him with his delinquent list for those years.
By Mr. Armstrong—
4. The petition of citizens of Bracken county, praying the passage of a law to submit the question of "an option liquor law" to the vote of each voting precinct in the Commonwealth.
By Mr. Mynhier—
5. The remonstrance of sundry citizens of Morgan county, against the erection of mill-dams across Licking river.
By Mr. Cook—
6. The remonstrance of citizens of Laurel and Rockcastle counties, against the passage of an act to change the boundary line between said counties.
By Mr. Waring—

7. The remonstrance of citizens of Portsmouth, Ohio, and others, against the passage of a law granting a charter to W. B. Thompson to run a ferry-boat to be propelled by steam between the city of Portsmouth, Ohio, and Springville, Kentucky.

Which were received, the reading thereof dispensed with, and referred—the 1st and 6th to the Committee on Propositions and Grievances; the 2d to the Committee on the Judiciary; the 3d to the Committee on County Courts; the 4th to the Committee on Religion; the 5th to the Committee on Internal Improvement; and the 7th to the Committee on Revised Statutes.

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

An act to amend an act, entitled "An act for the benefit of common schools in Clinton county, and the act amending the same."

An act to prohibit the sale of spirituous liquors in the town of Caverna.

An act to incorporate the Society Franco-American of Mutual Assistance of the city of Paducah.

An act for the benefit of the Baptist Church of Midway, in Woodford county.

An act to incorporate the St. Charles Coal Company.

An act to provide for an interpreter for the Louisville chancery court and the Jefferson court of common pleas.

An act to prohibit the selling of spirituous, vinous, or malt liquors in Tompkinsville, Monroe county, or within one mile thereof.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of married women in this Commonwealth.
2. An act to authorize Samuel Salyer, of Magoffin county, to adopt John P. Siner as a legal heir-at-law.
3. An act for the benefit of the town of Greensburg.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on the Judiciary, and the 3d to the Committee on Religion.
A message was also received from the Senate, announcing that they had passed a bill, entitled
An act to incorporate the General Association of Colored Baptists in Kentucky.
The rule of the House requiring its reference to a committee being suspended, said bill was taken up and read the first time.
Ordered, That said bill be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
On motion of Mr. Foote, leave was given to bring in a bill, entitled
A bill for the benefit of B. B. Mullins, sheriff of Pendleton county.
Ordered, That the Committee on Ways and Means prepare and bring in the same.
Mr. Brooks, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled
An act to amend the charter of the Citizens' Passenger Railway Company, of Louisville,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Coke, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled
An act to authorize railroad companies incorporated by the laws of this Commonwealth to execute, issue, and sell their mortgage bonds, and to secure the payment thereof by executing mortgages upon their property, rights, and franchises,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.
And so said bill was disagreed to.
Mr. T. M. Johnson, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled
An act for the benefit of the Eastern Lunatic Asylum,
Reported the same without amendment.

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 sum of two thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the use of the Eastern Lunatic Asylum, to be expended by the Board of Managers of said Asylum in building reservoirs and cisterns, and in boring deep wells, so as to secure, at all seasons of the year, an ample supply of water for all the uses and purposes of said institution; and the Auditor, on the application of the President of said Board of Managers, is hereby authorized and directed to issue his warrant on the Treasurer for the payment of the same.

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

The question was then taken on the passage of said bill, but not having received a constitutional majority, it was disagreed to.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) C. M. Clay, jr., T. J. Megibben,
A. C. Armstrong, J. Guthrie Coke, W. A. Morin,
A. S. Arnold, Josiah H. Combs, Wm. Mynhier,
R. Tarv. Baker, William G. Conrad, J. L. Nall,
Alpheus W. Bascom, R. L. Cooper, John W. Ogilvie,
W. R. Bates, Thomas H. Corbett, Julian N. Phelps,
W. N. Beckham, Joseph M. Davidson, Lewis Potter,
J. C. S. Blackburn, John W. Dyer, E. A. Robertson,
Church H. Blakey, Walter Evans, J. R. Sanders,
Wm. F. Bond, M. Woods Ferguson, Harry J. Todd,
W. B. M. Brooks, C. D. Foote, L. W. Trafton,
Robert M. Carlisle, Joseph P. Forre, Joseph T. Tucker,
John S. Carpenter, Wm. Cassius Goodloe, J. L. Waring,
B. E. Cassilly, E. Polk Johnson, Mordecai Williams,

Those who voted in the negative, were—

Wm. A. Allen, C. P. Gray, William Sellers,
W. W. Ayers, T. J. Jones, J. S. Taylor,
S. C. Bell, J. J. McAfee, E. F. Waide,
R. D. Cook, Bryan S. McClure, J. M. White,
W. H. Evans, William J. McElroy, Jonas D. Wilson,

E. A. Graves,

Mr. Waide then moved to reconsider the vote by which said bill was disagreed to.
A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to create an additional voting place in Jefferson county.

An act to amend an act, entitled "An act to incorporate the Paint Lick and High Point Turnpike Road Company, in Madison county."

An act to amend an act, entitled "An act to incorporate the Union and Richwood Turnpike Road Company."

An act for the benefit of the Schoolsville Branch of the Winchester and Red River Iron Works Turnpike Road Company.

An act to incorporate the Christian Church in the town of Ghent, in Carroll county.

An act authorizing the clerk of the Carter circuit court to procure general index books, and to index and cross-index all the equity and ordinary suits off the docket on file in his office.

An act to protect the interest of the Commonwealth of Kentucky in certain cases.

An act for the benefit of R. H. Morrow, sheriff of Gallatin county.

An act for the benefit of the Iron Works Turnpike Road Company.

An act to amend an act, entitled "An act to regulate the sale and storage of illuminating oils, made from coal, petroleum, and other bituminous substances, &c," approved March 26, 1870.

An act to amend an act, entitled "An act to incorporate the Marble City Mining and Manufacturing Company."

An act to amend the charter of Adairville.

An act to continue in force an act, entitled "An act for the benefit of the common schools in Newport, Campbell county."

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Owensboro, for white children in said city."

An act for the benefit of Lewis F. Marshall, sheriff of Ballard county.

An act to prohibit the sale of ardent spirits in Lee county.

An act for the benefit of the Maysville and Lexington Railroad, Northern Division.

An act to incorporate the Decourcey Station, Taylor Road, and Bank Lick Short Line Turnpike Company.

An act to amend the charter of the Jefferson Southern Pond Draining Company.
An act for the benefit of James Brough and Oscar McKenzie, of Morgan county.

An act to prevent the killing of birds in Garrard county.

An act for the benefit of G. W. Taylor, sheriff of Hancock county, and his sureties.

An act to prevent the selling, giving, or furnishing of spirituous, vinous, or malt liquors, in the town of Glasgow, on the Sabbath.

An act to charter the Barren County Bank.

An act to amend the charter of the Glasgow Deposit Bank, approved February 27, 1869.

An act to amend an act, entitled “An act to amend the charter of the Shelbyville Railroad Company, and to authorize certain counties to take stock in the same.”

An act for the benefit of the Woodford Cream Cheese Company.

An act to amend an act, entitled “An act to incorporate the Maysville, Flemingsburg Coal and Iron Region Railway Company.”

An act to amend an act, entitled “An act to incorporate the town of Marshall, in Bath county.”

An act to amend the charter of the Orangeburg and Tollesboro Turnpike Road, in Mason county.

An act for the benefit of the marshal of Mt. Sterling.

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

An act for the benefit of school district No. 16, in Larue county.

An act to extend the streets and alleys of Marion, in Crittenden county.

An act to amend an act, entitled “An act to incorporate Bell City, in Crittenden county.”

An act to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.


An act to incorporate the Mount Sterling Free Stone Company.

An act to incorporate the National Pipe Contract Company.

An act to incorporate the Slate Ford Coal Company.

An act to amend an act, entitled “An act to incorporate the First German Savings Bank of Louisville.”

A message was received from the Senate, asking to withdraw from the House the announcement of the passage by the Senate of bills,
which originated in the House of Representatives, of the following titles, viz:

An act to authorize the circuit court clerk of Butler county to make a general cross-index.

An act to incorporate the St. Charles Coal Company.

Leave was given to withdraw, as requested, the first named bill.

Mr. Brooks, from the Committee on Railroads, to whom was re-committed a bill, entitled

A bill to amend the road laws of this Commonwealth,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

On motion of Mr. Baker,

Ordered, That said bill be recommitted to the Committee on the Judiciary, with instructions to report a bill making the provisions of same applicable to the county of Rockcastle.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Blackburn, from the Committee on Railroads—

A bill to incorporate the Central Kentucky Coal and Mining Company.

By same—

A bill to amend the charter of the Broadway and Dunkirk Railroad Company.

By Mr. Coke, from the same committee—

A bill to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the Sinking Fund," approved February 20, 1864.

By Mr. T. M. Johnson, from the Committee on Charitable Institutions—


By Mr. Waide, from the same committee—

A bill to amend the articles of incorporation of the People's Building and Loan Association, of Louisville.

By same—

A bill to incorporate the St. Patrick's Benevolent Society of Paris.

By same—

A bill to amend the charter of the Kentucky Masonic Relief Association.

56-H. R.
By same—
A bill to incorporate the Benevolent Society of Colored People at Millville, in Woodford county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Indefinite leave of absence was granted Messrs. J. R. Sanders, S. M. Sanders, Scales, Morin, and T. M. Johnson.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

EXECUTIVE OFFICE, FRANKFORT, February 28, 1873.

Gentlemen of the House of Representatives:

In addition to the four bills pertaining to Lewis county, referred to in my message delivered to your honorable body on yesterday, I find there is one more which originated with them in the House of Representatives, entitled "An act to amend an act incorporating the Concord and Tollsboro Turnpike Road Company," which is subject to the same objections as the others; and for the same reasons given in the message of yesterday, I respectfully return this bill, that it be considered with the others.

P. H. LESLIE.

The bill referred to in said message reads as follows, viz:

AN ACT to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That said company are authorized to issue the bonds of said company to an amount not exceeding two thousand dollars per mile of said road; and the taxes authorized to be collected are pledged for the redemption of said bonds.

§ 2. The said company may erect a toll-gate on their road near Tollsboro, and collect toll as soon as they make a suitable and safe crossing across Cabin creek, where their road crosses said creek.

§ 3. The Lewis county court are authorized and directed to subscribe one thousand dollars stock in said company, to be used in building a bridge across Cabin creek where said road crosses said creek; and this
one thousand dollars shall be in addition to the stock of Lewis county in said road.

§ 4. The president and directors of said company shall have the right to charge persons hauling logs on said road, with four horses or mules, or two yoke of oxen or mules, extra toll not exceeding double of the toll now charged; and all persons hauling on said road, and willfully injuring the same, shall be liable to all injury that they may do to said road, to be recovered by said company in any court having jurisdiction. The said company shall have the right to appoint an assessor to assess the property liable to taxation on said road, and allow said assessors not exceeding ten cents for each list made. Said assessor shall be governed by the law in reference to county assessors; and shall make out and return his book to the Lewis county court on or before May 1st of each year.

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

On motion of Mr. Evans, the further consideration of said message was postponed to, and made special order of the day for, 10th March, at 11 o'clock, A. M.

Under the resolution heretofore adopted by both Houses, entitled Resolution in relation to the completion of the Public Buildings known as Fire-proof Offices,

The Speaker appointed the following committee of the House, viz: Messrs. Trafton, Allen, and T. M. Johnson.

Mr. Ogilvie, from the joint committee appointed to wait on the Governor, and request him to return unsigned a bill, which originated in the House of Representatives, entitled

An act to amend an act to reduce into one all previous acts incorporating the town of Woodville, in the counties of McCracken and Ballard,

Reported that the Governor had complied with their request, and the committee returned and laid said bill on the Clerk's table.

According to order, the House took up and proceeded to consider the message of the Governor, returning, with his objections thereto, a bill, which originated in the House of Representatives, entitled

An act to incorporate the Muhlenburg Coal and Iron Company.

After debate thereon, the question was put, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative, a constitutional majority not having voted therefor.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, C. M. Clay, jr. Mat. Nunan,
A. S. Arnold, J. Guthrie Coke, Hiram S. Powell,
R. Tarv. Baker, R. D. Cook, W. L. Reeves,

And so said bill was rejected.

[For message and bill, see pages 477, 478, 479, and 480 of this Journal.]

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend the city charter of Covington;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Thomas Ballew, of Pulaski county;
An act to increase the salaries of the Superintendent of Public Instruction and his clerk;
An act providing for the collection of the railroad tax in the county of Montgomery;
An act to amend an act, entitled “An act to incorporate the Kentucky and Southern Railroad Company;”
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
And then the House adjourned.
SATURDAY, MARCH 1, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Merchants' Bank of Kentucky, and the act amendatory thereof, approved March 3, 1860.

An act to amend the charter of the Newport Street Railway Company;

An act to incorporate the Eclipse Woolen Mills.

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

An act for the benefit of the Lewis county court.

An act for the benefit of James R. Garland, of Lewis county.

An act to amend an act, entitled “An act to incorporate the Bowling Green and Madisonville Railroad Company;” approved March 22, 1871.

And that they had passed bills of the following titles, viz:


2. An act to incorporate Highland Coal Company, of Hopkins county.

3. An act to authorize the Auditor of Public Accounts to allow certain tax credits claimed by Theodore Schwartz & Co., of Jefferson county.

4. An act to amend an act, entitled “An act to amend and reduce into one the several acts in relation to the town of Calhoon,” approved March 4, 1872.

5. An act to repeal an act, entitled “An act to prohibit the sale of spirits in Breathitt and Powell counties.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st to the Committee on Railroads; the 2d and 4th to the Committee on Corporate Institutions; the 3d to the Committee on Ways and Means; and the 5th to the Committee on Religion.

The following petitions were presented, viz:

By Mr. Cook—
1. The petition of Wash Johnson, assessor of taxes for Laurel county, praying the passage of an act giving him further time to return his assessor's book.

By Mr. F. A. Wilson—
2. The petition of certain citizens of Cloverport, praying the passage of an act empowering the trustees of the Methodist Episcopal Church of that place to sell their old church property.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Religion.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Woolfolk, from the Committee on Ways and Means—
An act for the benefit of A. C. Bowman, late sheriff of Breathitt county, and his sureties.

By Mr. Armstrong, from the Committee on Education—
An act to incorporate the Central University.

By Mr. Cassilly, from the Committee on Internal Improvement—
An act for the benefit of S. P. Cardwell, of Breathitt county.

By Mr. Bascom, from the Committee on Banks—
An act to amend an act, entitled "An act to amend the charter of the Bank of Ashland, and incorporate the Bank of Shelbyville," approved February 24, 1869.

By Mr. Trafton, from the Committee on County Courts—
An act to empower the Grayson county court to levy an additional tax to build a new jail.

By Mr. Davidson, from the Committee on Propositions and Grievances—
An act to change the boundary line of the city of Columbus.

By Mr. Armstrong, from the Committee on Education—
An act for the benefit of school district No. 19, in Kenton county.
By Mr. F. A. Wilson, from the Committee on County Courts—
An act to authorize the Pike county court to issue bonds for courthouse and other purposes.

By Mr. Rowlett, from the Committee on Claims—
An act for the benefit of T. A. Leper, jailer of Livingston county.

By Mr. Mynhier, from the Committee on Corporate Institutions—
An act to incorporate the River Transportation Company.

By Mr. Woolfolk, from the same committee—
An act to amend an act, entitled “An act to incorporate the Louisville Rolling Mill Company,” approved February 28, 1850.

By same—
An act to amend an act, entitled “An act to incorporate the Second Presbyterian Church of the city of Louisville.”

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

A message was received from the Senate, announcing that they had passed a bill, entitled
An act to provide for a March term of the Jessamine quarterly court.

The rule requiring said bill to be referred to a committee being suspended, said bill was taken up and read the first time.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act for the benefit of Mary Ann Pecanter’s heirs, of Graves county,

Reported the same without amendment.
Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

[For bill, see Senate Journal of January 21, 1873;]

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) R. D. Cook,
Wm. A. Allen, Joseph M. Davidson, Lewis Potter,
A. C. Armstrong, John W. Dyer, W. L. Reeves,
A. S. Arnold, Walter Evans, John P. Rowlett,
W. W. Ayers, W. H. Evans, William Sellers,
G. W. Bailey, Joseph P. Foree, James W. Snyder,
R. Tarv. Baker, C. P. Gray, J. S. Taylor,
Alpheus W. Bascom, Clinton Griffith, Harry I. Todd,
W. R. Bates, E. Polk Johnson, L. W. Trapton,
W. N. Beckham, T. J. Jones, Joseph T. Tucker,
S. C. Bell, L. W. Lassing, T. W. Varnon,
Church H. Blakey, J. S. Lawson, E. F. Waide,
Wm. F. Bond, Bryan S. McClure, J. L. Waring,
W. B. M. Brooks, William J. McElroy, C. H. Webb,
William Brown, M. E. McKenzie, J. M. White,
Robert M. Carlisle, W. A. Morin, Mordecai Williams,
George Carter, Wm. Mynhier, Jonas D. Wilson,
B. E. Cassilly, J. L. Nall, J. N. Woods,
C. M. Clay, jr., Mat. Nunan, S. H. Welfolk,
William G. Conrad,

Those who voted in the negative, were—

J. C. S. Blackburn, Manlius T. Flippin—2.

Resolved, That the title of said bill be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to repeal an act, entitled “An act for the benefit of the police judge of the town of Hawesville,” approved February 10, 1871,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, “Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?” and it was decided in the negative.

And so said bill was disagreed to.
Mr. Blakey offered the following resolution, viz:

Resolved, That no business shall be in order until the call of the counties is completed; and that each member of the House, when his county is called, shall have the privilege of having two local bills reported by any committee he may designate.

Which was adopted.

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

On motion of Mr. Corbett—
1. A bill to amend an act, entitled “An act to incorporate the Blandville and Cairo Turnpike Road Company,” so as to authorize said company to issue their bonds to complete their road.

On motion of Mr. Bascom—
2. A bill to change the time of holding the quarterly courts in Menifee county.

On motion of same—
3. A bill to incorporate the Rodger’s Mill and Hinkston Bridge Turnpike Road Company.

On motion of Mr. Armstrong—
4. A bill to amend the charter of the town of Brooksville, in Bracken county.

On motion of Mr. Cardwell—
5. A bill for the benefit of George Carson, former sheriff of Wolfe county.

On motion of Mr. J. D. Wilson—
6. A bill to authorize the sale of certain church property in Cloverport, Breckinridge county, and reinvest the proceeds of sale.

On motion of Mr. Waring—
7. A bill to incorporate the Greenup Exchange Bank, in Greenup county.

On motion of Mr. Jones—
8. A bill to incorporate the town of Hicker Grove, in Graves county.

On motion of same—
9. A bill to incorporate the town of Priorsburg, in Graves county.

On motion of Mr. Rowlett—
10. A bill to amend an act, entitled “An act to suppress public drinking-houses in Hart county,” approved February 1, 1867.

On motion of Mr. Waring—
11. A bill to incorporate the Buffalo Finance Company.
On motion of Mr. Wright—
12. A bill to incorporate the American Industrial College.
On motion of same—
13. A bill to incorporate the Muhlenburg Mining Company.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 9th, and 13th; the Committee on Banks the 2d, 3d, and 7th; the Committee on Propositions and Grievances the 4th; the Committee on Ways and Means the 5th; the Committee on Religion the 6th and 10th; the Committee on Privileges and Elections the 11th; the Committee on Education the 12th; and a select committee, consisting of Messrs. Corbett, Ogilvie, Ayers, and Jones, the 8th.

Indefinite leave of absence was granted Mr. Foree.

A message was received from the Senate, announcing that they had passed a bill, entitled
An act to amend the charter of the Pulaski Agricultural and Mechanical Association.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Agriculture and Manufactures.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act for the benefit of the city of Louisville,
With an amendment thereto.

On motion of Mr. Davidson,

Ordered, That a committee be appointed, to act in conjunction with such committee as may be appointed by the Senate for the same purpose, to wait upon the Governor, and request him to return to the Senate, in which it originated, unsigned, an enrolled bill, entitled
An act to incorporate the Chataroi Railway Company.

And thereupon the Speaker appointed on said committee Messrs. Davidson, Corbett, and Ayers.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:
By Mr. W. Evans, from the Committee on the Judiciary—
1. A bill to define the offense of petit larceny, and to provide for and fix its punishment.

By Mr. Baker, from the Committee on Circuit Courts—
2. A bill to repeal an act, entitled "An act to create the common pleas court in Crittenden county.

By Mr. Waide, from a select committee—
3. A bill detaching sundry citizens of Henry county, and adding them to the county of Oldham.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the 1st be printed, and placed in the orders of the day; the 2d be re-committed to the Committee on Circuit Courts; and the 3d also be placed in the orders of the day.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported
A bill for the benefit of Merrill Hardin, of Garrard county.

Which was read the first time as follows, viz:

WHEREAS, The Legislature of Kentucky, by an act approved 6th day of March, 1872, empowered and directed the Auditor of Public Accounts to draw his warrant upon the Treasurer of the State for the sum of $4,084 56, in favor of Merrill Hardin, for the reasons recited in the preamble to said act, which sum was accordingly so paid by the Treasurer to Hardin on the 21st day of March, 1872; and whereas, the liens mentioned in said preamble are now being enforced by appropriate judicial proceedings in the Garrard circuit court, and said Hardin thereby deprived of all benefits of his purchase, and made to account for rents, it is deemed right and proper that he should be accounted to by the Commonwealth for the interest upon the aforesaid sum from the 6th November, 1866, the date that he paid it, until refunded by the Treasurer; now, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, empowered and directed to draw his warrant upon the Treasurer of the State for the sum of $1,317 25, being the amount of said interest, in favor of said Merrill Hardin; and the Treasurer is directed to pay the same out of any funds not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker (M'Cready) Robert M. Carlisle, Bryan S. McClure,

Resolved, That the title of said bill be as aforesaid.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. D. Wilson offered an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed, 

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

The House then took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Winchester Savings Bank.
An act for the benefit of the city of Louisville.
Said several amendments were concurred in.

The Speaker laid before the House the following communication from the Auditor, viz:

Office Auditor Public Accounts,
Frankfort, Ky., March 1, 1873.

Hon. J. B. McCraney, Speaker of the House of Representatives:
Sir: I have the honor to send you herewith, for the information of the General Assembly, the receipts and expenditures of the Western Lunatic Asylum for the year ending the 31st day of December, 1872.

Very respectfully,
Your obedient servant,
D. Howard Smith, Auditor.

[For Report—see Legislative Document No. 13.]

On motion of Mr. Waide,
Ordered, That the Public Printer print the usual number of copies of said report for the use of the House.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McElroy, from the Committee on Propositions and Grievances—
A bill to protect fish in Sulphur Fork of Drake's creek, on the line between Allen and Simpson counties.

By Mr. Bond, from the Committee on Ways and Means—
A bill for the benefit of A. Portwood, sheriff of Anderson county.

By Mr. Clay, from the Committee on Agriculture and Manufactures—
A bill to prevent the destruction of fish in Salt river, in Anderson county.

By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to extend the corporate limits of the town of Lovelaceville, in Ballard county.
By same—
A bill to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county."

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill for the benefit of S. S. Farris, sheriff of Barren county.

By Mr. Gray, from the Committee on Education—
A bill to organize Urania school district, in Barren county.

By Mr. Bascom, from the Committee on Banks—
A bill to change the time of holding the quarterly court in Menifee county.

By same—
A bill to incorporate the Rodgers' Mills and Hinkston Bridge Turnpike Road Company.

By Mr. Mynhier, from the Committee on Corporate Institutions—
A bill to amend an act, entitled "An act to amend the charter of the city of Augusta, in Bracken county."

By Mr. Ayers, from the Committee on Religion—
A bill to protect birds and game in Bullitt county.

By Mr. F. A. Wilson, from the Committee on County Courts—
A bill empowering the Spencer county court to sell the old circuit and county court clerks' offices in said county.

By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill to authorize the Butler county court to establish a ferry on Green river, near Morgantown, at or near "Morrison's Old Ferry."

By same—
A bill to amend an act, entitled "An act to provide for the improvement of the roads of Butler county," approved February 2d, 1872.

By same—
A bill for the benefit of Charles E. Curd, of Calloway county.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of the Stoner Mouth Presbyterian Church, Bourbon county.

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to increase the county levy of Boyle county.
By Mr. Morin, from the Committee on Education—
A bill for the benefit of Cold Spring school district, in Campbell county.

By Mr. Corbett, from the Committee on Internal Improvement—
A bill to incorporate the Twelve-mile and California Turnpike Road Company, in Campbell county.

By same—
A bill for the benefit of the Middleburg and Liberty Turnpike Road.

By Mr. Baker, from the Committee on the Judiciary—
A bill to incorporate the Dayton and Bellview Gas-light Company, in Campbell county.

By same—
A bill to amend an act, entitled "An act to amend the charter of the city of Dayton," approved 1873.

By Mr. Corbett, from the Committee on Internal Improvement—
A bill declaring Wolf river a navigable stream.

By Mr. Ayers, from the Committee on Religion—
A bill to prohibit the sale of spirituous, vinous, or malt liquors in Crittenden county.

By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to incorporate the Owensboro Masonic Mutual Relief Association.

By same—
A bill to incorporate the Masonic Temple Company of Owensboro.

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to define the line between the counties of Clay and Jackson.

By same—
A bill for the benefit of Wilson Morgan, late sheriff of Clay county.

By same—
A bill to re-enact and continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871.

By Mr. Corbett, from the Committee on Internal Improvement—
A bill to declare Middle creek and Bull creek, in Floyd county, navigable streams.

By Mr. F. A. Wilson, from the same committee—
A bill to amend an act, entitled "An act to amend an act to author-
ize the Shelby county court to issue bonds for the benefit of turnpike roads.”

By Mr. Reeves, from the Committee on the Judiciary—
A bill for the benefit of Pauline J. Chaney, an idiot, in Graves county.

By Mr. Bascom, from the Committee on Banks—
A bill to incorporate the Greenup Exchange Bank.

By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of the heirs of Horace Welford, deceased, of Virginia.

By Mr. Corbett, from the Committee on Internal Improvement—
A bill concerning the public roads in Hardin county.

By Mr. Ogilvie, from the same committee—
A bill to charter the Elizabethtown and Middle Creek Turnpike Road Company.

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill for the benefit of C. L. Howard, late sheriff of Harlan county.

By same—
A bill to create and regulate the office of county treasurer for the counties of Perry and Harlan.

By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to allow the State agent at the Rio bridge, in Hart county, to make necessary improvements, not to exceed one hundred dollars in value.

By Mr. Rowlett, from the Committee on Claims—
A bill for the benefit of John E. Abbott, administrator of D. C. Doran, late sheriff of Hart county.

By Mr. Armstrong, from the Committee on Education—
A bill to amend an act, entitled “An act to organize and establish a system of public schools in the city of Henderson.”

By Mr. Arnold, from a select committee—
A bill to transfer the equity causes from the Hickman circuit court to the Hickman court of common pleas.

By Mr. Bond, from the Committee on Ways and Means—
A bill for the benefit of John M. Hunley, committee of Henry Yarbro, an idiot.

By Mr. Bascom, from the Committee on Banks—
A bill to incorporate the Bank of Madisonville.
By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to incorporate the town of Hanson, in Hopkins county.
By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of Samuel Jones, committee of William Jones, an idiot, of Clinton county.
By Mr. Baker, from the Committee on the Judiciary—
A bill for the benefit of Nelson Bridges, of Kenton county.
By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill defining the boundary line between the counties of Harlan and Bell.
By Mr. F. A. Wilson, from the Committee on County Courts—
A bill to prevent the destruction of fish in Cumberland river and its tributaries above the falls of said river.
By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill for the benefit of J. F. Hatten, committee of George Clay (an idiot), of Lawrence county.
By same—
A bill for the benefit of Joseph E. Rathiff, sheriff of Pike county for the year 1871.
By same—
A bill to amend an act to prohibit the sale of spirituous and intoxicating liquors in Rockcastle county, approved March the 1st, 1870.
By Mr. Armstrong, from the Committee on Education—
A bill to authorize the sale and conveyance of the seminary property situate in the town of Mt. Vernon, in Rockcastle county, and appropriate the proceeds arising therefrom to common school purposes for said county.
By Mr. F. A. Wilson, from the Committee on County Courts—
A bill for the benefit of the assessor of Livingston county.
By Mr. Bassom, from the Committee on Banks—
A bill to incorporate the Logan County Bank.
By same—
A bill to incorporate the Russellville Banking and Warehouse Company.
By Mr. Armstrong, from the Committee on Education—
A bill to provide for redistricting the school districts of the county of Madison.
Which bills were read the first time and ordered to be read a second
time.

The rule of the House and constitutional provision as to the
second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with, and the same being eng-
grossed,

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

The House took up the joint resolution heretofore offered by Mr.
Brown, which, being amended, on motion of Mr. Chrisman, was
again read as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky,
That a joint committee of five members, two from the Senate and
three from the House, be named by the Speakers of the respective
Houses, be appointed and directed to inquire into the management,
receipts, expenditures, and all other material facts showing the con-
dition of the Kentucky River Navigation Company, and to report the
same to the General Assembly as early as practicable. The commit-
tee are further directed to inquire into and report all material facts
in regard to the receipts, expenditures, and management of the Ken-
tucky river improvements before and after they were leased to the
Navigation Company, and what amount they are now due the Sink-
ing Fund for advancements and rents. The committee shall have
power to send for persons and papers.

Said resolution, as amended, was then adopted.

And then the House adjourned.
A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

1. An act to authorize the transfer of causes pending in the circuit court to the court of common pleas, in Ballard county.
2. An act for the benefit of the Key's Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works.
3. With an amendment (substitute) for the last named bill.
4. That they had passed bills of the following titles, viz:
   1. An act to amend an act, entitled "An act to incorporate Greensburg Deposit Bank," approved March 18, 1873.
   2. An act to change the time of holding the county court of Jessamine county.
   3. An act to incorporate the Owenton and Sparta Telegraph Company.
   4. An act to incorporate the city of Mayfield.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Banks; the 2d to the Committee on County Courts; and the 3d and 4th to the Committee on Corporate Institutions.

The following petitions and remonstrance were presented, viz:

By Mr. Brooks—
1. The petition of citizens of — county, praying for the establishment of an additional voting precinct in said county, on Quarry Switch.
2. The petition of certain citizens of Greenup county, praying the passage of an act prohibiting the sale of spirituous, vinous, malt, or intoxicating drinks in said county.

By Mr. Foree—
3. The remonstrance of citizens of Shelby county, against the pas-
sage of an act prohibiting the sale of liquors at Cropper’s depot, in 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 the Judiciary; and the 3d to the Committee on Religion.

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

On motion of Mr. Allen—
1. A bill to regulate the time of taking depositions in Meade county, to be read in the circuit and quarterly courts of said county.

On motion of same—
2. A bill authorizing the people of Meade county to take the sense of the qualified voters of said county at the next August election, whether or not they wish to change the location of the seat of justice in said county.

On motion of Mr. Mynhier—
3. A bill for the benefit of Amos Davis, sheriff of Morgan county.

On motion of same—
4. A bill to provide for recording in a separate book all the patents and surveys of land in Magoffin county.

On motion of Mr. E. Polk Johnson—
5. A bill to further protect married women in the possession of real and personal estate.

On motion of Mr. Todd—
6. A bill to amend an act incorporating the Commonwealth Printing Company.

On motion of Mr. Jesse—
7. A bill to amend the charter of the Cumberland and Ohio Railroad Company.

On motion of Mr. Dyer—
8. A bill for the benefit of former sheriffs of Union county.

On motion of Mr. Chrisman—
9. A bill for the benefit of Jeremiah Overton, an idiot, of Wayne county.

On motion of same—
10. A bill to extend the corporate limits of the town of Monticello.

On motion of Mr. McClure—
11. A bill for the benefit of William Chamberlain, of Russell county.
On motion of Mr. Blakey—

Ordered, That the Committee on Circuit Courts prepare and bring in the 1st; the Committee on County Courts the 2d and 8th; the Committee on Ways and Means the 3d; the Committee on Revised Statutes the 4th; the Committee on the Judiciary the 5th; the Committee on Corporate Institutions the 6th, 10th, and 12th; the Committee on Claims the 9th and 11th; and a select committee, consisting of Messrs. J. R. Sanders, F. A. Wilson, and Webb, the 7th.

Indefinite leave of absence was granted Messrs. W. Evans, Lassing, Graves, and Robertson.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled An act to prohibit the selling of spirituous, vicious, or malt liquors in Tompkinsville, Monroe county, or within one mile thereof.

Said amendment was concurred in.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of common schools in Jessamine county.
An act to incorporate Millersburg Academy.
An act to incorporate the Enterprise Improvement and Manufacturing Company.
An act to amend an act, entitled "An act to incorporate the Kentucky and Southern Railroad Company."
An act providing for the collection of the railroad tax in the county of Montgomery.
An act for the benefit of Thomas Ballew, of Pulaski county.
An act to increase the salaries of the Superintendent of Public Instruction and his clerk.
An act to charter the Lebanon Wooden-ware Manufacturing Company.
An act to incorporate the town of Springville, in Greenup county.
Mr. W. Evans, from the Committee on the Judiciary, to whom was recommitted a bill, entitled
A bill for the benefit of Warren county,
   Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. McKenzie, from the Committee on Ways and Means—
An act in relation to the collection of delinquent taxes that may be owing the county of Nelson.

By Mr. Woolfolk, from the Committee on Propositions and Grievances—
An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Calhoun," approved March 4, 1872.

By same—
An act to incorporate the Highland Coal Company, of Hopkins county.

By Mr. Tucker, from the Committee on the Judiciary—
An act in relation to the arrest of drunken persons in the local jurisdiction of the police court of Bardstown.

By Mr. Brown, from the Committee on County Courts—
An act to amend an act, entitled "An act to authorize the Christian county court to issue bonds for the purpose of building a court-house, and to establish a sinking fund to liquidate said bonds," passed February 13th, 1867.

By Mr. Baker, from the Committee on Circuit Courts—
An act to change and fix the time of holding the Hart circuit court.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Corbett, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled
An act for the benefit of the Headquarters and Steel's Run Turnpike Road Company,
Reported the same with a substitute by way of amendment there­to, which was adopted.

Ordered, That said bill, as amended, be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to amend the charter of the town of Livermore, in McLean county.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of the common schools in Bracken county.

By Mr. Morin, from the same committee—
A bill establishing a justices' district, and providing for the election of justices and a constable, in Fern Leaf voting precinct, in Mason county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to authorize Elisha Wallace, of McCracken county, to build a dam and erect a saw and grist mill on Clarke's river, in McCracken county.

By Mr. Jones, from the Committee on Agriculture and Manufactures—
A bill to repeal the 202d, 203d, 204th, 205th, 206th, and 207th sections of the city charter of Paducah, in McCracken county.

By Mr. Waring, from the Committee on Privileges and Elections—
A bill to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county, or in the incorporated towns in said county.

By Mr. Ayers, from the Committee on Religion—
A bill to prohibit the sale of spirituous liquors, &c., in Monroe county.

By Mr. Mynhier, from the Committee on County Courts—
A bill to provide for the transcribing in the county court clerk's office the original surveys, plats, and certificates of Morgan county.

By Mr. Trafton, from the same committee—
A bill to authorize the county judge of Metcalfe county to sell and convey the poor-house farm in said county, and reinvest the proceeds.
By same—
A bill to amend the charter of the town of Marion, in Crittenden county.
By Mr. Mynhier, from the same committee—
A bill for the benefit of Elliott county.
By Mr. Corbett, from the Committee on Internal Improvement—
A bill authorizing Linus Greenwell, of the county of Nelson, to erect a fish-dam across the Beech Fork of Salt river, in Nelson county.
By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill for the benefit of New Liberty and Owenton Turnpike Road Company.
By same—
A bill for the benefit of the New Liberty Branch Turnpike Road Company.
By Mr. Trafton, from the Committee on County Courts—
A bill for the benefit of the county of Pulaski.
By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill for the benefit of O. P. Shackelford, tax collector for Edmonson county, and his securities.
By Mr. Davidson, from the same committee—
A bill to amend an act, entitled "An act to prevent and punish certain trespasses in Scott and Woodford counties," approved March 26, 1872.
By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate the Owensboro Building and Loan Association.
By same—
A bill to incorporate the Auburn Building and Loan Association.
By Mr. Armstrong, from the Committee on Education—
A bill to organize the Morganfield public school.
By Mr. Reeves, from the Committee on the Judiciary—
A bill to regulate the jurisdiction of the circuit court and court of common pleas of Union and Henderson counties.
By Mr. Mynhier, from the Committee on Corporate Institutions—
A bill to amend the charter of the city of Bowling Green.
By Mr. Trafton, from the Committee on County Courts—
A bill to legalize certain proceedings of the Washington county court.

By Mr. Mynhier, from the same committee—
A bill to amend the charter of the Springfield and Chaplin Turnpike Road Company.

By same—
A bill to authorize the sale of the poor-house farm in Webster county.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to enlarge the corporate limits of the town of Monticello.

By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of Jeremiah Overton, an idiot, of Wayne county.

By Mr. Bailey, from the Committee on Corporate Institutions—
A bill to amend the charter of the Logan Female College Company.

By Mr. Lawson, from the Committee on Religion—
A bill to prohibit the sale of spirituous, vinous, or malt liquors near Trigg Furnace, in Trigg county.

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to direct the running and re-marking the line between the counties of Franklin and Woodford.

By Mr. Bascom, from the Committee on Banks—
A bill to amend an act, entitled “An act to incorporate the Bank of Trenton, in Todd county,” approved March 25, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

59-H. R.
Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported a bill for the benefit of J. G. Scott, sheriff of Metcalfe county.

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

WHEREAS, Judgment was rendered against J. G. Scott, sheriff of Metcalfe county, by the Franklin circuit court, at its August term, 1872, in favor of the Commonwealth of Kentucky, for the sum of $2,584 52, the balance of the revenue due from said sheriff for the year 1871, together with $192 54, the interest thereon, and $516 92 damages; and whereas, said Scott has paid off and satisfied said judgment, including the taxes, the interest, and damages, and the same has been paid into the Treasury; therefore,

§ 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 Treasurer in favor of the said J. G. Scott for the sum of $516 92, the damages paid by said Scott as aforesaid, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect and be in force from and after its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) William G. Conrad, Julian N. Phelps,
William A. Allen, Lewis Potter,
A. C. Armstrong, Hiram S. Powell,
A. S. Arnold, W. L. Reeves,
W. W. Ayers, John Rowan,
G. W. Bailey, John P. Rowlett,
R. Tarv. Baker, William Sellers,
Alpheus W. Bascum, James W. Snyder,
W. R. Bates, J. S. Taylor,
W. N. Beckham, C. W. Threlkeld,
S. C. Bell, Harry I. Todd,
J. C. S. Blackburn, L. W. Trafton,
Church H. Blakey, Joseph T. Tucker,
W. B. M. Brooks, T. W. Varnon,
Resolved, That the title of said bill be as aforesaid.

Mr. Corbett, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to authorize John E. Cooper, of Morgan county, to build a mill-dam across Licking river, in Morgan county,

Reported the same with an amendment thereto, which was adopted.

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

Said bill, as amended, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John E. Cooper, of Morgan county, is hereby given the privilege and authority to build and erect a mill-dam across Licking river, at or near where the old mill-dam stood, formerly owned by Hazlerigg & Barber, at West Liberty.

§ 2. Said dam shall not exceed six feet in height, and thirty feet in the center; shall only be built four feet high, with a downward slope thereto. The General Assembly reserves the right to repeal, amend, or modify this act, at any time; and should this act be repealed, and the dam ordered to be removed or taken out, the owner of the said dam shall remove the same at his own expense.

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

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCready) James S. Chrisman, Josiah H. Combs, Julian N. Phelps,
Wm. A. Allen, William G. Conrad, Hiram S. Powell,
A. C. Armstrong, Thomas H. Corbett, William Sellers,
A. S. Arnold, Joseph M. Davidson, C. W. Threlkeld,
G. W. Bailey, W. H. Evans, Harry J. Todd,
W. R. Bates, George M. Jesse, L. W. Trafton,
W. N. Beckham, Bryan S. McClure, Joseph T. Tucker,
S. C. Bell, W. A. Morin, T. W. Varnon,
Church H. Blakey, Wm. Mynheir, J. M. White,
W. B. M. Brooks, Bryan S. McClure, Mordecai Williams,
Thomas P. Cardwell, J. L. Nall, Jonas D. Wilson,
B. E. Cassilly, John W. Ogilvie,
Resolved. That the title of said bill be as aforesaid.

Mr. Davidson then moved to reconsider the vote by which said bill was passed.

Mr. Corbett moved to lay the motion of Mr. Davidson upon the table.

And the question being taken on the motion of Mr. Corbett, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so the House refused to lay the motion to reconsider on the table.
Ordered, That the further consideration of said motion be postponed.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of Jno. P. Barrett, late sheriff of Ohio county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, It appears to this General Assembly that Jno. P. Barrett, late sheriff of Ohio county, was prevented by protracted sickness of himself and family, the death of two of his deputies, and the resignation of others during his illness, from collecting in due time the revenue of Ohio county for the years 1870 and 1871, and failed, in consequence thereof, to pay said revenue into the Treasury as required by law to do, but has since paid the full amount of said revenue, and interest thereon, and has been released by act of the Legislature from the damages incurred for the year 1870; and whereas, it appears that his failure to pay said revenue in due time was not the result of negligence or fault on his part, but of causes beyond his control, and such as call for legislative interposition in his behalf; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John P. Barrett, late sheriff of Ohio county, and his securities, be, and they are hereby, released from the payment of the sum of twelve hundred and twenty-seven dollars and seventy-eight cents ($1,227 78), being the damage adjudged against them at the August term of the Franklin circuit court in the year 1872, for the balance of revenue from Ohio county for the year 1871.

§ 2. That the Auditor is hereby directed to give said Barrett credit on the revenue due by him for the year 1872 for the sum of one thousand and thirty-four dollars and seventy cents ($1,034 70), being the interest paid by him into the Treasury on the revenue of Ohio county for said years 1870 and 1871, and for the further sum of one hundred and eighty-eight dollars and sixty-six cents ($188 66), being five per cent. additional on the sum of three thousand seven hundred and seventy-three dollars and thirty-seven cents paid by him into the Treasury on the 2d and 3d days of April, 1872, on the revenue of 1871.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) William G. Conrad, Hiram S. Powell,
Wm. A. Allen, R. D. Cook, W. L. Reeves,
A. C. Armstrong, J. E. Cosson, John Rowan,
A. S. Arnold, Joseph M. Davidson, John P. Rowlett,
R. Tarv. Baker, John W. Dyer, William Sellers,
Alpheus W. Bascom, Walter Evans, James W. Snyder,
Resolved, That the title of said bill be as aforesaid.

Mr. Mynhier, from the Committee on Corporate Institutions, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Public Library of Kentucky."

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Blackburn then moved to reconsider the vote by which said bill was passed.

Mr. Baker moved to lay the motion of Mr. Blackburn on the table. And the question being taken on the motion of Mr. Baker, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, William G. Conrad, Julian N. Phelps,
A. C. Armstrong, J. E. Gosson, W. L. Reeves,
W. W. Ayers, Walter Evans, John Rowan,
R. Tarv. Baker, Manlius T. Flippin, J. S. Taylor,
Alpheus W. Bascom, C. P. Gray, C. W. Thralkeld,
W. R. Bates, T. J. Jones, Harry I. Todd,
W. N. Beckham, Bryan S. McClure, J. L. Waring,
Those who voted in the negative, were—

Mr. Speaker (McCreary), R. D. Cook, Hiram S. Powell,
A. S. Arnold, Joseph M. Davidson, William Sellers,
S. C. Bell, John W. Dyer, L. W. Trafton,
Church H. Blakey, W. H. Evans, Joseph T. Tucker,
William Brown, Clinton Griffith, T. W. Varnon,
Thomas P. Cardwell, E. Polk Johnson, E. F. Waide,
R. E. Cassilly, J. S. Lawson, C. H. Webb,

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled “An act to prevent the destruction of fish in the Kentucky river and its tributaries,” approved March 13, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Waide offered an amendment thereto, which was adopted.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz:

An act for the benefit of T. A. Leper, jailer of Livingston county;
An act to change the boundary line of the city of Columbus;
An act to amend an act, entitled “An act to amend the charter of the Bank of Ashland, and incorporate the Bank of Shelbyville,” approved February 24, 1869;
An act for the benefit of T. P. Cardwell, of Breathitt county;
An act to amend the charter of the Citizens’ Passenger Railway Company, of Louisville;
An act to incorporate the Central University;
An act to empower the Grayson county court to levy an additional tax to build a new jail;
An act to amend an act, entitled "An act to incorporate the Louisville Rolling Mill Company," approved February 28, 1850;
Resolution appointing joint committee to visit the House of Reform and Feeble-minded Institute for certain purposes;
Resolution in relation to the completion of the Public Buildings, known as the Fire-proof Offices;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to establish an academy in the town of Germantown, in Bracken and Mason counties;
An act for the benefit of the Lewis county court;
An act for the benefit of James R. Garland, of Lewis county;
An act to prohibit the sale of spirituous liquors in the town of Caverna;
An act for the benefit of the city of Louisville;
An act to authorize the clerk of the circuit court of Madison county to procure index books, and to index and cross-index equity and ordinary suits off the docket on file in his office;
An act for the benefit of the Baptist Church of Midway, in Woodford county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Reeves inform the Senate thereof.
And then the House adjourned.
A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

An act to legalize the acts of W. N. Boaz, as deputy clerk of the Graves county court.

An act to incorporate the Richmond, Irvine, and Three Forks Railroad Company.

An act to amend the city charter of Covington.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend section 1, article 26, chapter 27, Revised Statutes.

An act to amend section 646 of the Civil Code of Practice.

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

An act to amend the charter of the Broadway and Dunkirk Railroad Company.

An act to further amend the laws in relation to peddlers.

And that they had passed bills of the following titles, viz:

1. An act to amend an act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route, approved December 20, 1871.

2. An act to amend section 894 of the Civil Code of Practice.

3. An act for the benefit of school district No. 4, in Nicholas county.


5. An act to incorporate the Hecla Coal and Mining Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Codes of Practice; the 3d to the Committee on Education; and the 4th and 5th to the Committee on Corporate Institutions.

Mr. Dyer presented the petition of the officers of Uniontown, praying the repeal of certain acts in relation to said town.

Which was received, the reading thereof dispensed with, and referred to the Committee on County Courts.

Leave of absence, indefinitely, was granted to Mr. Goodloe.

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

1. A bill for the benefit of James Hogg, committee of Nancy Frasier, a pauper idiot, now of Rowan county.

On motion of Mr. Mynhier—

2. A bill to authorize the county court of Bourbon county to pay G. M. Hibler, circuit clerk of said county, for continuing index and cross-index of suits in said court.

On motion of Mr. Clay—

3. A bill to authorize the county court of Lincoln county to erect a work-house in connection with the poor-house of said county.

On motion of same—

4. A bill to charter a turnpike road company from Richard Moore's, in Lincoln county, to Hay's dug road, in said county.

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on the Revised Statutes the 2d; the Committee on Propositions and Grievances the 3d; and the Committee on Internal Improvement the 4th.

Mr. Rowlett moved to reconsider the vote by which this House, on yesterday, passed a bill from the Senate, entitled An act to change and fix the time of holding the Hart circuit court.

And the question being taken on the motion of Mr. Rowlett, it was decided in the affirmative.

Mr. Bates then moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken on the motion of Mr. Bates, it was decided in the affirmative.

Mr. Bates then offered the following substitute by way of an amendment for said bill, viz:

Strike out all after the enacting clause, and insert in lieu thereof: That the Hart circuit court hereafter shall commence on the first
Mondays in May and November, and continue eighteen juridical days; that the Green circuit court shall hereafter commence on the fourth Mondays in May and November, and continue twelve juridical days; that the Metcalfe circuit court shall hereafter commence on the second Mondays in June and December, and continue twelve juridical days; that process issued from the clerks’ offices of said courts, in said counties, and that shall hereafter issue from them, shall be made returnable to said courts in conformity with this act.

§ 2. This act shall take effect from the time of its passage.

And the question being taken on the adoption of said amendment, 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 affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Bascom moved to reconsider the vote by which said bill was passed.

Mr. Clay moved to lay the motion of Mr. Bascom on the table.
And the question being taken on the motion of Mr. Clay, it was decided in the affirmative.

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

An act to incorporate the Cairo and Tennessee River Railroad Company.

The rule requiring the reference of said bill to a committee being suspended, said bill was taken up and read the first time.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Coke, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act for the relief of the stockholders of the Evansville, Henderson, and Nashville Railroad Company,

Reported the same with an amendment, and without the expression of an opinion thereon.

Ordered, That the consideration of said bill and proposed amendment be postponed to, and made the special order of the day for, to-morrow, at 11 o'clock, A. M.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Thos. M. Purnell.

Which was read the first time as follows, viz:

WHEREAS, Thos. M. Purnell, a constable in the Millersburg precinct of Bourbon county, acting under an order of A. J. Booth, sheriff of said county, did, in the month of October, 1870, summon a posse of men to quell a riot then proceeding in the said district, between a number of Irishmen on one side and negroes on the other, and expended and paid out the sum of $120 60 to the men summoned by him on that occasion, and who served as such; and said claim has been allowed by the Bourbon circuit court and the Auditor doubting his authority to pay the same in the form presented, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be directed to issue his warrant upon the Treasurer in favor of Thos. M. Purnell for the sum of $120 60, being the amount expended and paid out under or-
order of A. J. Booth, sheriff of Bourbon county, to quell a riot existing in said county aforesaid.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed.

The question was taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready), C. M. Clay, jr., Mat. Nunan,
Wm. A. Allen, J. Guthrie Coke, John W. Ogilvie,
A. C. Armstrong, Josiah H. Combs, Julian N. Phelps,
A. S. Arnold, William C. Conrad, Lewis Potter,
G. W. Bailey, R. D. Cook, Hiram S. Powell,
R. Tarv. Baker, R. L. Cooper, John P. Rowlett,
Alpheus W. Bascom, Joseph M. Davidson, J. P. Sacksteder,
W. R. Bates, W. W. Deaderick, C. C. Scales,
W. N. Beckham, John W. Dyer, William Sellers,
John A. Bell, C. D. Foote, J. S. Taylor,
S. C. Bell, C. P. Gray, C. W. Threlkeld,
J. C. S. Blackburn, Clinton Griffith, Harry L. Todd,
Church H. Blakey, E. Polk Johnson, L. W. Trafton,
Wm. P. Bond, T. J. Jones, Joseph T. Tucker,
W. B. M. Brooks, J. S. Lawson, T. W. Varnon,
Thomas P. Cardwell, Bryan S. McClure, J. L. Waring,
Robert M. Carlisle, M. E. McKenzie, J. M. White,
John S. Carpenter, T. J. Megibben, Mordecai Williams,
George Carter, W. A. Morin, F. A. Wilson,

Those who voted in the negative, were—

William J. McElroy,

Resolved, That the title of said bill be as aforesaid.

Mr. J. A. Bell, from the Committee on Corporate Institutions, to whom was recommitted a bill, entitled

A bill to incorporate the St. Joseph's Catholic Benevolent Society of Frankfort,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Jessee, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled "An act to incorporate the Rebeckah Benevolent Society of Covington, Kentucky."

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Bills from the Senate, of the following titles, were reported by the several committees to whom they had been referred, viz:

By Mr. McElroy, from the Committee on Propositions and Grievances—

An act to prohibit the destruction of fish by traps, and by seining and netting, in the spawning season, in Barren river and its tributaries, in Allen county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

An act to amend and reduce into one the several acts in relation to the town of Danville.

By Mr. Davidson, from the Committee on Propositions and Grievances—

An act to prevent the wanton destruction of fish in Crocus creek, in Cumberland county.

By Mr. Gray, from the Committee on Education—

An act to incorporate the trustees of the Baptist Female College of Liberty Association, in the State of Kentucky.

By Mr. Griffith, from the Committee on Claims—

An act for the benefit of Nancy Edwards, an idiot, of Lawrence county.

By Mr. Carpenter, from the Committee on Insurance—

An act to amend an act incorporating the Merchants' Insurance Company, approved February 28, 1860.

By Mr. Wright, from the Committee on Revised Statutes—

An act to amend the title of an act, entitled "An act to amend an
By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to authorize the sale of the Stamping Ground and Le-compt's Run Turnpike Road.

By Mr. Clay, from the Committee on Agriculture and Manufactures—
An act to amend the charter of the Pulaski Agricultural and Mechanical Association.

By Mr. Mynhier, from the Committee on Corporate Institutions—
An act to incorporate the St. Catherine's Convent of Sisters of Mercy.

By Mr. Bascom, from the Committee on Banks—
An act to incorporate the Bank of Lagrange.

With an amendment to the last named bill, which was adopted.

Ordered, That said bills, the last as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Coke, from the Committee on Railroads—
A bill to amend the charter of the Louisville and Nashville Railroad Company.

By Mr. Trafton, from the Committee on County Courts—
A bill to authorize the Carter county court to levy an ad valorem tax for bridge purposes.

By Mr. Mynhier, from the Committee on Corporate Institutions—
A bill to incorporate the Miners' Union of Boyd and Carter counties.

By Mr. Ayers, from the Committee on Religion—
A bill to authorize the trustees of the Methodist Episcopal Church, South, of Cloverport, to sell certain church property.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate the town of College Hill, in Madison county.

By Mr. Mynhier, from the Committee on County Courts—
A bill for the benefit of Mary Carter, a minor, of Lyon county.
By Mr. Foote, from the same committee—
A bill for the benefit of school district No. 2, in Lyon county.

By Mr. Trafton, from the same committee—
A bill in regard to turnpike roads in Garrard county in which said county owns stock.

By Mr. Waring, from the Committee on Privileges and Elections—
A bill to prohibit the sale of spirituous liquors or intoxicating beverages in Greenup county.

By Mr. F. A. Wilson, from the Committee on County Courts—
A bill to amend an act, entitled “An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking, at Clayville, and to levy a tax therefor,” approved March 21, 1871.

By Mr. Megibben, from the Committee on Ways and Means—
A bill for the benefit of John A. Lafferty, late sheriff of Harrison county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill for the benefit of the unfinished turnpike roads in Henry county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Covington Mining and Manufacturing Company.

By Mr. Gray, from the Committee on Education—
A bill for the benefit of common school district No. 24, in Larue county.

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to authorize the trustees of the Stanford Male and Female Seminary to sell part of their land and invest the proceeds.

By Mr. Davidson, from the Committee on Claims—
A bill for the benefit of E. G. Walls, committee of Sarah Jane Walls, a pauper idiot, of Lincoln county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Falls City Club of the city of Louisville.

By Mr. Wright, from the Committee on Revised Statutes—
A bill to amend an act, entitled “An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville,” approved March 28, 1873.

By Mr. Coke, from the Committee on the Judiciary—
A bill to amend the charter of the Louisville Baptists' Orphans' Home.
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Maysville Chair Company.
By Mr. Waring, from the Committee on Privileges and Elections—
A bill to incorporate the Buffalo Furnace Company.
By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of school district No. 17, Pendleton county.
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill for the benefit of the Iron Works Turnpike Road Company.
By Mr. Foote, from the Committee on County Courts—
A bill to legalize certain acts of the Mercer county court.
By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to change a part of the eastern boundary of the town of Harrodsburg.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Tucker, from the Committee on Circuit Courts, who were directed to prepare and bring in the same, reported

A bill to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

61-H. R.
Mr. Megibbon moved to reconsider the vote by which said bill was passed.

Mr. Rowlett, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of the Glasgow Railroad.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with.

Ordered, That said bill be recommitted to the Committee on Claims.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to prohibit the granting of license for the sale of spirituous, vinous, or malt liquors in the town of Butler, or within one mile thereof.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Deaderick offered an amendment thereto, which was adopted.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Deaderick, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Mary Ann Pecantet's heirs, of Graves county;

An act to re-enact and amend the charter of the Paducah and Tennessee Railroad Company;

An act for the benefit of school district No. 19, in Kenton county;

An act to incorporate the Spring Station Railway Company;

An act to incorporate the Wilson Coal and Mining Company;

An act to amend an act, entitled "An act to incorporate the Second Presbyterian Church of the city of Louisville;"
An act to incorporate the River Transportation Company;
An act to authorize the Pike county court to issue bonds for courthouse and other purposes;
An act for the benefit of A. C. Bowman, late sheriff of Breathitt county, and his sureties;
An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company;
An act to incorporate the General Association of Colored Baptists of Kentucky;
An act to provide for a March term of the Jessamine quarterly court;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act, entitled "An act for the benefit of common schools in Clinton county, and the act amending the same;"
An act for the benefit of George W. Cooper, of Logan county;
An act to incorporate the Society Franco-American of Mutual Assistance of the city of Paducah;
An act authorizing the Lewis county court to make an allowance to the clerk of the Lewis circuit court, for continuing the general and cross-index to suits in the Lewis circuit court;
An act for the organization of the public schools in the town of Clayville, in Webster county;
An act to incorporate the Cairo and Ship Island Railroad Company;
An act to incorporate the Winchester Savings Bank;
An act to prohibit the selling of spirituous, vinous, or malt liquors in Tompkinsville, Monroe county, or within one mile thereof;
An act to incorporate the St. Charles Coal Company;
An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22, 1871;
An act to authorize the transfer of causes pending in the circuit court to the court of common pleas, in Ballard county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Deaderick inform the Senate thereof.
The Speaker laid before the House the following communication, viz:

FRANKFORT, KY., March 4, 1873.

HON. J. B. McCREADY, Speaker of the House of Representatives:

DEAR SIR: I beg leave to tender, most respectfully, my resignation
as a member of the House of Representatives of the Kentucky Legislature, to take effect from this day.

With assurances of high regard,

I am, very truly,

Yours, &c.,

E. F. WAIDE,

Third District, Louisville.

Mr. Chrisman offered the following resolution, viz:

Resolved, That the members of the House of Representatives of the General Assembly of Kentucky receive with regret the resignation of the Hon. E. F. Waide, of Louisville, recognizing, as they have done, and do now, his integrity as a man and his ability as a Representative.

Which being twice read, was unanimously adopted.

And then the House adjourned.

WEDNESDAY, MARCH 5, 1873.

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

- An act to incorporate the Columbus and Milburn Gravel and Plank Road Company.
- An act for the benefit of Richard W. and Lizzie B. Lockhart, of Ballard county.
- An act to regulate official sales in Trigg county.
- An act to extend the corporate limits of the town of Lovelaceville, in Ballard county.
- An act to amend an act, entitled “An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county.”
- An act for the benefit of Charles E. Curd, of Calloway county.
- An act to amend an act, entitled “An act to organize and establish a system of public schools in the city of Henderson.”
An act to transfer the equity causes from the Hickman circuit court to the Hickman court of common pleas.
An act for the benefit of the assessor of Livingston county.
An act to incorporate the Logan County Bank.
An act to incorporate the Russellville Banking and Warehouse Company.
An act to amend the charter of the city of Bowling Green.
And that they had passed bills of the following titles, viz:
1. An act to prohibit the sale of spirituous, vinous, or malt liquors at Island Station, or within two miles thereof, in McLean county.
2. An act to amend an act, entitled "An act to create the Hartford Seminary, of Ohio county."
3. An act for the benefit of school district No. 30, in Butler county.
4. An act for the benefit of school district No. 1, of Metcalfe county.
5. An act to incorporate the Odd Fellows' Temple Association, of Louisville.
6. An act to incorporate the Tobacco Bank and Warehouse Company, of Covington.
7. An act for the benefit of Samuel Worley, of Butler county.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st to the Committee on Religion; the 2d, 3d, and 4th to the Committee on Education; the 5th to the Committee on Corporate Institutions; the 6th to the Committee on Banks; and the 7th to the Committee on Claims.
The following petitions were presented, viz:
By Mr. Webb—
1. The petition of sundry citizens of Livingston county, praying an act empowering the county court of said county to levy a tax for the purpose of raising money to build a bridge across Buck creek, in said county.
By Mr. W. H. Evans—
2. The petition of certain citizens of Clay county, praying the passage of an act changing the boundary lines between said county and Bell county, so as to include the petitioners in Bell.
By Mr. Sellers—
3. The petition of the attorneys of the Garrard county bar, pray-
ing the establishment of a chancery district, to be composed of the counties of Garrard, Lincoln, Boyle, Mercer, and Pulaski.

By Mr. Chrisman—

4. The petition of sundry citizens of the town of Monticello, praying the passage of an act to prevent the vending of ardent spirits in said town.

By Mr. Force—

5. The petition of citizens of school district No. 62, of Shelby county, praying the passage of an act to secure to Mrs. J. J. Keeney the school fund due said district.

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

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

An act to amend section 77 of the Civil Code of Practice.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Codes of Practice.

A message was also received from the Senate, asking to withdraw from this House the announcement of their concurrence in an amendment proposed by this House to a bill, which originated in the Senate, entitled

An act to incorporate the Chattarei Railway Company,

Which was granted.

Mr. McElroy moved the following resolution, viz:

Resolved, That from and after to-day this House will meet at half-after 9 o'clock each day; and so soon as any portion of the statutes is reported to this House, we will take it up each day at 11 o'clock, and proceed to the consideration of the same until adjournment.

Mr. Force moved to amend said resolution by striking out after the word "at," in the second line, the words "half-after."

And the question being taken on the adoption of the amendment proposed by Mr. Force, it was decided in the negative.
Mr. Graves then moved to amend said resolution by striking out after the word "at," in the second line, the words "half-after," and to insert in lieu thereof the words "one minute before."

And the question being taken on the adoption of the amendment proposed by Mr. Graves, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), Joseph P. Forse, Lewis Potter,
Wm. A. Allen, E. A. Graves, W. L. Keeve,
A. C. Armstrong, C. P. Gray, E. A. Robertson,
W. W. Ayers, George M. Jessee, John Rowan,
John A. Bell, E. Polk Johnson, C. C. Scales,
Church H. Blakey, T. J. Jones, J. S. Taylor,
Wm. F. Bond, Bryan S. McClure, C. W. Threlkeld,
Robert M. Carlisle, M. E. McKenzie, T. W. Varnon,
George Carter, Wm. Mynhier, C. H. Webb,
William G. Conrad, J. L. Nall, J. M. White,
Thomas H. Corbett, Mat. Nunn, Moredecai Williams,
Joseph M. Davidson, John W. Ogilvie, Jonas D. Wilson,
Manlius T. Flippin, Julian N. Phelps, J. N. Woods—89.

Those who voted in the negative, were—

A. S. Arnold, Josiah H. Combs, W. A. Morin,
G. W. Bailey, R. D. Cook, Hiram S. Powell,
W. R. Bates, R. L. Cooper, William Sellers,
W. N. Beckham, J. E. Cosson, James W. Snyder,
S. C. Bell, John W. Dyer, Harry J. Todd,
W. B. M. Brooks, W. H. Evans, L. W. Traiton,
Thomas P. Cardwell, Thomas M. Johnson, Joseph T. Tucker,
John S. Carpenter, J. S. Lawson, J. L. Waring,
B. E. Cassilly, G. W. Little, F. A. Wilson,
James S. Chrisman, William J. McElroy, S. H. Woolfolk,
C. M. Clew, T. J. Megibben, J. M. Wright—94.

Mr. Tucker offered the following amendment to the resolution as amended, viz:

Add thereto the words, "and no person shall be allowed to speak over five minutes on any one proposition connected with the revision, unless by the unanimous consent of the House."

And the question being taken on the adoption of the amendment proposed by Mr. Tucker, it was decided in the affirmative.

Mr. Speaker (McCreary) then offered the following substitute, by way of an amendment, for the resolution as amended, viz:

Resolved, That from and after this date, this House shall meet at twenty minutes past 9, A. M., each day, except Sunday, and shall stand adjourned at 2, P. M.; and when any part of the revision of
the statutes is reported to this House, it shall be taken up and considered each day at half-past 11 o'clock: Provided, however, That on every Wednesday and Saturday, orders of the day shall be called for at 12 o'clock.

And the question being taken on the adoption of the amendment proposed by Mr. Speaker (McCreary), 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.

On motion of Mr. Waring,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage, as amended by the House, of a bill, which originated in the Senate, entitled

An act to incorporate the Chattaroi Railway Company.

Ordered, That Messrs. Waring, Davidson, and McKenzie bear said message to the Senate.

The House then, according to order, took up and proceeded to consider a bill from the Senate, entitled

An act for the relief of the stockholders of the Evansville, Henderson, and Nashville Railroad Company.

With the amendment proposed thereto by the committee.

The amendment proposed by the committee is to strike out section four of the bill.

Said section reads as follows, viz:

§ 4. That anything embraced and contained in this act shall not be held or construed as in any way affecting the rights and interest of Christian county as a stockholder in the Evansville, Henderson, and Nashville Railroad Company; nor any stockholder in said Evansville, Henderson, and Nashville Railroad Company, who voted against said consolidation, or who failed to vote for said consolidation as claimed by this act; nor shall anything in this act embraced and contained be held or construed as in any way affecting any suit or suits heretofore instituted and now pending in the name of Christian county against the Evansville, Henderson, and Nashville Railroad Company, or said Evansville, Henderson, and Nashville Railroad Company and others, as defendants in any court, or which may hereafter be instituted in the name of Christian county, or in the name of said county and others, against the said Evansville, Henderson, and Nashville Railroad Company and others, for the purpose and objects of protecting and maintaining the rights and interest of Christian county as a stockholder in the said Evansville, Henderson, and Nashville Railroad Company.
The question was then taken on the adoption of the amendment proposed by the committee, and there being a tie vote thereon, it was, under the rule, decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being 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. Todd—
1. A bill to change the Penitentiary system of this State.

On motion of Mr. Arnold—
2. A bill to repeal an act, entitled “An act declaring certain lakes and creeks in Ballard county navigable.”

On motion of Mr. Waring—

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On motion of Mr. Tucker—
4. A bill to incorporate the Mt. Sterling and Carter County Mining and Manufacturing Company.
On motion of same—
5. A bill for the benefit of Montgomery, Clark, and Bath counties.
On motion of same—
6. A bill for the benefit of the Kiddville and Montgomery Turnpike Road Company.
On motion of same—
7. A bill to amend the charter of the town of Mt. Sterling.
On motion of same—
8. A bill to extend the boundary of the town of Mt. Sterling.
On motion of same—
9. A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Mt. Zion Church.
On motion of Mr. Cardwell—
10. A bill for the benefit of Powell county.
On motion of Mr. Jessee—
11. A bill to authorize the court of claims of Henry county to levy an ad valorem tax of not exceeding twenty cents on the one hundred dollars' worth of property in said county, to pay county indebtedness.

Ordered, That the Committee on the Penitentiary prepare and bring in the 1st; the Committee on the Judiciary the 2d, 3d, 4th, 5th, 6th, 7th, and 8th; the Committee on County Courts the 9th and 11th; and the Committee on Claims the 10th.
And then the House adjourned.
THURSDAY, MARCH 6, 1873.

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

An act to amend an act to incorporate the Cumberland and Ohio Railroad Company,

With an amendment to the amendment proposed by the House.

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

An act to authorize the trustees of the Methodist Episcopal Church, South, of Cloverport, to sell certain church property.

An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the Sinking Fund," approved February 20, 1864.

An act for the benefit of O. P. Shackelford, tax collector for Edmonson county, and his securities.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

2. An act to incorporate the Covington Iron Company.

3. An act for the benefit of common school district No. 1, in Lawrence county.

4. An act for the benefit of C. M. Hanks and Samuel Spradlin, of Wolfe county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 4th to the Committee on Ways and Means; the 2d to the Committee on Corporate Institutions; and the 3d to the Committee on Education.

Indefinite leave of absence was granted Messrs. Blackburn, Combs, and Webb.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and
signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Lewis county.
An act for the benefit of the city of Louisville.
An act for the benefit of James R. Garland, of Lewis county.
An act to prohibit the sale of spirituous liquors in the town of Caverna.
An act for the benefit of the Baptist Church of Midway, in Woodford county.
An act to authorize the clerk of the circuit court of Madison county to procure index books, and to index and cross-index equity and ordinary suits off the docket on file in his office.
An act to establish an academy in the town of Germantown, in Bracken and Mason counties.

The following petitions were presented, viz:

By Mr. Cook—
1. The petition of sundry citizens of Rockcastle and Laurel counties, praying the passage of a law exempting stage coaches from the payment of toll on the Crab Orchard Fork of the Wilderness Turnpike Road.

By Mr. Speaker (McCreary)—
2. The petition of citizens of Berea, in Madison county, praying the passage of an act to amend the charter of their town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances, and the 2d to the Committee on Corporate Institutions.

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

On motion of Mr. Mynhier—
1. A bill for the benefit of Johnson V. Oakley, of Morgan county.

On motion of Mr. Clay—
2. A bill to incorporate the Agricultural and Mechanical Association of Colored People of Bourbon county.

On motion of Mr. Ferguson—
3. A bill to donate to the persons owing the same all taxes which have been due for more than three years.

On motion of Mr. Trabou—
4. A bill to amend the charter of the Webster Coal Company, and the amendments thereto.

On motion of same—
5. A bill to amend an act, entitled "An act to incorporate the South Kentucky Railroad Company."
On motion of Mr. Cook—

6. A bill for the benefit of Rockcastle county.

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; the Committee on Revised Statutes the 3d and 5th; the Committee on Corporate Institutions the 4th; and a select committee, consisting of Messrs. Baker, Blakey, and Armstrong, the 6th.

Mr. Corbett, from the Committee on the Penitentiary, who were directed to prepare and bring in the same, reported

A bill to pay for the erection of stable for the use of Penitentiary.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Gray offered an amendment thereto.

Ordered, That said bill and proposed amendment be recommitted to the Committee on the Penitentiary.

Mr. Trafton moved to reconsider the vote by which the House, on yesterday, passed a bill, which originated in the Senate, entitled

An act for the relief of the stockholders of the Evansville, Henderson, and Nashville Railroad Company.

Mr. Jesse, from the Committee on Charitable Institutions, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of Miss Blankenship, of Cumberland county.

Reported the same without amendment.

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

And so said bill was disagreed to.

Mr. Jesse, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill for the benefit of J. T. Freeman, of Whitley county.

A bill for the benefit of John H. Pemberton, of Whitley county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Baker, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of Rockcastle county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, On the night of the 13th of February, 1873, the circuit court clerk's office at Mt. Vernon was destroyed by fire, together with all the Statutes of Kentucky and Codes of Practice, Reports of Decisions of the Court of Appeals, and Digests of the same, which had been furnished by the State for Rockcastle circuit court; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the Secretary of State to buy and furnish, for the use of the circuit court of Rockcastle county, 1 copy of the Revised Statutes, 1 copy of Myers' Supplement, 1 copy of the Code of Practice, a full set of the Decisions of the Court of Appeals of Kentucky, 1 copy of Monroe & Harlan's Digest of the same, and 1 copy of Cofer's Digest. For the cost of said books, and the transportation of the same, the Secretary shall make out an account and exhibit the same to the Auditor of Public Accounts, and he shall draw his warrant on the Treasurer of the State for the sum, who shall pay it.

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

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

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

Those who voted in the affirmative, were:

Mr. Speaker (M'Cready) R. D. Cook, J. L. Nall,
Wm. A. Allen, R. L. Cooper, Mat. Nunan,
A. C. Armstrong, J. E. Cossen, Julian N. Phelps,
A. S. Arnold, Joseph M. Davidson, Lewis Potter,
G. W. Bailey, W. H. Evans, Hiram S. Powell,
R. Tarv. Baker, M. Woods Ferguson, W. L. Reeves,
Alpheus W. Bascom, James Garnett, E. A. Robertson,
W. R. Bates, E. A. Graves, C. C. Scales,
W. N. Beckham, C. P. Gray, William Sellers,
John A. Bell, George M. Jesse, James W. Snyder,
S. C. Bell, E. Polk Johnson, J. S. Taylor,
Church H. Blakey, Thomas M. Johnson, C. W. Threlkeld,
Wm. F. Bond, T. J. Jones, Harry I. Todd,
W. B. M. Brooks, J. S. Lawson, T. W. Varoon,
Thomas P. Cardwell, G. W. Little, J. L. Waring,
Resolved, That the title of said bill be as aforesaid.

Mr. Jessee, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill to amend an act, entitled “An act to provide for the location and erection of the Third Lunatic Asylum,”

Without an expression of opinion thereon.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Corbett moved to recommit said bill to the Committee on Charitable Institutions.

And the question being taken on the motion of Mr. Corbett, it was decided in the negative.

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

Those who voted in the affirmative, were—

Alpheus W. Bascom, E. A. Graves, W. L. Reeves, S. H. Woolfolk—7.

Those who voted in the negative, were—

Mr. Blakey then offered the following substitute, by way of amendment, to said bill, viz:

Strike out all of the enacting clause and insert: "That so much of an act passed at the present session of this General Assembly, and approved on the — day of February, 1873, entitled 'An act to provide for the location and erection of the Third Lunatic Asylum,' as provides for the erection of the Third Lunatic Asylum, and all the provisions of said act relating thereto, be, and the same are hereby, repealed: Provided, however, That nothing in this act shall be so construed as to repeal any portion of said act relating to the enlargement of the Western Lunatic Asylum."

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

Mr. Graves moved to lay said bill and proposed amendment on the table.

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

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

Those who voted in the affirmative, were—

Alpheus W. Bascom, E. A. Graves, J. R. Sanders—4.
J. E. Cosson,

Those who voted in the negative, were—

The question was then taken on the adoption of the substitute offered by Mr. Blakey, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Wright offered an amendment, which was adopted.

Mr. Graves then offered the following substitute for said bill, as amended, viz:

Strike out all after the enacting clause, and insert: That the farm and buildings at Anchorage, commonly called and known as the House for Juvenile Offenders, shall be adopted, declared, and established as the Third Lunatic Asylum; and that all laws and parts of laws appropriating money for the enlargement of the Asylum at Hopkinsville, and establishing the Third Lunatic Asylum, be, and the same are hereby, repealed.

§ 2. That the Governor of this Commonwealth is authorized hereby to have the said building at Anchorage fixed up in a suitable manner to receive lunatics, provided the same shall not exceed $25,000, and report the items of expenditure to the next Legislature.

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

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

Those who voted in the affirmative, were—

Wm. A. Allen, E. A. Graves, John Rowan,
G. W. Bailey, C. P. Gray, William Sellers,
Church H. Blakey, G. W. Little, J. S. Taylor,
W. B. M. Brooks, J. L. Nall, J. M. White,
Robert M. Carlisle, Julian N. Phelps, J. N. Woods,
R. D. Cook, W. L. Reeves, S. H. Woolfolk—19.

Manlius T. Flippin,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) Thomas H. Corbett, Wm. Mynhier,
A. C. Armstrong, J. E. Cosson, Mat. Nunan,
A. S. Arnold, Joseph M. Davidson, John W. Ogilvie,
W. W. Ayers, John W. Dyer, Lewis Potter,
R. Tarv. Baker, W. H. Evans, Hiram S. Powell,
Alpheus W. Bascom, C. D. Foote, E. A. Robertson,
W. R. Bates, James Garnett, J. P. Sacksteder,
W. N. Beckham, Clinton Griffith, J. R. Sanders,
John A. Bell, George M. Jessee, C. C. Scales,
S. C. Bell, E. Polk Johnson, C. W. Threlkeld,
William Brown, Thomas M. Johnson, Harry I. Todd,
John S. Carpenter, T. J. Jones, L. W. Trafton,
George Carter, J. S. Lawson, Joseph T. Tucker,
James S. Chrisman, J. J. McAfee, T. W. Varnon,
C. M. Clay, jr., Bryan S. McClure, J. L. Waring,
J. Guthrie Coke, William J. McElroy, Mordecai Williams,
William G. Conrad, T. J. Megibben, F. A. Wilson,
R. L. Cooper, J. C. Moorman, Jonas D. Wilson,

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

Mr. McElroy then moved that said bill, as amended, be read a third time on this day.

And the question being taken on the motion of Mr. McElroy, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) John W. Dyer, Julian N. Phelps,
Wm. A. Allen, W. H. Evans, Lewis Potter,
A. C. Armstrong, Manlius T. Flippin, Hiram S. Powell,
A. S. Arnold, C. D. Foote, W. L. Reeves,
W. W. Ayers, James Garnett, E. A. Robertson,
those who voted in the negative, were—


said bill being engrossed, was then read a third time as follows,

viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of an act, entitled "An act to provide for the location and erection of the Third Lunatic Asylum," of this Commonwealth, as appropriates one hundred thousand dollars for the enlargement of the Western Lunatic Asylum at Hopkinsville, be, and the same is hereby, so amended as to strike out all that part relating to the enlargement of the Western Lunatic Asylum at Hopkinsville; but this act shall not, in any manner, affect the erection of the Third Lunatic Asylum, as provided for in said act.

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

the question was then taken on the passage of said bill, and it was decided in the affirmative.

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

those who voted in the affirmative, were—

Resolved, That the title of said bill be as aforesaid.

Mr. Cooper moved to reconsider the vote by which said bill was passed.

Mr. Gray moved to lay the motion of Mr. Cooper on the table. And the question being taken on the motion of Mr. Gray, it was decided in the affirmative.

Mr. Jessee, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled

An act for the benefit of the Kentucky Institution for the Education of the Blind,

Reported the same without amendment.

Mr. Phelps offered an amendment thereto.

Mr. Chrisman offered a substitute by way of amendment for the bill and proposed amendment, which was rejected.

The amendment proposed by Mr. Phelps was then also rejected.

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 sum of ten thousand dollars be, and the same is hereby, appropriated to the use and benefit of the Kentucky Institution for the Education of the Blind. Said sum to be expended by the board of directors or managers of said Institution in the following manner, viz: eight thousand dollars in procuring and erecting suitable apparatus and fixtures for heating the asylum buildings, and the sum of fifteen hundred dollars in procuring and erecting gas-pipes and fixtures for lighting up said buildings, and the sum of five hundred dollars in procuring models of the eye, ear, brain, and other members of the human body, and also models of various insects and animals, for educational purposes; and the Auditor is hereby authorized and directed, on the application of the President of said board of directors, to issue his warrant on the Treasurer for the same, one fourth
payable in three, one fourth in six, one fourth in nine, and the remaining one fourth in twelve months from the first day of January, 1873.

§ 2. This act to be in force from its passage.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act in relation to the collection of delinquent taxes that may be owing the county of Nelson;

An act for the benefit of Jno. P. Barrett, late sheriff of Ohio county;

An act in relation to the arrest of drunken persons in the local jurisdiction of the police court of Bardstown;

An act to amend an act, entitled "An act to authorize the Christian county court to issue bonds for the purpose of building a court-house, and to establish a sinking fund to liquidate said bonds," passed February 13th, 1867;
An act to incorporate the Highland Coal Company, of Hopkins county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Calhoon," approved March 4, 1872;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Richard W. and Lizzie B. Lockhart, of Ballard county;
An act to further amend the laws in relation to peddlers;
An act to regulate official sales in Trigg county;
An act to amend the charter of the Broadway and Dunkirk Railway Company;
An act to extend the corporate limits of the town of Lovelaceville, in Ballard county;
An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Blandville, in Ballard county;"

An act for the benefit of Charles E. Curd, of Calloway county;
An act to transfer the equity causes from the Hickman circuit court to the Hickman court of common pleas;
An act for the benefit of the assessor of Livingston county;
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.
And then the House adjourned.
FRIDAY, MARCH 7, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

- An act for the benefit of George W. Cooper, of Logan county.
- An act to amend an act, entitled "An act to incorporate the Bowling Green and Madisonville Railroad Company," approved March 22, 1871.
- An act to incorporate the Society Franco-American of Mutual Assistance of the city of Paducah.
- An act to amend an act, entitled "An act for the benefit of common schools in Clinton county, and the act amending the same."
- An act to authorize the transfer of causes pending in the circuit court to the court of common pleas, in Ballard county.
- An act to prohibit the selling of spirituous, vinous, or malt liquors in Tompkinsville, Monroe county, or within one mile thereof.
- An act authorizing the Lewis county court to make an allowance to the clerk of the Lewis circuit court, for continuing the general and cross-index to suits in the Lewis circuit court.
- That they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled An act to incorporate the Bank of Lagrange.
- That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
  - An act for the benefit of Warren county.
  - An act for the benefit of R. N. Walker, late sheriff of Crittenden county.
  - An act for the benefit of Cold Spring school district, in Campbell county.
  - An act to incorporate the Dayton and Bellview Gas-light Company, in Campbell county.
  - An act to incorporate the Owensboro Masonic Mutual Relief Association.
  - An act for the benefit of the heirs of Horace Welford, deceased, of Virginia.
An act to authorize the sale and conveyance of the seminary property situate in the town of Mt. Vernon, in Rockcastle county, and appropriate the proceeds arising therefrom to common school purposes for said county.

An act to provide for redistricting the school districts of the county of Madison.

An act for the benefit of the common schools in Bracken county.

An act to amend the articles of incorporation of the People's Building and Loan Association, of Louisville.

An act to amend the charter of the Logan Female College Company.

And that they had passed bills of the following titles, viz.:

1. An act directing the Auditor to pay certain guard claims in Powell county.

2. An act to amend an act, entitled "An act to incorporate the Marion County Agricultural, Mechanical, and Stock Association," approved January 16, 1868.

3. An act to amend an act, entitled "An act to incorporate the Short Route Railway Transfer Company."

4. An act for the benefit of the Louisville Industrial Exposition, and to amend the charter thereof.

5. An act to authorize the Grant county court to sell its poor-house farm in said county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Claims; the 2d to the Committee on Agriculture and Manufactures; the 3d to the Committee on Railroads; the 4th to the Committee on the Judiciary; and the 5th to the Committee on County Courts.

Indefinite leave of absence was granted Messrs. Cardwell, Sellers, Morin, Baker, and Foree.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of O. P. Shackelford, tax collector for Edmonson county, and his securities.

Said amendment was concurred in.
The House took up also the amendment proposed by the Senate to the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to amend an act to incorporate the Cumberland and Ohio Railroad Company.

Said amendment, proposed by the Senate to the House amendment, was concurred in.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Louisville Rolling Mill Company," approved February 28, 1850.

An act to amend an act, entitled "An act to amend the charter of the Bank of Ashland, and incorporate the Bank of Shelbyville," approved February 24, 1869.

An act to amend the charter of the Citizens' Passenger Railway Company, of Louisville.

An act for the benefit of T. A. Leper, jailer of Livingston county.

An act to empower the Grayson county court to levy an additional tax to build a new jail.

An act for the benefit of T. P. Cardwell, of Breathitt county.

An act to change the boundary line of the city of Columbus.

An act to incorporate the Central University.

An act to provide for a March term of the Jessamine quarterly court.

Mr. Waring, from the committee appointed to wait upon the Senate, and to ask to withdraw therefrom a bill, which originated in the Senate, entitled

An act to incorporate the Chattaroi Railway Company,

Reported that they had discharged that duty, and laid said bill on the Clerk's table.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement——

A bill to repeal an act, entitled "An act to amend an act, entitled 'An act to charter the Crab Orchard and Crew's Knob Turnpike Company;" approved March 20, 1872.
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the town of Hickory Grove, in Graves county.

By Mr. Graves, from the Committee on Ways and Means—
A bill to provide for the collection of delinquent tax lists in Marion county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to incorporate the Lebanon and Pope's Creek Turnpike Road Company.

By Mr. Garnett, from the Committee on Revised Statutes—
A bill for the benefit of the heirs of Squire Jones, deceased, of Henry county.

By Mr. Jones, from a select committee—
A bill to incorporate the town of Pryorsburg, in Graves county.

By same—
A bill in relation to the seminary fund of Graves county.

By same—
A bill to add Graves county to the common pleas district in the first judicial district, and to provide for chancery terms of said common pleas in said county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—
An act to authorize the county court of Cumberland county to establish ferries across Cumberland river in said county.

By Mr. Baker, from the Committee on Circuit Courts—
An act to change the time of holding the circuit court in the 9th judicial district.

Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

On motion of Mr. Bailey,

Ordered, That a committee be appointed, consisting of Messrs. Bailey, Mynhier, and Bates, to act in conjunction with such committee as may be appointed by the Senate, to wait upon the Governor and request him to return unsigned, to this House, in which it originated, an enrolled bill, entitled

An act for the organization of the public schools in the town of Clayville, in Webster county.

After a time, Mr. Bailey, from the committee, returned, and reported that the committee had discharged their duty, and laid said enrolled bill upon the Clerk's table.

Mr. Jessee, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill for the benefit of Sol. Downey, pauper idiot, of Henry county.

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

WHEREAS, It appearing to the Henry circuit court, at its September term, 1871, that Solomon Downey, an idiot, is still alive, and in care of his committee, and has not sufficient estate for his support, and that his parents are still unable to support him; and said court having ordered that an allowance of $50 per annum be continued from the last payment to the 7th day of June, 1871, to be paid to his committee, William Petty, and that the same be certified to the Auditor; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the State Auditor be, and he is hereby, directed to draw his order upon the Treasurer in favor of William Petty, committee of said Solomon Downey, at the rate of $50 per annum, from 31st March, 1867, date of last payment, until the 7th of June, 1871, time of re-examination, in favor of said Downey, to be expended by said Wm. Petty for the benefit of said Solomon Downey, to be accounted for by said William Petty in his reports to said court.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready) R. L. Cooper, Hiram S. Powell,
Wm. A. Allen, Thomas H. Corbett, W. L. Reeves,
A. C. Armstrong, M. Woods Ferguson, E. A. Robertson,
A. S. Arnold, Joseph P. Force, John Rowan,
W. W. Ayers, James Garnett, J. R. Sanders,
Alpheus W. Bascom, C. C. Scales, William Tarlton,
W. N. Beckham, E. A. Graves, J. S. Taylor,
John A. Bell, C. W. Threlkeld, Harry I. Todd,
S. C. Bell, T. J. Jones, L. W. Trabue,
Church H. Blakey, J. S. Lawson, Joseph T. Tucker,
Wm. F. Bond, Bryan S. McClure, T. W. Varon,
W. B. M. Brooks, T. J. Megibben, J. M. White,
Thomas P. Cardwell, J. C. Moorman, Mordecai Williams,
John S. Carpenter, Wm. Mynheer, F. A. Wilson,
George Carter, J. L. Nall, Jonas D. Wilson,
B. E. Cassilly, Mat. Nunam, J. N. Woods,
C. M. Clay, Jr., John W. Ogilvie, S. H. Woolfolk,

In the negative, Robert M. Carlisle—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Carpenter, from the Committee on Insurance, to whom was referred a bill from the Senate, entitled
An act to amend an act to establish an Insurance Bureau, approved March 10, 1870,
Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the 3d section of an act to establish an Insurance Bureau, approved March 10th, 1870, be amended so as to read: “The Insurance Commissioner shall receive an annual salary of $8,000.” And that the 5th section of said act be amended so as to read: “The Commissioner may appoint a clerk to assist him in the duties of the Bureau, who shall receive a salary of $4,000 per annum, to be paid as now authorized by law.”

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

Mr. Beckham moved to amend said bill by striking out of the 4th line thereof the figures “$8,000,” and inserting in lieu thereof the
Mr. Threlkeld moved to amend the amendment offered by Mr. Beckham by striking out therefrom the figures "$6,000," and inserting in lieu thereof the figures "$5,000," which was rejected.

The amendment offered by Mr. Beckham was then adopted.

The question was then put, "Shall the bill, as amended, be read a third time?" and it was decided in the affirmative.

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

Those who voted in the affirmative, were—
Mr. Speaker (M'Creary) R. L. Cooper, W. L. Reeves,
A. S. Arnold, M. Woods Ferguson, E. A. Robertson,
R. Tarv. Baker, James Garnett, John P. Rowlett,
Alpheus W. Bascom, Wm. Cassius Goodloe, J. P. Sacksteder,
W. R. Bates, E. A. Graves, C. C. Scales,
W. N. Beckham, Clinton Griffith, C. W. Threlkeld,
John A. Bell, E. Polk Johnson, Harry I. Todd,
Church H. Blakey, Thomas M. Johnson, L. W. Trafford,
Wm. F. Bond, J. J. Mcafee, Joseph T. Tucker,
William Brown, M. E. McKenzie, T. W. Varnon,
John S. Carpenter, T. J. Megibben, J. L. Waring,
B. E. Cassilly, J. C. Moorman, Mordecai Williams,
C. M. Clay, jr., J. L. Nall, F. A. Wilson,
J. Guthrie Coke, Nat. Nunan, J. M. Wright—42.

Those who voted in the negative, were—
Wm. A. Allen, William G. Conrad, Wm. Mynhier,
A. C. Armstrong, Thomas H. Corbett, John W. Ogilvie,
W. W. Ayers, J. E. Cooson, Julian N. Phelps,
G. W. Bailey, John W. Dyer, Hiram S. Powell,
S. C. Bell, C. P. Gray, Samuel M. Sanders,
W. B. M. Brooks, George M. Jessee, J. S. Taylor,
Thomas P. Cardwell, T. J. Jones, J. M. White,
Robert M. Carlisle, J. S. Lawson, Jonas D. Wilson,
George Carter, Bryan S. McClure, J. N. Woods,

Mr. Jessee then moved to recommit said bill to the same committee.

And the question being taken on said motion, it was decided in the negative.

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

Those who voted in the affirmative, were—
Mr. Speaker (M'Creary) James S. Chrisman, Wm. J. McElroy,
Wm. A. Allen, William G. Conrad, Wm. Mynhier,
Those who voted in the negative, were—

A. S. Arnold, John W. Dyer, Lewis Potter,
R. Tarv. Baker, M. Woods Ferguson, Hiram S. Powell,
Alpheus W. Bascom, James Garnett, W. L. Reeves,
W. N. Beckham, Wm. Cassius Goodloe, C. W. Threlkeld,
John A. Bell, Clinton Griffith, Harry I. Todd,
Church H. Blakey, E. Polk Johnson, L. W. Trafton,
Wm. F. Bond, Thomas M. Johnson, Joseph T. Tucker,
Robert M. Carlisle, J. J. McAfee, T. W. Varnon,
John S. Carpenter, T. J. Megibben, J. L. Waring,
C. M. Clay, jr., J. C. Moorman, Mordecai Williams,
J. Guthrie Coke, J. L. Nall, F. A. Wilson,

Mr. Carpenter moved the previous question.

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

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

Those who voted in the affirmative, were—

A. S. Arnold, M. Woods Ferguson, E. A. Robertson,
G. W. Bailey, James Garnett, J. P. Sacksteder.
Alpheus W. Bascom, Wm. Cassius Goodloe, C. W. Threlkeld,
W. N. Beckham, Clinton Griffith, Harry I. Todd,
John A. Bell, E. Polk Johnson, T. W. Varnon,
Wm. F. Bond, Thomas M. Johnson, J. L. Waring,
John S. Carpenter, J. J. McAfee, Mordecai Williams,
E. Cassilly, T. J. Megibben, Jonas D. Wilson,
C. M. Clay, jr., J. C. Moorman, J. M. Wright—32,
J. Guthrie Coke, J. L. Nall,
R. L. Cooper, Mat. Nunan.

Those who voted in the negative, were—

Mr. Speaker (McCreary) William G. Conrad, John W. Ogilvie,
Wm. A. Allen, J. E. Cosson, Julian N. Phelps,
A. C. Armstrong, John W. Dyer, Hiram S. Powell,
W. W. Ayers, Joseph P. Foree, W. L. Reeves,
W. R. Bates, E. A. Graves, J. R. Sanders,
S. C. Bell, C. P. Gray, Samuel M. Sanders,
Church H. Blakey, George M. Jessee, William Tarlton,
Mr. Reeves moved to reconsider the vote by which said bill, as amended, was ordered to be read a third time.

And the question being taken on the motion of Mr. Reeves, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) J. E. Cosson, John W. Ogilvie,
Wm. A. Allen, John W. Dyer, W. L. Reeves,
A. C. Armstrong, Joseph P. Foree, J. R. Sanders,
W. W. Ayers, C. P. Gray, Samuel M. Sanders,
W. R. Bates, George M. Jessee, William Tarlton,
S. C. Bell, T. J. Jones, J. S. Taylor,
W. B. M. Brooks, J. S. Lawson, C. W. Threlkeld,
William Brown, Bryan S. McClure, L. W. Trafton,
Thomas P. Cardwell, William J. McElroy, C. H. Webb,
George Carter, Wm. Mynhier, Jonas D. Wilson,
James S. Chrisman, J. L. Nall, J. N. Woods,

Those who voted in the negative, were—

A. S. Arnold, R. D. Cook, Hiram S. Powell,
G. W. Bailey, R. L. Cooper, E. A. Robertson,
Alpheus W. Bascom, M. Woods Ferguson, J. P. Sacksteder,
W. N. Beckham, Wm. Cassins Goodloe, Harry I. Todd,
John A. Bell, E. A. Graves, Joseph T. Tucker,
Church H. Blakey, Clinton Griffith, T. W. Varnon,
Robert M. Carlisle, E. Polk Johnson, J. L. Waring,
John S. Carpenter, J. J. McAfce, Mordecai Williams,
B. E. Cassilly, T. J. Megibben, F. A. Wilson,

And so said vote was reconsidered.

Mr. Jessee moved to amend said bill by adding thereto the following section, viz:

§ — That the Insurance Commissioner shall be elected by the qualified voters of this Commonwealth at the same time, and shall hold his office for the same term, as the Treasurer of this State; that so much of the act to which this is an amendment as is in conflict with this act, is hereby repealed.

Mr. Corbett then offered the following amendment to the amendment proposed by Mr. Jessee, viz:
Strike out the word "Treasurer" therein, and insert the word "Governor," which was rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Jessee, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, William G. Conrad, Wm. Mynhier,
A. C. Armstrong, Thomas H. Corbett, J. L. Nall,
W. W. Ayers, J. E. Cosson, John W. Ogilvie,
W. R. Bates, James Garnett, J. R. Sanders,
S. C. Bell, George M. Jessee, Samuel M. Sanders,
Thomas P. Cardwell, T. J. Jones, J. S. Taylor,
Robert M. Carlisle, J. S. Lawson, C. W. Threlkeld,
George Carter, Brynn S. McClure, J. M. White,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) John W. Dyer, W. L. Reeves,
A. S. Arnold, M. Woods Ferguson, E. A. Robertson,
G. W. Bailey, Joseph P. Force, John P. Rowlett,
R. Tarv. Baker, Wm. Cassius Goodloe, J. P. Sacksteder,
Alpheus W. Bascom, E. A. Graves, Harry I. Todd,
W. N. Beckham, C. P. Gray, L. W. Trafton,
John A. Bell, E. Polk Johnson, Joseph T. Tucker,
Church H. Blakey, Thomas M. Johnson, T. W. Varnon,
Wm. F. Bond, J. J. McAfee, J. L. Waring,
W. B. M. Brooks, T. J. Megibben, Mordecai Williams,
John S. Carpenter, J. C. Moorman, F. A. Wilson,
B. E. Cassilly, Julian N. Phelps, Jonas D. Wilson,
J. Guthrie Coke, Lewis Potter, S. H. Woolfolk,
R. D. Cook, Hiram S. Powell, J. M. Wright—43.

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

Said bill, as amended, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the third section of an act to establish an Insurance Bureau, approved March 10, 1870, be amended so as to read: "The Insurance Commissioner shall receive an annual salary of $6,000;" and that the fifth section of said act be amended so as to read: "The Commissioner may appoint a clerk to assist him in the duties of the Bureau, who shall receive a salary of $3,000 per annum, to be paid as now authorized by law."

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

The question was then taken on the passage of said bill, as amended, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. S. M. Sanders and Ogilvie, were as follows, viz:

Those who voted in the affirmative, were—

W. N. Beckham, James Garnett, Harry 1. Todd.
John A. Bell, Wm. Cassius Goodloe, L. W. Trafton.
Church H. Blakey, E. Polk Johnson, Joseph T. Tucker.
John S. Carpenter, J. J. McAfee, T. W. Varnon.
B. E. Cassilly, T. J. Megibben, J. L. Waring.
C. M. Clay, Jr., J. L. Nall, Mordecai Williams.
J. Guthrie Coke, E. A. Robertson, F. A. Wilson—32.
R. L. Cooper, John P. Rowlett.

Those who voted in the negative, were—

Wm. A. Allen, William G. Conrad, Wm. Mynhier.
A. C. Armstrong, R. D. Cook, Mat. Nunau.
G. W. Bailey, J. E. Cossen, Julian N. Phelps.
S. C. Bell, C. P. Gray, Hiram S. Powell.
Wm. F. Bond, George M. Jesse, Samuel M. Sanders.
W. B. M. Brooks, Thomas M. Johnson, J. S. Taylor.
Thomas P. Cardwell, J. S. Lawson, Jonas D. Wilson.

And so said bill was disagreed to.

Mr. Wright then moved to reconsider the vote by which said bill was disagreed to.

Mr. Cooper, from the Committee on Insurance, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled "An act to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department."

Which bill was read the first time and placed in the orders of the day.

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

On motion of Mr. Goodloe—
A bill for the benefit of A. G. Hunt, of Fayette county.

On motion of same—
A bill to amend an act, entitled "An act to authorize Thomas B. Megowan, jailer of Fayette county, to appoint a deputy jailer."

65-n. a.
On motion of same—
A bill for the benefit of Joseph B. Rodes, of Fayette county.
On motion of same—
A bill to amend an act, entitled "An act fixing the time of holding the terms of the circuit courts in the 10th judicial district.
On motion of Mr. Griffith—
A bill to amend the city charter of the city of Owensboro.
On motion of Mr. Cook—
A bill to authorize the judge of the 15th judicial district to hold special chancery terms of said court in the county of Rockcastle.
On motion of Mr. Wright—
A bill to exempt certain persons from jury service.
On motion of Mr. Carpenter—
A bill to amend the charter of the Louisville House of Refuge.
Ordered, That the Committee on the Judiciary prepare and bring in the same.
Mr. Wright, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported
A bill prescribing sanitary regulations for the Jefferson county jail,
Without an expression of opinion thereon.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Pending consideration of said bill, the House adjourned.
SATURDAY, MARCH 8, 1873.

Mr. Arnold presented the remonstrance of sundry citizens of school district No. 2, in Hickman county, against the repeal of an act for the benefit of 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. Garnett—
1. A bill to authorize the trustees of the town of Columbia to sell and convey a part of Jefferson alley in said town.

On motion of same—
2. A bill for the benefit of J. G. Winfrey.

On motion of Mr. Corbett—
3. A bill for the benefit of James W. Carpenter, of Ballard county.

On motion of Mr. J. R. Sanders—
4. A bill repealing all laws preventing netting and seining in the streams of the counties of Trimble and Carroll.

On motion of same—
5. A bill to repeal an act for the better organization of the public schools in the town of Carrollton, and to establish the common school district of Carrollton, in Carroll county.

On motion of Mr. Powell—

On motion of same—
7. A bill to exempt the citizens of Clay county from paying toll on the Crab Orchard branch of the Wilderness Turnpike Road.

On motion of Mr. Nall—
8. A bill to amend an act, entitled "An act to prevent certain trespasses in Boone and other counties," approved March 9, 1867.

On motion of Mr. J. R. Sanders—

On motion of Mr. Bailey—
10. A bill to limit the jurisdiction of the police judge of Dixon, in Webster county.

On motion of same—
11. A bill to repeal an act prohibiting the sale of liquor in the town of Claysville, in Webster county.
On motion of Mr. W. H. Evans—
12. A bill for the benefit of Wm. Tinsley, late sheriff of Knox county.

On motion of same—
13. A bill for the benefit of James W. Ingram, justice of the peace of Bell county.

On motion of Mr. Sacksteder—
14. A bill to amend the charter of Pewee Valley, in Oldham county.

On motion of Mr. Wright—
15. A bill to regulate the mode of providing and paying claims for fox, wolf, and wild cat scalps.

On motion of same—
16. A bill regulating exemption of wages, &c., from attachment, &c.

On motion of same—
17. A bill for the suppression of lawlessness in this Commonwealth.

On motion of Mr. Graves—
18. A bill to amend the law in reference to sheriffs and their sureties.

On motion of same—
19. A bill to repeal the bill commonly called the wolf, red fox, &c., bill.

On motion of Mr. Ogilvie—

On motion of Mr. Allen—
21. A bill to prevent the sale of vinous or malt liquors in the Garnettsville district, in Meade county.

On motion of Mr. Moorman—

On motion of Mr. Trafton—
23. A bill to incorporate the Henderson Transportation Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 7th, and 8th; the Committee on the Revised Statutes the 2d, 15th, 16th, and 17th; the Committee on the Judiciary the 3d; the Committee on Education the 5th; the Committee on Claims the 6th; the Committee on Corporate Institutions the 9th,
A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the River Transportation Company.

An act to re-enact and amend the charter of the Paducah and Tennessee Railroad Company.

An act to incorporate the General Association of Colored Baptists of Kentucky.

An act for the benefit of school district No. 19, in Kenton county.

An act to amend an act, entitled "An act to incorporate the Second Presbyterian Church of the city of Louisville."

An act for the benefit of A. C. Bowman, late sheriff of Breathitt county, and his sureties.

An act for the benefit of Mary Ann Pecantet's heirs, of Graves county.

An act for the benefit of the Lagrange and Shelbyville Turnpike Road Company.

An act to authorize the Pike county court to issue bonds for courthouse and other purposes.

An act to incorporate the Spring Station Railway Company.

That they had concurred in a resolution, which originated in the House of Representatives, entitled

Resolution directing an inquiry into the condition and management of the Kentucky River Navigation Company.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to amend the revenue laws of this Commonwealth, with amendments thereto.

That they had adopted a joint resolution, entitled

Resolution concerning the Revision of the Statutes.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the Louisville Board of Trade.

2. An act to amend the charter of the Spring Station Railway Company.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means, and the 2d to the Committee on Railroads.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

- By Mr. Mynhier, from a select committee—
  A bill for the benefit of common school district No. 5, in the county of Barren.

- By Mr. Armstrong, from the Committee on Education—
  A bill for the benefit of common school district No. 5, in Ballard county.

- By same—
  A bill to exempt the property of the Danville Theological Seminary from taxation for certain purposes.

- By Mr. Woolfolk, from the Committee on Corporate Institutions—
  A bill to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

- By Mr. Ayers, from the Committee on Religion—
  A bill to incorporate the Board of Trustees of the Kentucky Annual Conference of the Methodist Episcopal Church.

- By Mr. Armstrong, from the Committee on Education—
  A bill to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville.

- By Mr. Bascom, from the Committee on Banks—
  A bill to amend the charter of the Manufacturers' Bank.

- By Mr. Reeves, from the Committee on Railroads—
  A bill to amend the charter of the South Kentucky Railroad Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Mr. Graves offered an amendment to the last named bill, which was rejected.

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

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.

Mr. Ayers, from the Committee on Religion, to whom was referred
a bill from the Senate, entitled
An act for the benefit of the town of Bell Point, in Franklin
county,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.

Under the joint resolution heretofore adopted, directing an inquiry
into the condition and management of the Kentucky River Naviga-
tion Company, the Speaker appointed the following committee on
the part of the House, viz: Messrs. Varnon, Blakely, and Reeves.
Indefinite leave of absence was granted Messrs. Varnon, Flippin,
Rowan, Brooks, Hoskins, Phelps, Griffith, and Arnold.
The House took up for consideration a bill from the Senate, enti-
tled
An act to incorporate the Chattaroi Railway Company.
Mr. Carter moved to reconsider the vote by which said bill was
passed.
And the question being taken thereon, it was decided in the affirm-
ative.
Mr. Carter also moved to reconsider the vote by which said bill, as
amended, was ordered to be read a third time.
And the question being taken thereon, it was decided in the affirm-
ative.
Mr. Carter then offered an additional amendment to said bill,
which was adopted.
Ordered, That said bill, as amended, be read a third time.
The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as
aforesaid.
The House took up from the Clerk's table a bill, entitled
A bill for the organization of the public schools in the town of
Clayville, in Webster county.
Mr. Bailey moved to reconsider the vote by which said bill was passed.

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

Mr. Bailey also moved to reconsider the vote by which said bill was ordered to be engrossed and read a third time.

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

Said bill was placed in the orders of the day.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of school district No. 5, in Ballard county.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change and fix the time of holding the Hart circuit court;

An act to prevent the wanton destruction of fish in Crocus creek, in Cumberland county;

An act to prohibit the destruction of fish by traps, and by seining and netting, in the spawning season, in Barren river and its tributaries, in Allen county;

An act to incorporate the St. Catherine’s Convent of Sisters of Mercy;

An act for the benefit of Nancy Edwards, an idiot, of Lawrence county;

An act to amend an act incorporating the Merchants’ Insurance Company, approved February 28, 1860;

An act to authorize the sale of the Stamping Ground and Lecompt’s Run Turnpike Road;

An act to amend and reduce into one the several acts in relation to the town of Danville;

An act to amend the title of an act, entitled “An act to amend an act, entitled ‘An act to regulate the sale and storage of illuminating oils made from coal, petroleum, and other bituminous substances,’” approved February 24, 1873;

An act to incorporate the trustees of the Baptist Female College of Liberty Association, in the State of Kentucky;
An act to amend the charter of the Pulaski Agricultural and Mechanical Association;
An act to incorporate the Cairo and Tennessee River Railroad Company;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the Columbus and Milburn Gravel and Plank Road Company;
An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Henderson;"
An act to incorporate the Logan County Bank;
An act to incorporate the Russellville Banking and Warehouse Company;
An act to amend the charter of the city of Bowling Green;
An act to authorize the trustees of the Methodist Episcopal Church, South, of Cloverport, to sell certain church property;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
Mr. Wright moved the following resolution, viz:
Resolved, That motions to reconsider shall have precedence of all other matters in the orders of the day.
Ordered, That said resolution be referred to a select committee, consisting of Messrs. Bascom, Garnett, and Reeves, with instructions to report thereon on Monday next, at 12 o'clock, M.
Mr. Ayers moved the following joint resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That when the two Houses adjourn on Monday, the 17th day of March, 1873, they will adjourn sine die.
Which lies one day on the table.
Mr. T. M. Johnson moved the following joint resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That no resolution looking to the adjournment of this General Assembly will be entertained until after the reception and adoption of the report of the Joint Committee on the Revision of the Revised Statutes.
Which lies one day on the table.
Mr. Blakey moved the following resolution, viz:
Resolved, That during the remainder of the present session, when the counties are called, each member may have one local bill reported by any committee he may designate. If the call of the counties is
not completed during the day, the Clerk shall begin on the following call where he left off.

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

Resolved, That this House will hold two night sessions in each week, at 7½ o'clock, P. M., on Tuesday and Friday evenings, when nothing shall be in order except but to consider local bills.

Mr. Wright offered the following amendment to the substitute proposed by Mr. Graves, viz:

The counties shall be called at such night sessions, and each member may call up two local bills on each call.

Mr. J. R. Sanders moved to lay the resolution and proposed amendments on the table.

And the question being taken on the motion of Mr. J. R. Sanders, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Wm. F. Bond, W. L. Reeves,
Wm. A. Allen, J. E. Cosson, J. R. Sanders,
W. R. Bates, William J. McElroy, William Tarlton,

Those who voted in the negative, were—

A. C. Armstrong, E. A. Graves, Lewis Potter,
W. W. Ayers, C. P. Gray, Hiram S. Powell,
Alphens W. Bascom, Wm. A. Hoskins, E. A. Robertson,
S. C. Bell, Thomas M. Johnson, Samuel M. Sanders,
Church H. Blakey, T. J. Jones, James W. Snyder,
Robert M. Carlisle, G. W. Little, J. S. Taylor,
George Carter, Bryan S. McClure, C. W. Trelkeld,
B. E. Cassilly, M. E. McKenzie, Harry L. Todd,
James S. Chrisman, J. C. Moorman, J. M. White,
William G. Conrad, Wm. Mynhier, Mordecai Williams,
R. L. Cooper, J. L. Nall, J. N. Woods,
Thomas H. Corbett, John W. Ogilvie, S. H. Woolfolk,

Mr. Cooper then moved to lay Mr. Wright's proposed amendment on the table.

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

And thereupon the Speaker ruled that the resolution, substitute, and amendment were laid on the table.
Mr. Goodloe offered the following joint resolution, which lies on the table one day, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, that no motion for final adjournment will be entertained until bills have been considered and acted upon providing for the education of all the children of the Commonwealth, the suppression of lawlessness, and for the promotion of immigration.

Mr. Blakey moved the following resolution, viz:

Resolved, That on and after the 12th day of March, when the counties are called, each member may have one local bill reported by any committee he may designate. When the call is not completed on any one day, the Clerk shall commence on the succeeding call with the first county following the last one called.

Mr. Graves offered the following substitute for said resolution, viz:

Resolved, That from and after the 10th inst. this House will hold afternoon sessions, commencing at 3 o'clock, for the consideration of local and private bills alone. Whenever all the local and private bills introduced have been reported and acted upon, said sessions shall cease.

On motion of Mr. Bascom, said resolution and proposed substitute were referred to a select committee, consisting of Messrs. Bascom, Blakey, and Graves.

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

1. Resolved by the General Assembly of the Commonwealth of Kentucky, that when this General Assembly shall adjourn on the 17th day of March, 1873, it shall adjourn to meet again on the 13th day of May, 1873.

2. And be it further resolved, That the Joint Committee of the two Houses on Revision of the Statutes shall remain in session at Frankfort during the interim, and that only said Joint Committee of the two Houses shall be entitled to receive compensation as members of the Legislature during said interim.

3. And be it further resolved, That when this General Assembly shall reassemble as aforesaid on the 17th day of May, 1873, that the work of the Committee on Revision of the Statutes, and that alone, shall be considered.

Mr. Graves moved to suspend the rule requiring said resolution to lie one day on the table, and take the same up.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

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

Those who voted in the affirmative, were—

A. S. Arnold, James Garnett, Lewis Potter,
W. N. Beckham, Wm. Cassius Goodloe, W. L. Reeves,
S. C. Bell, E. A. Graves, Samuel M. Sanders,
Church H. Blakey, C. P. Gray, Wm. Tarlton,
Robert M. Carlisle,          G. W. Little,           J. S. Taylor,
R. L. Cooper,               Bryan S. McClure,       J. N. Woods,
John W. Dyer,               J. L. Nall,            S. H. Woolfolk,

Those who voted in the negative, were—

Mr. Speaker (M’Creary)        William G. Conrad,  Julian N. Phelps,
Wm. A. Allen,                 Thomas H. Corbett,  Hiram S. Powell,
A. C. Armstrong,              J. E. Cosson,        E. A. Robertson,
W. W. Ayers,                  W. H. Evans,        J. P. Sacksteder,
G. W. Bailey,                 Wm. A. Hoskins,     J. R. Sanders,
Alpheus W. Bascom,            Thomas M. Johnson, James W. Snyder,
W. R. Bates,                  T. J. Jones,        C. W. Threlkeld,
William Brown,                J. J. McAfee,       Harry I. Todd,
George Carter,                M. E. McKenzie,     L. W. Trafton,
B. E. Cassilly,               J. C. Moorman,      J. M. White,
James S. Chrisman,            Wm. Mynhier,        Mordecai Williams,

At 12½ o’clock, P. M., Mr. Brown moved that the House do now adjourn.

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

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

Those who voted in the affirmative, were—

A. S. Arnold,                  J. E. Cosson,        William Tarlton,
William Brown,                H. W. Evans,        Hiram S. Powell,

Those who voted in the negative, were—

Mr. Speaker (M’Creary)        W. H. Evans,        W. L. Reeves,
Wm. A. Allen,                 M. Woods Ferguson,  E. A. Robertson,
A. C. Armstrong,              James Garnett,      John P. Rowlett,
W. W. Ayers,                  E. A. Graves,       J. R. Sanders,
G. W. Bailey,                 C. P. Gray,         Samuel M. Sanders,
W. R. Bates,                  Thomas M. Johnson, C. C. Scales,
W. N. Beckham,                G. W. Little,       James W. Snyder,
S. C. Bell,                   J. J. McAfee,       J. S. Taylor,
Church H. Blakey,             Bryan S. McClure,  Harry I. Todd,
Robert M. Carlisle,           William J. McElroy,  L. W. Trafton,
George Carter,                M. E. McKenzie,     J. M. White,
B. E. Cassilly,               J. C. Moorman,      Mordecai Williams,
James S. Chrisman,            Wm. Mynhier,        F. A. Wilson,
William G. Conrad,            L. N. Nall,         J. N. Woods,
R. L. Cooper,                 John W. Ogilvie,    S. H. Woolfolk,
John W. Dyer,                 Lewis Potter,

Mr. Beckham offered the following resolutions, viz:

1. Resolved, That it is the sense of this House that the work of revising the statutes shall be completed during this session of the Legislature.
2. *Resolved,* That to that end a recess should be taken.

3. *Resolved,* That it is the sense of this House that when this General Assembly shall adjourn on the 17th day of March, 1873, it shall adjourn to meet again on the 13th day of May, 1873.

4. *And be it further resolved,* That it is the sense of this House that the Joint Committee of the two Houses on Revision of the Statutes shall remain in session at Frankfort during the interim, and that only said Joint Committee of the two Houses shall be entitled to receive compensation as members of the Legislature during said interim.

5. *And be it further resolved,* That it is the sense of this House that when this General Assembly shall reassemble, as aforesaid, on the 17th day of May, 1873, that the work of the Committee on the Revision of the Statutes, and that alone, shall be considered.

Mr. Robertson offered the following amendment to the 5th resolution, viz:

Add thereto these words: “Except business introduced and remaining unfinished at adjournment on the 17th of March.”

Said resolutions and proposed amendment being taken up, Mr. Reeves called for a division of the question.

And the question being taken on the amendment proposed by Mr. Robertson, it was decided in the negative.

The question was then taken on the adoption of the first resolution offered by Mr. Beckham, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Church H. Blakey, Robert M. Carlisle, James Garnett,

E. A. Graves, Bryan S. McClure, W. L. Reeves,

Samuel M. Sanders, Mordecai Williams—8.

And then the House adjourned.
A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Nelson Bridges, of Kenton county.

An act establishing a justices' district, and providing for the election of justices and a constable, in Fern Leaf voting precinct, in Mason county.

An act to authorize Elisha Wallace, of McCracken county, to build a dam and erect a saw and grist mill on Clark's river, in McCracken county.

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

An act to protect fish in Sulphur Fork of Drake's creek, on the line between Allen and Simpson counties.

An act to change the time of holding the quarterly court in Metcalfe county.

An act to incorporate the Rodgers' Mills and Hinkston Bridge Turnpike Road Company.

An act to protect birds and game in Bullitt county.

An act empowering the Spencer county court to sell the old circuit and county court clerks' offices in said county.

An act to amend an act, entitled "An act to provide for the improvement of the roads of Butler county," approved February 2d, 1872.

An act for the benefit of the Stoner Mouth Presbyterian Church, Bourbon county.

An act to increase the county levy of Boyle county.

An act to incorporate the Twelve-mile and California Turnpike Road Company, in Campbell county.

An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

An act to incorporate the Masonic Temple Company of Owensboro.

An act to define the line between the counties of Clay and Jackson.
An act to re-enact and continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871.

An act to declare Middle creek and Bull creek, in Floyd county, navigable streams.

An act to amend an act, entitled "An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads."

An act for the benefit of Pauline J. Chaney, an idiot, in Graves county.

An act to charter the Elizabethtown and Middle Creek Turnpike Road Company.

An act for the benefit of C. L. Howard, late sheriff of Harlan county.

An act to allow the State agent at the Rio bridge, in Hart county, to make necessary improvements, not to exceed one hundred dollars in value.

An act for the benefit of Samuel Jones, committee of William Jones, an idiot, of Clinton county.

An act to prevent the destruction of fish in Cumberland river and its tributaries above the falls of said river.

An act to repeal the 202d, 203d, 204th, 205th, 206th, and 207th sections of the city charter of Paducah, in McCracken county.

An act for the benefit of J. G. Scott, sheriff of Metcalfe county.

An act to prohibit the sale of spirituous liquors, &c., in Monroe county.

An act to provide for the transcribing in the county court clerk's office the original surveys, plats, and certificates of Morgan county.

An act to authorize the county judge of Metcalfe county to sell and convey the poor-house farm in said county, and reinvest the proceeds.

An act for the benefit of Elliott county.

An act authorizing Linus Greenwell, of the county of Nelson, to erect a fish-dam across the Beech Fork of Salt river, in Nelson county.

An act for the benefit of the county of Pulaski.

An act to amend an act, entitled "An act to prevent and punish certain trespasses in Scott and Woodford counties," approved March 26, 1872.

An act to organize the Morganfield public school.
An act to regulate the jurisdiction of the circuit court and court of common pleas of Union and Henderson counties.
An act to legalize certain proceedings of the Washington county court.
An act to amend the charter of the Springfield and Chaplin Turnpike Road Company.
An act to enlarge the corporate limits of the town of Monticello.
An act authorizing the sale of the poor-house farm in Webster county.
An act to amend an act, entitled "An act to incorporate the Bank of Trenton, in Todd county," approved March 25, 1872.
An act to amend the charter of the Louisville and Nashville Railroad Company.
An act to authorize the Carter county court to levy an ad valorem tax for bridge purposes.
An act to incorporate the town of College Hill, in Madison county.
An act to amend an act, entitled "An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Clayville, and to levy a tax therefor," approved March 21, 1871.
An act to authorize the trustees of the Stanford Male and Female Seminary to sell part of their land and invest the proceeds.
An act for the benefit of E. G. Walls, committee of Sarah Jane Walls, a pauper idiot, of Lincoln county.
An act to amend an act, entitled "An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville," approved March 28, 1872.
An act to amend the charter of the Louisville Baptists' Orphans' Home.
An act to legalize certain acts of the Mercer county court.
An act to change a part of the eastern boundary of the town of Harrodsburg.
An act for the benefit of schools in New Castle, Henry county.
An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company.
An act for the benefit of W. E. Clelland, late sheriff of Mercer county.
An act declaring Wolf river a navigable stream.
A act to incorporate the Greenup Exchange Bank.
An act concerning the public roads in Hardin county.
An act to incorporate the Bank of Madisonville.
An act for the benefit of New Liberty and Owenton Turnpike Road Company.
An act for the benefit of the New Liberty Branch Turnpike Road Company.
An act to incorporate the Auburn Building and Loan Association.
An act to direct the running and re-marking the line between the counties of Franklin and Woodford.

With amendments to the last eleven named bills.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the jailer of Fayette county, Kentucky.
2. An act to amend the charter and laws of the town of Belview, in Campbell county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Revised Statutes, and the 2d, 3d, and 4th to the Committee on Corporate Institutions.

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

On motion of Mr. Ogilvie—

On motion of Mr. J. A. Bell—
2. A bill to amend an act, entitled “An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott county court.”

On motion of Mr. Chrisman—
3. A bill for the benefit of John W. Duncan, sheriff of Wayne county.

On motion of Mr. Bates—
4. A bill to increase the jurisdiction of the county judge and justices of the peace of Barren county.

Ordered, That the Committee on Ways and Means prepare and bring in the 1st and 3d; the Committee on Propositions and Griev-
ances the 2d; and a select committee, consisting of Messrs. Ayers, Mynder, and McElroy, the 4th.

The following petitions were presented, viz:

By Mr. Armstrong—
1. The petition of members of the Brooksville bar, in Bracken county, praying the passage of an act named therein.

By Mr. J. A. Bell—
2. The petition of citizens of Scott county, praying the passage of a law prohibiting the owners of live stock from allowing their stock to run at large on any of the public roads of said county.

By Mr. Garnett—
3. The petition of citizens of Columbia, Adair county, praying the passage of an act to allow the trustees of said town to sell and convey a portion of an alley therein.

By Mr. McClure—
4. The petition of John B. Grever, of Russell county, praying that compensation be made him for damages done him by the State troops in the late war.

Which were received, the reading dispensed with, and referred—the 1st, 2d, and 3d to the Committee on Propositions and Grievances, and the 4th to the Committee on Military Affairs.

Indefinite leave of absence was granted Messrs. Carter, Rowlett, and Clay.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of the Headquarters and Steel's Run Turnpike Road Company.

An act to incorporate the Chattaroi Railway Company.

An act to incorporate the Bank of Lagrange.

Mr. Corbett, from the Committee on Internal Improvement, who were directed to prepare and bring in the same, reported
A bill to amend an act, entitled "An act to incorporate Hodgenville and Elizabethtown Turnpike Road Company," approved March 9, 1868.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispersed with, and the same being engrossed,

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

The House took up an unfinished report of a former day, viz:
A bill prescribing sanitary regulations for the Jefferson county jail.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Jones, from a select committee, to whom was recommitted a bill, entitled
A bill to amend the 24th and 29th sections of the Civil Code of Practice, and of justices courts in this Commonwealth,

Reported the same with an amendment thereto.

Mr. Bascom moved to recommit said bill and proposed amendment to the Joint Committee on the Revision of the Statutes.

And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) J. E. Casson,       Harry I. Todd,
Alpheus W. Bascom, M. Woods Ferguson,      L. W. Trafton,
W. N. Beckham, James Garnett,              Joseph T. Tucker,
John A. Bell, C. P. Gray,                  J. L. Waring,
S. C. Bell, Thomas M. Johnson,             Mordecai Williams,
George Carter, Wm. Mynhier,                F. A. Wilson,
B. E. Cassilly, W. L. Reeves,              J. M. Wright—23.
James S. Chrisman, E. A. Robertson,

Those who voted in the negative, were—

Wm. A. Allen,                   T. J. Jones,       Lewis Potter,
A. C. Armstrong,                G. W. Little,      Hiram S. Powell,
W. W. Ayers,                   Bryan S. McClure,  J. R. Sanders,
G. W. Bailey,                   William J. McElroy, Samuel M. Sanders,
W. R. Bates,                   M. E. McKenzie,    James W. Snyder,
William G. Conrad,             J. C. Moorman,     J. S. Taylor,
R. L. Cooper,                  J. L. Nail,        C. W. Threikeld,
Thomas H. Corbett,             Mat. Nunan,       J. M. White,
W. W. Deaderick,                John W. Ogilvie,  J. N. Woods,
W. H. Evans,

The amendment proposed by the committee was then rejected.

Mr. Corbett offered an amendment (No. 1) to said bill.
Mr. Tucker offered an amendment to the amendment proposed by Mr. Corbett, which was rejected.

Mr. McElroy called for a division of the question on the amendment proposed by Mr. Corbett.

The first branch thereof was rejected.

The second branch thereof was adopted.

Mr. Corbett offered an amendment (No. 2) to said bill.

On motion of Mr. Garnett,

*Ordered*, That said bill and proposed amendments be recommitted to the Committee on the Revised Statutes.

The House, according to order, took up and resumed the consideration of the message of the Governor, returning to this House, in which they originated, with his objections thereto, bills of the following titles, viz:

An act to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.

An act to amend an act, entitled “An act to incorporate the Vanceburg, Quick's Run, and Concord Turnpike Road Company,” approved December 20, 1867.

An act amending an act incorporating the Vanceburg, Salt Lick, Tollsboro, and Maysville Turnpike Road Company.

An act to amend the act incorporating the Cabin Creek Turnpike Road Company.

An act amending an act, entitled “An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company,” approved 18th February, 1869.

*Ordered*, That the further consideration of said message be postponed to, and made special order of the day for, Saturday, the 15th inst., at 11 o'clock, A.M.

Mr. T. M. Johnson, from a select committee, who were directed to prepare and bring in the same, reported

A bill for the benefit of W. P. Bush, of Barren county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The further consideration of said bill was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, took up and resumed the consideration of a bill, entitled
A bill to amend chapter 53 of the Revised Statutes, entitled "Interest and Usury."

Mr. Little offered a substitute, by way of amendment, for said bill.

Mr. Bascom moved to recommit said bill and proposed amendment to the Committee on Revised Statutes.

And the question being taken on the motion of Mr. Bascom, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary)     M. Woods Ferguson,    E. A. Robertson,
A. C. Armstrong,             James B. Fitzpatrick,   J. R. Sanders,
Alpheus W. Bascom,           C. D. Foote,               J. S. Taylor,
John A. Bell,                G. W. Little,             C. W. Thrskeld,
George Carter,               J. J. McAfee,             L. W. Trafton,
B. E. Cassilly,              J. C. Moorman,            Joseph T. Tucker,
William G. Conrad,           John W. Ogilvie,          Morderai Williams,
R. L. Cooper,                Julian N. Phelps,         F. A. Wilson,
Thomas H. Corbett,           Lewis Potter,             J. N. Woods,

Those who voted in the negative, were—

Wm. A. Allen,                W. H. Evans,             J. L. Nall,
W. W. Ayers,                 James Garnett,           Mat. Nunan,
G. W. Bailey,                E. A. Graves,            Hiram S. Powell,
W. R. Bates,                 C. P. Gray,              Samuel M. Sanders,
W. N. Beckham,               Thomas M. Johnson,         James W. Snyder,
S. C. Bell,                  Bryan S. McClure,         Harry I. Todd,
James S. Chrisman,           William J. McElroy,        J. M. White,
Joseph M. Davidson,

Mr. Garnett, from the majority of the select committee, to whom was referred the following resolution, viz:

Resolved, That motions to reconsider shall have precedence of all other matters in the orders of the day,

Reported the same without amendment, and with the expression of opinion that said resolution ought not to be adopted.

The question was then taken on the adoption of said resolution, the opinion of the majority of the committee to the contrary notwithstanding, and it was decided in the negative.

The House took up from the orders of the day the several amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Deposit Bank of Cynthiana.
An act for the benefit of the Key's Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works.
An act to provide for an interpreter for the Louisville chancery court and the Jefferson court of common pleas.
An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the Sinking Fund," approved February 20, 1864.
An act to amend the revenue laws of this Commonwealth,
An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company.
An act for the benefit of the New Liberty and Owenton Turnpike Road Company.
An act to direct the running and re-marking the line between the counties of Franklin and Woodford.
A act to incorporate the Greenup Exchange Bank.
An act for the benefit of W. E. Clelland, late sheriff of Mercer county.
An act for the benefit of the New Liberty Branch Turnpike Road Company.
An act declaring Wolf river a navigable stream.
An act concerning the public roads in Hardin county.
An act to incorporate the Bank of Madisonville.
An act to incorporate the Auburn Building and Loan Association.
Said amendments were severally concurred in.
Mr. Bascom, from the select committee, to whom the resolution offered by Mr. Blakey on Saturday, the substitute therefor by Mr. Graves, and the proposed amendment to the substitute offered by Mr. Wright, were referred, reported the following substitute, by way of amendment, to said resolution and proposed amendments, viz:

Resolved, That from and after this date this House will hold two evening sessions per week, beginning at half-past 7 o'clock, P. M.—the sessions to be held on Tuesday and Thursday evenings. At such sessions the counties shall be called, and the member allowed to call up two local bills, pertaining to his own county only, from the hands of any committee he may designate. If any bill be called up, over which discussion arises, said bill shall be recommitted to the committee reporting it. If the call of the counties is not completed at one session, the Clerk shall, at the next evening session, resume the call where he ceased. This resolution shall be in force until the call of the counties be twice made.

Mr. Wright offered an amendment thereto, which was rejected.
The amendment (substitute) was then adopted.

The resolution, as amended, was then adopted.

The House took up from the orders of the day a joint resolution from the Senate, entitled
Resolution of inquiry in relation to the leasing the locks and dams on the Kentucky river.

On motion of Mr. McAfee, said resolution was referred to the joint committee of inquiry into the condition and management of the Kentucky River Navigation Company.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled
An act to incorporate the Bank of Lagrange;
And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Warren county;
An act for the benefit of R. N. Walker, late sheriff of Crittenden county;
An act to amend the articles of incorporation of the People's Building and Loan Association, of Louisville;
An act for the benefit of Cold Spring school district, in Campbell county;
An act to incorporate the Dayton and Bellview Gas-light Company, in Campbell county;
An act to incorporate the Owensboro Masonic Mutual Relief Association;
An act for the benefit of the heirs of Horace Welford, deceased, of Virginia;
An act to authorize the sale and conveyance of the seminary property situate in the town of Mt. Vernon, in Rockcastle county, and appropriate the proceeds arising therefrom to common school purposes for said county;
An act to provide for redistricting the school districts of the county of Madison;
An act for the benefit of the common schools in Bracken county;
An act for the benefit of O. P. Shackelford, tax collector for Edmonson county, and his securities;
An act to amend the charter of the Logan Female College Company;
An act for the benefit of E. G. Walls, committee of Sarah Jane Walls, a pauper idiot, of Lincoln county;
An act for the benefit of school district No. 5, in Ballard county;
Resolution directing an inquiry into the condition and management of the Kentucky River Navigation Company;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Reeves inform the Senate thereof.
And then the House adjourned.

TUESDAY, MARCH 11, 1873.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act to add Graves county to the common pleas district in the first judicial district, and to provide for chancery terms of said common pleas court in said county.
And that they had passed bills of the following titles, viz:
An act to amend the charter of the city of Maysville.
An act to change the name of the Trayser Piano-forte Company, of Maysville.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred to the Committee on Corporate Institutions.
Leave was given to bring in the following bills, viz:
On motion of Mr. E. Polk Johnson—
1. A bill to incorporate the Louisville and Highland Turnpike Company, in Jefferson county.
On motion of Mr. Threlkeld—
2. A bill to amend the charter of Harrisburg Academy.
On motion of Mr. Garnett—

Ordered, That the Committee on Claims prepare and bring in the 3d, a select committee, consisting of Messrs. Wright, Ferguson, and E. Polk Johnson, the 1st; and a select committee, consisting of Messrs. J. A. Bell, Armstrong, Nall, Allen, and Threlkeld, the 2d.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz.:

By Mr. Wright, from a select committee—
A bill to incorporate the Louisville and Highland Turnpike Company, in Jefferson county.

By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill to repeal an act, entitled “An act for the benefit of Levi Kash, judge of the Wolfe county and quarterly courts,” approved March 6, 1868.

By same—
A bill for the benefit of James G. Ficklin, late sheriff of Bath county.

By same—
A bill to amend the charter of the town of Frenchburg, in Menifee county.

By same—
A bill for the benefit of Gabe Hays, of the county of Breathitt.

By same—
A bill to amend an act, entitled “An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott circuit court.

By same—
A bill for the benefit of R. F. Scott, sheriff of Garrard county.

By same—
A bill to repeal an act, entitled “An act to change the lines between the counties of Letcher and Harlan.”

By same—
A bill to declare War creek, in Breathitt county, a navigable stream.

By same—
A bill authorizing the county court of Butler county to establish a ferry on Green river in said county.
By same—
A bill to permit John Williams to erect a mill-dam across Troublesome creek, in Perry county.
By Mr. Davidson, from the same committee—
A bill to amend the charter of the town of Brooksville, in Bracken county.
By same—
A bill to amend an act, entitled "An act to incorporate the Big Sandy Highway Bridge Company."
By same—
A bill authorizing the steam mills in Carter county to take the one sixth of all the grain ground at said steam mills for toll.
By same—
A bill to regulate the taking up of property found adrift upon certain rivers in this Commonwealth.
By same—
A bill for the benefit of Henry C. Fitzpatrick, collector of the revenue of Floyd county for the year 1870.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—
An act to define the county line between the counties of Magoffin and Breathitt.

By Mr. Davidson, from the Committee on Propositions, and Grievances—
An act to authorize William A. Varney to erect a mill-dam across Pond creek, in Pike county.

Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Indefinite leave of absence was granted Mr. Allen.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Columbus and Milburn Gravel and Plank Road Company.

An act to authorize the trustees of the Methodist Episcopal Church, South, of Claverport, to sell certain church property.

An act to amend an act, entitled "An act to organize and establish a system of public schools in the city of Henderson."

An act to amend the charter of the city of Bowling Green.

An act to incorporate the Logan County Bank.

An act for the benefit of school district No. 5, in Ballard county.

The House took up an unfinished report of yesterday, viz:

A bill for the benefit of W. P. Bush, of Barren county.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

On motion of Mr. Graves, said bill was laid on the table.

Mr. McKenzie, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported

A bill to authorize the county court of Lincoln county to establish a work-house in connection with the poor-house of said county, and specifying the offenses for which persons may be committed thereto,

Without an expression of opinion thereon.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Scales,

Ordered, That said bill be recommitted to the Committee on the Judiciary.

On motion of Mr. Bascom, leave was given to bring in a bill, entitled

A bill to incorporate the Exchange Bank of Sharpsburg.
Ordered, That the Committee on Banks prepare and bring in said bill.

Mr. Scales moved the following resolution, viz:

Resolved, That when this House shall adjourn at 2 o'clock, P. M., this day, the members will form in regular procession and proceed to the Episcopal Church of this city, and attend the nuptial ceremonies of the Hon. W. W. Deaderick, a member of this House.

Which was adopted.

Mr. McKenzie, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported a bill for the benefit of W. W. Smith,

With the expression of opinion that said bill ought not to pass.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Amendments were offered by Messrs. F. A. Wilson and Garnett, which were adopted.

Mr. Davidson offered an amendment to said bill.

Mr. S. M. Sanders then moved to lay said bill and proposed amendments on the table.

The question being taken on the motion of Mr. Sanders, and no quorum voting thereon, said bill and proposed amendments were placed in the orders of the day.

Mr. McElroy, from a select committee, who were directed to prepare and bring in the same, reported

A bill to increase the civil jurisdiction of the quarterly and justices' courts of Barren county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in addition to the present jurisdiction of the quarterly court of Barren county, said court's jurisdiction shall hereafter be concurrent with the circuit court of said county of Barren over all actions for the recovery of money or personal property where the matter in controversy is within the jurisdiction of said circuit court, and not exceeding five hundred dollars in value, exclusive of interest and costs.

§ 2. The several justices of the peace of Barren county shall hereafter, in addition to their present jurisdiction, have concurrent jurisdiction with
the quarterly court in all cases for the recovery of money or personal property within the jurisdiction of the quarterly court, not exceeding in value one hundred dollars, exclusive of interest and costs.

§ 3. All acts in conflict with this act, so far as the same relates to courts of Barren county, are repealed.

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

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Speaker (M'Cearny), J. E. Cosson, James S. Chrisman, E. A. Graves, R. L. Cooper, L. W. Lassing,

Resolved, That the title of said bill be as aforesaid.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported A bill for the benefit of Joseph W. Evans, of Barren county. Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill being engrossed, was read a third time as follows, viz:—

WHEREAS, The Governor of this Commonwealth, on the day of , 1872, issued his proclamation, offering therein the sum of five hundred dollars to any person or persons who would apprehend James Taylor, who had been indicted in the Metcalfe circuit court for the crime of murder, and who was at said time a fugitive from justice, and deliver him to
the jailer of Jefferson county, State of Kentucky; and whereas, on the
day of 1872, Joseph W. Evans, of the county of Barren,
did arrest, in pursuance to said proclamation, the said Taylor, and start
with him to the county of Jefferson; in the State aforesaid, but was pre­
vented from so doing by the said Taylor being taken from his custody
by an order of the Hon. V. H. Jones, an acting judge of the county court
of Barren county, before whom he was commanded, by writ of habeas

corpus, to produce the body of the said Taylor; now, therefore,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken­
tucky, That the Auditor of this State be instructed to draw his warrant
in favor of the said Evans, upon the Treasurer of this State, for the sum
of five hundred dollars.
§ 2. This act shall take effect from the date of its passage.

The question was then taken on the passage of said bill, and not
having received a constitutional majority, said bill was rejected.

The yeas and nays being required thereon in pursuance to a pro­
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Bailey, C. D. Foote, E. A. Robertson,
Alpheus W. Bascom, James Garnett, C. C. Scales,
W. R. Bates, E. A. Graves, C. W. Thrkelkeld,
W. N. Beckham, George M. Jessue, Harry I. Todd,
John A. Bell, E. Polk Johnson, L. W. Trafton,
B. E. Cassilhy, J. S. Lawson, Joseph T. Tunker,
J. Guthrie Coke, M. E. McKeuzie, O. H. Webb,
William G. Conrad, W. A. Morin, Mordecai Williams,
R. L. Cooper, Wm. Mynhier, F. A. Wilson,
Joseph M. Davidson, J. L. Nall, J. N. Woods—32.
James B. Fitzpatrick, Julian N. Phelps,

Those who voted in the negative, were—

A. C. Armstrong, Bryan S. McClure, William Sellers,
S. C. Bell, William J. McElroy, James W. Snyder,
Church H. Blakey, J. C. Moorman, J. S. Taylor,
Robert M. Carlisle, John W. Ogilvie, J. M. White,
C. P. Gray, Lewis Potter, Jonas D. Wilson,
T. J. Jones, Samuel M. Sanders,

Mr. Powell then moved to reconsider the vote by which said bill
was rejected.

Mr. Reeves, from the Committee on Enrollments, reported that the
committee had examined enrolled bills, which originated in the Sen­
ate, of the following titles, viz:
An act to incorporate the Chatteroi Railway Company;
An act to amend an act to incorporate the Cumberland and Ohio
Railroad Company;
An act for the benefit of the Kentucky Institution for the Educa­
tion of the Blind;
An act to authorize the county court of Cumberland county to establish ferries across Cumberland river in said county;

An act for the benefit of the Headquarters and Steel's Run Turnpike Road Company;

An act to change the time of holding the circuit court in the 9th judicial district;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.

A message was received from the Senate, announcing that they had adopted, as amended in the Senate, so much of the report of the joint committee on the report of the Commissioners to revise the statutes, as is comprised under the following heads, viz:

Chapter 1, title "Actions in Certain Cases Allowed."
Chapter 2, title "Advertisements."
Chapter 3, title "Arbitrations and Awards."
Chapter 4, title "Asylum for the Tuition of the Deaf and Dumb."
Chapter 5, title "Attorney General."
Chapter 6, title "Attorneys."
Chapter 7, title "Auditor."
Chapter 8, title "Bastardy."
Chapter 9, title "Boundary."
Chapter 10, title "Cattle, Horses, and Dogs."
Chapter 11, title "Causes of Action which Survive."
Chapter 12, title "Champerty and Maintenance."
Chapter 13, title "Change of Venue."
Chapter 14, title "Charitable Institutions and Religious Societies."
Chapter 15, title "Citizens, Expatriation, and Aliens."
Chapter 16, title "Claims upon the Treasury."
Chapter 17, title "Clerks."
Chapter 18, title "Commissioners of Foreign Deeds."

The hour of half-past 11 o'clock, A. M., having arrived, the House, according to order, took up the said message of the Senate, and proceeded with the consideration of the same.

Chapters 1, 2, 3, 4, and 5 of the said report of the Senate, of the titles aforesaid, were then severally adopted.

To chapter 6, title "Attorneys," Mr. Jesse offered an amendment, which was rejected.
Mr. Garnett moved to amend said chapter by striking therefrom sections 3 and 4 of article 1, and inserting in lieu thereof the following, viz:

"Upon the production of such certificate to any two judges of the Court of Appeals, or any two circuit judges, or a circuit judge and the chancellor of the Louisville chancery court, it shall be their duty to examine the applicant thoroughly touching his qualifications as a lawyer; and if thereupon they believe he is qualified to practice as an attorney at law, they shall grant him a license accordingly, otherwise, they shall refuse such license."

The question was then taken on the amendment proposed by Mr. Garnett, and it was decided in the negative.

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

Those who voted in the affirmative, were—

G. W. Bailey, George M. Jossee, Samuel M. Sanders,
S. C. Bell, Bryan S. McClure, J. S. Taylor,
James B. Fitzpatrick, William J. McElroy, C. H. Webb,
James Garnett, M. E. McKenzie, F. A. Wilson,
E. A. Graves, W. L. Reeves, Jones D. Wilson—17.
C. P. Gray, J. R. Sanders,

Those who voted in the negative, were—

Mr. Speaker (McCreary) M. Woods Ferguson, J. P. Sacksteder,
Alpheus W. Bascom, Wm. Cassius Goodloe, William Sellers,
W. R. Bates, E. Polk Johnson, James W. Snyder,
John A. Bell, J. S. Lawson, C. H. Threlkeld,
Wm. F. Bond, J. C. Moorman, Harry I. Todd,
Robert M. Carlisle, W. A. Morin, L. W. Trafton,
B. E. Cassilly, Wm. Mynder, Joseph T. Tucker,
James S. Chrisman, J. L. Nall, J. M. White,
J. Guthrie Coke, Mat. Nunan, Mordecai Williams,
R. L. Cooper, Julian N. Phelps, J. N. Woods,
J. E. Cosson, Lewis Potter, S. H. Woolfolk,
W. H. Evans, E. A. Robertson,

Mr. Graves moved to amend said chapter by striking out of the same section 15 of article 1, which reads as follows, viz:

§ 15. Attorneys at law shall have a lien upon any choses in action, account, or other claim or demand, put into his or their hands for suit or collection; and when he or they have been employed by either plaintiff or defendant in any action which is prosecuted by him or them to recovery, shall have a lien upon the judgment for money or property, either personal or real, which may be recovered in said action, legal costs excepted, for the amount of any fee which may have been agreed upon by the parties, or, in the absence of such agreement, for a fair and reasonable fee for the services of such attorney.
And the question being taken on the amendment proposed by Mr. Graves, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Chapter 6, title "Attorneys," was then adopted without amendment.

The House then, under the resolution heretofore adopted, took a recess until half-past 7 o'clock, P. M.

At half-past 7 o'clock, P. M., the House again assembled, the Speaker in the Chair.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—

A bill to amend an act, entitled "An act to incorporate the Blandville and Cairo Turnpike Road Company," approved March 6, 1868.

By Mr. Clay, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Agricultural and Mechanical Association of the Colored People of Bourbon county.

By Mr. Garnett, from the Committee on the Judiciary—

A bill for the benefit of James W. Carpenter, of Ballard county.
By Mr. Davidson, from the Committee on Corporate Institutions—
A bill to amend the charter of the town of Catlettsburg.

By Mr. Davidson, from the Committee on Claims—
A bill for the benefit of James W. Wills, sr., of Menifee county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to amend the charter of the town of Germantown, in
Bracken and Mason counties.

By Mr. Morin, from the Committee on Education—
A bill for the benefit of school district No. 44, in Campbell county.

By Mr. Tucker, from the Committee on the Judiciary—
A bill to fix the boundary of the town of Mt. Sterling, in Mont-
gomery county.

By same—
A bill to prohibit the sale of spirituous, vinous, or malt liquors
within one mile of Mt. Zion Church, Clark county.

By Mr. F. A. Wilson, from the Committee on County Courts—
A bill to provide for defining and marking the line between the
counties of Crittenden and Caldwell.

By Mr. Tucker, from the Committee on the Judiciary—
A bill to create a lien in favor of real estate agents in certain
localities.

By same—
A bill authorizing the jailer of Fayette county to appoint an ad-
ditional deputy jailer.

By Mr. Cooper, from the Committee on Education—
A bill for the benefit of common schools of Johnson county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the town of Peak's Mill, in Franklin county.

By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to incorporate the Antioch and Burdett's Mill Turnpike Road
Company, in Garrard county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to amend an act, entitled “An act to incorporate the Trus-
tees of the Lancaster Presbyterian Church.”

By Mr. Ayers, from the Committee on Religion—
A bill for the benefit of Henry H. Moody, of Green county.

By Mr. F. A. Wilson, from the Committee on County Courts—
A bill for the benefit of the magistrates of Hardin county.

By Mr. Woolfolk, from the Committee on Corporate Institutions—
A bill to charter the Dozier Mountain Coal Company.
By Mr. Ayers, from the Committee on Religion—
A bill to amend the charter of the town of Monticello, and to regulate the traffic in spirituous liquors therein.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to incorporate the Owingsville Depot Turnpike Road Company, in Bath county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act empowering the board of trustees of the town of Ashland to purchase lands and establish a public park.

By same—
An act to amend the charter of the Frankfort Lumber, Brick, and Implement Manufacturing Company.

By same—
An act to incorporate the Pomeroy Coal Company.

By same—
An act to authorize the city of Hickman to subscribe and pay for stock in the Mississippi River Levee Company.

By Mr. Davidson, from the Committee on Claims—
An act for the benefit of James Walters, committee of Polly Plewman, an idiot of Estill county.

By same—
An act for the benefit of Andrew Raney, of Estill county.

By Mr. Robertson, from the Committee on Religion—
An act to define the boundary line of the town of Prestonsburg, and submitting to the vote of the citizens thereof the question of regulating the sale of spirituous and vinous liquors therein.
By Mr. F. A. Wilson, from the Committee on County Courts—
An act to authorize the Grant county court to sell the poor-house farm in said county.

By Mr. Garnett, from the Committee on the Judiciary—
An act to amend an act entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 18, 1854.

By Mr. Clay, from the Committee on Railroads—
An act to amend the charter of the Spring Station Railway Company.

By Mr. Bascom, from the Committee on Banks—
An act to incorporate the Tobacco Bank and Warehouse Company, of Covington.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Davidson, from the Committee on Claims, to whom was referred a bill from the Senate, entitled
An act for the benefit of William E. Paull, jailer of Cumberland county.

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of one hundred and ninety-five dollars is hereby appropriated to Wm. E. Paull, jailer of Cumberland county, for the support of two lunatics of said county; and that the Auditor of Public Accounts be directed to issue his warrant upon the Treasury for that sum, to be paid out of any money in the Treasury not otherwise appropriated.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary), John W. Dyer, John W. Ogilvie,
Wm. A. Allen, W. H. Evans, Julian N. Phelps,
A. C. Armstrong, C. D. Foote, Lewis Potter,
G. W. Bailey, James Garnett, Hiram S. Powell,
Alpheus W. Bascom, Wm. Cassius Goodloe, E. A. Robertson,
Resolved, That the title of said bill be as aforesaid.

Mr. Davidson, from the Committee on Claims, who were directed to prepare and bring in the same, reported a bill for the benefit of Wm. Chamberland, of Russell county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill, being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of two hundred and nine dollars be allowed Wm. Chamberland for keeping Davis Chamberland, a lunatic from the county of Russell, from the 13th day of March, 1871, until the 28th day of March, 1872, making 380 days, at the rate of two hundred dollars per annum; and the Auditor is hereby directed to draw his warrant upon the Treasurer for said sum, to be paid out of any money in the Treasury not otherwise appropriated.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) John W. Dyer, John W. Ogilvie,
Wm. A. Allen, W. H. Evans, Julian N. Phelps,
A. C. Armstrong, C. D. Foote, Lewis Potter,
W. W. Ayers, James Garnett, Hiram S. Powell,
G. W. Bailey, Wm. Cassius Goodloe, E. A. Robertson,
Alpheus W. Bascom, E. A. Graves, J. R. Sanders,
W. R. Bates, C. P. Gray, Samuel M. Sanders,
W. N. Beckham, George M. Jessue, C. C. Scales,
Resolved, That the title of said bill be as aforesaid.

Mr. Davidson, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Barney Sisk, jailer of Hopkins county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Said bill, being engrossed, was read a third time 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 Treasurer for the sum of one hundred and thirty-three dollars in favor of Barney Sisk, jailer of Hopkins county, for keeping a pauper lunatic, one Alonzo Gooch, from the 25th day of October, 1871, until the 25th day of June, 1872, eight months, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect and be in force from and after its passage.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Joseph M. Davidson, Mat. Nunan,
Wm. A. Allen, W. H. Evans, John W. Ogilvie,
A. C. Armstrong, C. D. Fotte, Julian N. Phelps,
W. W. Ayers, James Garnett, Lewis Potier,
G. W. Bailey, E. A. Graves, E. A. Robertson,
Alpheus W. Bascom, C. P. Gray, J. R. Sanders,
W. R. Bates, George M. Jessec, Samuel M. Sanders,
W. N. Beckham, E. Polk Johnson, C. C. Scales,
John A. Bell, Thomas M. Johnson, William Sellers,
S. C. Bell, L. W. Lassing, J. S. Taylor,
Resolved. That the title of said bill be as aforesaid.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the county of Kenton.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Tucker offered an amendment to said bill, which was adopted.

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

Mr. Foote moved that said bill be read a third time on this day.

And the question being taken on the motion of Mr. Foote, it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

G. W. Bailey, James Garnett, Jonas D. Wilson,
S. C. Bell, E. A. Graves, J. N. Woods,
Wm. F. Bond, Hiram S. Powell,

Said bill, as amended, being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled “An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors,” approved March 22, 1871, be, and the same is hereby, repealed, so far as it applies to the county of Kenton; also the acts therein referred to.

§ 2. That hereafter it shall be unlawful for any person, the keeper, or servant of said keeper, of any saloon, coffee-house, or other place where spirituous, vinous, or malt liquors, or a mixture thereof, is kept for sale by any licensed vendor thereof, to sell or give to any minor any of the foregoing liquids, or a mixture thereof, without the consent of their parent, or if he or they be dead, without the consent of their guardian. It shall also be unlawful for any minor over the age of eighteen years to purchase or receive any of said liquids, or a mixture thereof; and any person over the age of eighteen years who shall violate any or all of the provisions of this act, shall be guilty of a misdemeanor, and subject to such fines and penalties as are hereinafter set forth.

§ 3. That, for the first offense, any persons violating any of the provisions of this act, upon conviction thereof by any competent tribunal, he or she shall be fined five dollars, together with the costs thereof, including an attorney’s fee of five dollars, to be paid to any legally licensed and authorized attorney who may prosecute the same.

§ 4. That for the second offense by the vendor thereof, or his or their servants, after having been convicted of the first offense with the same minor, he or she shall be fined and imprisoned, in discretion of the court, either one or both, the fine not to exceed fifty dollars, and the imprisonment not to exceed thirty days in the county jail, together with the costs and an attorney’s fee of twenty-five dollars, to be paid to the attorney prosecuting the same.

§ 5. That for the third offense by the vendor thereof, or his or their servants, with the same minor, after having been convicted of the first and second offense, he or she shall be fined not exceeding one hundred dollars, or imprisoned in the county jail not to exceed sixty days, or both, in discretion of the court, together with the costs and an attorney’s fee of fifty dollars to the attorney prosecuting the same; and shall be deprived of his or their license; and any license thereafter issued to him or her shall be void: Provided, That nothing herein shall make void any bond given by said vendor.

§ 6. That for the second offense committed by any minor over eighteen years of age, after having been convicted of the first offense, he or she shall be fined or imprisoned, or both, in discretion of the court, the fine not to exceed fifty dollars, and the imprisonment not to exceed thirty days in the county jail; and for any further offense in the discretion of the court, but not to exceed double the foregoing penalties.

§ 7. That for the violation of section third of this act, any court having the jurisdiction of a justice of the peace shall have jurisdiction to try the same.
§ 8. That the fines imposed by this act, when for offenses committed in any incorporated city or town, shall, when collected, go to the revenue proper; and the officer collecting the same shall pay it over to the proper officer, and take his receipt for the same; and the officer so receiving the same shall account to the proper authorities thereof.

§ 9. That the vendors shall be liable under this act for any violation thereof by any person in his employ, or acting for him or her, by his or her knowledge and consent; and the person so employed or acting shall also be liable to the same fines and penalties, and may be prosecuted in the same manner and modes.

§ 10. Provided, That the provisions of this act shall only apply to the county of Kenton.

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

Mr. Ogilvie then moved the previous question.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) J. E. Cosson, Wm. Mynibier,
Wm. A. Allen, Joseph M. Davidson, J. L. Nall,
A. C. Armstrong, John W. Dyer, Mat. Numan,
W. W. Ayers, W. H. Evans, John W. Ogilvie,
Alpheus W. Bascom, C. D. Poote, W. L. Reeves,
W. N. Beckham, Wm. Cassius Goodloe, E. A. Robertson,
John A. Bell, C. P. Gray, J. R. Sanders,
Church H. Blakey, Thomas M. Johnson, C. C. Scales,
Wm. F. Bond, L. W. Lassing, J. S. Taylor,
Robert M. Carlisle, J. S. Lawson, C. W. Threlkeld,
John S. Carpenter, G. W. Little, Harry I. Todd,
James S. Chrisman, J. J. McAfee, Joseph T. Tucker,
J. Guthrie Coke, Bryan S. McClure, Mordecai Williams,

Those who voted in the negative, were—

S. C. Bell, William J. McElroy, Jonas D. Wilson,
James Garnett, Samuel M. Sanders, J. N. Woods,
George M. Jesseee,

The main question was then put, "Shall the bill pass?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, Thomas M. Johnson, C. C. Scales,
W. W. Ayers, L. W. Lassing, J. S. Taylor,
W. N. Beckham, J. J. McAfee, C. W. Threlkeld,
70—R. R.
Those who voted in the negative, were—

Mr. Speaker (McCreary) James Garnett, J. L. Nall,
A. C. Armstrong, Wm. Cassius Goodloe, Mat. Nunan,
Alpheus W. Bascom, E. A. Graves, Hiram S. Powell,
S. C. Bell, C. P. Gray, W. L. Reeves,
Church H. Blakey, J. S. Lawson, Samuel M. Sanders,
Wm. F. Bond, G. W. Little, William Sellers,
Robert M. Carlisle, Bryan S. McClure, Harry I. Todd,
James S. Christman, William J. McElroy, F. A. Wilson,
R. L. Cooper, M. E. McKenzie, Jonas D. Wilson,
Joseph M. Davidson, J. C. Moorman, J. N. Woods,
John W. Dyer, Wm. Mynhier, S. H. Woolfolk—34.

And so said bill was rejected.

Mr. Davidson then moved to reconsider the vote by which said bill was rejected.

And then the House adjourned.

WEDNESDAY, MARCH 12, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to change and fix the time of holding the Hart circuit court.

An act to amend the title of an act, entitled "An act to amend an act, entitled 'An act to regulate the sale and storage of illuminating oils made from coal, petroleum, and other bituminous substances,'" approved February 24, 1873.

An act to amend and reduce into one the several acts in relation to the town of Danville.
An act to incorporate the trustees of the Baptist Female College of Liberty Association, in the State of Kentucky.

An act to incorporate the Cairo and Tennessee River Railroad Company.

An act to incorporate the St. Catherine's Convent of Sisters of Mercy.

An act to prohibit the destruction of fish by traps, and by seining and netting, in the spawning season, in Barren river and its tributaries, in Allen county.

An act to amend the charter of the Pulaski Agricultural and Mechanical Association.

An act to prevent the wanton destruction of fish in Crocus creek, in Cumberland county.

An act for the benefit of Nancy Edwards, an idiot, of Lawrence county.

An act to amend an act incorporating the Merchants' Insurance Company, approved February 28, 1860.

An act to authorize the sale of the Stamping Ground and Lecompt's Run Turnpike Road.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of the heirs of 'Squire Jones, deceased, of Henry county.

That they had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Mechanics' Loan and Building Association, of Lexington,

With amendments thereto.

And that they had passed bills of the following titles, viz:

1. An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company.

2. An act authorizing the Marshall county court to issue bonds and levy a tax to build or repair bridges in said county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be referred to the Committee on Internal Improvement.
On motion of Mr. Powell,

Ordered, That a committee, consisting of Messrs. Powell, E. Polk Johnson, and Conrad, be appointed to wait on the Senate, and request to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled An act to define the county line between the counties of Magoffin and Breathitt.

Indefinite leave of absence was granted Messrs. Waring, Deaderick, and Tarlton.

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

On motion of Mr. Cosson—
1. A bill to establish and maintain a public school in district No. 1, in Pulaski county.

On motion of Mr. J. A. Bell—
2. A bill to authorize the county court of Scott county to prohibit live stock from running at large on public roads of said county.

On motion of Mr. Potter—
3. A bill to provide for the representation of Warren county in corporations wherein said county may hold stock.

On motion of Mr. Little—
4. A bill to amend an act, entitled "An act to incorporate the town of Williamsburg."

On motion of same—
5. A bill to authorize the county court of Whitley county to increase taxation for county purposes.

On motion of Mr. Pond—
6. A bill to incorporate the Fox Creek and Washington County Turnpike Road Company.

On motion of Mr. Corbett—
7. A bill to incorporate a steam ferry company at the head of Island No. 1, on the Mississippi river, in Ballard county.

On motion of same—
8. A bill to incorporate the Union Agricultural Association near Fort Jefferson, in Ballard county.

On motion of same—

On motion of Mr. Morin—
10. A bill to amend an act, entitled "An act to incorporate the
Clay Fire and Marine Insurance Company, of Newport,” approved March 10, 1856.

On motion of same—

11. A bill to further amend the charter of the Newport and Cincinnati Bridge Company.

On motion of Mr. Davidson—

12. A bill for the benefit of Benjamin F. Stumbough and others, of Johnson county.

On motion of Mr. Garnett—

13. A bill to amend an act, entitled “An act to add part of Adair to Casey county,” approved December 19, 1827, and an amendment thereto approved January 29, 1844.

On motion of Mr. Sellers—

14. A bill to better mark and define the county lines between Garrard and Lincoln counties.

On motion of same—

15. A bill to incorporate the United Colored Baptist Church of Lancaster.

On motion of same—

16. A bill to amend an act, entitled “An act to amend the charter of the town of Lancaster.”

On motion of Mr. Nall—

17. A bill to amend the charter of Elizabethtown.

On motion of Mr. E. Polk Johnson—

18. A bill to incorporate Daniel Boone Lodge, No. 2, Knights of Pythias, of Louisville.

On motion of Mr. Scales—

19. A bill to incorporate the North Kentucky Bridge Connecting Railway and Construction Company.

On motion of Mr. Fitzpatrick—

20. A bill for the benefit of school district No. 37, in Letcher county.

On motion of same—

21. A bill for the benefit of common schools in Letcher county.

On motion of Mr. Thomas—

22. A bill to incorporate the Tollscoro Cemetery Company.

On motion of same—


On motion of Mr. Foote—

On motion of Mr. Webb—
On motion of Mr. Blakey—
26. A bill to increase the jurisdiction of justices of the peace and
quarterly court of Logan county.
On motion of Mr. Carlisle—
27. A bill to amend the charter of the city of Ludlow.
On motion of Mr. Clay—
On motion of Mr. Graves—
29. A bill to further amend the revenue laws of this Commonwealth.
On motion of same—
30. A bill to amend the charter of the Lebanon Female College.
On motion of Mr. Ogilvie—
31. A bill for the benefit of J. C. Calhoon, late sheriff of Mc-
Cracken county.
On motion of Mr. Speaker McCrory—
32. A bill to enable the county court of Laurel county to levy an
ad valorem tax for the purpose of building a new jail and for other
purposes.
On motion of Mr. Foote—
33. A bill to prohibit the selling of spirituous, vinous, and malt
liquors to minors in the city of Covington.
On motion of Mr. Chrisman—
34. A bill to charter a turnpike road from Monticello to the Pulaski
line.
On motion of Mr. Griffith—
35. A bill to amend the charter of the Owensboro and Russellville
Railroad Company.

Ordered, That the Committee on Education prepare and bring in
the 1st, 20th, 21st, and 28th; the Committee on Propositions and
Grievances the 2d, 12th, 13th, 14th, 17th, and 30th; the Committee
on Religion the 4th and 33d; the Committee on County Courts the
5th and 32d; the Committee on Internal Improvement the 6th, 16th,
22d, 23d, and 34th; the Committee on Corporate Institutions the 7th,
8th, 9th, and 15th; the Committee on Insurance the 10th; the Com-
mittee on the Judiciary the 11th, 26th, and 27th; the Committee on
Railroads the 19th, 24th, and 35th; the Committee on Claims the 25th;
the Committee on Ways and Means the 29th; a select committee,
consisting of Messrs. Corbett, Graves, Bates, McElroy, Brooks, and Ogilvie, the 3d; a select committee, consisting of Messrs. Wright, Coke, and E. Polk Johnson, the 18th; and a select committee, consisting of Messrs. Corbett, Davidson, and Ogilvie, the 31st.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz: :

- An act to incorporate the Russellville Banking and Warehouse Company.
- An act for the benefit of R. N. Walker, late sheriff of Crittenden county.
- An act to amend the charter of the Logan Female College Company.
- An act to provide for redistricting the school districts of the county of Madison.
- An act for the benefit of O. P. Shackelford, tax collector for Edmonson county, and his securities.
- An act to authorize the sale and conveyance of the seminary property situate in the town of Mt. Vernon, in Rockcastle county.
- An act to incorporate the Dayton and Bellview Gas-light Company, in Campbell county.
- An act for the benefit of the common schools in Bracken county.
- An act for the benefit of the heirs of Horace Welford, deceased, of Virginia.
- An act to incorporate the Owensboro Masonic Mutual Relief Association.
- An act for the benefit of Warren county.
- An act for the benefit of E. G. Walls, committee of Sarah Jane Walls, a pauper idiot, of Lincoln county.

On motion of Mr. Gray,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Henry H. Moody, of Green county.

The message having been communicated to the Senate, the said bill was delivered to the messenger, returned to this House, and laid upon the Clerk's table.

And thereupon Mr. Gray moved to reconsider the vote by which said bill was passed.
The House took up and resumed the consideration of the resolutions heretofore offered by Mr. Beckham, in relation to a recess and a reassemblage of this General Assembly.

The second resolution offered by Mr. Beckham reads as follows, viz:

Resolved, That to that end a recess should be taken.

The question was taken on the adoption thereof, and it was decided in the negative.

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

Those who voted in the affirmative, were—

W. N. Beckham, J. Guthric Coke, W. A. Morin,
John A. Bell, John W. Dyer, Wm. Mynhier,
Church H. Blakey, C. D. Foote, W. L Reeves,
Wm. F. Bond, Wm. Cassius Goodloe, Samuel M. Sanders,
John S. Carpenter, George M. Jessch, Joseph T. Tucker,

Those who voted in the negative, were—

Mr. Speaker (McCreary), James Garnett, Hiram S. Powell,
Wm. A. Allen, E. A. Graves, J. R. Sanders,
A. C. Armstrong, C. P. Gray, C. C. Scales,
W. W. Ayers, E. Polk Johnson, William Sellers,
G. W. Bailey, Thomas M. Johnson, J. S. Taylor,
Alpheus W. Bascom, T. J. Jones, George M. Thomas,
W. R. Bates, J. S. Lawson, C. W. Threlkeld,
S. C. Bell, G. W. Little, Harry J. Todd,
Robert M. Carlisle, William J. McElroy, T. W. Varnon,
William G. Conrad, M. E. McKenzie, J. M. White,
R. L. Cooper, J. C. Moorman, Mordecai Williams,
Thomas H. Corbett, J. L. Nall, F. A. Wilson,
J. E. Cosson, Mat. Nunan, Jonas D. Wilson,
Joseph M. Davidson, John W. Ogilvie, S. H. Woolfolk—47,
W. H. Evans, Julian N. Phelps.

The resolutions numbered 3, 4, and 5 were then rejected.

A message was received from the Senate, asking leave to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled An act to incorporate Phantom Lodge, No. 15, of the Knights of Pythias.

Which was granted.

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:
By Mr. Tucker, from the Committee on Revised Statutes—
An act for the benefit of the jailer of Fayette county, Kentucky.
By Mr. Trafton, from the Committee on County Courts—
An act to change the time of holding the county court of Jessamine county.
Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Tarlton presented the petition of sundry citizens of Pewee Valley, in Oldham county, praying the repeal of the charter of said town.
Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.
Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:
By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to incorporate Brothers' Lodge, No. 132, Independent Order of Odd Fellows, of Owensboro.
By same—
A bill to authorize the trustees of the town of Columbia to sell and convey part of Jefferson alley in said town.
By same—
A bill to incorporate the Prestonsburg Academy and Normal School Joint Stock Company.
By same—
A bill to amend the charter of the town of Elizabethtown.
By same—
A bill for the benefit of Mrs. Margaret Decker.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed.
71-H. H.
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Davidson, from the Committee on Propositions and Grievances, who were directed to prepare and bring in the same, reported
A bill to amend an act, entitled “An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson,” approved March 28th, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Blakey offered a substitute by way of amendment thereto.

The further consideration of said bill and proposed amendment (substitute) was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, resumed the consideration of so much of the report of the Joint Committee on the Revision of the Statutes as was reported to this House by the Senate as adopted by the Senate.

Chapter 7, articles 1 and 2, title “Auditor,” being under consideration,

Mr. Thomas offered an amendment thereto, which was rejected.

The further consideration of said report was cut off by the arrival of the hour for taking up the orders of the day.

The House then took up from the orders of the day the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Mechanics’ Loan and Building Association, of Lexington.

An act for the benefit of schools in New Castle, Henry county.

Said amendments were concurred in, and the title of the last named bill changed so as to read:

An act in relation to the settlements of the accounts of the trustees or the managers of the Henry Female College, and Henry Male Academy, and the lottery connected therewith.

The House took up from the orders of the day, and proceeded to consider further, a bill, with the amendments proposed thereto by the committee, entitled

A bill to increase the revenue.
Mr. McAfee moved to recommit said bill to the Committee on the Judiciary.

Mr. Goodloe moved to lay said bill and proposed amendments on the table.

And the question being taken on the motion of Mr. Goodloe, it was decided in the negative.

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

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

- A. C. Armstrong, C. D. Foote, C. C. Scales,
- Alpheus W. Bascom, Wm. Cassius Goodloe, William Sellers,
- W. N. Beckham, Clinton Griffith, James W. Snyder,
- John A. Bell, E. Polk Johnson, George M. Thomas,
- Robert M. Carlisle, J. J. McAfee, Harry I. Todd,
- John S. Carpenter, Lewis Potter, Joseph T. Tucker,
- J. Guthrie Coke, Hiram S. Powell, T. W. Varnon,
- William G. Conrad, J. P. Sacksteder, Mordecai Williams,
- J. E. Cosson, J. R. Sanders, S. H. Woolfolk,

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

- Mr. Speaker (M'Cready) C. P. Gray, Mat. Nunan,
- Wm. A. Allen, George M. Jessce, John W. Ogilvie,
- W. W. Ayers, Thomas M. Johnson, Julian N. Phelps,
- W. R. Bates, T. J. Jones, W. L. Reeves,
- S. C. Bell, J. S. Lawson, E. A. Robertson,
- Church H. Blakey, G. W. Little, J. S. Taylor,
- Wm. F. Bond, Bryan S. McClure, C. W. Threlkeld,
- James S. Christmas, William J. McElroy, C. H. Webb,
- C. M. Clay, jr., M. E. McKenzie, J. M. White,
- R. L. Cooper, J. C. Moorman, F. A. Wilson,
- James Garnett, W. A. Morin, Jonas D. Wilson,

The question was then taken on the motion of Mr. McAfee to recommit said bill to the Committee on the Judiciary, and it was decided in the negative.

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

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

- Mr. Speaker (M'Cready) W. H. Evans, C. C. Scales,
- Wm. A. Allen, C. D. Foote, William Sellers,
- Alpheus W. Bascom, Wm. Cassius Goodloe, James W. Snyder,
- John A. Bell, Clinton Griffith, Harry I. Todd,
- Robert M. Carlisle, E. Polk Johnson, Joseph T. Tucker,
- William G. Conrad, J. J. McAfee, T. W. Varnon,
The several amendments proposed by the committee were then adopted.

Mr. Wright offered an additional amendment.

Mr. Tucker then moved to recommit said bill and amendments to a select committee, consisting of Messrs. Garnett, Wright, Graves, Reeves, Coke, Varnon, and Beckham.

And the question being taken on the motion of Mr. Tucker, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and S. C. Bell, 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, asking to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to add Graves county to the common pleas district in the first judicial district, and to provide for chancery terms of said common pleas court in said county,

Which was granted, and said bill returned to the Senate.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to protect fish in Sulphur Fork of Drake's creek, on the line between Allen and Simpson counties;

An act to change the time of holding the quarterly court in Menifee county;

An act to protect birds and game in Bullitt county;

An act empowering the Spencer county court to sell the old circuit and county court clerks' offices in said county;

An act to amend an act, entitled "An act to provide for the improvement of the roads of Butler county," approved February 2d, 1872;

An act for the benefit of the Stoner Mouth Presbyterian Church, Bourbon county;

An act to increase the county levy of Boyle county;

An act for the benefit of the Middleburg and Liberty Turnpike Road Company;

An act to define the line between the counties of Clay and Jackson;

An act to re-enact and continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871;

An act to declare Middle creek and Bull creek, in Floyd county, navigable streams;

An act to amend an act, entitled "An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads;"
An act for the benefit of Pauline J. Chaney, an idiot, in Graves county;
An act for the benefit of C. L. Howard, late sheriff of Harlan county;
An act to allow the State agent at the Rio bridge, in Hart county, to make necessary improvements, not to exceed one hundred dollars in value;
An act for the benefit of Samuel Jones, committee of William Jones, an idiot, of Clinton county;
An act to prevent the destruction of fish in Cumberland river and its tributaries above the falls of said river;
An act to repeal the 202d, 203d, 204th, 205th, 206th, and 207th sections of the city charter of Paducah, in McCracken county;
An act for the benefit of J. G. Scott, sheriff of Metcalfe county;
An act to authorize the county judge of Metcalfe county to sell and convey the poor-house farm in said county, and reinvest the proceeds;
An act for the benefit of Elliott county;
An act authorizing Linus Greenwell, of the county of Nelson, to erect a fish-dam across the Beech Fork of Salt river, in Nelson county;
An act for the benefit of the county of Pulaski;
And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.

Mr. Wright moved the following joint resolutions, viz:

1. Resolved by the General Assembly of the Commonwealth of Kentucky, That the Public Printer be, and be hereby, instructed not to print and publish, as a part of the Session Acts of the present session of the General Assembly, any part of the "Revision of the Statutes" acted upon and adopted by this body, and approved by the Governor.

2. The Public Printer is hereby instructed to print and publish, in a volume or volumes, separate from the Session Acts, and properly indexed, three thousand copies of the Revision of the Statutes that have been or shall be adopted by this body, and approved by the Governor.

3. Said copies of the Revision of the Statutes shall be distributed as the Session Acts are now by law directed to be distributed, and any surplus copies remaining on hand after such distribution shall be placed in the State Library.

4. The Public Printer shall, in preparing said separate volumes of the "Revision of the Statutes," print each chapter of said revision as soon as it is approved by the Governor, and shall furnish two hundred copies of the same for the use of this body.

Which lie one day on the table.
Mr. Todd moved the following preamble and joint resolution, viz:

WHEREAS, General Carey H. Fry, who was Major of the Second Kentucky Infantry in the Mexican war, and the immortal poet and soldier in the same war, Col. Theodore O'Hara, are dead, and their remains lie in distant States; and, as their old mother, "Kentucky, claims the ashes of her brave," it is due to these sons, who have added so much lustre to her name, that their ashes should be brought to that mother's bosom, and laid beside their companions, McKee, Marshall, Clay, Willis, Vaughan, and the host of heroes whose monument already marks the spot where they should rest; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, that the Governor be directed to have the remains of General Carey H. Fry and Col. Theodore O'Hara brought to and deposited in the State military lot at Frankfort, and their graves marked with appropriate stones.

Which lies one day on the table.

Mr. Varnon moved the following resolution, viz:

Resolved, That the Committee on Banks be, and they are hereby, instructed to investigate and report, at the earliest practicable day, the value of the stock of the Bank of Louisville, in which the State of Kentucky holds $40,000.

Which was adopted.

Mr. Varnon moved the following resolution, viz:

Resolved, That the Quarter-Master General of this Commonwealth report to the House the names of all who have filed military claims with him for payment, which would have been allowed but for the act of March, 1869; and in making his report he will report only such claims as, in his judgment, will be paid by the General Government; and he will further report whether or not it would be proper to repeal in part said act of 1869.

Which was adopted.

Mr. E. Polk Johnson moved the following resolution, viz:

Resolved, That after the 20th day of March, 1873, no leaves shall be granted for the introduction of any bills not general in their nature, nor shall any of the standing committees originate any bills not of that character.

Upon motion of Mr. Bascom, said resolution was laid on the table.

Mr. E. Polk Johnson moved the following resolution, viz:

Resolved, That no leave of absence shall hereafter be granted to any member of this House, unless upon his own statement to the House that business of importance, or the illness of himself or some member of his family, necessitates such absence.

Which was rejected.

Mr. Wright moved the following resolution, viz:

Resolved, That after this call of the counties no new business shall be introduced.

Mr. Scales moved to amend said resolution by striking out the word "business," and inserting in lieu thereof the word "resolutions."
Mr. Ogilvie moved to lay said resolution and proposed amendment on the table.

And the question being taken on the motion of Mr. Ogilvie, it was decided in the affirmative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And then the House adjourned.
A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

- An act to change the time of holding the circuit court in the 9th judicial district.
- An act to authorize the county court of Cumberland county to establish ferries across Cumberland river in said county.
- An act for the benefit of the Kentucky Institution for the Education of the Blind.
- An act for the benefit of the Headquarters and Steel's Run Turnpike Road Company.
- An act to amend an act to incorporate the Cumberland and Ohio Railroad Company.
- An act to incorporate the Chattaroi Railway Company.

They had passed bills, which originated in the House of Representatives, of the following titles, viz:

- An act authorizing R. B. Lovell, late sheriff of Lewis county, to list uncollected fee bills and tax receipts with constables in Lewis county for collection.
- An act to regulate the taking up of property found adrift upon certain rivers in this Commonwealth.
- An act to amend the charter of the town of Catlettsburg.
- An act to amend the charter of the town of Monticello, and to regulate the traffic in spirituous liquors therein.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of the town of Eminence.
2. An act to repeal all acts incorporating the town of Elkton, in Todd county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st to the Committee on County Courts, and the 2d to the Committee on the Judiciary.

The following petitions were presented, viz:

By Mr. Thomas—
1. The petition of certain citizens of Ohio county, praying the passage of an act to prevent the sale of lottery tickets in this Commonwealth.

By Mr. Morin—
2. The petition of citizens of Anderson City, praying the passage of an act to incorporate their town.

Which were received, the 1st read, and referred to the select committee to whom was recommitted "A bill to increase the revenue," and the reading of the 2d dispensed with, and referred to the Committee on Corporate Institutions.

On motion, leave of absence, indefinitely, was granted Messrs. Phelps and S. C. Bell.

The House took up and proceeded to consider the joint resolutions offered by Mr. Wright on yesterday, entitled

Resolutions in relation to the printing of the revision of the statutes.

On motion of Mr. F. A. Wilson,

Ordered, That said resolutions be referred to a select committee, consisting of Messrs. F. A. Wilson, Wright, J. A. Bell, Graves, Blakey, Reeves, and E. Polk Johnson.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the town of Bell Point, in Franklin county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

A act to incorporate the Greenup Exchange Bank;
An act to prohibit the sale of spirituous liquors, &c., in Monroe county;
An act to provide for the transcribing in the county court clerk's office the original surveys, plats, and certificates of Morgan county;
An act to amend an act, entitled "An act to prevent and punish certain trespasses in Scott and Woodford counties," approved March 26, 1872;
An act to legalize certain proceedings of the Washington county court;

An act to amend the charter of the Springfield and Chaplin Turnpike Road Company;

An act to enlarge the corporate limits of the town of Monticello;

An act to authorize the Carter county court to levy an ad valorem tax for bridge purposes;

An act to authorize the trustees of the Stanford Male and Female Seminary to sell part of their land and invest the proceeds;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.

On motion of Mr. E. Polk Johnson, leave was given to bring in a bill, entitled

A bill to amend the charter of the Louisville and Shelbyville Turnpike Road.

Ordered, That the Committee on Internal Improvement prepare and bring in the same.

Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McKenzie, from the Committee on Propositions and Grievances—

A bill to incorporate the Oak Ridge Turnpike Road Company, in Mercer county.

By same—

A bill to amend an act, entitled "An act for the benefit of the citizens of Garrard county."

By same—

A bill to define the boundary line between the counties of Rockcastle and Jackson.

By same—

A bill to authorize the county courts of Scott and Franklin counties to compel persons to keep stock off of public roads.

By Mr. Woolfolk, from the same committee—

A bill to amend the charter of the Lebanon Female College.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

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

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled An act for the benefit of A. H. Kininmouth, of Butler county, Reported the same without amendment.

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 sum of two hundred and seventy-three dollars be, and the same is hereby, appropriated to A. H. Kininmouth, for taking care of William B. Kininmouth, a pauper lunatic, in Butler county, for two years and ninety-two days, at the rate of two hundred dollars per annum; and that the Auditor of Public Accounts be ordered to issue his warrant for said sum in favor of said A. H. Kininmouth, to be paid out of any money in the Treasury not otherwise appropriated.

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

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Resolved. That the title of said bill be as aforesaid.

The House took up an unfinished report of yesterday, and the amendment proposed thereto by Mr. Blakey, viz:

A bill to amend an act, entitled "An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson," approved March 28, 1872.

On motion of Mr. Chrisman,

Ordered, That said bill and proposed amendment be recommitted to the Committee on the Judiciary.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported:

A bill for the benefit of John Haly.

Which was read the first time as follows, viz:

WHEREAS, John Haly claims that the State of Kentucky is indebted to him $8,534 66, balance for work and material done and furnished on Fireproof Public Offices; and it also appears that the Commissioners appointed to superintend condition of that improvement, under whose auspices said Haly done the work, are divided and disagree among themselves as to the true and just standing of the said account between Haly and the State; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor shall appoint three capable and discreet men, who shall, after being duly sworn to faithfully discharge the duties assigned them under this act, carefully examine all the accounts between the parties, and hear their evidence, and whether, in fact, there is any sum due said Haly in justice and equity, and if anything, how much, and make report thereof to the Governor in writing.

§ 2. If said report shall show any sum due said Haly, the Governor is hereby authorized to direct the Auditor to draw his warrant on the Treasurer in favor of said Haly, and the Treasurer is directed to pay the same.

§ 3. Said Commissioners are hereby clothed with power and authority to administer oaths to witnesses of both parties introduced before them on said investigation; and false swearing or perjury by any one before them, [shall] be punished as provided now by law against such crimes; and said Commissioners are authorized to issue subpoenas for witnesses; and their summons for such witnesses shall be executed by any sheriff, constable, or town or city marshal, and the witnesses subject to same penalties for disobedience as in other cases.

§ 4. The Commissioners shall make full report in writing of the entire case and all the evidence brought before them; said report shall be filed and preserved by the Governor in his office.

§ 5. The Commissioners shall each be paid five dollars per day for the time they are occupied, and their expenses, as well as also the witnesses and other officers for their services the fees allowed by law in such cases, all which shall be reported to the Governor by said Commissioners, and
he shall direct the payment thereof by the Auditor and Treasurer. It
shall also be the duty of the Governor to have the State represented
throughout said investigation by counsel for the State.
§ 6. This act shall take effect from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second
reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with, and the same being en-
grossed,

The question was then taken on the passage of said bill, and it
was decided in the negative.

The yeas and nays being required thereon in pursuance to a pro-
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
Alpheus W. Bascom, M. Woods Ferguson, W. A. Morin,
W. N. Beckham, James B. Fitzpatrick, Hiram S. Powell,
John A. Bell, C. D. Foote, C. C. Scales,
Wm. F. Bond, James Garnett, Harry I. Todd,
Robert M. Carlisle, Wm. Cassius Goodloe, Joseph T. Tucker,
John S. Carpenter, C. P. Gray, T. W. Varnon,
E. E. Cassilly, Clinton Griffith, C. H. Webb,
C. M. Clay, Jr., E. Polk Johnson, Mordecai Williams,
R. L. Cooper, Thomas M. Johnson, F. A. Wilson,

Those who voted in the negative, were—
Mr. Speaker (Mr. Creary) E. A. Graves, W. L. Reeves,
Wm. A. Allen, T. J. Jones, E. A. Robertson,
A. C. Armstrong, J. S. Lawson, J. R. Sanders,
W. W. Ayers, G. W. Little, Samuel M. Sanders,
G. W. Bailey, Bryan S. McClure, William Sellers,
W. R. Bates, William J. McElroy, James W. Snyder,
S. C. Bell, M. E. McKenzie, J. S. Taylor,
Church H. Blakey, J. C. Moorman, George M. Thomas,
William Brown, J. L. Nall, C. W. Thralkield,
William G. Conrad, Mat. Nunam, J. M. White,
J. E. Cosson, John W. Ogilvie, Jonas D. Wilson,
W. H. Evans, Lewis Potter, S. H. Woolfolk—37.

And so said bill was rejected.

A message was received from the Governor by Mr. Botts, Assist-
ant Secretary of State, announcing that the Governor had approved
and signed enrolled bills, which originated in the House of Repre-
sentatives, of the following titles, viz:


An act to protect fish in Sulphur Fork of Drake's creek, on the line between Allen and Simpson counties.

An act to change the time of holding the quarterly court in Menifee county.

An act empowering the Spencer county court to sell the old circuit and county court clerks' offices in said county.

An act to protect birds and game in Bullitt county.

An act to amend an act, entitled "An act to provide for the improvement of the roads of Butler county," approved February 2d, 1872.

An act for the benefit of the Stoner Mouth Presbyterian Church, Bourbon county.

An act to re-enact and continue in force an act, entitled "An act for the benefit of A. W. Nickell, late sheriff of Johnson county, and his securities," approved February 3, 1871.

An act to define the line between the counties of Clay and Jackson.

An act to declare Middle creek and Bull creek, in Floyd county, navigable streams.

An act authorizing Linus Greenwell, of the county of Nelson, to erect a fish-dam across the Beech Fork of Salt river, in Nelson county.

An act for the benefit of Elliott county.

An act to authorize the county judge of Metcalfe county to sell and convey the poor-house farm in said county, and reinvest the proceeds.

An act for the benefit of J. G. Scott, sheriff of Metcalfe county.

An act to repeal the 202d, 203d, 204th, 205th, 206th, and 207th sections of the city charter of Paducah, in McCracken county.

An act for the benefit of the county of Pulaski.

An act to prevent the destruction of fish in Cumberland river and its tributaries above the falls of said river.

An act for the benefit of Samuel Jones, committee of William Jones, an idiot, of Clinton county.

An act to allow the State agent at the Rio bridge, in Hart county, to make necessary improvements, not to exceed one hundred dollars in value.

An act for the benefit of C. L. Howard, late sheriff of Harlan county.
An act for the benefit of Pauline J. Chaney, an idiot, in Graves county.

An act to amend an act, entitled "An act to amend an act to authorize the Shelby county court to issue bonds for the benefit of turnpike roads."

An act for the benefit of the Middleburg and Liberty Turnpike Road Company.

A message was received from the Senate, asking to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to regulate the jurisdiction of the circuit court and court of common pleas of Union and Henderson counties.

Which was granted.

Mr. Cassilly, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of the Glasgow Railroad,

Reported the same without amendment.

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

Said bill, being engrossed, was read a third time as follows, viz:

**WHEREAS,** By an act of the General Assembly of the Commonwealth of Kentucky, approved March 20, 1872, it was enacted that an act approved February 20, 1864, entitled "An act to tax railroads, turnpikes, and other corporations in aid of the Sinking Fund," should not apply to the Glasgow Railroad until said railroad is finished and completed to the town of Tompkinsville, not to exceed four years from the passage of said act of March 20, 1872, and providing further that the tax levied on said Glasgow Railroad for the year 1871 should be released; and whereas, said tax for the year 1871 so released, amounting to $918, having been collected by the Auditor; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts is hereby directed to refund and pay to the president and directors of said Glasgow Railroad Company said tax, so improperly collected, out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect and be of full force from and after its passage.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), M. Woods Ferguson, W. L. Reeves,
Wm. A. Allen, C. D. Foote, E. A. Robertson,
A. C. Armstrong, James Garnett, J. R. Sanders,
W. W. Ayers, E. A. Graves, Samuel M. Sanders,
Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.

The House then took up from the Clerk's table a preamble and joint resolution, offered on yesterday by Mr. Todd, entitled


Said preamble and resolution, on the motion of Mr. T. M. Johnson, was amended by inserting therein the name of "Adjutant George W. Cardwell."

Said preamble and resolution, as amended, was again read as follows, viz:

WHEREAS, General Carey H. Fry, who was Major of the Second Kentucky Infantry in the Mexican war, and the immortal poet and soldier in the same war, Colonel Theodore O'Hara, and Adjutant Geo. W. Cardwell, are dead, and their remains lie in distant States; and, as their old mother, "Kentucky, claims the ashes of her brave, it is due to these sons, who have added so much luster to her name, that their ashes should be brought to that mother's bosom and laid beside their compatriots, McKee, Marshall, Clay, Willis, Vaughn, and the host of heroes whose monument already marks the spot where they should rest; therefore

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor be directed to have the remains of Gen. Carey H. Fry, Col. Theodore O'Hara, and Adjutant George W. Cardwell, brought to and deposited in the State military lot at Frankfort, and their graves marked with appropriate stones.

The question was then taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

73--r. r.
Those who voted in the affirmative, were—

Mr. Speaker (Mr. Creary), C. D. Foote, W. L. Reeves,
Wm. A. Allen, Joseph P. Force, E. A. Robertson,
A. C. Armstrong, Wm. Cassius Goodloe, J. R. Sanders,
W. W. Ayers, E. A. Graves, Samuel M. Sanders,
Alpheus W. Bascom, C. P. Gray, C. C. Scales,
W. R. Bates, Clinton Griffith, William Sellers,
W. N. Beckham, George M. Jesse, J. S. Taylor,
John A. Bell, E. Polk Johnson, George M. Thomas,
Church H. Blakey, Thomas M. Johnson, C. W. Threlkeld,
Wm. F. Bond, L. W. Lassing, Harry I. Todd,
Robert M. Carlisle, J. S. Lawson, Joseph T. Tucker,
John S. Carpenter, G. W. Little, T. W. Varnon,
B. E. Cassilly, M. E. McKenzie, C. H. Webb,
C. M. Clay, jr., W. A. Morin, J. M. White,
William G. Conrad, Wm. Mynhier, Mordecai Williams,
R. L. Cooper, J. L. Nall, F. A. Wilson,
John W. Dyer, Mat. Nunan, S. H. Woolfolk,

Those who voted in the negative, were—

G. W. Bailey, Bryan S. McClure, J. C. Moorman,

The title of said preamble and resolution was so amended as to
add thereto the words, “and Adjutant George W. Cardwell.”

On motion of Mr. Morin,

Ordered, That a committee, consisting of Messrs. Morin, McKenzie,
and Webb, be appointed, to act in conjunction with such committee
as may be appointed by the Senate, to wait upon the Governor, and
request him to return, unsigned, to this House, in which it originated,
an enrolled bill, entitled

An act for the benefit of Cold Spring school district, in Campbell
county.

And that they inform the Senate of their appointment.

The House then, according to order, took up and resumed the con-
sideration of the report of the Senate and its action thereon, on the
report of the Joint Committee on the report of the Commissioners
to revise the statutes.

Chapter 7, title “Auditor,” article 1, being read, Mr. McElroy
offered the following amendment, viz:

Amend section 2 by striking out so much thereof as fixes the pay
of the Assistant Auditor and Clerks in the Auditor’s Office, and in-
sert in lieu thereof, after the word “be,” in the fourteenth line, these
words: “Two thousand dollars per annum; and the further sum of
eight thousand dollars is hereby allowed to the Auditor annually, to
enable him to employ and pay such clerks as he may deem necessary for the proper discharge of the business of his office."

The question was then taken on the adoption of said proposed amendment, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, James Garnett, W. L. Reeves,
W. W. Ayers, E. A. Graves, Samuel M. Sanders,
G. W. Bailey, C. P. Gray, William Sellers,
W. N. Beckham, Thomas M. Johnson, James W. Snyder,
S. C. Bell, G. W. Little, J. S. Taylor,
Wm. F. Bond, Bryan S. McClure, George M. Thomas,
Robert M. Carlisle, William J. McElroy, C. H. Webb,
C. M. Clay, Jr., J. C. Moorman, J. M. White,
J. E. Cosson, Wm. Mynhier, F. A. Wilson,
W. H. Evans, John W. Ogilvie, Jonas D. Wilson,

Those who voted in the negative, were—

Mr. Speaker (McCreary), John W. Dyer, Hiram S. Powell,
A. C. Armstrong, M. Woodis Ferguson, E. A. Robertson,
Alpheus W. Bascom, James B. Fitzpatrick, J. R. Sanders,
W. R. Bates, C. D. Foote, C. C. Scales,
John A. Bell, George M. Jesse, C. W. Threlkeld,
Church H. Blakey, E. Polk Johnson, Harry I. Todd,
John S. Carpenter, L. W. Lassing, Joseph T. Tacker,
B. E. Cassilly, J. S. Lawson, T. W. Varnon,
James S. Chrisman, W. A. Morin, Mordecai Williams,
William G. Conrad, J. L. Null, J. N. Woods,
R. L. Cooper, Mat. Nunan, J. M. Wright—34.

Mr. Garnett then moved to reconsider the vote by which said amendment was rejected.

And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.

And so said vote was reconsidered.

Mr. Foote then moved to amend the amendment offered by Mr. McElroy, by striking out therefrom the word "eight," and to insert in lieu thereof the word "nine."

And the question being taken on the adoption of the amendment to the amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ogilvie and McElroy, were as follows, viz:
Those who voted in the affirmative, were—

A. C. Armstrong, John W. Dyer, J. L. Nall,
Alpheus W. Bascom, James B. Fitzpatrick, Mat. Nunan,
W. R. Bates, C. D. Foote, Lewis Potter,
Wm. F. Bond, James Garnett, Harry I. Todd,
John S. Carpenter, C. P. Gray, T. W. Varon,
James S. Chrisman, Clinton Griffith, Mordecai Williams,
C. M. Clay, Jr., Thomas M. Johnson, F. A. Wilson,
Joseph M. Davidson, J. S. Lawson,

Those who voted in the negative, were—

Mr. Speaker (M'Cready) Joseph P. Force, Samuel M. Sanders,
Wm. A. Allen, E. A. Graves, William Sellers,
W. W. Ayers, G. W. Little, J. S. Taylor,
G. W. Bailey, Bryan S. McClure, George M. Thomas,
W. N. Beckham, William J. McElroy, C. W. Threlkeld,
John A. Bell, J. C. Moorman, Joseph T. Tucker,
S. C. Bell, Wm. Mynhier, C. H. Webb,
Church H. Blakey, John W. Ogilvie, J. M. White,
Robert M. Carlisle, W. L. Reeves, Jonas D. Wilson,
J. E. Cosson,

The question was then again taken on the adoption of Mr. McElroy's amendment, and it was decided in the affirmative.

Article 1 of said chapter, as amended, was then adopted.

Article 2 of said chapter was then adopted.

And then the House, according to a resolution heretofore adopted, took a recess until half-past 7 o'clock, P. M.

At half-past 7 o'clock, P. M., the House again reassembled, the Speaker in the Chair.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to charter the Hustonville Cemetery Company.

By Mr. Mynhier, from the same committee—
A bill to amend the charter, and amendments thereto, incorporating the town of Crab Orchard.

By Mr. Foote, from the Committee on County Courts—
A bill for the benefit of H. W. Ogilvie, of Kenton county.

By Mr. Tucker, from the Committee on Revised Statutes—
A bill to authorize the trustees of Russellville to appoint an inspector and weigher of coal.

By Mr. E. Polk Johnson, from a select committee—
A bill to repeal an act, entitled "An act requiring the Jefferson
county court to appoint a measurer of tan-bark for said county," approved March 21, 1872.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Mahlenburg Mining Company.

By Mr. Wright, from a select committee—
A bill to incorporate Daniel Boone Lodge, No. 2, Knights of Pythias, in the city of Louisville.

By Mr. Sacksteder, from the Committee on the Judiciary—
A bill to amend the charter of the Louisville House of Refuge.

By Mr. Tucker, from the Committee on Revised Statutes—
A bill for the benefit of the Silver Creek and Walnut Meadow Turnpike Road Company.

By Mr. Mynhier, from the Committee on County Courts—
A bill to enable the county court of Laurel county to levy an ad valorem tax for the purpose of building a new jail, and for other purposes.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of school district No. 7, in Marion county.

By Mr. Reeves, from the Committee on the Judiciary—
A bill for the benefit of Alice Rodgers.

By Mr. Ayers, from the Committee on Religion—
A bill to incorporate the Paducah Germanica Musical Society.

By Mr. Carpenter, from the Committee on Education—
A bill to establish schools for the education of children of citizens of African descent, in McCracken county.

By Mr. Ayers, from the Committee on Religion—
A bill to allow the bona fide voters of the Garnettsville district, in Meade county, to vote for or against the sale of spirituous, vinous, and malt liquors in said district.

By Mr. Graves, from the Committee on Ways and Means—
A bill for the benefit of Amos Davis, sheriff of Morgan county.

By Mr. Bailey, from the Committee on Corporate Institutions—
A bill to incorporate Mount Olive Encampment, No. 55, of Odd Fellows, at Greenville.

By Mr. J. A. Bell, from the same committee—
A bill to extend the limits of the town of Paradise, in Muhlenburg county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.
By Mr. Tucker, from the Committee on the Judiciary—
A bill to authorize the clerk of Nelson county circuit court to index and cross-index deed-books in his office.

By Mr. Cosson, from the Committee on Education—
A bill to establish and maintain a public school in district No. 1, in Pulaski county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Press Printing Company.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

By Mr. Reeves, from the Committee on the Judiciary—
A bill to regulate the pay of the members of the court of claims of Todd county.

By same—
A bill to incorporate the Baptist Church at Elkton, in Todd county.

By Mr. Mynhier, from the Committee on County Courts—
A bill for the benefit of Mary F. Rush, of Union county.

By same—
A bill for the benefit of Gip Taylor and Nace Waller, former sheriffs of Union county.

By Mr. Gray, from the Committee on Education—
A bill for the benefit of common school district No. 75, in Warren county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Willisburg, Thompsonville, and Pleasant Run Turnpike Road Company.

By Mr. Graves, from the Committee on Ways and Means—
A bill for the benefit of John W. Duncan, sheriff of Wayne county.

By Mr. Gray, from the Committee on Education—
A bill to amend an act, entitled "An act to incorporate the Clayville Male and Female Academy."

By same—
A bill for the organization of the public schools in the town of Clayville, in Webster county.

By Mr. Mynhier, from the Committee on County Courts—
A bill to authorize the county court of Whitley county to increase taxes for county purposes.

By Mr. Ayers, from the Committee on Religion—
A bill to amend an act, entitled "An act to incorporate the town of Williamsburg."
By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate the Maysville Coal, Salt, and Transfer Company.

By Mr. Reeves, from the Committee on the Judiciary—
A bill to further amend the charter of the Newport and Cincinnati Bridge Company.

By Mr. Tucker, from the Committee on Revised Statutes—
A bill to authorize the county court of Bourbon county to pay Geo. M. Hibler, circuit clerk of said county, for continuing index and cross-index of suits in said county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Speaker McCreary moved to reconsider the vote by which the House passed a bill, entitled
A bill for the benefit of the Silver Creek and Walnut Meadow Turnpike Road Company.

Bills from the Senate, of the following titles, were reported by the several committees to whom they had been referred, viz:

By Mr. Reeves, from the Committee on the Judiciary—
An act for the benefit of Hugh Barclay, Jr., of Logan county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the Kentucky Society for the prevention of cruelty to animals.

By same—
An act to amend an act, entitled "An act to incorporate the Louisville Orphan Home Society," approved February 26, 1849.

By same—
An act to incorporate the Odd Fellows' Temple Association of Louisville.

By same—
An act to incorporate the Maysville Manufacturing Association.
By same—
An act to amend the charter of the city of Maysville.
By Mr. Reeves, from the Committee on the Judiciary—
An act for the benefit of Frank Arnett, of Magoffin county.
By Mr. Morin, from the Committee on Education—
An act for the benefit of school district No. 4, in Nicholas county.
By Mr. Cooper, from the same committee—
An act to amend an act, entitled “An act to create the Hartford Seminary, of Ohio county.”
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to charter the Owenton Cemetery Company.
By Mr. McKenzie, from the Committee on Ways and Means—
An act for the benefit of R. H. Williams, sheriff of Owen county, and his sureties.
By Mr. Blakey, from the Committee on Corporate Institutions—
An act to amend and reduce into one the several acts in relation to the town of Shelbyville.
By Mr. J. A. Bell, from the same committee—
An act to incorporate the Hecla Coal and Mining Company.
By Mr. Armstrong, from the Committee on Education—
An act for the benefit of school district No. 47, in Larue county.
By Mr. Coke, from the Committee on the Judiciary—
An act for the benefit of the Louisville Industrial Exposition, and to amend the charter thereof.
By Mr. J. D. Wilson, from the Committee on Internal Improvement—
An act to amend an act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route, approved December 20, 1871.

With an amendment to each of the last two named bills, which was adopted.

Ordered, That said bills (the last two as amended) be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

And then the House adjourned.
FRIDAY, MARCH 14, 1873.

The following petitions were presented, viz:
By Mr. Todd—
1. The petition of Timothy Sullivan, asking the General Assembly to purchase his house and lot adjoining the Penitentiary warehouse.

By Mr. Speaker (McCreary)—
2. The petition of certain citizens of Laurel county, praying the repeal of an act approved 24th February, 1871, changing the county line between the counties of Rockcastle and Laurel.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on the Penitentiary, and the 2d to the Committee on Propositions and Grievances.

The Speaker laid before the House the response of the Quarter-Master General, to a resolution adopted by the House 12th March, 1873, which was read as follows, viz:

STATE OF KENTUCKY, OFFICE OF QUARTER-MASTER GENERAL, FRANKFORT, March 14th, 1873.

Hon. James B. McCreary, Speaker of House of Representatives:

Sir: In response to a resolution of the House of Representatives, approved March 12th, 1873, calling upon the Quarter-Master General for information concerning certain military claims, &c., I have the honor to herewith submit a list of claims, amounting in the aggregate to $2,366.46, that are found to be correct, and would have been so reported to the Legislature under acts of February 17th, 1866, and March 9th, 1867, and would have been good claims against the General Government; but many, if not all, of these claims not coming within the provisions of the act of March 16th, 1869, no action was had upon them.

In addition to the above, there are other claims, amounting to the sum of $22,061.41, suspended for want of additional evidence, many of which may be made perfect.

Very respectfully,

W. G. LOBBAN,
Chief Clerk Quarter-Master General Kentucky.

LIST OF CLAIMS.

<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams, John W.</td>
<td>$149.00</td>
</tr>
<tr>
<td>Abshire, Jacob</td>
<td>14.00</td>
</tr>
<tr>
<td>Amount carried forward</td>
<td>$163.00</td>
</tr>
</tbody>
</table>

74-H. R.
On motion of Mr. Varnon,

Ordered, That the Public Printer forthwith print two hundred copies of said report for the use of the House, and that the same be referred to the Committee on Military Affairs.

Mr. Ogilvie moved to reconsider the vote by which the House, on yesterday, rejected a bill, entitled

A bill for the benefit of John Haly.

Leave of absence, indefinitely, was granted Messrs. Blakey and Bailey.

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

An act to prevent the destruction of fish in Salt river, in Anderson county.

An act for the benefit of S. S. Farris, sheriff of Barren county.

An act to authorize the Butler county court to establish a ferry on Green river, near Morgantown, at or near "Morrison's Old Ferry."

An act defining the boundary line between the counties of Harlan and Bell.

An act to further amend the charter of the Newport and Cincinnati Bridge Company.
An act to authorize certain counties in this Commonwealth to levy a tax and pay for right of way and depot grounds for Cincinnati Southern Railway.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to suppress lawlessness in this Commonwealth.
2. An act concerning the appointment of a superintendent and commissioner of roads and bridges of Ohio county.
3. An act to define the line between the counties of Clay and Jackson.
4. An act to prevent live stock of all kinds from running at large in Jefferson county.
5. An act for the benefit of the school trustees of Powell county for the year ending 30th June, 1872.
6. An act for the benefit of John Grumbly, of Todd county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d, 3d, and 4th to the Committee on County Courts; the 5th to the Committee on Education; and the 6th to the Committee on Religion.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Reeves, from the Committee on the Judiciary—

By Mr. Garnett, from the same committee—
A bill to repeal so much of an act, entitled "An act for the benefit of the clerks of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson, as applies to the counties of Cumberland, Clinton, Adair, Russell, and Todd."

By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of John L. Slavin, former sheriff of Garrard county.

Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to authorize Samuel Salyer, of Magoffin county, to adopt John P. Siner as a legal heir-at-law,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to repeal an act, entitled “An act to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth with a family, from attachment or garnishee, not exceeding fifty dollars,”

With the expression of opinion by a majority of the committee that said bill ought to pass.

The question was then taken, “Shall the bill be read the first time, the opinion of the committee to the contrary notwithstanding?” and it was decided in the affirmative.

Said bill was then read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled “An act to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth with a family, from attachment and garnishee, not exceeding fifty dollars,” approved March 27, 1872, be, and the same is hereby, repealed.

§ 2. This act shall take effect and be in force from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Mr. Wright offered the following substitute, by way of amendment thereto, viz:

§1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter the wages or salaries of all persons who may work, labor, or render service to any person or corporation in this Commonwealth, shall be, and the same are hereby, exempted from attachment, garnishment, and execution, to an amount not exceeding fifty dollars.

§2. All laws and parts of laws in conflict with this act are hereby repealed.

§3. This act shall take effect and be in force from and after its passage.

Mr. Force offered an amendment to the amendment proposed by Mr. Wright, which was rejected.

The question was then taken on the adoption of the amendment (substitute) proposed by Mr. Wright, and it was decided in the negative.

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

Those who voted in the affirmative, were—

A. C. Armstrong, Joseph P. Force, Hiram S. Powell,
W. W. Ayers, Wm. Cassius Goodloe, William Sellers,
Wm. F. Bond, E. A. Graves, George M. Thomas,
John S. Carpenter, T. J. Jones, Joseph T. Tucker,
B. E. Cassilly, G. W. Little, T. W. Varnon,
J. E. Cosson, Mat. Nunan, Jonas D. Wilson,
W. H. Evans, John W. Ogilvie, J. M. Wright—22.

M. Woods Ferguson,

Those who voted in the negative, were—

Wm. A. Allen, C. D. Foote, Lewis Potter,
G. W. Bailey, James Garnett, W. L. Reeves,
Alpheus W. Basecom, C. P. Gray, E. A. Robertson,
W. R. Bates, Clinton Griffith, J. P. Sackstede1·,
W. N. Beckham, E. Polk Johnson, J. R. Sanders,
John A. Bell, Thomas M. Johnson, Samuel M. Sanders,
W. W. Bush, L. W. Lassing, J. S. Taylor,
Robert M. Carlisle, J. S. Lawson, C. W. Threlkeld,
James S. Chrisman, J. J. McAfee, Harry I. Todd,
C. M. Clay, jr., Bryan S. McClure, L. W. Trufon,
William G. Conrad, T. J. Megibben, J. M. White,
R. L. Cooper, J. C. Moorman, Mordecai Williams,
Joseph M. Davidson, Wm. Mynhier, F. A. Wilson,

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

Said bill being engrossed, Mr. T. M. Johnson moved that the same have its third reading on this day.

And the constitutional majority not having voted therefor, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Reeves and T. M. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) John W. Dyer,
Wm. A. Allen, M. Woods Ferguson, Lewis Potter,
G. W. Bailey, C. D. Foote, W. L. Reeves,
Alpheus W. Bascom, James Garnett, J. P. Sacksteder,
W. R. Bates, Thomas M. Johnson, C. W. Threlkeld,
W. W. Bush, L. W. Lassing, L. W. Trafton,
Robert M. Carlisle, J. S. Lawson, J. M. White,
James S. Chrisman, J. J. McAfee, Mordecai Williams,
C. M. Clay, jr., Bryan S. McClure, F. A. Wilson,
William G. Conrad, William J. McElroy, Jonas D. Wilson,
Joseph M. Davidson, J. L. Nall, S. H. Woolfolk—33.

Those who voted in the negative, were—

A. C. Armstrong; James B. Fitzpatrick, Mat. Nunan,
W. W. Ayers, Wm. Cassius Goodloe, John W. Ogilvie,
W. N. Beckham, E. A. Graves, E. A. Robertson,
John A. Bell, C. P. Gray, Samuel M. Sanders,
Church H. Blakey, Clinton Griffith, William Sellers,
Wm. F. Bond, E. Polk Johnson, J. S. Taylor,
John S. Carpenter, T. J. Jones, George M. Thomas,
B. E. Cassilly, G. W. Little, Harry I. Todd,
R. L. Cooper, M. B. McKenzie, Joseph T. Tucker,

Said bill was then placed in the orders of the day.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Knox county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Ferguson offered an amendment thereto.

The further consideration of said bill was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, took up and resumed the further consideration of the report from the Senate of their action upon the report of the Joint Committee on the report of the Commissioners to revise the statutes.

Chapter 8, title Bastardy;”
Chapter 9, title “Boundary;”
Chapter 10, title “Cattle, Horses, and Dogs;”
Chapter 11, title "Causes of Action which Survive;"
Chapter 12, title "Champerty and Maintenance;"
Chapter 13, title "Change of Venue;"
Chapter 14, title "Charitable Uses and Religious Societies;"
Chapter 15, title "Citizens, Expatriation, and Aliens;"
Were severally adopted.
Chapter 16, title "Claims upon the Treasury," articles 1, 2, 3, and 4, being taken up, Mr. Ogilvie moved to amend section 3 of article 4, by striking out the words "sixty cents," and inserting in lieu thereof the words "seventy-five cents."
Mr. Foree offered an amendment to the amendment proposed by Mr. Ogilvie, which was rejected.
The question was then taken on the adoption of the amendment proposed by Mr. Ogilvie, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Foree and Graves, were as follows, viz:

Those who voted in the affirmative, were—
Alpheius W. Bascom, Wm. Cassius Goodloe, Lewis Potter,
W. N. Beckham, E. Polk Johnson, Hiram S. Powell,
William Brown, Thomas M. Johnson, J. R. Sanders,
Robert M. Carlisle, L. W. Lassing, William Sellers,
John S. Carpenter, J. S. Lawson, J. S. Taylor,
C. M. Clay, Jr., G. W. Little, George M. Thomas,
R. L. Cooper, J. J. McAfee, Harry I. Todd,
J. E. Cocson, J. C. Moorman, C. H. Webb,
Joseph M. Davidson, Wm. Mynhier, J. M. White,
W. H. Evans, J. L. Nall, F. A. Wilson,
M. Woods Ferguson, Mat. Nunan, Jonas D. Wilson,
James B. Fitzpatrick, John W. Ogilvie, S. H. Woolfolk—37.
James Garnett,

Those who voted in the negative, were—
Mr. Speaker (McCready), John W. Dyer, E. A. Robertson,
Wm. A. Allen, C. D. Foote, J. P. Sacksteder,
A. C. Armstrong, Joseph P. Foree, Samuel M. Sanders,
W. R. Bates, E. A. Graves, C. W. Threlkeld,
John A. Bell, C. P. Gray, L. W. Trafton,
Church H. Blakey, T. J. Jones, Joseph T. Tucker,
Wm. F. Bond, Bryan S. McClure, T. W. Varnon,
E. E. Cassilly, William J. McElroy, Mordecai Williams,
William G. Conrad, W. L. Reeves,

Articles 1, 2, 3, and 4 (the last as amended) were then adopted.
Article 5 of said chapter being taken up, Mr. Foree offered the following amendment thereto, viz:
Strike out of section 1, "to the Tipstaff for his services three dollars," and insert at the end of the section "the Sergeant of the State shall perform the duties heretofore performed by the Tipstaff."

The question was then taken on the adoption of the amendment proposed by Mr. Foree, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, Alpheus W. Bascom, Church H. Blakey, Wm. F. Bond, J. E. Cosson, W. H. Evans, Joseph P. Force, C. P. Grey, Thomas M. Johnson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) John W. Dyer, A. C. Armstrong, John A. Bell, W. W. Bush, Robert M. Carlisle, John S. Carpenter, B. E. Cassily, C. M. Clay, jr., William G. Conrad, R. L. Cooper, Joseph M. Davidson, W. L. Reeves,

E. A. Robertson, M. Woods Ferguson, James B. Fitzpatrick, James Garnett, Wm. Cassius Goodloe, E. A. Graves, E. Polk Johnson, T. J. Jones, L. W. Lassing, John W. Ogilvie, W. L. Reeves,

Section 1 of article 5 was then adopted.

The further consideration of said report was postponed.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Farish Arnett, sheriff of Magoffin county; An act for the benefit of James Walters, committee of Polly Plewman, an idiot of Estill county;

An act to amend the charter of the Frankfort Lumber, Brick, and Implement Manufacturing Company;

An act to authorize the city of Hickman to subscribe and pay for stock in the Mississippi River Levee Company;

An act to define the boundary line of the town of Prestonsburg, and submitting to a vote of the citizens thereof the question of regulating the sale of spirituous and vinous liquors therein;
An act to authorize William A. Varney to erect a mill-dam across Pond creek, in Pike county;

An act for the benefit of William E. Paull, jailer of Cumberland county;

An act for the benefit of Andrew Raney, of Estill county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 18, 1854;

An act to incorporate the Pomeroy Coal Company;

An act empowering the board of trustees of the town of Ashland to purchase lands and establish a public park;

An act to incorporate the Tobacco Bank and Warehouse Company, of Covington;

An act to authorize the Grant county court to sell the poor-house farm in said county;

An act to amend the charter of the Spring Station Railway Company;

An act to incorporate the Owingsville Depot Turnpike Road Company, in Bath county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act in relation to the settlements of the accounts of the trustees or the managers of the Henry Female College, and Henry Male Academy, and the lottery connected therewith;

An act to amend the revenue laws of this Commonwealth;

An act to incorporate the Mechanics' Loan and Building Association, of Lexington;

An act to provide for an interpreter for the Louisville chancery court and the Jefferson court of common pleas;

An act for the benefit of W. E. Clelland, late sheriff of Mercer county;

An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the Sinking Fund," approved February 20, 1864;

An act declaring Wolf river a navigable stream;

An act for the benefit of the New Liberty and Owenton Turnpike Road Company;

An act for the benefit of the New Liberty Branch Turnpike Road Company;

75-H. R.
An act authorizing the sale of the poor-house farm in Webster county;

An act to direct the running and re-marking the line between the counties of Franklin and Woodford;

An act to amend an act, entitled “An act to incorporate the Bank of Trenton, in Todd county,” approved March 25, 1872;

An act to amend the charter of the Louisville and Nashville Railroad Company;

An act to amend an act, entitled “An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Clayville, and to levy a tax therefor,” approved March 21, 1871;

An act to amend an act, entitled “An act to charter the Young Men’s Real Estate, Building, and Accumulating Association, of Louisville,” approved March 28, 1872;

An act to amend the charter of the Louisville Baptists’ Orphans’ Home;

An act to legalize certain acts of the Mercer county court;

An act to change a part of the eastern boundary of the town of Harrodsburg;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Reeves inform the Senate thereof.

And then the House adjourned.
The following petitions were presented, viz:

By Mr. Todd—
1. The petition of citizens of Forks of Elkhorn precinct, in Franklin county, praying the repeal of the law prohibiting the sale of spirituous, vinous, or malt liquors in said precinct.

By Mr. McKenzie—
2. The petition of the trustees of the town of Canton, praying that certain books be allowed to the police judge of said town.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion, and the 2d to the Committee on County Courts.


A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act requiring the Jefferson county court to appoint a measurer of tan-bark for said county," approved March 21, 1872.

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

An act to provide for a geological survey and mineralogical survey of the State.

An act to incorporate the Miners' Union of Boyd and Carter counties.

An act to amend an act, entitled "An act to amend the charter of the city of Augusta, in Bracken county."

An act to exempt the property of the Danville Theological Seminary from taxation for certain purposes.

An act to amend an act, entitled "An act to incorporate the Big Sandy Highway Bridge Company."

And that they had passed bills of the following titles, viz:

1. An act to regulate the sale of spirituous or other intoxicating liquors.
2. An act to amend the charter of the Georgetown and Paris Turnpike Road Company.

3. An act to amend the charter of the Eminence and Fox Run Turnpike Road Company.

4. An act to amend the charter of the Jefferson and Brownsboro, and Harrod's Creek and Sand Hill Turnpike Road Company, and branches.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Religion, and the 2d, 3d, and 4th to the Committee on Internal Improvement.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prohibit the sale of spirituous liquors, &c., in Monroe county.

An act to authorize the trustees of the Stanford Male and Female Seminary to sell part of their land and invest the proceeds.

An act to provide for the transcribing in the county court clerk's office the original surveys, plats, and certificates of Morgan county.

An act to authorize the Carter county court to levy an ad valorem tax for bridge purposes.

An act to enlarge the corporate limits of the town of Monticello.

An act to amend the charter of the Springfield and Chaplin Turnpike Road Company.

An act to legalize certain proceedings of the Washington county court.

An act to amend an act, entitled "An act to prevent and punish certain trespasses in Scott and Woodford counties," approved March 26, 1872.

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

On motion of Mr. Bond—

1. A bill to incorporate Anderson City, in Anderson county.

On motion of Mr. Corbett—

2. A bill for the benefit of school district No. 45, in Ballard county.
On motion of Mr. F. A. Wilson—
3. A bill to charter the Lyon Iron Mining Company, in Lyon county.

On motion of Mr. McAfee—
4. A bill to incorporate the Mercer County Medical Society.

On motion of Mr. McClure—
5. A bill for the benefit of Mary F. Gadberry, of Casey county.

On motion of Mr. Powell—
6. A bill for the benefit of J. N. Colton, late sheriff of Jackson county.

On motion of Mr. Griffith—
7. A bill for the benefit of the late sheriff of Daviess county.

On motion of Mr. Rowlett—
8. A bill for the benefit of Peter Perry, of Hart county.

On motion of Mr. Brown—
9. A bill for the benefit of Bethel Academy, in the county of Jessamine.

On motion of same—
10. A bill to provide for official advertisement of sales made by sheriffs and master commissioners, in Jessamine county.

On motion of Mr. Clay—
11. A bill to prohibit and punish persons intimidating voters.

On motion of Mr. Moorman—
12. A bill to incorporate the Rothrock Coal and Mining Company.

On motion of same—

On motion of Mr. Varnon—

On motion of Mr. Dyer—
15. A bill to amend the Highland Racing Park Association.

On motion of same—

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 3d, 12th, and 14th; the Committee on Education the 2d and 9th; the Committee on Codes of Practice the 4th; the Committee on the Judiciary the 5th and 11th; the Committee on Propositions and Grievances the 6th; the Committee on Ways and
Means the 7th; the Committee on Claims the 8th; and the Committee on County Courts the 10th, 13th, 15th, and 16th.

Mr. Armstrong, from the Committee on Education, who were directed to prepare and bring in the same, reported

A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and the consideration thereof postponed to, and made special order of the day for, Thursday, the 20th inst., at 10 o'clock, A. M.

A message was received from the Senate, asking to withdraw from the House the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Cold Spring school district, in Campbell county,

Which was granted, and the bill delivered to the Senate messenger.

The House took up the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to authorize certain counties in this Commonwealth to levy a tax and pay for right of way and depot grounds for Cincinnati Southern Railway.

Mr. Carlisle offered an amendment to the amendments proposed by the Senate.

Which was adopted.

The amendments proposed by the Senate, as amended, were then concurred in, and the title of said bill changed so as to read:

An act to authorize certain counties in this Commonwealth to purchase land for a right of way and depot grounds for, and lease the same to, the Trustees of the Cincinnati Southern Railway.

The House took up a resolution from the Senate, entitled

Resolution authorizing the creation of an additional standing committee of the two Houses of the General Assembly.

Mr. Scales offered an amendment thereto.

Mr. Blakey offered an amendment to the amendment, which was adopted.
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On motion of Mr. Chrisman, said resolution and proposed amendments were referred to a select committee, consisting of Messrs. Chrisman, Blakey, Webb, Brown, and Threlkeld.

The House also took up a resolution from the Senate, entitled Resolution concerning the Revision of the Statutes.
Mr. Scales offered an amendment thereto.
Mr. E. Polk Johnson offered an amendment to the amendment.
On motion of Mr. Force, said resolution and proposed amendments were referred to the Committee on Revised Statutes.
Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported A bill to amend an act, entitled "An act to add part of Adair to Casey county.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House took up the joint resolution heretofore offered by Mr. Blakey, directing that the joint committee raised for the purpose of looking out a suitable location for a temporary asylum for the insane, to take into consideration the advantages and inducements offered by the Buena Vista Springs, in Logan county.
The question being taken on the adoption thereof, it was decided in the negative.
And so said resolution was rejected.
The House resumed the consideration of a bill from the Senate, entitled
An act to provide for the organization and regulation of banking companies, and to repeal certain charters,
With the amendments proposed thereto by the committee.
The amendments proposed by the committee were then adopted.
Ordered, That said bill, as amended, be read a third time.
The further consideration of said bill was postponed.
Mr. Gray moved the following resolution, viz:

Resolved, That it shall be the duty of the Clerk of this House, at 10 o'clock, A. M., each day, to call the roll of members of this House, and to insert in the Journal of this body the names of all then present.

Mr. Dyer moved to lay said resolution on the table.

And the question being taken on said motion, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCready) L. W. Lassing, Samuel M. Sanders,
W. R. Bates, J. S. Lawson, C. C. Scales,
Wm. F. Bond, G. W. Little, J. S. Taylor,
William Brown, J. C. Moorman, George M. Thomas,
W. W. Bush, W. A. Morin, C. W. Threlkeld,
B. E. Cassilly, Wm. Mynhier, Harry I. Todd,
J. Guthrie Colve, Mat. Nunan, L. W. Trafton,
J. E. Cosson, John W. Ogilvie, T. W. Varnon,
Joseph M. Davidson, Hiram S. Powell, J. M. White,
John W. Dyer, W. L. Reeves, Mordecai Williams,
W. H. Evans, John P. Rowlett, F. A. Wilson,
E. Polk Johnson, J. R. Sanders,

Those who voted in the negative, were—

Wm. A. Allen, E. A. Graves, Wm. J. McElroy,
A. C. Armstrong, C. P. Gray, M. E. McKenzie,
W. W. Ayres, Clinton Griffith, Lewis Potter,
Robert M. Carlisle, T. J. Jones, E. A. Robertson,
James Garnett, Bryan S. McClure,

Mr. Garnett moved the following resolution, viz:

Resolved. That the Auditor of Public Accounts be directed to report to House—

1st. The amount of back taxes due the State from Jefferson county.

2d. The amount of taxes that will go into the hands of the agent who will be appointed collector of back taxes for Jefferson county, under the act passed at the present session of the General Assembly, entitled "An act to authorize the judge of the Jefferson county court to appoint a collector of back taxes for Jefferson county."

3d. The amount of the said agent's commission for collecting said back taxes; that is, the amount the agent will receive for collecting.

4th. What necessity there is, if any, for the special act for collecting the back taxes in said county; and the necessity, if any, for collecting the back taxes in that county in a different mode from that of collecting similar taxes in the other counties of this State; and the necessity, if any, for releasing the interest and damages on the back taxes in said county, and not releasing on similar taxes in other counties of this Commonwealth.
Mr. E. Polk Johnson moved to lay said resolution on the table.
And the question being taken on the motion of Mr. Johnson, it was decided in the negative.

Said resolution was then adopted.

Mr. Scales moved the following resolution, viz:

Resolved, That in the consideration of the revision of the statutes in this House, no member shall speak longer than five minutes nor more than once on the same subject, except the chairman or some one member of the committee.

Mr. Graves offered the following as a substitute therefor, viz:

Resolved, That from and after this date the revision of the statutes shall be taken up at half-past 10 o'clock, A. M., each day, to the exclusion of other business, and thus continue from day to day until the revision is completed; and that no member shall speak more than once nor longer than five minutes on any amendment, except the chairman of the committee.

The consideration of said resolution and proposed substitute was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, resumed the consideration of the report from the Senate of their action upon the report of the Joint Committee on the subject of the revision of the statutes.

The House then took up chapter 16, title "Claims upon the Treasury," articles 5 and 6.

To section 6 of article 6 Mr. Chrisman offered an amendment, viz:

To strike therefrom, in the second line, the words "one hundred," and insert in lieu thereof the words "seventy-five."

Which was adopted.

Mr. Thomas then moved to reconsider the vote by which said amendment was adopted.

And the question being taken on the motion of Mr. Thomas, it was decided in the negative.

Mr. Todd then offered a substitute for section 6 of article 6 as amended.

The further consideration of said report was postponed until half-past 11 o'clock, A. M., on Monday next.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to change the time of holding the county court of Jessamine county;

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And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the Rodgers' Mills and Hinkston Bridge Turnpike Road Company;
An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company;
And had found the same truly enrolled. 
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.
And then the House adjourned.

MONDAY, MARCH 17, 1873.

The Speaker, Hon. J. B. McCreary, being absent, the House was called to order by the Clerk, who thereupon announced that the first business in order was the election of a Speaker pro tem.


And on taking the vote it stood thus, viz:

Those who voted for Mr. Varnon, were—

Those who voted for Mr. Blackburn, were—
Hon. Joseph C. S. Blackburn having received a majority of all the votes cast, was declared duly elected Speaker pro tempore, and being conducted to the Chair, returned thanks for the honor conferred upon him.

Leave of absence, indefinitely, was granted Messrs. J. A. Bell and Davidson.

A message was received from the Senate, announcing that they had adopted a joint resolution, entitled

Resolution in relation to the One Hundredth Anniversary of Independence of the United Colonies of North America.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school district No. 17, Pendleton county.

An act to provide for the collection of delinquent tax lists in Marion county.

An act authorizing the steam mills in Carter county to take the one sixth of all the grain ground at said steam mills for toll.

An act to create a lien in favor of real estate agents in certain localities.

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

An act to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

An act to incorporate the St. Joseph's Catholic Benevolent Society of Frankfort.

An act to abolish the quarterly court in Ballard county.

An act in relation to the granting tavern license in the Vanceburg election precinct, in Lewis county.

An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.

An act in relation to the assessment and collection of turnpike taxes in Lewis county.

An act to incorporate the Central Kentucky Coal and Mining Company.

An act for the benefit of John E. Abbott, administrator of D. C. Doran, late sheriff of Hart county.
An act for the benefit of John M. Hunley, committee of Henry Yarbro, an idiot.

An act for the benefit of J. F. Hatten, committee of George Clay (an idiot), of Lawrence county.

An act for the benefit of Jeremiah Overton, an idiot, of Wayne county.

An act in regard to turnpike roads in Garrard county in which said county owns stock.

An act for the benefit of the unfinished turnpike roads in Henry county.

An act for the benefit of common school district No. 5, in the county of Barren.

An act to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville.

An act to amend an act, entitled "An act to incorporate the Hodgenville and Elizabethtown Turnpike Road Company," approved March 9, 1868.

An act for the benefit of Gabe Hays, of the county of Breathitt.

An act to declare War creek, in Breathitt county, a navigable stream.

An act authorizing the county court of Butler county to establish a ferry on Green river, in said county.

An act to permit John Williams to erect a mill-dam across Troublesome creek, in Perry county.

An act for the benefit of Henry C. Fitzpatrick, collector of the revenue of Floyd county for the year 1870.

An act to amend an act, entitled "An act to incorporate the Blandville and Cairo Turnpike Road Company," approved March 6, 1868.

An act to incorporate the Agricultural and Mechanical Association of the Colored People of Bourbon county.

An act to amend the charter of the town of Germantown, in Bracken and Mason counties.

An act for the benefit of school district No. 44, in Campbell county.

An act to fix the boundary of the town of Mt. Sterling, in Montgomery county.

An act to provide for defining and marking the line between the counties of Crittenden and Caldwell.

An act authorizing the jailer of Fayette county to appoint an additional deputy jailer.

An act for the benefit of common schools of Johnson county.
An act to incorporate the Antioch and Burdett's Mill Turnpike Road Company, in Garrard county.

An act to authorize the trustees of the town of Columbia to sell and convey part of Jefferson alley in said town.

An act to amend the charter of the town of Elizabethtown.

An act to define the boundary line between the counties of Rockcastle and Jackson.

An act to authorize the county courts of Scott and Franklin counties to compel persons to keep stock off of public roads.

An act to charter the Hustonville Cemetery Company.

An act for the benefit of H. W Eggleston, of Kenton county.

An act to authorize the trustees of Russellville to appoint an inspector and weigher of coal.

An act for the benefit of Amos Davis, sheriff of Morgan county.

An act to incorporate the Maysville Coal, Salt, and Transfer Company.

An act for the benefit of common school district No. 24, in Larue county.

An act to amend the charter of the Lebanon Female College.


An act for the benefit of Cold Spring school district, in Campbell county,

With amendments to the last four named bills.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of A. H. Ditto, committee of Polly Miller, a pauper idiot, of Henry county.

2. An act for the benefit of William Pollard, committee of Eliza Pollard, a pauper idiot, of Henry county.

3. An act to repeal an act amending the charter of Nicholasville, approved January 6, 1871.

4. An act for the benefit of keepers of licensed stud horses, jacks, and bulls.

5. An act for the benefit of Belleville H. Herndon.


7. An act to amend the articles of incorporation of the Irish Building and Loan Association.
8. An act to amend the charter of the town of Cynthiana, in Harrison county.
9. An act for the benefit of George W. Sewall, common school commissioner of Breathitt county.
10. An act for the benefit of the Louisville Medical College.
11. An act authorizing the Wolfe circuit court to allow certain guard claims, and directing the Auditor of Public Accounts to pay the same.
12. An act to amend the charter of the city of Covington.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, 6th, and 11th to the Committee on Claims; the 3d, 7th, 8th, 10th, and 12th to the Committee on Corporate Institutions; the 4th to the Committee on Revised Statutes; the 5th to the Committee on the Judiciary; and the 9th to the Committee on Education.

Leave was given to bring in the following bills, viz:
On motion of Mr. Todd—
1. A bill to amend an act to incorporate the Little Benson and Lanier's Mill Turnpike Road Company.
On motion of Mr. Ferguson—
2. A bill to amend an act approved March 21, 1872, for the county of Jefferson.

Ordered, That the Committee on Internal Improvement prepare and bring in the 1st, and a select committee, consisting of Messrs. E. Polk Johnson, Brooks, and Sacksteder, the 2d.

Mr. Chrisman moved the following resolution, viz:

Resolved, That the Speaker of this House appoint a select committee, composed of seven members, to inquire into the extent of the late fire at Lawrenceburg, and report whether or not any relief should be afforded to the sufferers thereby.

Which was adopted.

And thereupon the Speaker appointed on said committee Messrs. Chrisman, Bond, McAfee, Scales, E. Polk Johnson, Todd, and Varnon.

A message was received from the Senate, announcing that they had adopted chapter 19, title "Common Schools," of the report of the joint committee on the report of the Commissioners to revise the statutes.
Mr. Wright moved the following resolutions, viz:

Resolved, That in acting upon the revision of the statutes, this House will adhere to the following rules, viz:

1. When any section proposes to increase any salary or allowance now authorized by law, the yeas and nays shall be called, and the section shall require for its adoption a constitutional majority.

2. That the order for the previous question shall apply only to the section under debate upon which the previous question is ordered.

Which were adopted.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Mynhier, from the Committee on Corporate Institutions—
A bill to incorporate a steam ferry company at the head of Island No. 1, on the Mississippi river, in Ballard county.

By same—
A bill to incorporate the Union Agricultural and Mechanical Association, near Fort Jefferson, in Ballard county.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of school district No. 45, in Ballard county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bills being 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 and proceeded to consider the message of the Governor, delivered to the House on the 27th February, ult., in which he returned to the House unapproved, and with his objections thereto, bills, which originated in the House of Representatives, of the following titles, viz:

1. An act to amend an act, entitled "An act to incorporate the Vanceburg, Quick's Run, and Concord Turnpike Road Company," approved December 20, 1867.

2. An act amending an act incorporating the Vanceburg, Salt Lick, Tollesboro, and Maysville Turnpike Road Company.

3. An act to amend the act incorporating the Cabin Creek Turnpike Road Company.
4. An act amending an act, entitled "An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company," approved 18th February, 1869.

[For message and bills—see House Journal 17th Feb., 1873.]

The question was then taken on the passage of the first named bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Wm. F. Bond, L. W. Lassing, Joseph P. Foree, W. A. Morin, James Garnett.

And so said bill was rejected.

The question was also taken on the passage of the second named bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

W. W. Bush, J. S. Lawson, J. S. Taylor,
B. E. Cassilly, J. J. McClung, C. W. Threlkeld,
James S. Chrisman, Bryan S. McClure, Harry I. Todd,
C. M. Clay, Jr., William J. McElroy, L. W. Trafton,
J. Guthrie Coke, M. E. McKenzie, T. W. Varnon,
John W. Dyer, J. C. Moorman, C. H. Webb,
C. D. Foote, W. A. Morin, J. M. White,
Joseph P. Foree, Wm. Mynhier, F. A. Wilson,
James Garnett, John W. Ogilvie, J. M. Wright—47,
E. A. Graves, Lewis Potter,

And so said bill was rejected.

The question was also taken on the passage of the third named bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
William Brown, W. H. Evans, George M. Thomas—5,
J. E. Cosson, Mat. Nunan,

Those who voted in the negative, were—
Wm. A. Allen, E. A. Graves, Lewis Potter,
A. C. Armstrong, C. P. Gray, W. L. Reeves,
A. S. Arold, George M. Jesse, E. A. Robertson,
W. W. Ayers, E. Polk Johnson, John P. Rowlett,
J. C. S. Blackburn, Thomas M. Johnson, J. R. Sanders,
Church H. Blakey, T. J. Jones, Samuel M. Sanders,
Wm. F. Bond, L. W. Lassing, C. C. Scales,
E. E. Cassilly, J. S. Lawson, James W. Snyder,
James S. Chrisman, J. J. McClung, J. S. Taylor,
C. M. Clay, Jr., Bryan S. McClure, C. W. Threlkeld,
J. Guthrie Coke, William J. McElroy, Harry I. Todd,
John W. Dyer, M. E. McKenzie, L. W. Trafton,
M. Woods Ferguson, J. C. Moorman, T. W. Varnon,
C. D. Foote, W. A. Morin, J. M. White,
Joseph P. Foree, Wm. Mynhier, F. A. Wilson,

And so said bill was rejected.

The question was also taken on the passage of the fourth named bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

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Those who voted in the negative, were—

Wm. A. Allen,  James Garnett,  John W. Ogilvie,
A. C. Armstrong,  E. A. Graves,    Lewis Potter,
A. S. Arnold,    C. P. Gray,     W. L. Reeves,
W. W. Ayers,  Clinton Griffith,  E. A. Robertson,
J. C. S. Blackburn,  George M. Jesse,  John P. Rowlett,
Church H. Blakey,  E. Polk Johnson,  J. R. Sanders,
Wm. F. Bond,  Thomas M. Johnson,  Samuel M. Sanders,
W. W. Bush,  T. J. Jones,    C. C. Scales,
B. E. Cassilly,  L. W. Lassing,  J. S. Taylor,
James S. Chrisman,  J. S. Lawson,  C. W. Threlkeld,
C. M. Clay, jr.,  J. J. McAfee,  Harry I. Todd,
J. Guthrie Coke,  Bryan S. McClure,  L. W. Trafton,
J. E. Gosson,  William J. McElroy,  T. W. Varnon,
John W. Dyer,  M. E. McKenzie,  J. M. White,
M. Woods Ferguson,  J. C. Moorman,  F. A. Wilson,
Joseph P. Force,  Wm. Mynhier,

And so said bill was rejected.

The House also took up and proceeded to consider the message of the Governor, delivered to the House on the 28th day of February last, returning to the House unapproved, and with his objections to the passage thereof,

An act to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.

[For message and bill—see House Journal 28th February.]

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
G. W. Little,  George M. Thomas—2.

Those who voted in the negative, were—

Wm. A. Allen,  James Garnett,    Lewis Potter,
A. C. Armstrong,  E. A. Graves,    W. L. Reeves,
A. S. Arnold,    C. P. Gray,     E. A. Robertson,
W. W. Ayers,  Clinton Griffith,  J. R. Sanders,
J. C. S. Blackburn,  George M. Jesse,  Samuel M. Sanders,
Church H. Blakey,  E. Polk Johnson,  C. C. Scales,
Wm. F. Bond,  T. J. Jones,    James W. Snyder,
W. W. Bush,  L. W. Lassing,  J. S. Taylor,
B. E. Cassilly,  J. S. Lawson,  C. W. Threlkeld,
James S. Chrisman,  J. J. McAfee,  Harry I. Todd,
C. M. Clay, jr.,  Bryan S. McClure,  L. W. Trafton,
J. Guthrie Coke,  William J. McElroy,  T. W. Varnon,
J. E. Cosson, J. E. Gosson, M. E. McKenzie, J. C. Moorman, C. H. Webb,
John W. Dyer, J. M. McKenzie, W. A. Moore, J. M. White,
M. Woods Ferguson, W. A. Morris, F. A. Wilson, C. D. Foote, Wm. Mynhier,
M. Woods Ferguson, W. A. Morris, F. A. Wilson, C. D. Foote, Wm. Mynhier,
Joseph P. Foree, John W. Ogilvie, C. H. Webb,
And so said bill was rejected.

Mr. Chrisman, from the select committee raised and appointed this
day to inquire into the extent of the recent fire at Lawrenceburg,
and the measure of relief that ought to be afforded its citizens, re­
ported the following preamble and joint resolutions, viz:

WHEREAS, It has been made known to this General Assembly that, on
the evening of the 15th inst., the town of Lawrenceburg was almost to­
tally destroyed by fire, and that many of the citizens thereof rendered
destitute and powerless; therefore, be it

1. Resolved by the General Assembly of the Commonwealth of Kentucky,
That we, the members of the General Assembly of Kentucky, tender to
the sufferers our most heartfelt sympathies, and petition the cities and
towns throughout the Commonwealth to contribute to the relief of the
sufferers.

2. That the sum of ten thousand dollars be, and the same is hereby,
appropriated, out of any money in the Treasury, for the relief of the
Lawrenceburg sufferers; and that W. F. Bond, Dr. J. A. Witherspoon,
George W. Withers, and W. E. Bell, be, and are hereby, constituted a
committee to dispose said amount for said relief; and that they report to
this General Assembly the manner in which the money was expended.

Which lie one day on the table.

The House then, according to order, took up and resumed the con­
sideration of the report from the Senate of their action on the report
of the joint committee on the report of the Commissioners to revise
the Statutes.

The question being on the adoption of the substitute offered by
Mr. Todd for the sixth section of article 6, title “Claims upon the
Treasury,” as amended by the House.

Said substitute reads as follows, viz:

§ 6. To the committee of an idiot by order of circuit court, for his
support for a year, a sum not exceeding one hundred and twenty-five
dollars, and the court shall determine upon the amount to be
allowed from proper evidence by affidavit or otherwise.

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

Those who voted in the affirmative were—

J. C. S. Blackburn, Mat. Nunan, Harry I. Todd,
John W. Dyer, Hiram S. Powell, L. W. Trafton,
Those who voted in the negative, were—

Wm. A. Allen, Clinton Griffith, Lewis Potter,
A. C. Armstrang, George M. Jessee, W. L. Reeves,
A. S. Arnold, E. Polk Johnson, E. A. Robertson,
W. W. Ayers, Thomas M. Johnson, John P. Rowlett,
Church H. Blakey, T. J. Jones, J. R. Sanders,
Wm. F. Bond, L. W. Lassing, Samuel M. Sanders,
B. E. Cassilly, J. S. Lawson, James W. Snyder,
James S. Chrisman, Bryan S. McClure, J. S. Taylor,
C. M. Clay, Jr., William J. McElroy, George M. Thomas,
J. E. Cosson, M. E. McKenzie, C. W. Threlkeld,
W. H. Evans, J. C. Moorman, T. W. Varnon,
M. Woods Ferguson, W. A. Morin, C. H. Webb,
James Garnett, Wm. Mynhier, J. M. White,
E. A. Graves, John W. Ogilvie, F. A. Wilson—43.

And so said substitute was rejected.

Mr. McElroy offered the following amendment to section 8 of same article, viz:

Amend section 8, article 6, chapter 10, of report from Senate, by striking out the word “seven,” and inserting in lieu thereof the word “five.”

Mr. Graves offered the following substitute for the original section reported from the Senate, and for the amendment proposed by Mr. McElroy, viz:

The per diem of members of the General Assembly shall be five dollars for each day’s attendance on the same, and fifteen cents per mile for necessary travel to and from the sessions of the respective Houses: Provided, That no member shall draw pay for any day or days he may be absent from the sessions of the House or Senate, unless caused by sickness of himself or family.

Mr. Wright offered the following amendment to the substitute proposed by Mr. Graves, viz:

Strike out all after the word “the,” in the first line, and insert “the members of the General Assembly shall receive fifteen cents per mile for necessary travel to and from the sessions of their respective Houses, and shall receive no other pay or emolument in any form.”

Mr. Clay moved the previous question.

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

Further action thereon was cut off by the arrival of the hour to adjourn under a resolution heretofore adopted.

And then the House adjourned.
The following petitions were presented, viz.:  

By Mr. Mynhier—  
The petition of sundry citizens of Magoffin county, praying the passage of a law to allow Mason Gullett to retail ardent spirits under license at his house.  

By Mr. Moorman—  
The petition of citizens of Mercer Station and vicinity, Muhlenburg county, praying the passage of an act to prohibit the sale of ardent spirits, vinous or malt liquors, within two miles of said Station.  

Which were received, the reading dispensed with, and referred to the Committee on Religion.  

Leave of absence, indefinitely, was granted Mr. Scales.  

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

An act in relation to the city of Vanceburg.  
An act to incorporate the Covington Mining and Manufacturing Company.  
An act to incorporate the Buffalo Furnace Company.  
An act to prohibit the granting of license for the sale of spirituous, vinous, or malt liquors in the town of Butler, or within one mile thereof.  
An act for the benefit of J. T. Freeman, of Whitley county.  
An act for the benefit of John H. Pemberton, of Whitley county.  
An act to incorporate the Board of Trustees of the Kentucky Annual Conference of the Methodist Episcopal Church.  
An act for the benefit of James W. Wills, sr., of Menifee county.  
An act to incorporate the Press Printing Company.  
An act authorizing the Lewis county court to levy an additional tax to pay off the debt of said county, and to aid in the building of turnpike roads in said county.  
An act for the benefit of the Farmers' Bank of Kentucky.  
With amendments to the last two named bills.
And that they had passed bills of the following titles, viz:
1. An act to incorporate the Tug River Coal Railroad Company.
2. An act to increase the jurisdiction of justices of the peace in Ballard county, and to regulate appeals from their courts.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Railroads, and the 2d to the Committee on the Judiciary.

Bills were reported by the several committees originating the same, of the following titles, viz:

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of common schools in Kentucky.

By Mr. Trafton, from the Committee on County Courts—
A bill to authorize the Anderson county court to issue bonds and levy a tax for the relief of certain citizens of Lawrenceburg.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bills being 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 an unfinished report from the Committee on Claims, viz:

A bill for the benefit of Knox county.

Mr. Ferguson withdrew the amendment offered by him.

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

Said bill being engrossed, was read a third time as follows, viz:

Whereas, It is made manifest to the General Assembly of the Commonwealth of Kentucky that the county of Knox has a good and sufficient jail which requires no guards to prevent the escape of prisoners confined therein; and whereas, it has been farther shown, that, in consequence of excitement attending the killing of Sampson by Jo Berry, in said county; and the confinement of said Berry in jail; and the assault made upon the guards and witnesses by Berry’s friends, and the threats and demonstrations made by them; the county judge of said county had reasonable grounds to believe that an attempt to rescue Berry would be
made, or that he would be taken out and hung by a mob, and therefore ordered a guard for said jail, which claim amounts to $526, and which, under an act of the Legislature approved the — day of ——, 18__, will have to be paid by said county of Knox, which would be unjust; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, that said county of Knox be exempt from the payment of said guard claims out of the county levy, and that the sheriff thereof is directed to pay said claims, amounting to five hundred and twenty-six dollars, out of the revenue due from Knox county for the year 1873, and the Auditor of Public Accounts is directed to credit said sheriff with said amount upon settlement of his accounts for the revenue of Knox county for the year 1873.

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

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:—

Those who voted in the affirmative, were—

George W. Anderson, J. E. Cosson, J. S. Lawson,
A. C. Armstrong, John W. Dyer, G. W. Little,
R. Tarv. Baker, W. H. Evans, W. A. Morin,
John A. Bell, M. Woods Ferguson, Mat. Nunan,
J. C. S. Backburn, Wm. Cassius Goodloe, Hiram S. Powell,
John S. Carpenter, Clinton Griffith, George M. Thomas,
B. E. Cassilly, E. Polk Johnson, Harry L. Todd,
J. Guthrie Coke, L. W. Lassing, Mordecai Williams—24.

Those who voted in the negative, were—

Wm. A. Allen, Thomas M. Johnson, Samuel M. Sanders,
W. W. Ayers, T. J. Jones, C. C. Scales,
Church H. Blakey, J. J. McAfee, James W. Sayder,
W. W. Bush, Bryan S. McClure, J. S. Taylor,
Robert M. Carlisle, William J. McClroy, C. W. Threlkeld,
James S. Chrisman, J. C. Mooreman, L. W. Trafton,
C. M. Clay, jr., John W. Ogilvie, Joseph T. Tucker,
James Garnett; Lewis Potter, T. W. Varnon,
E. A. Graves, W. L. Reeves, C. H. Webb,

And so said bill was rejected.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of George Sublett, of Elliott county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act to pay the expenses of D. R. Haggard, State agent, sent to Missouri after Cutler and Taylor, charged with forgery,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time 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, directed to draw his warrant upon the Treasury for two hundred and eighty-three dollars, in favor of D. R. Haggard, for money expended by him in the pursuit of Norman Cutler and John M. Taylor, of Missouri, charged with the crime of forgery.

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

The question was then taken on the passage of said bill, but no quorum voting thereon, it was placed in the orders of the day.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, James B. Fitzpatrick, John W. Ogilvie,
J. C. S. Blackburn, C. P. Gray, Lewis Potter,
Robert M. Carlisle, Clinton Griffith, Hiram S. Powell,
John S. Carpenter, George M. Jesse, J. R. Sanders,
B. E. Cassilly, L. W. Lassing, Harry L. Todd,
C. M. Clay, Jr., G. W. Little, T. W. Varnon,
J. Guthrie Coke, J. J. McAfee, C. H. Webb,
R. L. Cooper, Bryan S. McClure, Mordecai Williams,
M. Woods Ferguson, Wm. Mynhier,

Those who voted in the negative, were—

Wm. A. Allen, Wm. Cassius Goodloe, E. A. Robertson,
Church H. Blakey, E. A. Graves, James W. Snyder,
Wm. F. Bond, Thomas M. Johnson, J. S. Taylor,
W. W. Bush, T. J. Jones, George M. Thomas,
James S. Chrisman, J. S. Lawson, C. W. Threlkeld,
J. E. Cosson, J. C. Moorman, Joseph T. Tucker,

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act to authorize the Anderson county court to issue bonds and levy a tax for the relief of certain citizens of Lawrenceburg.

And that they had passed a bill, entitled

An act authorizing the city council of Frankfort to make a subscription to the Lawrenceburg sufferers.

The rule requiring its reference to a committee being suspended, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

The House took up the joint resolution reported on yesterday by Mr. Chrisman, from a select committee, entitled

Resolution for relief of sufferers by fire at Lawrenceburg.

Said resolution was again read.

Mr. Graves offered the following amendment, viz:

Strike from same the words "ten thousand," and insert in lieu thereof the words "five thousand."

Mr. Brown moved the previous question.

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

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

Those who voted in the affirmative, were—

Wm. A. Allen, J. E. Cosson, Mat. Nunan,
George W. Anderson, John W. Dyer, J. P. Sacksteder,
A. C. Armstrong, M. Woods Ferguson, J. R. Sanders,
R. Tarv. Baker, James B. Fitzpatrick, Samuel M. Sanders,
John A. Bell, C. D. Foote, C. C. Scales,
J. C. S. Blackburn, Wm. Cassius Goodloe, George M. Thomas,
Wm. F. Bond, E. Polk Johnson, C. W. Threlkeld,
William Brown, Thomas M. Johnson, Harry L. Todd,
W. W. Bush, J. S. Lawson, L. W. Trafton,
Robert M. Carlisle, G. W. Little, T. W. Varnon,
John S. Carpenter, J. J. McAfee, Mordecai Williams,
B. E. Cassilly, W. A. Morn, S. H. Woolfolk,
C. M. Clay, Jr.
Those who voted in the negative, were—


Bryan S. McClure,

The main question being ordered, the question was then taken on the adoption of the amendment proposed by Mr. Graves, and it was decided in the negative.

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

Those who voted in the affirmative, were—


C. P. Gray,

Those who voted in the negative, were—


R. L. Cooper,

And so said amendment was rejected.

The question was then taken on the adoption of the resolution reported by the committee, and not having received a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the affirmative, were—


The hour of half-past 11 o'clock, A. M., having arrived, the House, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the statutes.

The question was then taken on the adoption of the amendment proposed by Mr. Wright to the substitute offered by Mr. Graves for the amendment proposed by Mr. McElroy to section 8, article 6, chapter 16, and it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The question was then taken on the adoption of the substitute proposed by Mr. Graves for the amendment proposed by Mr. McElroy to said section, and for the section reported from the Senate, and it was decided in the negative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, E. A. Graves, John W. Ogilvie,
A. C. Armstrong, C. P. Gray, Samuel M. Sanders,
W. W. Ayers, George M. Jesse, J. S. Taylor,
Robert M. Carlisle, Bryan S. McClure, C. H. Webb,
W. H. Evans, M. E. McKenzie, J. M. White,
James Garnett, Mat. Nunan,

Those who voted in the negative, were—

George W. Anderson, M. Woods Ferguson, E. A. Robertson,
John A. Bell, C. D. Poote, John P. Rowlett,
J. C. S. Blackburn, Wm. Cassius Goodloe, J. P. Sacksteder,
Church H. Blakey, Clinton Griffith, J. R. Sanders,
Wm. F. Bond, E. Polk Johnson, C. C. Scales,
W. W. Bush, Thomas M. Johnson, George M. Thomas,
John S. Carpenter, L. W. Lassing, C. W. Threlkeld,
B. E. Cassilly, J. S. Lawson, Harry I. Todd,
James S. Chrisman, William J. McElroy, L. W. Trafton,
C. M. Clay, jr., J. C. Moorman, Joseph T. Tucker,
J. Guthrie Coke, W. A. Morin, T. W. Varnon,
R. L. Cooper, J. L. Nall, Mordecai Williams,
J. E. Cosson, Lewis Potter, S. H. Woolfolk,
John W. Dyer, W. L. Reeves, J. M. Wright—42.

The question was then taken on the adoption of the amendment proposed by Mr. McElroy to said section, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Wm. A. Allen, George M. Jesse, Hiram S. Powell,
A. C. Armstrong, E. Polk Johnson, W. L. Reeves,
W. W. Ayers, Thomas M. Johnson, E. A. Robertson,
W. N. Beckham, T. J. Jones, John P. Rowlett,
Church H. Blakey, L. W. Lassing, J. R. Sanders,
Robert M. Carlisle, J. S. Lawson, Samuel M. Sanders,
James S. Chrisman, G. W. Little, C. C. Scales,
C. M. Clay, jr., Bryan S. McClare, J. S. Taylor,
J. E. Cooson, William J. McElroy, George M. Thomas,
W. H. Evans, M. E. McKenzie, C. W. Thrallkeld,
Joseph P. Force, J. C. Moorman, T. W. Varnon,
James Garnett, Wm. Mynhier, C. H. Webb,
Wm. Cassius Goodloe, J. L. Nall, J. M. White,
E. A. Graves, Mat. Nunan, Mordecai Williams,
C. P. Gray, John W. Ogilvie, F. A. Wilson,
Clinton Griffith, Lewis Potter, S. H. Woolfolk—45.

Those who voted in the negative, were—
George W. Anderson, B. E. Cassily, W. A. Morin,
R. Tarv. Baker, J. Guthrie Coke, Harry I. Todd,
John A. Bell, R. L. Cooper, L. W. Trafton,
J. C. S. Blackburn, John W. Dyer, Joseph T. Tucker,
John S. Carpenter, C. D. Foote,

Said section, as amended, was then adopted.

Mr. Todd then moved to reconsider the vote by which section 7 of
article 6, chapter 16, title "Claims upon the Treasury," was adopted.
And the question being taken on the motion of Mr. Todd, it was
decided in the affirmative.

Mr. Todd moved to amend said section by striking therefrom the
words, "nor shall the whole sum so expended exceed in any one
year two thousand five hundred dollars."

Pending consideration of said motion, the hour for taking a recess,
under the resolution heretofore adopted, arrived, and the House took
a recess until half-past 7 o'clock, P. M.

At half-past 7 o'clock, P. M., the House again assembled.

Bills were reported by the several committees, who were directed
to prepare and bring in the same, of the following titles, viz:

By Mr. Todd, from the Committee on Banks—
A bill to incorporate the Exchange Bank of Sharpsburg.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to incorporate the Fox Creek and Washington County Turn-
pike Road Company.

By Mr. Morin, from the Committee on Education—
A bill to establish a common school for the benefit of the colored
people of Catlettsburg and vicinity.

By Mr. Baker, from the Committee on Circuit Courts—
A bill to regulate the official sales of real and personal property
in the county of Bracken.
By Mr. Cooper, from the Committee on Education—
A bill to amend an act to incorporate the Bourbon Female College, approved March 14, 1872.

By same—
A bill to incorporate the Paris Harmonic Society, of Paris.

By Mr. Cassilly, from the Committee on Claims—
A bill for the benefit of Leonidas H. Voshell, of Boone county.

By Mr. Baker, from the Committee on Circuit Courts—
A bill to incorporate the Alexandria Cemetery Company, in Campbell county.

By Mr. Carpenter, from the Committee on Insurance—
A bill to amend an act, entitled "An act to incorporate the Clay, Fire, and Marine Insurance Company, of Newport," approved March 10, 1856.

By Mr. Morin, from the Committee on Education—
A bill to authorize the school commissioner of Campbell county to redistrict the school districts of said county, and to repeal an act, entitled "An act to provide for the redistricting the school districts of Campbell county," approved March 5, 1872.

By Mr. Tucker, from the Committee on the Judiciary—
A bill to provide for organizing and establishing a system of public schools in Winchester.

By same—
A bill to incorporate the Mount Sterling and Carter County Mining and Manufacturing Company.

By Mr. Moorman, from the Committee on Agriculture and Manufactures—
A bill to amend an act, entitled "An act to incorporate the Daviess County Agricultural and Mechanical Association."

By Mr. Tucker, from the Committee on the Judiciary—
A bill to amend an act, entitled "An act fixing the time of holding the terms of the circuit courts in the tenth judicial district."

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to amend an act, entitled "An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company," approved March 20, 1871.

By same—
A bill to amend an act, entitled "An act to amend the charter of the town of Lancaster."
By Mr. Trafton, from the Committee on County Courts—
A bill in relation to persons convicted of penal offenses in Union county.

By same—
A bill to amend an act to incorporate the Highland Racing Park Association.

By Mr. Mynhier, from the Committee on County Courts—
A bill to authorize the county of Hickman to raise a sinking fund for county purposes.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to authorize the voters of the town of Clinton to vote upon proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same.

By Mr. Woolfolk, from the same committee—
A bill to amend the original and amended acts incorporating the town of Earlington.

By Mr. Seales, from the same committee—
A bill to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

By Mr. Blakey, from the same committee—
A bill to amend the charter of the Nicholasville and Kentucky River Turnpike Road Company.

By Mr. Robertson, from the Committee on Religion—
A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington.

By Mr. Thomas, from the Committee on Revised Statutes—
A bill to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Boone Mining and Manufacturing Company,'" approved February 13, 1873.

By same—
A bill amending an act incorporating the Vanceburg, Salt Lick, Tolisboro, and Maysville Turnpike Road Company.

By Mr. Tucker, from the same committee—
A bill to exempt certain persons in Fayette county from work on public roads.

By Mr. Coke, from the Committee on Railroads—
A bill to amend the charter of the Elizabethtown and Paducah Railroad Company.

By Mr. Cassilly, from the Committee on Claims—
A bill for the benefit of Johnson V. Oakley, of Morgan county.
By Mr. Griffith, from the same committee—
A bill for the benefit of James Hogg, committee of Nancy Frazer, a pauper idiot, now of Rowan county.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate Clay Lodge, No. 1, Knights of Pythias.

By same—
A bill to incorporate the Evansville and Henderson Railroad Packet Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:

By Mr. Garnett, from the Committee on the Judiciary—
An act for the benefit of John T. Ratcliff and Samuel P. Ratcliff, of Carter county.

By same—
An act to amend an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7, 1871.

By Mr. Blakey, from the Committee on Corporate Institutions—
An act to amend the charter of the city of Hopkinsville.

By same—
An act to incorporate Greensburg Lodge of Free and Accepted York Masons.

By same—
An act to incorporate Ivy Lodge, No. 21, Knights of Pythias.

By Mr. Trafton, from the Committee on County Courts—
An act to amend an act approved March 23, 1871, entitled "An act to amend the law in relation to county judges," approved February 15, 1868.
By Mr. Armstrong, from the Committee on Education—
An act to amend an act, entitled "An act to incorporate Cecilian College, in Hardin county."

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to amend the charter of the Mount Freedom and Jessamine County Turnpike Road Company.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to repeal an act amending the charter of Nicholasville, approved January 6, 1871.

By same—
An act for the benefit of the Louisville Medical College.

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act authorizing the Marshall county court to issue bonds and levy a tax to build or repair bridges in said county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Leave of absence, indefinitely, was granted Messrs. J. A. Bell and Corbett.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Cold Spring school district, in Campbell county.

Said amendment was concurred in.

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act to incorporate the Rebecca Benevolent Society, of Covington,"

Reported the same with amendments, which were adopted.

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

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act to incorporate the Rebecca Benevolent Society, of Covington, Kentucky, approved March 9, 1868, be, and the same is hereby, so amended as to read as follows:

§ 2. That Elizabeth J. Bryant, Jane Race, E. B. Francis, Jane Reed, Jane Wico, Frances Bean, Jane Rust, and Emily Beckerdtike, their associates, successors, and assigns, be, and they are hereby, created a body-
corporate and politic, by the name and style of "The Mother Lodge of the Rebeckah Benevolent Society" of Covington, Kentucky, with perpetual succession, and full powers to have a common seal, and change the same at pleasure; to sue and be sued, the same as a natural person; to acquire, by purchase, lease, or otherwise, real and personal property, for the use and benefit of said society, not exceeding the sum of fifty thousand dollars; they may sell, lease, and convey, or otherwise dispose of the same, and reinvest the proceeds thereof for like purposes, as their interests and necessities may require; and they may do and perform all acts for the promotion of said society, not inconsistent with this act and the laws and Constitution of the United States and of this Commonwealth.

§ 3. The objects of this association shall be purely charitable; they may provide for a weekly sum of money to be paid to its members in case of sickness, and pecuniary benefits in case of death, and for the support and education of orphans, and such other charitable objects as consistent with their constitution and by-laws.

§ 4. The said Mother Lodge shall have the right to establish branch or subordinate lodges in such other towns and places as may be deemed practicable, and for the promotion of its objects, under such rules and regulations as may be deemed advisable.

§ 5. The Mother Lodge shall hold at least one session in each year, in which each subordinate lodge shall be entitled to have equal representation with the Mother Lodge, at which the general constitution and by-laws of the association may be amended by the members thereof.

§ 6. The subordinate lodges shall enjoy all of the rights and privileges herein granted, except the right to establish other lodges.

§ 7. The Mother Lodge and all subordinate lodges shall be composed entirely of females, who shall, at least once in each year, elect a presiding officer, a secretary and treasurer, and such other officers as they may deem necessary.

§ 8. Should any of said lodges at any time have any money on hand not needed for present use, they may loan the same upon good security, at any rate of interest not to exceed ten per cent. per annum. Should they desire to dispose of any property, they may dispose of the same to the highest bidder, or at private sale or otherwise, as they may deem advisable.

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

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

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

Those who voted in the affirmative, were—

Wm. A. Allen,  C. D. Foote,  E. A. Robertson,
George W. Anderson,  James Garnett,  J. P. Sacksteder,
A. C. Armstrong,  Wm. Cassius Goodloe,  C. C. Scales,
A. S. Arnold,  Clinton Griffith,  William Sellers,
W. W. Ayers,  E. Polk Johnson,  J. S. Taylor,
W. N. Beckham,  Thomas M. Johnson,  George M. Thomas,
Wm. F. Bond,  L. W. Laessing,  Harry I. Todd,
Robert M. Carlisle,  J. J. McAltee,  L. W. Trafton,
John S. Carpenter,  J. C. Moorman,  Joseph T. Tucker,
Those who voted in the negative, were—


R. L. Cooper, Bryan S. McClure,

Resolved. That the title of said bill be as aforesaid.

Mr. Coke, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to authorize sales and conveyances by trustees under a power,

Reported the same with amendments, which were adopted.

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

Said bill, as amended, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, it shall be competent for any person or corporation conveying real or personal estate, or any interest therein, in trust, to secure the payment of any debt or debts, or to indemnify any person who may be a surety for him or it, for the payment of any debt, or for the performance of any contract, to authorize and empower the trustee named in the deed, whenever required by any creditor secured, or surety indemnified thereby, or by the personal representative of such creditor or surety, after the debt due to such creditor, or for which such surety may be liable, shall have become due and payable by the grantor, and default shall have been made by him in the payment thereof, or any part thereof, to sell the property conveyed at public auction, in such parcels, and upon such terms, as may be directed or specified in the deed, the trustee having first given such notice of the time, place, and terms of sale as may be directed by the deed.

§ 2. In every such case as that mentioned in the first section of this act, it shall be the duty of said trustee, when required, as therein mentioned, to make such sale as may be required by the deed; and upon compliance by the purchaser with the terms of the sale, the trustee shall execute and deliver to him a deed, for the property purchased by him, which deed shall vest in such purchaser all the right, title, interest, legal and equitable, of the grantor, as if he had executed and delivered the same in person, subject, however, to any lien that may be reserved in such deed for unpaid purchase money.

§ 3. In case of the failure of the purchaser, at such sale, to comply with the terms of sale, or of his failure to make any deferred payments at the maturity thereof, the trustee shall have power, and it shall be his duty, when required by either the grantor or any creditor or surety, secured or indemnified by said deed, to again sell, at public auction, for cash, said property, or so much thereof as may be necessary to pay the purchase money then unpaid and the expense of resale; and if upon such resale the property shall not realize an amount sufficient to pay such unpaid purchase money and expenses of resale, the purchaser so in default shall be
liable to said trustee for the difference, and the trustee shall have power
to make such resale as often as a purchaser shall fail to comply with the
terms of sale, or to pay the purchase money when due.

§ 4. The proceeds of sale of property sold by such trustee shall be ap-
plied by him to the payment, first, of the expenses attending the execu-
tion of the trust, including such commissions to the trustee as may be
agreed on in the deed: Provided, That in default of such agreement in the
deed, the commission of the trustee shall be three per cent. on the first five
hundred dollars, or less amount, two per cent. on all above five hundred
dollars up to five thousand dollars, and one per cent. on all over five thou-
sand dollars, of the residue of the proceeds of sale, and the remainder
shall then be applied to the payment of the debts secured, or to the in-
demnity of the sureties indemnified by the deed, and the surplus, if any,
shall be paid to the grantor.

§ 5. In case of the death of the trustee named in any deed contemplated
by this act, before the execution of the trust, the grantor, his personal
representative or assigns, and the 
estate que trust, his or their personal rep-
resentative or assigns, may, by agreement, to be recorded in the county
court clerk's office where the deed of trust is recorded, appoint a trustee
who shall have all the powers of the original trustee, and in default of
such agreement for thirty days after such death, the personal representa-
tives of the trustee shall have all the power, and be subject to the duties
of the original trustee; but when more than one trustee is named in the
deed, then, in case of the death of one or more, the survivor or survivors
may and shall act alone in the execution of the trust.

§ 6. In case the trustee appointed to carry out the provisions of the
trust under the said deed shall remove from the county or State, or become
incompetent, or fail, or refuse to carry out the provisions of the said deed,
any court of competent jurisdiction shall, on application of the beneficial
in the deed, appoint the sheriff of the court to carry out the provisions of
the trust deed.

§ 7. All laws and parts of laws in conflict with this act are hereby re-
pealed.

§ 8. This act shall only apply to cities having not less than seventy-five
thousand (75,000) inhabitants.

§ 9. This act shall not apply to married women.

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

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

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

Those who voted in the affirmative, were—

Wm. A. Allen, John W. Dyer, J. L. Nall,
George W. Anderson, M. Woods Ferguson, E. A. Robertson,
A. C. Armstrong, C. D. Foote, J. P. Snellsteder,
A. S. Arnold, Wm. Cassius Goodloe, C. C. Scales,
R. Tarv. Baker, E. A. Graves, Harry I. Todd,
John S. Carpenter, Clinton Griffith, Joseph T. Tucker,
B. E. Cassilly, B. Polk Johnson, T. W. Varnon,
C. M. Clay, Jr., L. W. Lassing, Mordecai Williams,
J. Guthrie Coke, J. J. McAfee, J. M. Wright.
Those who voted in the negative, were—

W. W. Ayers,  
J. C. S. Blackburn,  
Church H. Blakey,  
Wm. F. Bond,  
W. W. Bush,  
James S. Chrisman,  
R. L. Cooper,  
Joseph P. Foree,  
James Garnett,  
C. P. Gray,  
George M. Jesse,  
Thomas M. Johnson,  
Bryan S. McClure,  
William J. McElroy,  
M. E. McKenzie,  
J. C. Moorman,  
Wm. Mynhier,  

John W. Ogilvie,  
Lewis Potter,  
William Sellers,  
J. S. Taylor,  
George M. Thomas,  
C. W. Threlkeld,  
L. W. Trafton,  

Resolved, That the title of said bill be as aforesaid.
And then the House adjourned.

WEDNESDAY, MARCH 19, 1873.

The following petitions were presented, viz:

By Mr. Tucker—
1. The petition of Clark and Powell counties, praying the passage of an act prohibiting the gift or sale of spirituous, vinous, or malt liquors within one and a half miles of West Bend, in Powell county.

By Mr. Lawson—
2. The petition of citizens of Nicholas county, praying the passage of an act suppressing the sale of intoxicating liquors in said county.

By Mr. Sellers—
3. The petition of school district No. 34, in Garrard county, praying the passage of an act levying a tax on said district for the purpose of building a school-house.

By Mr. Sacksteder—
4. The petition of citizens of the city of Louisville and the county of Jefferson, praying the rejection of an act, which originated in the Senate, prohibiting cattle from running at large in the county of Jefferson.

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

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

On motion of Mr. W. H. Evans—
1. A bill to amend an act creating the county of Josh Bell.

On motion of Mr. Webb—
2. A bill to incorporate the Cumberland Valley Mining Company.

On motion of Mr. Ferguson—
3. A bill to amend the charter of the city of Louisville.

On motion of Mr. Trafton—
4. A bill to incorporate the Henderson Water-works Company.

Ordered, That the Committee on County Courts prepare and bring in the 1st, and the Committee on Corporate Institutions the 2d, 3d, and 4th.

Leave of absence, indefinitely, was granted Messrs. Mynhier, Ayers, and Coke; and to Mr. Gray, on account of sickness in his family.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors at the Falls of Rough, in Grayson county, or within five miles thereof."

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

An act to amend an act to prohibit the sale of spirituous and intoxicating liquors in Rockcastle county, approved March the 1st, 1870.

An act to prohibit the sale of spirituous, vinous, or malt liquors near Trigg Furnace, in Trigg county.

An act to amend the charter of the Manufacturers' Bank.

An act to repeal an act, entitled "An act to change the lines between the counties of Letcher and Harlan."

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Mt. Zion Church, Clark county.

An act to amend an act, entitled "An act to incorporate the Trustees of the Lancaster Presbyterian Church."

An act to enable the county court of Laurel county to levy an ad valorem tax for the purpose of building a new jail, and for other purposes.
An act to allow the bona fide voters of the Garnettsville district, in Meade county, to vote for or against the sale of spirituous, vinous, and malt liquors in said district.

An act to authorize the county court of Whitley county to increase taxes for county purposes.

An act to repeal so much of an act, entitled "An act for the benefit of the clerks of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson," as applies to the counties of Cumberland, Clinton, Adair, Russell, and Todd.

An act to amend an act, entitled "An act to add part of Adair to Casey county."

That they had adopted a joint resolution, entitled Resolution for the relief of the sufferers by the late fires at Lawrenceburg and Carlisle.

And that they had passed bills of the following titles, viz:

1. An act for the protection of counties, cities, &c., subscribing stock in railroads, turnpikes, and other improvements.
2. An act to incorporate the Ohio and Red River Packet Company.
3. An act to incorporate the Rockcastle Railway Company.
4. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Kentucky and Great Eastern Railway Company."

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 3d, and 4th to the Committee on Railroads, and the 2d to the Committee on Corporate Institutions.

Mr. Graves moved to reconsider the vote by which this House, on yesterday, passed, as amended, a bill from the Senate, entitled An act to authorize sales and conveyances by trustees under a power.

Mr. Bond, from a majority of the committee heretofore appointed to investigate certain rumors with respect to the conduct and management of the Institution for the Education of the Feeble-minded, at Frankfort, made the following report, viz:

[For Report—see Legislative Document No. 18.]
Mr. Sellers, from a minority of said committee, made also the following report, viz:

[For Report—see Legislative Document No. 18.]

On motion of Mr. Bond,

Ordered, That said reports and accompanying proofs be printed, and that the consideration thereof be postponed to, and made the special order of the day for, Tuesday, the 25th inst., at 10 o'clock, A.M.

On motion of Mr. Foote,

Ordered, That a committee, consisting of Messrs. Foote and Varnon, be appointed, to wait on the Senate, and ask to withdraw therefrom the announcement of the concurrence of this House, in the amendments proposed by the Senate, with an amendment, to a bill which originated in the House of Representatives, entitled

An act to authorize certain counties in this Commonwealth to purchase land for a right of way and depot grounds for, and lease the same to, the Trustees of the Cincinnati Southern Railway.

Said message having been communicated to the Senate, the bill was returned and laid upon the Clerk’s table.

Thereupon Mr. Foote moved to reconsider the vote by which this House concurred in the Senate amendments to said bill as amended.

And the question being taken on the motion of Mr. Foote, it was decided in the affirmative.

Mr. Carlisle then moved to reconsider the vote by which the Senate amendments, proposed by him, was adopted.

And the question being taken on the motion of Mr. Carlisle, it was decided in the affirmative.

Mr. Carlisle then, by unanimous consent, withdrew his said amendment.

The amendments proposed by the Senate to said bill were then concurred in.

Mr. Jones moved to reconsider the vote by which this House, on yesterday, rejected a bill, entitled

A bill for the benefit of Knox county.

Mr. Clay, from the Committee on Railroads, who were directed to prepare and bring in the same, reported

A bill to amend an act incorporating the Cincinnati, Covington, and Cumberland Gap Railroad Company, approved 11th March, 1867.

Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The House then took up the amendments proposed by the Senate, to bills which originated in the House of Representatives, of the following titles, viz:

An act authorizing the Lewis county court to levy an additional tax to pay off the debt of said county, and to aid in the building of turnpike roads in said county.

An act for the benefit of common school district No. 24, in Larue county.

An act to amend the charter of the Lebanon Female College.


Said amendments were severally concurred in.

The House took up also the amendment (substitute) proposed by the Senate, to a bill which originated in the House of Representatives, entitled

An act for the benefit of the Farmers’ Bank of Kentucky.

On motion of Mr. Garnett, said amendment was referred to the Committee on Banks.

The House resumed the consideration of an unfinished order of a former day, viz:

An act to provide for the organization and regulation of banking companies, and to repeal certain charters.

According to order, said bill, as amended, was read a third time.

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

Resolved, That the title of said bill be as aforesaid.

Mr. Cooper moved to reconsider the vote by which said bill was passed.

And the question being taken on said motion, it was decided in the affirmative.

80-n. r.
And so said vote was reconsidered.

The question was then again taken on the passage of said bill, and it was decided in the negative.

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

Those who voted in the affirmative, were—

George W. Anderson, M. Woods Ferguson, J. P. Sacksteder,
A. S. Arnold, James B. Fitzpatrick, C. C. Scales,
John S. Carpenter, C. D. Foote, Harry I. Todd,
B. E. Cassilly, E. Polk Johnson, Joseph T. Tucker,
John W. Dyer,

Those who voted in the negative, were—

Wm. A. Allen, James Garnett, John W. Ogilvie,
A. C. Armstrong, E. A. Graves, Lewis Potter,
R. Tarv. Baker, Clinton Griffith, E. A. Robertson,
W. N. Beckham, George M. Jessup, J. R. Sanders,
J. C. S. Blackburn, Thomas M. Johnson, William Sellers,
Church H. Blakey, T. J. Jones, James W. Snyder,
Wm. F. Bond, L. W. Lessing, J. S. Taylor,
W. B. M. Brooks, J. S. Lawson, George M. Thomas,
William Brown, G. W. Little, C. W. Threlkeld,
W. W. Bush, Bryan S. McClure, L. W. Trafton,
Robert M. Carlisle, William J. McElroy, T. W. Varnon,
James S. Chrisman, M. E. McKenzie, J. M. White,
C. M. Clay, jr., J. C. Moorman, Mordecai Williams,
R. L. Cooper, J. L. Nall, F. A. Wilson,
W. H. Evans, Mat. Nunan, S. H. Woolfolk—47.
Joseph P. Force,

And so said bill was disagreed to.

Said bill, as amended, reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That not less than five persons may associate themselves together and become incorporated for the transaction of a banking business.

§ 2. Among the powers of such bodies corporate shall be the following:
1. To have perpetual succession.
2. To sue and be sued by the corporate name.
3. To have a common seal and alter the same at pleasure.
4. To render the shares or interests of stockholders transferable, and to prescribe the mode of making such transfers.
5. To exempt the private property of stockholders from all liability for corporate debts on the books of the company.
6. To make contracts, acquire and transfer such real estate as may be necessary for the transaction of the business, possessing the same powers in such respects as private individuals now enjoy.
7. To establish by-laws and alter the same, and make all rules and regulations deemed expedient for the management of their affairs, not inconsistent with the Constitution or laws of this State or of the United States.
8. To transact a financial business as a natural person; to loan money, discount promissory notes, buy and sell exchange, stocks, bonds, and other evidences of debt, as authorized by the existing general laws of the State; and the promissory notes made negotiable and payable at its banking-house, or any other banking-house or place of business, and inland bills of exchange which may be purchased or discounted prior to maturity by the corporation, shall be placed on the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the makers, drawers, indorsers, or parties thereto.

9. To receive bonds of the United States, of any State, or authorized by the law of any State, stocks, vouchers, certificates, and approved mercantile securities of any kind, and products of the country, real and personal property, in pledge for the security of money loaned, advanced, or for debts owing.

10. To receive on deposit gold, silver, bank notes, United States Treasury notes, and other currency lawfully circulating as money, and repay the same in such manner, at such times, and with such interest, not exceeding six per cent., as may be agreed upon with the depositors by general or special contract; and may issue letters of credit, payable at any place in the United States or elsewhere, for the accommodation of merchants and travelers; but not to issue any notes to circulate as money.

11. To declare dividends, and provide a contingent fund out of the profits of the business; to elect or appoint a president, cashier, and such officers, agents, and servants, or fill any vacancy therein, for any period not exceeding one year, and pay such compensation, and take such bonds, as are thought proper, and receive installments of not less than ten per centum of the authorized capital on account of payment for stock, at such times as may be indicated in the publication, and to recover, by due process of law, any unpaid balance due on the subscription of stock.

§ 3. The capital of any corporation organized hereunder shall not be less than $50,000, in cities or towns of 10,000 or less inhabitants; and where the population exceeds 10,000, shall not be less than $100,000, which shall, in all cases, be fully paid up in eighteen months after the subscription thereto.

§ 4. Before commencing business, except that of their own organization, they must adopt articles of incorporation, which shall be signed and acknowledged by them, as deeds are required to be acknowledged and recorded, in a book kept for that purpose in the office of the clerk of the county court of the county where the bank is to be located.

§ 5. A notice shall be published for at least two weeks in some newspaper (having the largest permanent bona fide circulation), as convenient as practicable to the place of business, and shall specify—

1. The names of the corporators, name of the corporation, and the place of transacting business.

2. The amount of the authorized capital stock, and the times when it is to be paid in.

3. Time of the commencement and termination of the corporation.

§ 6. The corporation may commence business as soon as the articles are filed for record in the office of the county court clerk, and as soon as twenty per centum of the authorized capital is actually paid. The president and directors must also first certify, under oath, before a judge, justice, or notary, that said per centum has been paid, and file said certificate for record with the county court clerk, which shall be prima facie evidence of the existence of the corporation. No change in any of the foregoing
particulars shall be valid, unless recorded and published as the original articles are required to be; nor shall any change be made, at any time, or in any manner, inconsistent with this act.

§ 7. Corporations formed hereunder shall endure not longer than twenty years, but may be renewed from time to time: Provided, That three fourths of the stock cast at any regular election, held for that purpose, shall be in favor of such renewal.

§ 8. The corporation shall not be dissolved prior to the period fixed upon in the articles of incorporation, except by vote of a majority of the stock, and not until after the depositors are fully paid; and no such premature dissolution shall take place unless preceded by the newspaper publication required at its organization.

§ 9. Any corporation organized hereunder shall cease to exist by a non-use of its franchises for three years at any one time; but shall not forfeit its franchises by reason of any omission to elect officers, or to hold meetings, at any time prescribed by the by-laws: Provided, The officers shall be elected, or meetings held, within two years from the time appointed therefor.

§ 10. No persons acting as a corporation, under the provisions of this act, shall be permitted to set up or rely upon the want of a legal organization as a defense to an action brought against them as a corporation; nor shall any person who may be sued on a contract made with such corporation, or sue for an injury done to its property, or for a wrong done to its interests, be permitted to rely upon such want of legal organization in his defense.

§ 11. If any officer, agent, clerk, or servant, shall appropriate any of the funds to his own use, or shall willfully fail to make correct entries, or knowingly make false entries on the books of any corporation organized under this act, with intent to cheat or defraud the corporation, or any other person, or to conceal any improper appropriation of funds, the person so offending shall be guilty of felony, and shall, upon conviction thereof, be confined in the Penitentiary of this Commonwealth for not less than one nor more than ten years.

§ 12. It shall be the duty of the president, cashier, or other officer, on the first Monday in January in each year, to pay into the Treasury of the State, for the benefit of the ordinary revenue thereof, at the rate of fifty (50) cents on each one hundred dollars ($100) of capital paid into said bank, in full of all tax or bonus; and the officers of the corporation shall report, on the 10th days of January and July in each year, under oath, the condition of said bank, including its assets, liabilities, and deposits which have not been withdrawn for two years last past, and in such manner as the laws of the State require of other banking corporations.

§ 13. For taking and certifying the acknowledgment of the articles of incorporation, the clerk of the county court shall be allowed a fee of one dollar; and for recording said articles and the certificate he shall receive a fee of ten (10) cents for each one hundred (100) words.

§ 14. That all bank charters passed prior to the present session of the General Assembly, and under which no organization has been effected and no business done, be, and the same are hereby, repealed, unless an organization be effected and business begun before six months shall have elapsed from the time of the approval of this bill.

§ 15. That the report required by section twelve shall be published in a newspaper having the largest permanent bona fide circulation, as convenient as practicable to the place of business.

§ 16. This act shall take effect from its passage.
A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

EXECUTIVE OFFICE, FRANKFORT, March 19, 1873.

Gentlemen of the House of Representatives:

The bill originating in your honorable body, entitled "An act to amend the articles of incorporation of the People's Building and Loan Association of Louisville," has been carefully considered by me, and I regret that a sense of duty compels me to withhold my approval, and to return the same with my objections.

The bill purports to be an enabling or curative act to remedy some deficiency in the articles of incorporation of a company at Louisville, having the corporate name of "The People's Building and Loan Association of Louisville." In order to secure to that company the enjoyment of the principal benefit contemplated, this act proposes to confer authority upon the company, which, in my judgment, should not be granted to any corporation or class of individuals. The proposition is to authorize the company to collect into its vaults, by one means and another, a sum of money, and then to put up to the highest bidder the privilege of becoming a borrower of this money, at six per cent. per annum, payable monthly. The amount thus bid for the privilege of borrowing is called "a premium," and whatever per cent. upon the money so borrowed the premium may be, is made collectable by law. The evident meaning and intention of the bill is, to vest this corporation with the right to loan its money at any rate of interest it may be able to obtain, without limitation as to maximum, and to allow its collection, thus giving it exclusive privileges above all other corporations and citizens of the State. If such privilege has been granted in any enactment to any individual, or collection of individuals, it has escaped my notice. I am not aware of such having been done. It is true the bill provides for such loaning only to members of the company; but this in no wise relieves it of its objectionable features of class legislation; and if it should become a law, why shall not the same or similar rights and privileges be granted to all other corporations in the State? And with this as a precedent, we may reasonably suppose the same character of privileges would soon be extended to organizations all over the State. Money is the greatest conventional power in the world, and all experience of the past admonishes and warns us to guard it with stringent regulations. Reasonable usury laws have been regarded as a public convenience; and that the rate of interest should be made low and uniform everywhere in the same Commonwealth, is obviously certain. The history of this question among the Jews, the experience of England and other countries, as well as many of our sister States, attest the truth of this position. We have a general law upon the subject of interest and usury, applicable to all corporations and individuals in the State, and no reason occurs to me why exclusive exemptions from its restrictions should be granted to the company asking the passage of this bill, or to any other class of persons; but, upon the contrary, the consequences and influences resulting to the public will be of a most baneful character. I make these suggestions most respectfully, and return the bill for your further action.

P. H. LESLIE.

Said bill, so returned, with the objections of the Governor thereto, is as follows, viz:

WHEREAS, Articles of incorporation of "The People's Building and Loan Association, of Louisville," were heretofore filed and recorded in
the county court clerk's office of Jefferson County, under the authority of
the general acts of this Commonwealth in reference to such corporations;
and whereas, the said corporation asks to have said articles of incorpora-
tion so amended as will enable them to carry out the objects of said
corporation in the most economical manner, and with the greatest benefit
and security to the persons interested in said institution; therefore,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky,
that said corporation may loan its funds to its own stockholders, at a
rate of interest not to exceed six per cent. per annum, payable one half
per cent. per month; and whenever said corporation has funds on hands
to loan, it shall be lawful, and the said corporation is hereby authorized,
to offer the loan of such funds, in such amounts as may be deemed proper,
to its stockholders, at auction, amongst themselves, to the highest and
best bidder, for the priority of loan; and to reserve, have, and take, for
the use of said corporation, in addition to the rate of interest aforesaid,
such premiums as may be offered by the successful bidder for the privi-
lege and priority of such loan or loans; such premiums to be paid or
secured as may be provided in the by-laws of the corporation at the time
of completing such loan.
§ 2. But nothing herein shall be construed as exempting the money and
property of said corporation from taxation for revenue purposes.
§ 3. This act shall take effect from and after its passage; and shall be
subject to alteration, amendments, or repeal by the Legislature.
The question was then taken, "Shall the bill pass, the objections
of the Governor to the contrary notwithstanding?" and it was de-
cided in the negative.
The yeas and nays being required thereon in pursuance to a pro-
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
George W. Anderson, E. Polk Johnson, J. P. Sacksteder,
John S. Carpenter, G. W. Little, William Sellers,
B. E. Cassilly, Mat. Nunan, George M. Thomas,
M. Woods Ferguson,

Those who voted in the negative, were—
Wm. A. Allen, C. D. Foote, Lewis Potter,
A. C. Armstrong, Joseph P. Foree, W. L. Reeves,
A. S. Arnold, James Garnett, E. A. Robertson,
W. W. Ayers, E. A. Graves, John P. Rowlett,
R. Tarv. Baker, Clinton Griffith, J. R. Sanders,
W. N. Beckham, George M. Jesse, Samuel M. Sanders,
J. C. S. Blackburn, Thomas M. Johnson, James W. Snyder,
Church H. Blakey, T. J. Jones, J. S. Taylor,
W. B. M. Brooks, L. W. Lassing, C. W. Thrallkeld,
William Brown, J. S. Lawson, T. W. Varnen,
Robert M. Carlisle, J. J. McAfee, Joseph T. Tucker,
James S. Chrisman, Bryan S. McClure, C. H. Webb,
C. M. Clay, jr., William J. McElroy, J. M. White,
R. L. Cooper, M. E. McKenzie, Mordecai Williams,
J. E. Cossen, J. C. Moorman, F. A. Wilson,
James B. Fitzpatrick,
And so said bill was rejected.

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

Resolved by the General Assembly of the Commonwealth of Kentucky,
That when the two Houses of this General Assembly adjourn on
Tuesday, the 1st day of April, 1873, they will adjourn sine die.

Mr. Blakey moved the following resolution, viz:

Resolved, That it is the sense of this House that the consideration
of the report of the Commissioners appointed to revise the statutes
should be abandoned, in order that the whole time of the House may
be devoted to the unfinished business now before it, and thus se­
cure an early adjournment.

On motion of Mr. J. R. Sanders, said resolution was laid on the

Mr. Graves moved the following resolution, viz:

Resolved, That from and after this day no new leave or resolution
shall be introduced, except by the unanimous consent of the House.

On motion of Mr. McAfee, said resolution was laid on the table.

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

WHEREAS, It has become apparent to this General Assembly that it
will be impossible for the Joint Committee on the Revision of the Stat­
utes to successfully finish their labors before the first of July, unless the
members thereof are relieved from all other duties; and believing that
they can finish said work by the 20th day of May, if relieved from all
other labor, and believing, too, that said committee can perform said work
much more accurately when divested of all other legislation; therefore, be
it.

Resolved by the General Assembly of the Commonwealth of Kentucky,
That when this General Assembly shall adjourn on Tuesday, the 25th
day of March, 1873, it will take a recess until Tuesday, the 20th day of
May, 1873, except the said Joint Committee shall remain in session until
said 20th day of May, unless they shall have sooner completed the revis­
ion of said statutes; that during the sitting of said committee, the mem­
bers thereof shall receive their regular per diem, if present, or absent by
leave of said committee; but the balance of the members of this General
Assembly shall not be entitled to their per diem during said recess; that
upon the convening of the same on the said 20th day of May, no local
legislation shall be taken up, except by consent of four fifths of the mem­
bers present; it being the intention of this General Assembly to then
adopt and enact the revision of the statutes, and such other general legis­
lation as may be actually necessary, and adjourn sine die.

Mr. Scales moved to suspend the rule requiring joint resolutions to
lie one day on the table, and take up the same.
And the question being taken on the motion of Mr. Scales, it was decided in the negative, not having received a requisite number of votes under the rule.

The yeas and nays being taken thereon under the rule, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, John W. Dyer, W. A. Morin, J. L. Null,
George W. Anderson, W. H. Evans, John W. Ogilvie, Lewis Potter,
A. S. Arnold, M. Woods Ferguson, W. L. Reeves,
W. W. Ayers, C. D. Foote, John P. Rowlett,
R. Tarr V. Baker, Joseph P. Force, J. P. Sacksteder,
W. N. Beckham, James Garnett, Samuel M. Sanders,
J. C. S. Blackburn, E. A. Graves, C. C. Scales,
Church H. Blakey, C. P. Gray, William Sellers,
Wm. F. Bond, Clinton Griffith, James W. Snyder,
William Brown, George M. Jesse, George M. Thomas,
W. W. Bush, E. Polk Johnson, C. W. Threlkeld,
Robert M. Carlisle, T. J. Jones, Harry I. Todd,
John S. Carpenter, L. W. Lassing, L. W. Trafton,
B. E. Cassilly, J. S. Lawson, Mordecai Williams—48.
James S. Chrisman, Bryan S. McClure,
C. M. Clay, Jr., M. E. McKenzie,

Those who voted in the negative, were—

A. C. Armstrong, J. C. Moorman, T. W. Varnon,
R. L. Cooper, Mat. Nunan, C. H. Webb,
J. E. Cosson, Hiram S. Powell, J. M. White,
Thomas M. Johnson, E. A. Robertson, F. A. Wilson,
G. W. Little, J. S. Taylor, S. H. Woolfolk—17.
William J. McElroy, Joseph T. Tucker,

Mr. Graves moved the following resolution, viz:

Resolved, That from and after Saturday, the 22d instant, the Revision of the Statutes shall be taken up at half-past eleven o'clock, A. M., each day, to the exclusion of all other business, and thus continue the same, from day to day, until the revision is completed or discontinued; and that no member shall speak longer than five minutes to any amendment that may be offered, except the chairman of the committee.

On motion of Mr. Powell, said resolution was so amended as to strike therefrom the words "or discontinued."

Mr. Wright offered the following amendment to said resolution, which was adopted, viz:

Add thereto: "And from and after this day this House shall hold night sessions, except on Saturday, beginning at 7½, P. M.; but at the first of said sessions the call of the counties shall be completed under the present rule."

Mr. Tucker then moved to strike out from Mr. Graves' original resolution the words "except the chairman of the committee."
And the question being taken on the motion of Mr. Tucker, it was decided in the negative.

Mr. E. P. Johnson moved the previous question:

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

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

Those who voted in the affirmative, were—

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Those who voted in the negative, were—

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<td>Robert M. Carlisle</td>
<td>G. W. Little</td>
<td>C. C. Scales</td>
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<td>Joseph P. Force</td>
<td>J. J. McAfee</td>
<td>William Sellers—10</td>
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<td>James Garnett</td>
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And so the main question was ordered.

Mr. McAfee called for a division of the question.

And the question being taken on the first branch thereof, on the original resolution offered by Mr. Graves, as amended, it was decided in the negative, not having received the number of votes required under the rule.

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

Those who voted in the affirmative, were—

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<td>Wm. A. Allen</td>
<td>Clinton Griffith</td>
<td>C. C. Scales</td>
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<td>George W. Anderson</td>
<td>E. Polk Johnson</td>
<td>James W. Snyder</td>
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<td>A. C. Armstrong</td>
<td>Thomas M. Johnson</td>
<td>J. S. Taylor</td>
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<td>W. N. Beckham</td>
<td>T. J. Jones</td>
<td>George M. Thomas</td>
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<td>J. C. S. Blackburn</td>
<td>J. S. Lawson</td>
<td>C. W. Threlkeld</td>
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81-H. R.
Wm. F. Bond, M. E. McKenzie, L. W. Trafton,
W. B. M. Brooks, J. L. Nall, Joseph T. Tucker,
John S. Carpenter, John W. Ogilvie, C. H. Webb,
B. E. Cassilly, Lewis Potter, J. M. White,
James S. Chrisman, E. A. Robertson, F. A. Wilson,
E. A. Graves, Samuel M. Sanders, J. M. Wright—33.

Those who voted in the negative, were—

A. S. Arnold, C. D. Foote, J. C. Moorman,
R. Tarv. Baker, Joseph P. Force, Mat. Nunan,
William Brown, James Garnett, Hiram S. Powell,
Robert M. Carlisle, Wm. Cassius Goodloe, W. L. Reeves,
C. M. Clay, Jr., L. W. Lassing, John P. Rowlett,
R. L. Cooper, G. W. Little, William Sellers,
J. E. Cosson, J. J. McAfee, Harry I. Todd,
John W. Dyer, Bryan S. McClure, T. W. Varnon,
W. H. Evans, William J. McElroy, Mordecai Williams—27.

The further consideration of said resolution and proposed amendment was postponed.

Mr. Arnold, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled
An act to amend an act, entitled “An act to incorporate the Guthrie City and Franklin Railroad Company,” approved March 21, 1870,
Reported the same without amendment, and without expression of opinion thereon.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
The question was then taken on the passage of said bill, and it was decided in the negative.
And so said bill was disagreed to.
Mr. Bush moved to reconsider the vote by which said bill was disagreed to.
Mr. Baker moved to lay the motion of Mr. Bush upon the table.
And the question being taken on the motion of Mr. Baker, it was decided in the affirmative.
And then the House adjourned.
THURSDAY, MARCH 20, 1873.

Mr. Speaker McCreary having returned to the House, resumed the chair.

A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz.

An act to incorporate the Baptist Church at Elkton, in Todd county.
An act for the benefit of Mary F. Rush, of Union county.

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

An act to amend the charter of the Kentucky Masonic Relief Association.
An act to incorporate the Lebanon and Pope's Creek Turnpike Road Company.
An act for the benefit of Sol. Downey, pauper idiot, of Henry county.
An act to incorporate the Oak Ridge Turnpike Road Company, in Mercer county.
An act to amend an act, entitled "An act for the benefit of the citizens of Garrard county."
An act to amend the charter, and amendments thereto, incorporating the town of Crab Orchard.
An act to extend the limits of the town of Paradise, in Muhlenburg county.
An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.
An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.
An act to incorporate the Williamsburg, Thompsonville, and Pleasant Run Turnpike Road Company.
An act to amend an act, entitled "An act to incorporate the town of Williamsburg."
An act to amend an act, approved 24th January, 1872, entitled "An act to authorize the clerk of Nelson county circuit court to index and cross-index deed-books in his office."
An act to incorporate the town of Hanson, in Hopkins county.
With an amendment to each of the last two named bills.
And that they had passed bills of the following titles, viz:

1. An act to authorize the poor-house commissioner of Ohio county to sell the old poor-house property of said county.
2. An act to incorporate the town of Beaver Dam, in Ohio county.
3. An act for the benefit of the Minerva and Beasley's Creek Turnpike Road Company, in Mason county.
4. An act to amend the charter of the Lexington and Newtown Turnpike Road.
5. An act to amend an act, entitled "An act to change the time for holding the circuit courts in the 5th judicial district," approved January 13, 1872.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts; the 2d, 3d, and 4th to the Committee on Corporate Institutions; and the 5th to the Committee on Circuit Courts.

The following petitions were presented, viz:

By Mr. Little—
1. The petition of certain citizens of Whitley county, praying the passage of an act to incorporate the Williamsburg Geological and Mining Company.

By Mr. Todd—
2. The petition of merchants of Frankfort, praying the repeal of the law exempting fifty dollars from garnishee of laboring housekeepers.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Corporate Institutions, and the 2d to the Committee on Revised Statutes.

Mr. Ogilvie 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 the 31st day of March, 1873, it will adjourn sine die.

The Speaker laid before the House the following communication from the Auditor of Public Accounts, viz:

STATE OF KENTUCKY,
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,
FRANKFORT, MARCH 20TH, 1873

Hon. Jos. C. S. Blackburn, Speaker pro tem. House Representatives:

SIR: In consequence of some mistake or oversight in enrolling the act
of March 26, 1872, entitled "An act for the appropriation of money," the 6th section of said act, appropriating eight dollars per day each to the Door-Keepers of the Senate and House of Representatives for their services, was omitted, and said act was approved by the Governor with that mistake in it. This was not ascertained by me until after I paid said Door-Keepers the full amount of the compensation voted to them by the Legislature, and I am thus put in the position of having paid, and the Door-Keepers having received, their compensation without warrant of law.

You will do me the favor of laying the foregoing facts before the House, with the request that a supplemental bill be passed correcting the mistake set forth, and that it be done as soon as it may be compatible with the feelings of that body, as the present session of the General Assembly is rapidly drawing to a close.

I have the honor to be

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, Auditor.

Ordered, That said communication be referred to the Committee on Claims.

Mr. Griffith, from the Committee on Claims, to whom were referred bills from the Senate, of the following titles, viz:

An act for the benefit of A. H. Ditto, committee of Polly Miller, a pauper idiot, of Henry county;

An act for the benefit of Wm. Pollard, committee of Eliza Pollard, a pauper idiot, of Henry county;

Reported the same without amendment.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act authorizing the Wolf circuit court to allow certain guard claims, and directing the Auditor of Public Accounts to pay the same,

Reported the same without amendment, and without expression of opinion thereon.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

And so said bill was disagreed to.
Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported
A bill for the benefit of Hickman county.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That the further consideration of said bill be postponed to, and made the special order of the day for, Thursday, 27th inst., at 11 o'clock, A. M.

Mr. Rowlett, from the Committee on Claims, who were directed to prepare and bring in the same, reported bills of the following titles, viz:
A bill for the benefit of John J. Macklin, late sheriff of Kenton county.
A bill for the benefit of Peter Perry, committee of John Perry, a pauper idiot (of color), of Hart county.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, asking leave to withdraw from this House the announcement of their disagreement to a bill which originated in this House, of the following title, viz:
An act to amend an act, entitled "An act to regulate sales made under decrees of the Barren circuit court."

Which was granted, and said bill returned to the Senate.

The House then, according to order, took up and resumed the consideration of
A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

Mr. Carpenter offered the following amendment thereto, viz:
Add: "Sec. — All State taxes collected in this Commonwealth from persons of color shall be paid into the African School Fund."
Mr. Tucker moved the previous question.

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

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on the adoption of the amendment proposed by Mr. Carpenter, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Johnson, 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.

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be throughout the State of Kentucky a uniform system of common schools for the education of the children of citizens of African descent.

§ 2. The school fund shall be known as the African School Fund, and shall consist of the following provisions, viz:
1. An annual tax of twenty cents on each one hundred dollars in value of the property owned or held by all persons of African descent.
2. A capitation of one dollar on each male citizen of African descent between the ages of twenty-one and sixty years.
3. All taxes levied on dogs owned or kept by any colored person.
4. All fines and forfeitures assessed against any colored person by existing laws in aid of the common schools, shall hereafter be paid into the African School Fund.
5. And all sums of money that may be hereafter received annually by this Commonwealth, by virtue of any act or resolution of Congress providing for the distribution of public lands or proceeds from the sales thereof for educational purposes, shall constitute the annual revenue of the African School Fund, and shall not be drawn out or appropriated otherwise than in pursuance of this act in aid of common schools for the benefit of the colored children of this Commonwealth.

§ 3. The revenue arising annually from the resources provided by this act shall constitute the sum to be distributed each year by the Superintendent of Public Instruction, as now provided by the common school law.

§ 4. The assessor of each county shall keep a separate column in his book showing the enlistment of capitation and taxable property of all colored citizens of African descent therein subject to taxation by the provisions of this act.

§ 5. The sheriff of each county shall be allowed five per cent. of the taxes collected and paid into the Treasury by him for the African School Fund.

§ 6. The sheriff shall appropriate the taxes, or any part thereof, collected from any colored citizen, to whatever fund said colored citizen may designate, in all cases where he is not able to pay the entire tax assessed against him for State, county, school, and municipal purposes.
§ 7. The Auditor shall keep a separate account for the African School Fund, which shall constitute a basis for the Superintendent's annual pro rata distribution to the colored children of this Commonwealth.

§ 8. The Superintendent shall, on or before the first day of September, 1873, and on the same day of each year thereafter, ascertain and estimate as near as may be the revenue that may accrue from all sources during the school year, the pro rata share thereof each colored pupil child will be entitled to, according to the whole number of colored children between the ages of six and twenty years in the State, and the proportion thereof each county and each district will be entitled to according to the whole number of such children residing in each county and district respectively, as shown by the returns of the county commissioner: Provided, That the pro rata share of each colored child shall not exceed that of the white child in any one year.

§ 9. The county commissioner shall be responsible on his official bond for the proper distribution of whatever portion of the African School Fund may come into his possession, and may receive such additional compensation for his services under this act as the court of claims may allow.

§ 10. The commissioner may lay off the county into suitable districts, most convenient to the greatest number of colored children in each county, so that no district shall contain more than one hundred nor less than twenty colored children of pupil age.

§ 11. In counties where there are not a sufficient number of colored children to form various schools, a single school may be organized and taught in the locality in which the greatest number of colored children reside, and all the colored children in the county shall have the privilege of attending said school.

§ 12. Three colored trustees may be elected by the qualified colored voters in each district, where said voters are competent to hold and conduct an election according to the common school law; but in all cases where said voters are not qualified, the commissioner shall appoint three colored trustees.

§ 13. The trustees shall have the power to provide a suitable schoolhouse, employ a teacher, cause a school to be taught in their respective districts for the benefit of the colored children therein, and shall notify their parents that it is their privilege to send their children to said school free of charge. They shall also report to the commissioner the length of time said school was taught by a qualified teacher, not less than three months in each year, except where there are not more than twenty colored children in a district, then the school may be taught for a less time than three months, with the consent of the commissioner.

§ 14. The county commissioner shall employ a suitable person to take the census of each district at the proper time, and pay said person a reasonable compensation out of the funds that may be appropriated to said district, if the trustees are not competent; he shall also report to the Superintendent the census of each district, and the African schools taught in his county that are entitled to the pro rata amount due each district reported to him.

§ 15. No person shall be deemed qualified to teach an African common school unless such person shall first have obtained a certificate from the commissioner testifying that he is qualified to teach the simple elements of a plain English education.
§ 16. The teacher of each African common school shall teach six hours each day, keep a register of the school, and within ten days after the close of the session shall report to the commissioner the highest, lowest, and average number of pupils in attendance during the session.

§ 17. The colored teachers may organize a Teachers' County Institute or State Association for themselves.

§ 18. No school-house erected for an African school shall be located nearer than one half mile of a school-house erected for white children, except in cities and towns, where it shall not be nearer than four hundred feet.

§ 19. The State Board of Education shall prescribe a course of study and adopt rules for the government of the African common schools.

§ 20. The Superintendent shall make a digest of the school laws which may be applicable under the provisions of this act to the government of African common schools, and distribute the same to the commissioners for the use of the trustees.

§ 21. The provisions of any law on the subject of common schools for the white race in this Commonwealth, so far as the same may be compatible and not inconsistent with the purposes of this act, shall be, and the same are hereby, made applicable to the conduct, management, government, and general control of the common schools for the education of the children of African descent.

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

Mr. McElroy moved to reconsider the vote by which said bill was ordered to be engrossed and read a third time.

And the question being taken on the motion of Mr. McElroy, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary), George M. Jessee, Samuel M. Sanders,
R. Tarv. Baker, Thomas M. Johnson, William Sellers,
W. N. Beckham, J. S. Lawson, J. S. Taylor,
William Brown, G. W. Little, George M. Thomas,
William Brown, Bryan S. McClure, C. H. Webb,
James S. Chrisman, William J. McElroy, F. A. Wilson,
W. H. Evans, J. C. Moorman, J. N. Woods,
E. A. Graves, J. R. Sanders,

Those who voted in the negative, were—

Wm. A. Allen, John W. Dyer, Hiram S. Powell,
George W. Anderson, M. Woods Ferguson, E. A. Robertson,
A. C. Armstrong, C. D. Foote, John P. Rowlett,
A. S. Arnold, E. Polk Johnson, C. C. Scales,
W. W. Ayers, T. J. Jones, James W. Snyder,
W. R. Bates, L. W. Lassing, C. W. Threlkeld,
J. C. S. Blackburn, J. J. McAfee, Harry I. Todd,
W. B. M. Brooks, M. E. McKenzie, L. W. Trafton,
Robert M. Carlisle, W. A. Morin, Joseph T. Tucker,
The further consideration of said bill was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, resumed the consideration of the report from the Senate of their action on the report of the Joint Committee on the report of the Commissioners to Revise the Statutes.

Mr. Todd withdrew the amendment proposed by him to section 7, article 6, of chapter 16.

It is ordered to be entered on the Journal that Messrs. Speaker McCrory, Sellers, Arnold, Bates, and Phelps were absent from the House when the vote was taken on the amendment proposed by Mr. McElroy to section 8 of chapter 16, article 6, but if they had been present they would have voted for said amendment.

Mr. Garnett moved to amend said chapter by striking therefrom the 7th section of article 6.

And the question being taken on the adoption of the amendment proposed by Mr. Garnett, it was decided in the affirmative.

Mr. Scales moved to amend said chapter by striking therefrom section 9 of the 6th article.

And the question being taken on said motion, it was decided in the negative.

Chapter 16, title "Claims upon the Treasury," as amended by this House, was then adopted.

Chapter 17, title "Clerks," and chapter 18, title "Commissioners of Foreign Deeds," were also adopted without amendment.

The House then took up the 19th chapter, reported from the Senate, title "Common Schools."

Mr. Goodloe moved to amend section 7 of article 1, by striking therefrom, wherever it occurs, the word "white."

Mr. Scales moved the previous question.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) E. A. Graves, E. A. Robertson,
Wm. A. Allen, George M. Jesse, John P. Rowlett,

E. Polk Johnson, Thomas M. Johnson, J. S. Lawsen, J. J. McAfee, Bryan S. McClure, J. C. Moorman, W. A. Morin, I. L. Nall, John W. Ogilvie, Hiram S. Powell,


Those who voted in the negative, were—


Joseph P. Foree, Wm. Cassius Goodloe, Clinton Griffith, G. W. Little, William J. McElroy, Mat. Nunan,


The question was then taken on the adoption of the amendment proposed by Mr. Goodloe, and it was decided in the negative.

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

Those who voted in the affirmative, were—

R. Tarv. Baker, William Brown, Wm. Cassius Goodloe,


Those who voted in the negative, were—


Mr. Dyer then moved to reconsider the vote by which the amendment proposed by Mr. Goodloe was rejected.

Mr. Wright moved to lay the motion of Mr. Dyer on the table.

And the question being taken on the motion of Mr. Wright, it was decided in the affirmative.

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

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<td>Mr. Speaker (McCreary)</td>
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<td>J. E. Cosson</td>
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<td>John W. Dyer</td>
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Those who voted in the negative, were—

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<td>William Brown</td>
<td>Mat. Nunan, George M. Thomas—6</td>
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Mr. Blakey then offered the following amendment:

Strike out section 9 and insert in lieu thereof: "The bonded surplus of the several counties shall remain in the State Treasury to the credit of each county to which it is respectively due, and shall bear interest at the rate of six per centum per annum."

Further consideration of said report was postponed until to-morrow, at 11½ o'clock, A.M.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of R. H. Williams, sheriff of Owen county, and his sureties;
An act to charter the Owenton Cemetery Company;
An act for the benefit of Hugh Barclay, jr., of Logan county;
An act for the benefit of A. H. Kininmouth, of Butler county;
An act to incorporate the Kentucky Society for the Prevention of Cruelty to Animals;
An act to amend and reduce into one the several acts in relation to the town of Shelbyville;
An act for the benefit of school district No. 47, in Larue county;
An act to amend an act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route, approved December 20, 1871;
An act for the benefit of school district No. 4, in Nicholas county;
An act to incorporate the Hecla Coal and Mining Company;
An act to incorporate the Odd Fellows' Temple Association of Louisville;
An act to amend an act, entitled "An act to create the Hartford Seminary, of Ohio county;"
An act for the benefit of the jailer of Fayette county, Kentucky;
An act to amend an act, entitled "An act to incorporate the Louisville Orphan Home Society," approved February 26, 1849;
An act to incorporate the Maysville Manufacturing Association;
An act to amend the charter of the city of Maysville;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act authorizing R. B. Lovell, late sheriff of Lewis county, to list uncollected fee bills and tax receipts with constables in Lewis county for collection;
An act for the benefit of the Key's Creek Mining and Manufacturing Company, and to incorporate the same under the name of the Howland Coal and Iron Works;
An act in relation to the granting tavern license in the Vanceburg election precinct, in Lewis county;
An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company;
An act in relation to the assessment and collection of turnpike taxes in Lewis county;
An act to incorporate the Deposit Bank of Cynthiana;
An act to prevent the destruction of fish in Salt river, in Anderson county;
An act for the benefit of S. S. Farris, sheriff of Barren county;
An act to amend an act, entitled "An act to amend the charter of the city of Augusta, in Bracken county;"
An act to authorize the Butler county court to establish a ferry on Green river, near Morgantown, at or near "Morrison's Old Ferry;"
An act to incorporate the Twelve-mile and California Turnpike Road Company, in Campbell county;
An act to incorporate the Masonic Temple Company of Owensboro;
An act concerning the public roads in Hardin county;
An act to charter the Elizabethtown and Middle Creek Turnpike Road Company;
An act for the benefit of John E. Abbott, administrator of D. C. Doran, late sheriff of Hart county;
An act for the benefit of John M. Hunley, committee of Henry Yarbro, an idiot;
An act to incorporate the Bank of Madisonville;
An act defining the boundary line between the counties of Harlan and Bell;
An act for the benefit of J. F. Hatten, committee of George Clay (an idiot), of Lawrence county;
An act to incorporate the Auburn Building and Loan Association;
An act for the benefit of Jeremiah Overton, an idiot, of Wayne county;
An act to incorporate the town of College Hill, in Madison county;
An act for the benefit of the unfinished turnpike roads in Henry county;
An act to prohibit the granting of license for the sale of spirituous, vinous, or malt liquors in the town of Butler, or within one mile thereof;
An act for the benefit of J. T. Freeman, of Whitley county;
An act for the benefit of John H. Pemberton, of Whitley county;
An act for the benefit of common school district No. 5, in the county of Barren;
An act to exempt the property of the Danville Theological Seminary from taxation for certain purposes;
An act to amend an act, entitled "An act to incorporate the Hodgenville and Elizabethtown Turnpike Road Company," approved March 9, 1868;
An act to declare War creek, in Breathitt county, a navigable stream;
An act for the benefit of Gabe Hays, of the county of Breathitt;
An act to permit John Williams to erect a mill-dam across Troublesome creek, in Perry county;
An act to amend an act, entitled "An act to incorporate the Big Sandy Highway Bridge Company;"
An act to regulate the taking up of property found adrift upon certain rivers in this Commonwealth;
An act for the benefit of Henry C. Fitzpatrick, collector of the revenue of Floyd county for the year 1870;
An act to amend an act, entitled "An act to incorporate the Blandville and Cairo Turnpike Road Company," approved March 6, 1868;
An act to amend the charter of the town of Catlettsburg;
An act for the benefit of James W. Wills, sr., of Menifee county;
An act to amend the charter of the town of Germantown, in Bracken and Mason counties;
An act for the benefit of school district No. 44, in Campbell county;
An act authorizing the jailer of Fayette county to appoint an additional deputy jailer;
An act for the benefit of common schools of Johnson county;
An act to amend the charter of the town of Monticello, and to regulate the traffic in spirituous liquors therein;
An act to authorize the trustees of the town of Columbia to sell and convey part of Jefferson alley, in said town;
An act to amend the charter of the town of Elizabethtown;
An act to define the boundary line between the counties of Rockcastle and Jackson;
An act for the benefit of H. W Eggleston, of Kenton county;
An act to authorize the trustees of Russellville to appoint an inspector and weigher of coal;
An act for the benefit of Amos Davis, sheriff of Morgan county;
An act to incorporate the Press Printing Company;
An act to further amend the charter of the Newport and Cincinnati Bridge Company;
An act to amend an act, entitled "An act to add part of Adair to Casey county;"
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.
Leave was given to bring in the following bills, viz:

On motion of Mr. Williams—
1. A bill to re-enact an act, entitled "An act to incorporate the Big Blane Improvement Company," approved January 17th, 1871.

On motion of same—
2. A bill to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871.

On motion of Mr. McAfee—
3. A bill for the benefit of Robert Gallaher, jailer of Mercer county.

On motion of Mr. Carlisle—
4. A bill to amend an act, entitled "An act to authorize certain counties in this Commonwealth to levy a tax and pay for right of way and depot grounds for Cincinnati Southern Railway."

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st and 2d; the Committee on Claims the 3d; and the Committee on Railroads the 4th.

Mr. Clay moved to reconsider the vote by which this House, on yesterday, disagreed to a bill from the Senate, entitled

An act to provide for the organization and regulation of banking companies, and to repeal various charters.

Leave of absence, indefinitely, was granted Mr. Reeves.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the New Liberty Branch Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Bank of Trenton, in Todd county," approved March 25, 1872.

An act authorizing the sale of the poor-house farm in Webster county.

An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

An act for the benefit of the New Liberty and Owenton Turnpike Road Company.

An act to provide for an interpreter for the Louisville chancery court and the Jefferson court of common pleas.

83-H. R.
An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company.

An act to amend an act, entitled "An act to charter the Young Men's Real Estate, Building, and Accumulating Association, of Louisville," approved March 28, 1872.

An act to legalize certain acts of the Mercer county court.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act to incorporate the Rodgers' Mills and Hinkston Bridge Turnpike Road Company.

An act to change a part of the eastern boundary of the town of Harrodsburg.

An act in relation to the settlements of the accounts of the trustees or the managers of the Henry Female College, and Henry Male Academy, and the lottery connected therewith.

An act to amend the charter of the Louisville Baptists' Orphans' Home.

An act to direct the running and re-marking the line between the counties of Franklin and Woodford.

An act to amend an act, entitled "An act authorizing the Harrison county court to appropriate money to aid in building a bridge across main Licking at Clayville, and to levy a tax therefor," approved March 21, 1871.

An act to amend an act, entitled "An act to tax railroads, turnpike roads, and other corporations in aid of the Sinking Fund," approved February 20, 1864.

An act to amend the revenue laws of this Commonwealth.

An act declaring Wolf river a navigable stream.

The House then, under the resolution heretofore adopted, took a recess until 7 ½ o'clock, P. M.

At 7 ½ o'clock, P. M., the House again assembled.

On motion of Mr. Chrisman, leave was given to bring in a bill to authorize the sale and conveyance of the property of the Kendrick Institute, in Wayne county.

Ordered, That the Committee on the Judiciary prepare and bring in the same.

The House took up the amendment proposed by the Senate to a bill which originated in this House of the following title, viz:

An act to amend an act, approved January 24th, 1872, entitled "An act to authorize the clerk of the Nelson circuit court to make cross-index to deed books in his office."
Said amendment was concurred in.
Mr. Ogilvie, from the select committee, who were directed to prepare and bring in the same, reported
A bill to provide for the representation of Warren county in corporations wherein said county may hold stock.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
On motion of Mr. Blackburn,
Ordered, That said bill be recommitted to the Committee on Railroads.
On motion of Mr. Anderson, leave was given to bring in
A bill in regard to certain streets in the city of Louisville.
Ordered, That the Committee on Corporate Institutions prepare and bring in the same.
Mr. Ogilvie, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled
An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company,
Reported the same without amendment.
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Varnon then moved to reconsider the vote by which said bill was passed.
Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom the same were referred, viz:
By Mr. Anderson, from the Committee on Corporate Institutions—
An act to amend the articles of incorporation of the Irish Building and Loan Association, of Louisville.
By same—
An act to amend the charter of the town of Cynthiana, in Harrison county.
By same—
An act to incorporate the town of Beaver Dam, in Ohio county.
By Mr. Garnett, from the Committee on the Judiciary—
An act for the benefit of the kindred of Pierre Victor Eustache, deceased, late of McCracken county.

By same—
An act for the benefit of Belleville H. Herndon.

By Mr. Lassing, from the Committee on Ways and Means—
An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

By Mr. Foote, from the Committee on County Courts—
An act concerning the appointment of a superintendent and commissioner of roads and bridges for Ohio county.

By same—
An act to authorize the poor-house commissioner of Ohio county to sell the old poor-house property of said county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to amend the charter of the Georgetown and Paris Turnpike Road Company.

By same—
An act to amend the charter of the Lexington and Newtown Turnpike Road.

By Mr. McKenzie, from the Committee on Ways and Means—
An act for the benefit of John Scott, of Pike county.

By Mr. Brown, from the Committee on County Courts—
An act to locate and define the county line between Estill and Lee counties.

By same—
An act to authorize the sale of the poor-house farm in Estill county.

By Mr. Blakey, from the Committee on Corporate Institutions—
An act to incorporate the city of Mayfield.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

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

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill in regard to certain streets in the city of Louisville.
By Mr. Garnett, from the Committee on the Judiciary—
A bill to amend an act, entitled "An act to incorporate St. Augustine Cemetery, near Lebanon."

By same—
A bill for the benefit of Arnold S. Hardy.

By Mr. Robertson, from the Committee on Religion—
A bill to prevent the sale of intoxicating liquors in the Murphysville precinct, in Mason county.

By Mr. Ogilvie, from a select committee—
A bill for the benefit of J. C. Calhoun, late sheriff of McCracken county.

By Mr. Trafton, from the Committee on County Courts—
A bill to submit to the qualified voters of Meade county the question of removal of county seat.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of school district No. 46, in Mercer county.

By Mr. Moorman, from the Committee on Religion—
A bill to prohibit the sale of spirituous or intoxicating liquors at Mercer's Station, in Muhlenburg county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to incorporate the Rothrock Coal and Mining Company.

By Mr. Foote, from the Committee on County Courts—
A bill to facilitate the collection of delinquent taxes in Owen county.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill chartering the Young Men's Savings Association of New Liberty, Owen county.

By Mr. Trafton, from the Committee on County Courts.
A bill for the benefit of the Falmouth and Claysville Turnpike Road, in Pendleton county.

By same—
A bill to empower the court of claims of Shelby county to levy an additional ad valorem tax.

By Mr. Armstrong, from the Committee on Education—
A bill to repeal an act, entitled "An act to establish an institution of learning in the town of Hardinsville, in Shelby county."

By Mr. Foote, from the Committee on County Courts—
A bill providing for copying the surveys, plats, and certificates of land in Warren county.
By Mr. Graves, from the Committee on Ways and Means—
A bill to change the county line of Pulaski and Rockcastle counties.

By Mr. Garnett, from the Committee on the Judiciary—
A bill to authorize the sale and conveyance of the property of the Kendrick Institute, in Wayne county.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate the Williamsburg Geological and Mining Company.

By Mr. Baker, from the Committee on Circuit Courts—
A bill to amend an act, entitled "An act to incorporate the Scullfe­town Fence Company," approved March 21, 1871.

By Mr. Cassilly, from the Committee on Claims—
A bill for the benefit of Mrs. V. W. Fishback.

By Mr. McKenzie, from the Committee on Ways and Means—
A bill for the benefit of S. H. Piles, late sheriff of Livingston county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to authorize the change of the State road at Cane creek bridge, between Milburn and Columbus.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate the Augusta and Mount Olivet Turnpike Road Company, in Bracken and Robertson counties.

By Mr. Baker, from the Committee on Circuit Courts—
A bill to fix the time of holding the Garrard circuit court.

By Mr. Garnett, from the Committee on the Judiciary—
A bill to enable the court of claims of Henry county to pay county indebtedness.

By Mr. McClure, from the Committee on Religion—
A bill to prohibit the sale of liquors in the town of Eminence, Henry county.

By Mr. Jessee, from the Committee on Charitable Institutions—
A bill for the benefit of Martha A. Hightower, a pauper lunatic.

By Mr. Thomas, from the Committee on Revised Statutes—
A bill to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.

By same—
A bill to amend the act incorporating the Cabin Creek Turnpike Road Company.
By Mr. Rowlett, from the Committee on Claims—
A bill for the benefit of Geo. P. Gilmour, sheriff of Logan county.

By Mr. Tucker, from the Committee on the Judiciary—
A bill to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.

By Mr. Blackburn, from the Committee on Railroads—
A bill to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad."

The last named bill without the expression of opinion thereon by the committee.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said 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.

FRIDAY, MARCH 21, 1873.

The following petitions and remonstrances were presented, viz:

By Mr. Speaker (McCreary)—

1. The petition of P. M. Doughty, praying the passage of a law to make void all contracts for future fulfillment, except with merchants, unless reduced to writing.

By Mr. Waring—

2. The petition of citizens of Greenup county, asking to be relieved of corporate taxation.

By Mr. Wright—

3. The remonstrance of certain citizens of Louisville, against the
passage of a Senate bill to prohibit cattle from running at large in Jefferson county.

By Mr. Carpenter—

4. The remonstrance of other citizens of Louisville, against the passage of the same.

By Mr. Ferguson—

5. The remonstrance of other citizens of Louisville, against the passage of the same.

By Mr. E. Polk Johnson—

6. The remonstrance of other citizens of Louisville, against the passage of the same.

Which were received, the reading dispensed with, and referred—
the 1st and 2d to the Committee on Revised Statutes, and the 3d, 4th, 5th, and 6th to the Committee on County courts.

Leave of absence, indefinitely, was granted to Messrs. S. M. Sanders, McElroy, Webb, and Garnett.

On motion of Mr. Thomas,

Ordered, That a committee, consisting of Messrs. Thomas, W. H. Evans, and Little, be appointed, to act in conjunction with such committee as may be appointed by the Senate, to wait on the Governor and request him to return, unsigned, to the Senate, an enrolled bill, which originated in this House, of the following title, viz:

An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.

After a time, said committee reported that they had discharged that duty, and returned the bill to the Senate.

On motion of Mr. Griffith,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the disagreement by this House to the passage of a bill, which originated in the Senate, entitled

An act authorizing the Wolfe circuit court to allow certain guard claims, and directing the Auditor of Public Accounts to pay the same:

The message having been delivered to the Senate, said bill was returned and laid upon the Clerk's table.

And thereupon Mr. Griffith moved to reconsider the vote by which said bill was disagreed to.

A message was received from the Senate, announcing that they had received official information from the Governor that he had
approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of William E. Paul, jailer of Cumberland county.
An act for the benefit of James Walters, committee of Polly Plewman, an idiot of Estill county.
An act to authorize the city of Hickman to subscribe and pay for stock in the Mississippi River Levee Company.
An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Hickman," approved March 18, 1854.
An act to amend the charter of the Frankfort Lumber, Brick, and Implement Manufacturing Company.
An act empowering the board of trustees of the town of Ashland to purchase lands and establish a public park.
An act to authorize the Grant county court to sell the poor-house farm in said county.
An act to define the boundary line of the town of Prestonsburg, and submitting to a vote of the citizens thereof the question of regulating the sale of spirituous and vinous liquors therein.
An act to change the time of holding the county court of Jessamine county.
An act to amend the charter of the Spring Station Railway Company.
An act to incorporate the Owingsville Depot Turnpike Road Company, in Bath county.
An act to authorize William A. Varney to erect a mill-dam across Pond creek, in Pike county.
An act to incorporate the Pomeroy Coal Company.
An act for the benefit of Parish Arnett, sheriff of Magoffin county.
An act to incorporate the Tobacco Bank and Warehouse Company, of Covington.
An act to incorporate the Bank of Lagrange.
And that they had passed a bill, entitled
An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.
Which bill was read the first time and ordered to be read a second time.

84-R. R.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of R. T. McGlauling.

By Mr. Cassilly, from the same committee—
A bill for the benefit of Sally Sanders.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Ogilvie moved the following resolution, viz:

Resolved. That the sessions of this House, from and after March 24th, beginning at 9:20 A. M. and ending at 2 P. M., shall be devoted exclusively to the consideration of the revision of the statutes, after the call for petitions and remonstrances shall have been made each day. From and after said date this House will hold evening sessions, excepting Saturdays, beginning at 7:30 P. M., for the purpose of considering the reports from the regular and select committees: Provided, The orders of the day shall be called every Tuesday and Thursday night, to the exclusion of other business. Said evening sessions to be continued until otherwise ordered by a majority vote of this House.

Which was adopted.

Mr. Bates moved to reconsider the vote by which said resolution was adopted.

Mr. Ogilvie moved to suspend the rules and take up said motion.

And the question being taken on the motion of Mr. Ogilvie, it was decided in the affirmative.

The yeas and nays being taken thereon, under the rule, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) M. Woods Ferguson, E. A. Robertson, Wm. A. Allen, C. D. Foote, John P. Rowlett, George W. Anderson, E. A. Graves, J. R. Sanders,

Those who voted in the negative, were—

Mr. Rowlett then moved to lay the motion to reconsider on the table.

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

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of the heirs of Mary Scott, of Jessamine county.

Which was read the first time as follows, viz:

WHEREAS, In consideration of taxes paid, it is the duty of a government to furnish every citizen thereof with protection for life, liberty, and property; and whereas, Mrs. Mary Scott, of the county of Jessamine, was ejected from her farm in said county by the United States military authorities in the spring of 1863, and the said farm was used by them, as a military post, until after the close of the recent war, and she was deprived of her home, and any right of occupancy thereof; and whereas, she has departed this life; therefore,

§ 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 and required to draw his warrant on the Treasury in favor of the heirs of the aforesaid Mary Scott for the sum of one hundred and forty dollars ($140), to be paid out of any money in the Treasury not otherwise appropriated; that being the amount she was required to pay, and that she did pay, to the State for taxes for revenue purposes in the years 1863, 1864, and 1865, on the lands of which the United States had forcible possession at the time, and through the years named.

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

Ordered, That said bill be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

The question was then put, "Shall the bill be, engrossed and read a third time?" and it was decided in the negative.

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

Those who voted in the affirmative, were—

A. S. Arnold,  G. W. Little,  William Sellers,
William Brown,  William J. Nunan,  Harry I. Todd,
B. E. Cassilly,  Hiram S. Powell,  Mordecai Williams,
Clinton Griffith,

Those who voted in the negative, were—

Mr. Speaker (Mr. Creary) James B. Fitzpatrick,  Lewis Potter,
Wm. A. Allen,  Joseph P. Foyee,  E. A. Robertson,
George W. Anderson,  James Garnett,  John P. Rowllett,
A. C. Armstrong,  E. A. Graves,  J. R. Sanders,
G. W. Bailey,  George M. Jesse,  Samuel M. Sanders,
R. Tarv. Baker,  Thomas M. Johnson,  James W. Snyder,
W. N. Beckham,  T. J. Jones,  J. S. Taylor,
John A. Bell,  J. S. Lawson,  C. W. Threlkeld,
J. C. S. Blackburn,  Bryan S. McClure,  L. W. Traiton,
Church H. Blakey,  Wm. J. McElroy,  Joseph T. Tucker,
W. B. M. Brooks,  M. E. McKenzie,  T. W. Varnon,
Robert M. Carlisle,  J. C. Moorman,  J. L. Waring,
James S. Chrisman,  J. L. Nall,  J. M. White,
R. L. Cooper,  John W. Ogilvie,  S. H. Woolfolk,
John W. Dyer,

And so said bill was rejected.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill to pay expenses for certain services rendered by the Sergeant-at-Arms of House of Representatives.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Jessee offered an amendment thereto, which was adopted.

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

Said bill, as amended, being engrossed, was read a third time as follows, viz:

WHEREAS, An investigation by a special committee of the House of Representatives in regard to certain rumors as to the Feeble-minded
Institute, and that the expenses of said investigation committee, including mileage and per diem of witnesses, amounted to the sum of four hundred and twenty dollars and thirty-seven cents; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts draw his warrant on the Treasurer in favor of E. A. Thomson for the sum of four hundred and twenty dollars and thirty-seven cents, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative, J. E. Cosson—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of Mrs. Russell Kavanaugh,

Reported the same without amendment, and with the expression of opinion that the same ought not to pass.

The question was then taken on the motion to reconsider the vote by which said bill was rejected, and it was decided in the negative.

Mr. Cassilly, from the Committee on Claims, to whom was referred a bill from the Senate, entitled
An act directing the Auditor to pay certain guard claims in Powell county.

Reported the same with an amendment, which was adopted.

The question was then taken, "Shall the bill, as amended, be read a third time?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. Cassilly, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Henry F. Armentt, of Ohio county.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, that the Auditor of Public Accounts is hereby directed and authorized to pay to said Armentt the amount allowed by the Butler Circuit Court for said presses and cases, to-wit: the sum of four hundred and seventy-six ($476) dollars, out of any money in the Treasury not otherwise appropriated.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, not having received the constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, R. L. Cooper, Hiram S. Powell,
A. C. Armstrong, W. H. Evans, John P. Rowlett,
A. S. Arnold, James B. Fitzpatrick, C. C. Scales,
G. W. Bailey, C. D. Foote, William Sellers,
R. Tarv. Baker, Clinton Griffith, J. S. Taylor,
W. R. Bates, T. J. Jones, George M. Thomas,
John A. Bell, J. S. Lawson, C. W. Threlkeld,
Wm. F. Bond, G. W. Little, Harry I. Todd,
W. B. M. Brooks, J. J. McAfee, L. W. Trafton,
William Brown, J. L. Nall, C. H. Webb,
John S. Carpenter, Mat. Nunan, J. M. White,
B. E. Cassilly, Julian N. Phelps, Mordecai Williams,
Those who voted in the negative, were—

Mr. Speaker (M'Cready) George M. Jesse, E. A. Robertson,
J. C. S. Blackburn, E. Polk Johnson, J. R. Sanders,
Robert M. Carlisle, Thomas M. Johnson, Samuel M. Sanders,
James S. Christian, Bryan S. McClure, James W. Snyder,
J. E. Cosson, William J. McElroy, Joseph T. Tucker,
John W. Dyer, M. E. McKenzie, J. L. Waring,
Joseph P. Force, J. C. Moorman, S. H. Woolfolk,
E. A. Graves, John W. Ogilvie,

And so said bill was disagreed to.

Mr. Brown moved the following resolution, viz:

Resolved, That a committee of five members from this House, to be named by the Speaker, be appointed, to inquire into and report all the facts in connection with the collection of the claim of this State against the United States for military supplies and arms furnished to the United States Government before, during, and since the war, and by what authority the Commissioners of the Sinking Fund or the Quarter-Master General of the State employed attorneys to collect said claim. They will inquire into the kind and character of service rendered, the sums paid therefor, and report as early as practicable. The committee shall have authority to send for persons and papers.

Which was adopted.

And thereupon the Speaker appointed on said committee Messrs. Garnett, Clay, Little, E. Polk Johnson, and Bates.

A message was received from the Senate, announcing that they had disagreed to first, and adopted the second, third, fourth, and fifth amendments proposed by this House to the action of the Senate on the report of the joint committee on the report of the Commissioners to revise the Statutes.

Mr. Todd then moved that the House recede from said proposed amendment so disagreed to.

And the question being taken on the motion of Mr. Todd, it was decided in the negative.

Mr. Force then moved that the House do insist on their said proposed amendment.

And the question being taken on the motion of Mr. Force, it was decided in the affirmative.

This action of the House being communicated to the Senate, a message was received therefrom, announcing that they adhered to their disagreement to said proposed amendment, and that they had appointed a committee of conference on the subject of said disagreement.
And thereupon, on motion of Mr. Varnon, a committee of conference, viz.: Messrs. Varnon, Todd, and Scales, were appointed, to act in conjunction with the committee of the Senate, upon the subject of said disagreement; and they were directed to so inform the Senate.

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of John T. Ratcliff and Samuel P. Ratcliff, of Carter county;
An act to incorporate Ivy Lodge, No. 21, Knights of Pythias;
An act to amend the charter of the city of Hopkinsville;
An act to amend an act, entitled "An act to incorporate Cecilian College, in Hardin county;"
An act to amend an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7, 1871;
An act to incorporate Greensburg Lodge of Free and Accepted York Masons;
An act to amend the charter of the Mount Freedom and Jessamine County Turnpike Road Company;
An act to amend an act approved March 23, 1871, entitled "An act to amend the law in relation to county judges," approved February 13, 1858;
An act to authorize Samuel Salyer, of Magoffin county, to adopt John P. Siner as a legal heir-at-law;
An act authorizing the Marshall county court to issue bonds and levy a tax to build or repair bridges in said county;
An act to repeal an act amending the charter of Nicholasville, approved January 6, 1871;
An act for the benefit of the Louisville Medical College;
An act authorizing the city council of Frankfort to make a subscription to the Lawrenceburg sufferers;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company;
An act to provide for a geological survey and mineralogical survey of the State;
An act to authorize certain counties in this Commonwealth to purchase land for right of way and depot grounds, and lease the same to the trustees of the Cincinnati Southern Railway;
An act to incorporate the Miners' Union of Boyd and Carter counties;
An act to repeal an act, entitled "An act to change the lines between the counties of Letcher and Harlan;"
An act authorizing the county court of Butler county to establish a ferry on Green river, in said county;
An act to fix the boundary of the town of Mt. Sterling, in Montgomery county;
An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Mt. Zion Church, Clark county;
An act to provide for defining and marking the line between the counties of Crittenden and Caldwell;
An act to incorporate the Antioch and Burdett's Mill Turnpike Road Company, in Garrard county;
An act to amend an act, entitled "An act to incorporate the Trustees of the Lancaster Presbyterian Church;"
An act to authorize the county courts of Scott and Franklin counties to compel persons to keep stock off of public roads;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. McElroy inform the Senate thereof.
Mr. Cassilly, from the Committee on Claims, who were directed to prepare and bring in the same, reported
A bill for the benefit of S. M. Goble, of Carter county.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
The further consideration of said bill was cut off by the arrival of the hour for taking up a special order.
The House then, according to order, resumed the further consideration of the report from the Senate of their action on the report of the Joint Committee on the report of the Commissioners to revise the statutes.
The amendment offered by Mr. Blakey to section 9, article 1, chapter 19, title "Common Schools," was then rejected.
Article 1 of said chapter was then adopted.
Mr. Blackburn then moved to strike out article 2 of said chapter.
Pending the consideration thereof, the hour of adjournment, under the rule, arrived,
And then the House adjourned.
A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled
An act for the benefit of the Louisville Industrial Exposition, and to amend the charter thereof.
That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Alice Rodgers.
An act to amend an act, entitled “An act to incorporate the Daviess County Agricultural and Mechanical Association.”
An act for the benefit of James Ficklin, sheriff of Montgomery county.
An act for the benefit of James W. Carpenter, of Ballard county.
An act to incorporate the Paducah Germania Musical Society.
An act for the benefit of Gip Taylor and Nace Waller, former sheriffs of Union county.
That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Rockcastle county.
An act to repeal an act, entitled “An act for the benefit of Levi Kash, judge of the Wolfe county and quarterly courts,” approved March 6, 1869.
An act to incorporate Brothers’ Lodge, No. 132, Independent Order of Odd Fellows, of Owensboro.
An act to incorporate Daniel Boone Lodge, No. 2, Knights of Pythias, in the city of Louisville.
An act to authorize the county court of Bourbon county to pay Geo. M. Hibler, circuit clerk of said county, for continuing index and cross-index of suits in said court.
An act for the benefit of common school district No. 45, in Ballard county.
An act to incorporate the Alexandria Cemetery Company, in Campbell county.
An act to amend an act to incorporate the Highland Racing Park Association.
An act to amend an act, entitled "An act to amend an act, entitled ‘An act to incorporate the Boone Mining and Manufacturing Company,’” approved February 13, 1873.

An act to incorporate the Evansville and Henderson Railroad Packet Company.

An act for the benefit of Wm. H. Fitzpatrick, sheriff of Floyd county for the years 1871 and 1872.

An act to organize Urania school district, in Barren county.

An act for the benefit of Wilson Morgan, late sheriff of Clay county.

An act for the benefit of John A. Lafferty, late sheriff of Harrison county.

An act for the benefit of the Glasgow Railroad.

An act for the benefit of John W. Duncan, sheriff of Wayne county.

An act for the benefit of John L. Slavin, former sheriff of Garrard county.

An act for the benefit of common schools in Kentucky.

An act to incorporate the Fox Creek and Washington County Turnpike Road Company.

An act to amend an act to incorporate the Bourbon Female College, approved March 14, 1872.

An act to incorporate the Paris Harmonic Society, of Paris.

An act to authorize the school commissioner of Campbell county to redistrict the school districts of said county, and to repeal an act, entitled “An act to provide for the redistricting the school districts of Campbell county,” approved March 5th, 1872.

An act to amend an act, entitled “An act to incorporate the Little Benson and Lane’s Mill Turnpike Road Company,” approved March 20th, 1871.

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

An act to amend the charter of the Nicholasville and Kentucky River Turnpike Road Company.

An act amending an act incorporating the Vanceburg, Salt Lick, Tolsboro, and Maysville Turnpike Road Company.

An act to exempt certain persons in Fayette and Scott counties from work on public roads.

An act to amend the charter of the Elizabethtown and Paducah Railroad Company.
An act to amend an act, entitled “An act to charter the Owensboro and Russellville Railroad Company.”

An act to incorporate Phantom Lodge, No. 15, of the Knights of Pythias.

An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.

An act to amend the charter of the town of Frenchburg, in Menifee county.

An act to amend the charter of the Louisville House of Refuge.

An act to incorporate the Union Agricultural and Mechanical Association, near Fort Jefferson, in Ballard county.

An act to amend the charter of the town of Brooksville, in Bracken county.

With amendment to the last six named bills.

And that they had passed bills of the following titles, viz:

1. An act to prevent live stock of all kinds from running at large in Mason and Fleming counties.


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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the same be referred to the Committee on County Courts.

Leave of absence, indefinitely, was granted to Messrs. E. Polk Johnson, Powell, Blakey, Allen, Taylor, and Morin.

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

On motion of Mr. Threlkeld—

1. A bill to amend an act, passed and approved January 26, 1871, entitled “An act to authorize the Owen county court to subscribe stock in the Owenton and Stanford Turnpike Road Company.”

2. A bill to amend the law in relation to county treasurer of Campbell county.

3. A bill to amend the charter of the district of Highlands.

4. A bill for the benefit of Charles Moorman, of Campbell county.
On motion of Mr. Little—
5. A bill for the benefit of Joel Wilder, of Whitley county.
On motion of same—
6. A bill for the benefit of Joseph L. McCarty, assignee of E. F. Adkins, of Whitley county.
On motion of same—
7. A bill to amend the law in relation to jail guards in this Commonwealth.
On motion of Mr. Bates—
8. A bill to change the time for electing the officers of the South Kentucky Fair Ground Association.
On motion of Mr. Williams—
9. A bill to incorporate the Eastern Kentucky Land Mining, Manufacturing, and Transportation Company.
On motion of same—
10. A bill to define and enlarge the boundaries of the town of Ashland.
On motion of Mr. Potter—
11. A bill to amend section 4, chapter 43, of the Revised Statutes.
On motion of Mr. Brooks—
12. A bill to create an additional precinct in Bullitt county.
On motion of same—
13. A bill to require the prepayment by the plaintiff of the legal fees in all civil actions, when such process is sent out of the county for service in which the action is pending.
On motion of Mr. J. R. Sanders—
14. A bill regulating the building of hotels, theatres, churches, factories, and other buildings where persons congregate.
On motion of Mr. Todd—
15. A bill to incorporate the Frankfort Operative Mercantile Business House.
On motion of Mr. Sellers—
On motion of same—
17. A bill to cause banks in this Commonwealth to pay a county tax.
On motion of same—
18. A bill to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster."
On motion of same—
19. A bill to provide for the building of good school-houses in Garrard county.

On motion of Mr. Jones—
20. A bill to increase the jurisdiction of justices of the peace in Graves county.

On motion of Mr. Waring—

On motion of same—
22. A bill to regulate the tolls on the Greenup ferry.

On motion of same—
23. A bill to amend the charter of the Eastern Kentucky Railway Company.

On motion of Mr. Phelps—
24. A bill resubmitting to the qualified voters of Morgantown, and within one half mile of the corporate limits thereof, the question of prohibition or no prohibition of the sale of spirituous, vinous, or malt liquors in the limits thereof.

On motion of Mr. Varnon—

On motion of Mr. Brown—

On motion of same—
27. A bill to authorize the trustees of Bethel Academy, in Jessamine county, to sell or lease, for common school purposes, to the trustees of common school district No. 1, in said county, the property now held in trust for said academy.

On motion of Mr. Woolfolk—
28. A bill to incorporate the town of Nortonsville, in Hopkins county.

Ordered, That the Committee on Corporate Institutions prepare and bring in the 1st, 9th, 15th, 18th, and 28th; the Committee on the Judiciary the 2d, 3d, 4th, 6th, 10th, 13th, 14th, and 20th; the Committee on Propositions and Grievances the 5th, 6th, 12th, 16th, and 24th; the Committee on Revised Statutes the 7th, 21st, and 22d; the Committee on County Courts the 11th; the Committee on Banks the 17th; the Committee on Education the 19th, 26th, and 27th; the
Committee on Railroads the 23d, and the Committee on Ways and Means the 25th.

Mr. Clay 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 — day of April, 1873, it will adjourn sine die.

On motion of Mr. Clay, he is excused from serving on the committee appointed under the resolution offered by Mr. Brown on yesterday, directing an inquiry into certain payments for services rendered in obtaining claims against the General Government, and Mr. Beckham is appointed thereon in his stead.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Waring, from the Committee on Railroads—
A bill to amend the charter of the Big Sandy Valley Railroad Company.

By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of school district No. 34, in Garrard county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Wright, from the Committee on Revised Statutes, to whom was referred a bill from the Senate, entitled
An act to amend chapter 47 of the Revised Statutes, entitled “Husband and Wife,”

Reported the same without amendment.

Mr. Threlkeld offered an amendment thereto, which was adopted.

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

Said bill, as amended, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section 4, article 2, chapter 47, of the Revised Statutes, be so amended as to read as follows:

§ 4. Where the husband abandons the wife, and lives separate and apart from her, or abandons her and leaves the State, without making sufficient
provision for her maintenance; or where he is confined in the peniten­
tiary for an unexpired term of more than one year; or where he becomes
permanently deranged in his mind so as to be incapable of managing his estate
or transacting ordinary business, the wife may, by petition in equity, be
empowered to use, enjoy, and sell, for her own benefit, any property she
may acquire thereafter, or may have acquired, or inherited, since the
abandonment or leaving the State, or becoming unable to transact business
from mental derangement; to make contracts, sue and be sued, as a single
woman; and also to recover in her own name any property, debt, or
choses in action, to which she is entitled, or to which the husband is
entitled in her right. She may also be empowered to sell and convey,
by her own deed, any of her real estate freed from any claim of her hus­
band, or dispose of the same by will: Provided, That in case insanity is
the cause of such incapability, he shall have been adjudged a lunatic by a
competent jury.

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

The yeas and nays being required thereon by Messrs. Speaker
McCready and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Arnold, W. H. Evans, William Sellers,
W. W. Ayers, M. Woods Ferguson, George M. Thomas,
G. W. Bailey, C. D. Foote, C. W. Threlkeld,
W. R. Bates, Joseph P. Force, Harry I. Todd,
W. N. Beckham, Wm. Cassius Goodloe, Joseph T. Tucker,
J. C. S. Blackburn, George M. Jesse, T. W. Varnon,
Wm. F. Bond, G. W. Little, J. L. Waring,
W. B. M. Brooks, J. J. McAfee, J. M. White,
William Brown, M. E. McKenzie, Mordecai Williams,
Robert M. Carlisle, Mat. Nunan, J. N. Woods,
C. M. Clay, Jr., John P. Rowlett, S. H. Woolfolk,

Those who voted in the negative, were—

Mr. Speaker (McCready) Clinton Griffith, J. L. Nall,
A. C. Armstrong, Thomas M. Johnson, John W. Ogilvie,
S. C. Bell, T. J. Jones, Julian N. Phelps,
James S. Chrisman, L. W. Lassing, Lewis Potter,
R. L. Cooper, J. S. Lawson, J. R. Sanders,
J. E. Cosson, Bryan S. McClure, James W. Snyder,

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they
had passed a bill, which originated in the House of Representa­tives,
entitled

An act to amend the charter of the Big Sandy Valley Railroad
Company.

Mr. Varnon, from the joint committee of conference on the subject of
the disagreement between the two Houses in regard to the first amend-
ment proposed by this House to the action of the Senate on the matter of the revision of the statutes, made the following report, viz:

The joint committee appointed by the two Houses, to confer on the disagreement of the two Houses in relation to the amount to be paid to the Assistant Auditor, and the Clerks in the Auditor's Office, have had the same under consideration, and respectfully submit the following report, viz:

Amend section 2, article 1, line 14, by inserting between the words "thousand" and "dollars," the words "two hundred and fifty;" and in line 15, after the word "of," strike out "$11,000," and insert "$9,500," so that that part of the section will then read, commencing in the 13th line, and after the word "Governor," "he shall have power to appoint one assistant, whose salary shall be two thousand two hundred and fifty dollars per annum; and the further sum of nine thousand five hundred dollars ($9,500) is hereby allowed to the Auditor annually, to enable him to employ and pay such clerks as he may deem necessary for the proper discharge of the business of his office."

A. GALLATIN TALBOTT,
Chairman Senate Committee.

JNO. J. GATEWOOD,
K. F. PRICHARD,
THOS. W. VARNON,
H. I. TODD,
C. C. SCALES.

A message was received from the Senate, announcing that they had adopted the report of the committee of conference aforesaid.

The House then took up the said report.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon under a rule of the House, were as follows, viz:

Those who voted in the affirmative, were—


C. D. Foote, Wm. Cassius Goodloe, George M. Jesse, J. S. Lawson, J. J. McAfee, J. L. Nall, Julian N. Phelps, John P. Rowlett, J. P. Sacksteder,


85-H. R.
M. Woods Ferguson,

Those who voted in the negative, were—
W. W. Ayers, Joseph P. Force, J. C. Moorman,
G. W. Bailey, E. A. Graves, John W. Ogilvie,
W. N. Beckham, Thomas M. Johnson, Lewis Potter,
S. C. Bell, T. J. Jones, William Sellers,
W. B. M. Brooks, L. W. Lassing, George M. Thomas,
Robert M. Carlisle, G. W. Little, C. W. Threlkeld,
J. E. Cosson, Bryan S. McClure, J. M. White,

And so, under a rule of the House, the Speaker declared said report to be disagreed to.

The House then, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the Statutes.

Mr. Clay offered a substitute for article two of chapter nineteen, title “Common Schools,” and the amendment proposed thereto by Mr. Blackburn, to which substitute Mr. Goodloe offered an amendment; but Mr. Clay subsequently, on leave of the House, withdrew his said amendment.

The question was then taken on the adoption of the amendment proposed by Mr. Blackburn, to-wit: to strike out all of article two of chapter nineteen, and it was decided in the negative.

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

Those who voted in the affirmative, were—
Mr. Speaker (M'Creary) James S. Chrisman, L. W. Lassing,
W. W. Ayers, C. M. Clay, Jr., J. C. Moorman,
G. W. Bailey, R. L. Cooper, Lewis Potter,
W. N. Beckham, Joseph P. Force, L. W. Trafton,
S. C. Bell, E. A. Graves, Joseph T. Tucker,
Robert M. Carlisle, Thomas M. Johnson,

Those who voted in the negative, were—
A. C. Armstrong, J. S. Lawson, William Sellers,
A. S. Arnold, G. W. Little, James W. Snyder,
W. R. Bates, J. J. McAfee, George M. Thomas,
Wm. F. Bond, Bryan S. McClure, C. W. Threlkeld,
W. B. M. Brooks, M. E. McKenzie, Harry I. Todd,
William Brown, J. L. Nall, T. W. Varnon,
J. E. Cosson, Mat. Nunan, J. L. Waring,
John W. Dyer, John W. Ogilvie, J. M. White,
W. H. Evans, Julian N. Phelps, Mordecai Williams,
Pending the consideration of said article, the hour for adjournment, under the rule, arrived.
And then the House adjourned.

MONDAY, MARCH 24, 1873.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled
An act to prohibit the sale of vinous, spirituous, or malt liquors in Nelson county, or in the incorporated towns in said county.
That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act, entitled “An act to incorporate the Rebeckah Benevolent Society, of Covington.”
An act to amend an act, entitled “An act to incorporate St. Augustine Cemetery, near Lebanon.”
An act to incorporate the Baptist Church at Elkton, Todd county.
An act for the benefit of J. C. Calhoun, late sheriff of McCracken county.
An act for the benefit of Geo. P. Gillum, sheriff of Logan county.
An act to prohibit the sale of spirituous, vinous, or malt liquors in Crittenden county.
An act to amend the charter of the town of Marion, in Crittenden county.
An act to provide for organizing and establishing a system of public schools in Winchester.
An act to authorize the county of Hickman to raise a sinking fund for county purposes.
An act to authorize the voters of the town of Clinton to vote upon proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of the same.

With amendments to the last five named bills.

And that they had passed bills of the following titles, viz:


2. An act authorizing druggists to sell spirituous liquors by retail in the town of West Liberty.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Ways and Means, and the 2d to the Committee on Religion.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to add part of Adair to Casey county."

An act to incorporate the Press Printing Company.

An act authorizing R. B. Lovell, late sheriff of Lewis county, to list uncollected fee bills and tax receipts with constables in Lewis county for collection.

An act to incorporate the Odd Fellows’ Temple Association of Louisville.

An act to incorporate Ivy Lodge, No. 21, Knights of Pythias.

An act to incorporate the Kentucky Society for the Prevention of Cruelty to Animals.

An act to further amend the charter of the Newport and Cincinnati Bridge Company.

An act to incorporate the Auburn Building and Loan Association.

An act to amend an act, entitled "An act to amend the charter of the city of Augusta, in Bracken county."

An act to amend the charter of the town of Monticello, and to regulate the traffic in spirituous liquors therein.

An act to amend the charter of the town of Elizabethtown.
An act to define the boundary line between the counties of Rock-
castle and Jackson.
An act to authorize the trustees of the town of Columbia to sell
and convey part of Jefferson alley, in said town.
An act for the benefit of Henry C. Fitzpatrick, collector of the
revenue of Floyd county for the year 1870.
An act for the benefit of Jeremiah Overton, an idiot, of Wayne
county.
An act to amend an act, entitled "An act to incorporate the Big
Sandy Highway Bridge Company."
An act to exempt the property of the Danville Theological Semi-
inary from taxation for certain purposes.
An act for the benefit of J. F. Hatten, committee of George Clay
(an idiot), of Lawrence county.
An act to incorporate the Masonic Temple Company of Owens-
boro.
An act to charter the Elizabethtown and Middle Creek Turnpike
Road Company.
An act to incorporate the Twelve-mile and California Turnpike
Road Company, in Campbell county.
An act to amend the charter of the town of Catlettsburg.
An act for the benefit of John E. Abbott, administrator of D. C.
Doran, late sheriff of Hart county.
An act to prohibit the granting of license for the sale of spirituous,
vinous, or malt liquors in the town of Butler, or within one mile
thereof.
An act to permit John Williams to erect a mill-dam across Troubles-
some creek, in Perry county.
An act for the benefit of Gabe Hays, of the county of Breathitt.
An act concerning the public roads in Hardin county.
An act to authorize the Butler county court to establish a ferry on
Green river, near Morgantown, at or near "Morrison's Old Ferry."
An act for the benefit of common school district No. 5, in the
county of Barren.
An act to prevent the destruction of fish in Salt river, in Anderson
county.
An act for the benefit of S. S. Farris, sheriff of Barren county.
An act to amend the charter of the town of Germantown, in
Bracken and Mason counties.
An act for the benefit of common schools of Johnson county.
An act for the benefit of school district No. 44, in Campbell county.

An act to declare War creek, in Breathitt county, a navigable stream.

An act to amend an act, entitled “An act to incorporate the Hodgenville and Elizabethtown Turnpike Road Company,” approved March 9, 1868.

An act for the benefit of J. T. Freeman, of Whitley county.

An act for the benefit of the unfinished turnpike roads in Henry county.

An act for the benefit of Amos Davis, sheriff of Morgan county.

An act to authorize the trustees of Russellville to appoint an inspector and weigher of coal.

An act authorizing the jailer of Fayette county to appoint an additional deputy jailer.

An act for the benefit of H. W. Eggleston, of Kenton county.

An act defining the boundary line between the counties of Harlan and Bell.

An act to amend an act, entitled “An act to incorporate the Blandville and Cairo Turnpike Road Company,” approved March 6, 1868.

An act for the benefit of John H. Pemberton, of Whitley county.

An act for the benefit of James W. Wills, sr., of Menifee county.

An act authorizing the county court of Butler county to establish a ferry on Green river, in said county.

An act to incorporate the Antioch and Burdett’s Mill Turnpike Road Company, in Garrard county.

An act to provide for a geological survey and mineralogical survey of the State.

An act to authorize the county courts of Scott and Franklin counties to compel persons to keep stock off of public roads.

An act to amend the charter of the Carrollton and Eagle Creek Turnpike Road Company.

An act to provide for defining and marking the line between the counties of Crittenden and Caldwell.

An act to fix the boundary of the town of Mt. Sterling, in Montgomery county.

An act to incorporate the Miners’ Union of Boyd and Carter counties.

An act to repeal an act, entitled “An act to change the lines between the counties of Letcher and Harlan.”
An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile of Mt. Zion Church, Clark county.

An act to amend an act, entitled "An act to incorporate the Trustees of the Lancaster Presbyterian Church."

An act for the benefit of John M. Hunley, committee of Henry Yarbrough, an idiot.

An act in relation to the assessment and collection of turnpike taxes in Lewis county.

An act in relation to the granting tavern license in the Vanceburg election precinct, in Lewis county.

An act to regulate the taking up of property found adrift upon certain rivers in this Commonwealth.

Leave of absence, indefinitely, was granted to Mr. Foote.

On motion of Mr. Foote, he is excused from further service on the joint committee on the report of the Commissioners to revise the Statutes.

The House then, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the statutes.

Article 2 of chapter 19, title "Common Schools," was adopted.

Mr. Tucker then moved to reconsider the vote by which article 2 was adopted.

And the question being taken on the motion of Mr. Tucker, it was decided in the affirmative.

Mr. Rowlett then offered a substitute, by way of amendment, for article 2 of said chapter.

Mr. Varnon moved the previous question.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), C. M. Clay, Jr., John W. Ogilvie,
A. C. Armstrong, J. E. Cosson, Julian N. Phelps,
A. S. Arnold, John W. Dyer, Lewis Potter,
W. W. Ayers, James B. Fitzpatrick, John P. Rowlett,
G. W. Bailey, E. A. Graves, J. R. Sanders,
W. R. Bates, Clinton Griffith, James W. Snyder,
W. N. Beckham, T. J. Jones, C. W. Threlkeld,
John A. Bell, L. W. Lassing, Harry I. Todd,
S. C. Bell, J. S. Lawson, Joseph T. Tucker,
W. B. M. Brooks, J. J. McAfee, T. W. Varnon,
Those who voted in the affirmative, were—

A. C. Armstrong, R. L. Cooper, Julian N. Phelps,
A. S. Arnold, John W. Dyer, Lewis Potter,
G. W. Bailey, C. D. Foote, John P. Rowlett,
W. N. Beckham, Joseph P. Force, J. R. Sanders,
John A. Bell, Thomas M. Johnson, C. W. Threlkeld,
S. C. Bell, T. J. Jones, Harry I. Todd,
W. B. M. Brooks, L. W. Lassing, L. W. Trafion,
W. W. Bush, J. J. McAfee, Joseph T. Tucker,
Robert M. Carlisle, M. E. McKenzie, T. W. Varnon,
C. M. Clay, jr.,

Those who voted in the negative, were—

W. W. Ayers, J. S. Lawson, George M. Thomas,
W. R. Bates, G. W. Little, J. L. Waring,
William Brown, Bryan S. McClure, C. H. Webb,
J. E. Cosson, Mat. Numan, Mordecai Williams,
W. H. Evans, John W. Ogilvie, J. N. Woods,
James B. Fitzpatrick, William Sellers, S. H. Woolfolk,
E. A. Graves, James W. Snyder, J. M. Wright—29.
Clinton Griffith,

Mr. Clay then moved to reconsider the vote by which the amendment (substitute) proposed by Mr. Rowlett was adopted.

Mr. Graves moved to lay the motion of Mr. Clay on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (Mr. Creary) R. L. Cooper, Julian N. Phelps,
A. C. Armstrong, John W. Dyer, Lewis Potter,
Those who voted in the negative, were—

W. R. Bates, J. S. Lawson, George M. Thomas,
William Brown, G. W. Little, J. L. Waring,
J. E. Cosson, Bryan S. McClure, Mordecai Williams,
W. H. Evans, Mat. Nunan, J. N. Woods,

Article 2 of chapter 19, as amended, was then adopted.

Article 3 of same chapter was then taken up and adopted.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) John W. Dyer, Lewis Potter,
A. C. Armstrong, W. H. Evans, John P. Rowlett,
A. S. Arnold, James B. Fitzpatrick, William Sellers,
W. W. Ayers, C. D. Foote, James W. Snyder,
G. W. Bailey, Joseph P. Foree, C. W. Threlkeld,
W. R. Bates, E. A. Graves, Harry I. Todd,
W. N. Beckham, Clinton Griffith, L. W. Trafton,
John A. Bell, Thomas M. Johnson, Joseph T. Tucker,
S. C. Bell, T. J. Jones, T. W. Varnon,
W. M. Bond, L. W. Lassing, C. H. Webb,
W. B. M. Brooks, J. S. Lawson, J. M. White,
W. W. Bush, G. W. Little, Mordecai Williams,
Robert M. Carlisle, Bryan S. McClure, J. N. Woods,
James S. Chrisman, M. E. McKenzie, S. H. Woolfolk,

In the negative, William Brown—1.

Articles 4, 5, and 6, of same chapter, were then adopted.

Mr. Chrisman then moved to strike out the whole of section 8 of
article 7 of said chapter of same title.

And the question being taken on the motion of Mr. Chrisman, it
was decided in the affirmative.
Mr. Thomas then moved to strike out section 9 of said article.

And the question being taken on the motion of Mr. Thomas, it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. H. Evans, M. E. McKenzie,
W. W. Ayers, Clinton Griffith, Mat. Nunan,
G. W. Bailey, Thomas M. Johnson, Wm. Sellers,
S. C. Bell, J. S. Lawson, George M. Thomas,
William Brown, G. W. Little, Harry I. Todd,

Those who voted in the negative, were—

A. C. Armstrong, James B. Fitzpatrick, J. R. Sanders,
A. S. Arnold, C. D. Foote, James W. Snyder,
W. R. Bates, E. A. Graves, C. W. Threlkeld,
John A. Bell, T. J. Jones, L. W. Trafton,
Wm. F. Bond, L. W. Lassing, Joseph T. Tucker,
W. B. M. Brooks, J. J. McAfee, T. W. Varnon,
W. W. Bush, J. L. Nall, J. M. White,
Robert M. Carlisle, John W. Ogilvie, Mordecai Williams,
James S. Chrisman, Julian N. Phelps, J. N. Woods,
C. M. Clay, jr., Lewis Potter, S. H. Woolfolk,
R. L. Cooper, John P. Rowlett, J. M. Wright—34.

Article 7 of said chapter, as amended, was then adopted; and the numbers of the sections thereof so changed as to correspond with the amendment.

Amendments to article 8 of said chapter were offered by Messrs. Foree and Threlkeld, which were rejected, and said article adopted. Articles 9, 10, and 11, of said chapter, were then adopted.

To article 12 of same chapter, Mr. Varnon offered an amendment, which was adopted.

And said article, as amended, was then adopted.

Mr. Armstrong then offered an amendment to chapter 19, which was adopted; and said chapter, as amended, was adopted.

A message was received from the Senate, announcing that they had adopted so much of the further action of the Senate on the revision of the statutes as is comprised under the following heads, viz:

Chapter 20, title "Confession of Judgment."
Chapter 21, title "Constables."
Chapter 22, title "Construction of Statutes."
Chapter 23, title "Contracts."
Chapter 24, title "Contribution."
Chapter 25, title "Conveyances."
Chapter 26, title "Coroners."
Chapter 27, title "Costs."
Chapter 28, title "County Levy."
The House took up said report, and chapters 20, 21, and 22 were adopted.
To chapter 23, amendments were offered by Messrs. Wright and Bush, which were rejected.
Chapters 23, 24, 25, 26, and 27 were then adopted.
To chapter 28, Mr. Rowlett offered an amendment, which was rejected.
Chapter 28 was then adopted.
Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:
An act for the benefit of John Scott, of Pike county;
An act to locate and define the county line between Estill and Lee counties;
An act for the benefit of the kindred of Pierre Victor Eustache, deceased, late of McCracken county;
An act to incorporate the city of Mayfield;
An act for the benefit of A. H. Ditto, committee of Polly Miller, a pauper idiot, of Henry county;
An act for the benefit of Wm. Pollard, committee of Eliza Pollard, a pauper idiot, of Henry county;
An act for the benefit of Belleville H. Herndon;
An act to authorize the poor-house commissioners of Ohio county to sell the old poor-house property of said county;
An act to incorporate the town of Beaver Dam, in Ohio county;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the St. Joseph's Catholic Benevolent Society of Frankfort;
An act to abolish the quarterly court in Ballard county;
An act in relation to the city of Vanceburg;
An act authorizing the Lewis county court to levy an additional tax to pay off the debt of said county, and to aid in the building of turnpike roads in said county;
An act for the benefit of Cold Spring school district, in Campbell county;
An act in regard to turnpike roads in Garrard county, in which said county owns stock;
An act for the benefit of common school district No. 24, in Larue county;
An act to incorporate the Buffalo Furnace Company;
An act for the benefit of Sol. Downey, pauper idiot, of Henry county;
An act to incorporate the Board of Trustees of the Kentucky Annual Conference of the Methodist Episcopal Church;
An act to amend the charter of the Manufacturers' Bank;
An act to incorporate the Agricultural and Mechanical Association of the Colored People of Bourbon County;
An act to amend the charter of the Lebanon Female College;
An act to charter the Hustonville Cemetery Company;
An act to amend the charter, and amendments thereto, incorporating the town of Crab Orchard;
An act to enable the county court of Laurel county to levy an ad valorem tax for the purpose of building a new jail, and for other purposes;
An act to allow the bona fide voters of the Garnettsville district, in Meade county, to vote for or against the sale of spirituous, vinous, and malt liquors in said district;
An act to extend the limits of the town of Paradise, in Muhlenburg county;
An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county;
An act to amend an act, approved January 24th, 1872, entitled "An act to authorize the clerk of the Nelson circuit court to make cross-index to deed books in his office;"
An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company;
An act to incorporate the Willisburg, Thompsonville, and Pleasant Run Turnpike Road Company;
An act to authorize the county court of Whitley county to increase taxes for county purposes;
An act to incorporate the Maysville Coal, Salt, and Transfer Company;
An act to repeal so much of an act, entitled "An act for the benefit of the clerks of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson," as applies to the counties of Cumberland, Clinton, Adair, Russell, and Todd;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

On motion of Mr. Graves,

Ordered, That a committee, consisting of Messrs. Graves, Thomas, Bond, McKenzie, and Woolfolk, be appointed to wait upon the Senate and inform them that the House had completed the consideration of so much of the report from the Senate in regard to the revision of the Statutes as they have reported to this House, and to request the report of any further action had thereon by them.

And then the House, according to an order heretofore adopted, took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again assembled.

Mr. Rowlett, from the Committee on Claims, to whom was recommitted a bill, entitled

A bill for the benefit of Lewis Plummer, jailer of Lewis county,

Reported the same without amendment.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The House resumed the consideration of a bill, entitled

A bill for the benefit of S. M. Goble, of Carter county.

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

Said bill being engrossed, was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and is hereby, authorized to draw his warrant on the Treasury in favor of S. M. Goble for $250, pay for taking care of Bird Goble (colored), a pauper lunatic, from the 10th day of October, 1871, until the 10th day of January, 1873, by order of the county court of Carter county.

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

The question was then taken on the passage of said bill, and it was decided in the negative, not having received the constitutional majority.
The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


And so said bill was rejected.

Mr. Arnold then moved to reconsider the vote by which said bill was rejected.

Mr. Frank Sacksteder, a member returned to this House from the third district of the city of Louisville in place of Hon. E. F. Waide, resigned, presented his certificate of election, and having taken the oath required by law, repaired to his seat.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of the Auditor of Public Accounts.

Which was read the first time as follows, viz:

Whereas, The act, entitled "An act for the appropriation of money," approved March 26, 1872, contained section 6 as it passed this General Assembly appropriating eight dollars per day to each of the Doorkeepers of the Senate and House of Representatives for their services; and whereas, by an unintentional mistake said sixth section was left out of the enrolled bill approved by the Governor; and whereas, the Auditor of Public Accounts, without knowing of the omission of the sixth section in said enrolled bill, paid said Doorkeepers the full amount due them for their services up to, and inclusive of, the 29th day of March, 1872, the day of adjournment, at the rate of eight dollars per day; now, for remedy whereof, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, released and
absolved from any and all liability or responsibility growing out of his having paid to the Door-keepers of the Senate and House of Representatives of the present General Assembly eight dollars per day, each, for their services from the commencement of their duties up to, and inclusive of, the 29th day of March, 1872; and said section 6, mentioned in the preamble hereof, is hereby re-enacted.

§ 2. This act shall be in force and effect from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of W. R. Stringer, of Livingston county.

Which was read the first time as follows, viz:

WHEREAS, John W. Dunford was found, by an inquest legally held, to be a lunatic, and was, by an order of the judge of the Livingston county
court, placed in the custody of W. R. Stringer, a committee, for the period of thirteen months and one week, the insane asylum being so crowded he could not be received therein; and whereas, W. R. Stringer received, in obedience to said order, said lunatic, and waited upon, clothed, and dieted the said John W. Dunford during the said thirteen months and one week, from the 21st day of February, 1871, to the 28th day of March, 1872.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That W. R. Stringer be allowed the sum of $221, and that the Auditor draw his warrant upon the Treasurer for said sum, in favor of said Stringer, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act to be in force from and after its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of Leonard Worley, of Butler county,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, "Shall the bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill for the benefit of Arnold S. Hardy, jailer of Marion county. Which bill was read the first time as follows, viz:

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, not having received a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, W. H. Evans, Lewis Potter,
A. S. Arnold, James B. Fitzpatrick, John P. Rowlett,
Alpheus W. Bascom, E. A. Graves, J. P. Sacksteder,
W. R. Bates, Clinton Griffith, Frank Sacksteder,
W. N. Beckham, George M. Jesse, J. R. Sanders,
John A. Bell, Thomas M. Johnson, William Sellers,
Wm. F. Bond, L. W. Lassing, Harry I. Todd,
C. M. Clay, jr., M. E. McKenzie, Joseph T. Tucker,
John W. Dyer, Mat. Nunan, T. W. Varnon,
Walter Evans, John W. Ogilvie, J. L. Waring—30.

Those who voted in the negative, were—

Mr. Speaker (McCreary), J. E. Cosson, George M. Thomas,
A. C. Armstrong, J. S. Lawson, C. W. Threlkeld,
W. W. Ayers, Bryan S. McClure, J. M. White,
S. C. Bell, J. L. Nall, Mordecai Williams,
J. C. S. Blackburn, Julian N. Phelps, Jonas D. Wilson,
W. B. M. Brooks, E. A. Robertson, J. N. Woods,

And so said bill was rejected.
Mr. Evans then moved to reconsider the vote by which said bill was rejected.

The House took up the amendments proposed by the Senate to bills which originated in this House, of the following titles, viz:

An act to authorize the voters of the town of Clinton to vote upon proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of the same.

An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.

Said amendments were concurred in.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act for the benefit of R. W. Lawler, jailer of Franklin county,

Reported the same without amendment and without the expression of an opinion thereon.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§1. Be it enacted 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 Robert W. Lawler, jailer of Franklin county, for the sum of ninety dollars, payable out of any money in the Treasury not otherwise appropriated, in order to refund to said Lawler the amount which he has paid out of his private funds, as rewards for the recapture of certain desperate felons, who escaped from the jail of Franklin county.

§2. This act shall be in force from its passage.

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

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

Those who voted in the affirmative, were—

A. S. Arnold, W. H. Evans, John P. Rowlett,
Alpheus W. Bascom, James B. Fitzpatrick, J. P. Sacksteder,
W. R. Bates, Joseph P. Foree, Frank Sacksteder,
W. N. Beckham, E. A. Graves, J. R. Sanders,
John A. Bell, L. W. Lassing, Harry I. Todd,
Wm. F. Bond, J. S. Lawson, Joseph T. Tucker,
James S. Chrisman, M. E. McKenzie, T. W. Varnon,
C. M. Clay, Jr., Mat. Nunan, J. L. Waring,
John W. Dyer, Lewis Potter, Mordecai Williams—27

Those who voted in the negative, were—

Mr. Speaker (McCreary) J. E. Cosson, William Sellers,
A. C. Armstrong, Clinton Griffith, James W. Snyder,
W. W. Ayers, Thomas M. Johnson, George M. Thomas,
Resolved, That the title of said bill be as aforesaid.

Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Griffith, from the Committee on Claims—
A bill for the benefit of Mildred Broadus, a pauper idiot of Lincoln county.

By same—
A bill for the benefit of Mrs. Elizabeth J. Spradlin, of Floyd county.

By Mr. Rowlett, from the Committee on Claims—
A bill for the benefit of John Pinkerton, of Carter county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Rowlett, from the Committee on Claims, to whom was referred a bill from the Senate, entitled
An act making an appropriation for the benefit of J. C. Farley, of McCracken county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Rowlett, from the Committee on Claims, who were directed to prepare and bring in the same, reported
A bill for the benefit of John Pearce, of Trimble county.

Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and no quorum voting thereon, said bill was placed in the orders of the day.

And then the House adjourned.

TUESDAY, MARCH 25, 1873.

Mr. Sellers presented the remonstrance of Joana London, by certain friends, against the action of the committee appointed to investigate certain charges against the Superintendent of the Feebleminded Institute.

Which was received, the reading dispensed with, and referred to the Committee on Charitable Institutions.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act amending the charter of Nicholasville, approved January 6, 1871.

An act to amend the charter of the Mount Freedom and Jessamine County Turnpike Road Company.

An act to amend an act approved March 23, 1871, entitled "An act to amend the law in relation to county judges," approved February 13, 1858.

An act for the benefit of the Louisville Medical College.

An act to amend an act, entitled "An act to incorporate Cecilian College, in Hardin county."

An act for the benefit of John T. Ratcliff and Samuel P. Ratcliff, of Carter county.
An act authorizing the Marshall county court to issue bonds and levy a tax to build or repair bridges in said county.

An act to authorize Samuel Salyer, of Magoffin county, to adopt John P. Siner as a legal heir-at-law.

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

An act for the benefit of school district No. 4, in Nicholas county.

An act for the benefit of the jailer of Fayette county, Kentucky.

An act to incorporate the Hecla Coal and Mining Company.

An act for the benefit of Hugh Barclay, jr., of Logan county.

An act to amend and reduce into one the several acts in relation to the town of Shelbyville.

An act for the benefit of A. H. Kininmouth, of Butler county.

An act to amend an act for the benefit of the Carlisle and Jackson Turnpike Road Company, upper route, approved December 20, 1871.

An act to amend an act, entitled "An act to create the Hartford Seminary, of Ohio county."

An act to charter the Owenton Cemetery Company.

An act for the benefit of school district No. 47, in Larue county.

An act for the benefit of R. H. Williams, sheriff of Owen county, and his sureties.

An act to amend an act, entitled "An act to incorporate the Louisville Orphan Home Society," approved February 26, 1849.

An act to incorporate Greensburg Lodge of Free and Accepted York Masons.

An act to amend an act, entitled "An act in relation to official sales in Boyle and Lincoln counties," approved March 7, 1871.

That they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to amend chapter 47 of the Revised Statutes, entitled "Husband and Wife."

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

An act to prohibit the sale of spirituous liquors or intoxicating beverages in Greenup county.

An act to incorporate the Muhlenburg Mining Company.

An act to establish a common school for the benefit of the colored people of Catlettsburg and vicinity.

An act for the benefit of school district No. 46, in Mercer county.
An act chartering the Young Men’s Savings Association of New Liberty, Owen county.

An act to empower the court of claims of Shelby county to levy an additional ad valorem tax.

An act to repeal an act, entitled “An act to establish an institution of learning in the town of Hardinsville, in Shelby county.”

An act to authorize the sale and conveyance of the property of the Kendrick Institute, in Wayne county.

And that they had passed bills of the following titles, viz:

1. An act to charter the Southern Land and Construction Company.
2. An act for the benefit of Asa Gilbert, late sheriff of Clay county.
3. An act to incorporate the town of Lynnville, in Graves county.
4. An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 3d to the Committee on Corporate Institutions; the 2d to the Committee on the Judiciary, and the 4th to the Committee on Internal Improvement.

Leave of absence, indefinitely, was granted Messrs. Bush, Lassing, and Little.

Mr. Frank Sacksteder was added to the Committees on Banks and Insurance.

Mr. Wright was added to the Joint Committee on Revision of the Statutes in place of Mr. Foote.

On motion of Mr. Goodloe, the consideration of the reports of the majority and minority of the committee appointed to inquire into certain charges against the Superintendent of the Feeble-minded Institute, was postponed to, and made special order of the day for, Friday, the 29th inst., at 11 o’clock, A. M.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to authorize the sale of the poor-house farm in Estill county;

An act for the benefit of W. E. Clelland, late sheriff of Mercer county;
An act for the benefit of the Louisville Industrial Exposition, and to amend the charter thereof;
An act concerning the appointment of a superintendent and commissioner of roads and bridges for Ohio county;
An act to amend the charter of the Georgetown and Paris Turnpike Road Company;
An act to amend the charter of the town of Cynthiana, in Harrison county;
An act to amend the charter of the Lexington and Newtown Turnpike Road;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend the charter of the Kentucky Masonic Relief Association;
An act to prohibit the sale of spirituous, vinous, or malt liquors near Trigg Furnace, in Trigg county;
An act to incorporate the Oak Ridge Turnpike Road Company, in Mercer county;
An act to amend an act, entitled "An act for the benefit of the citizens of Garrard county;"
An act to amend an act, entitled "An act to incorporate the town of Williamsburg;"
An act to amend an act, entitled "An act for the protection of the livery-stable keepers of this Commonwealth," approved January 31, 1871;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
Leave of absence, indefinitely, was granted Messrs. Thomas, Ferguson, Varnon, and Lawson.
A message was received from the Senate, announcing that they had adopted the report of the Commissioners to revise the statutes, as amended by the Senate, the following chapters, viz:
Chapter 29, title "Courts."
Chapter 42, title "Ferries."
Chapter 43, title "Foreign Corporations."
Chapter 44, title "Fraudulent Conveyances and Devises."
Chapter 45, title "Fugitives from Justice."
Chapter 46, title "Game and Small Birds."
Chapter 47, title "Gaming."
Chapter 48, title "Guardian and Ward."
Chapter 49, title "Guards, Public."
Chapter 50, title "Heirs and Devises."
Chapter 51, title "Holidays."

On motion of Mr. Todd,

Ordered, That a committee, consisting of Messrs. Todd, Varnon, and Frank Sacksteder, be appointed, to wait upon the Senate, and ask leave to withdraw therefrom the announcement of the non-concurrence of this House to the report of the joint committee of conference on their disagreement as to the first amendment proposed by this House to section 2, article 1, chapter 7, title "Auditor."

Who, after a time, reported that they had discharged that duty, and that leave was granted to withdraw said announcement.

On motion of Mr. McKenzie,

Ordered, That a committee, consisting of Messrs. McKenzie, Rowlett, and Bascom, be appointed, to act in conjunction with such committee as may be appointed by the Senate for the same purpose, to wait upon the Governor and request him to return, unsigned, to this House, in which it originated, an enrolled bill, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors near Trigg Furnace, in Trigg county.

Who, after a time, returned and reported that they had discharged their duty, and laid said bill on the Clerk's table.

On motion of Mr. Griffith,

Ordered, That a committee, consisting of Messrs. Griffith, Dyer, and Threlkeld, be appointed, to wait upon the Senate, and request to withdraw therefrom the announcement of the disagreement of this House to a bill, which originated in the Senate, entitled

An act directing the Auditor to pay certain guard claims in Powell county.

Who, having communicated said request to the Senate, returned and laid said bill on the Clerk's table.

The House then, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the statutes,

Chapter 29, title "Courts," being up for consideration.

Amendments were offered thereto by Messrs. W. Evans, Graves, Rowlett, Chrisman, Goodloe, Sellers, and Beckham, which were severally adopted.
Mr. Ogilvie moved to amend section 1 of article 21, in fourth line, by striking therefrom the word "fifty," and inserting in lieu thereof the words "one hundred."

And the question being taken on the adoption of the amendment proposed by Mr. Ogilvie, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, T. J. Jones, John P. Rowlett,
W. W. Ayers, J. S. Lawson, J. P. Sacksteder,
G. W. Bailey, J. J. McAfee, Frank Sacksteder,
W. R. Bates, Bryan S. McClure, J. R. Sanders,
W. B. M. Brooks, William J. McElroy, James W. Snyder,
C. M. Clay, jr., M. E. McKenzie, C. W. Threlkeld,
John W. Dyer, J. L. Nall, C. H. Webb,
Joseph P. Foree, Mat. Nunnan, J. M. White,
E. A. Graves, John W. Ogilvie, Jonas D. Wilson,
Clinton Griffith, Julian N. Phelps, J. N. Woods,
George M. Jesse, Lewis Potter, S. H. Woolfolk—33.

Those who voted in the negative, were—

Mr. Speaker (M'Creary) R. L. Cooper, William Sellers,
George W. Anderson, J. E. Cosson, William Tarleton,
Alpheus W. Bascom, Walter Evans, George M. Thomas,
W. N. Beckham, W. H. Evans, Harry I. Todd,
John A. Bell, James B. Fitzpatrick, Joseph T. Tucker,
S. C. Bell, Wm. Cassius Goodloe, T. W. Varnon,
Wm. F. Bond, E. Polk Johnson, J. L. Waring,
William Brown, Thomas M. Johnson, Mordecai Williams,

The question was then taken on the adoption of chapter 29, title "Courts," as amended, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) W. H. Evans, E. A. Robertson,
George W. Anderson, Joseph P. Foree, John P. Rowlett,
A. C. Armstrong, E. A. Graves, J. P. Sacksteder,
W. W. Ayers, George M. Jesse, Frank Sacksteder,
G. W. Bailey, E. Polk Johnson, J. R. Sanders,
Alpheus W. Bascom, Thomas M. Johnson, James W. Snyder,
W. R. Bates, T. J. Jones, George M. Thomas,
W. N. Beckham, J. S. Lawson, C. W. Threlkeld,
S. C. Bell, Bryan S. McCuire, Joseph T. Tucker,
Wm. F. Bond, William J. McElroy, T. W. Varnon,
Chapter 42, title "Ferries," being under consideration,  
Mr. W. Evans moved to add to last section thereof the following,  
viz:  
Provided, That this chapter of the revision of the statutes of this State, reported by E. I. Bullock and J. M. Nesbitt, and now being considered by this House, shall take effect or be in force until the General Assembly has passed on and adopted the whole of said revision, unless it be otherwise specially enacted in such chapter.  

And the question being taken on the adoption of the amendment proposed by Mr. Evans, it was decided in the negative.  

The yeas and nays being required thereon by Messrs. Brown and Evans, were as follows, viz:  
Those who voted in the affirmative, were—  

Those who voted in the negative, were—  
Mr. Speaker (McCreary) John W. Dyer, Lewis Potter, E. A. Robertson, John P. Rowlett, J. P. Sacksteder, Frank Sacksteder, James W. Snyder, C. W. Threlkeld, Harry J. Todd, Joseph T. Tucker, T. W. Varnon,  

Chapter 42, title "Ferries," was then adopted without amendment.
Chapter 43, title "Foreign Corporations," being under consideration, the question was taken on the adoption thereof, and it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), John W. Dyer, Lewis Potter,
George W. Anderson, James B. Fitzpatrick, E. A. Robertson,
A. C. Armstrong, Joseph P. Force, John P. Rowlett,
A. S. Arnold, E. A. Graves, J. P. Sacksteder,
W. W. Ayers, Clintona Griffith, Frank Sacksteder,
G. W. Bailey, E. Polk Johnson, James W. Snyder,
Alpheus W. Bascom, Thomas M. Johnson, C. W. Threlkeld,
W. R. Bates, T. J. Jones, Harry I. Todd,
W. N. Beckham, J. S. Lawson, Joseph T. Tucker,
John A. Bell, J. J. McAfee, T. W. Varnon,
S. C. Bell, Bryan S. McClare, J. L. Waring,
Wm. F. Bond, William J. McElroy, C. H. Webb,
W. B. M. Brooks, M. E. McKenzie, J. M. White,
John S. Carpenter, J. L. Nall, Mordecai Williams,
James S. Chrisman, John W. Ogilvie, S. H. Woolfolk,

Those who voted in the negative, were—

Walter Evans, Mat. Nanan, Jonas D. Wilson,

Chapter 44, title "Fraudulent Conveyances and Devises," and chapter 45, title "Fugitives from Justice," were each adopted without amendment.

To chapter 46, title "Game and Small Birds," Mr. Clay offered an amendment, which was adopted.

Mr. Goodloe offered the following amendment to section 2 of said chapter:

In section 2, line 2, after the word "premises," add the words, "or at any time;" and by striking out of second line the words, beginning at the word "smaller," to the end of the section, and adding in lieu thereof the words, "or other game, unless with the consent of the owner of the premises he may be on."

And the question being taken on the adoption of the amendment proposed by Mr. Goodloe, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Griffith and E. Polk Johnson, were as follows, viz:
Those who voted in the affirmative, were—

Alpheus W. Bascom, Wm. Cassius Goodloe, William Tarlton,
W. N. Beckham, William J. McElroy, George M. Thomas,
John A. Bell, J. L. Nall, Harry I. Todd,
Wm. F. Bond, Lewis Potter, J. L. Waring,
W. B. M. Brooks, E. A. Robertson, Mordecai Williams,

Those who voted in the negative, were—

Mr. Speaker(McCreary)James B. Fitzpatrick, John P. Rowlett,
George W. Anderson, Clinton Griffith, J. P. Sacksteder,
A. C. Armstrong, George M. Jessee, Frank Sacksteder,
A. S. Arnold, E. Polk Johnson, J. R. Sanders,
W. W. Ayers, Thomas M. Johnson, William Sellers,
G. W. Bailey, T. J. Jones, C. W. Threlkeld,
W. R. Bates, J. S. Lawson, Joseph T. Tucker,
S. C. Bell, J. J. McAfee, T. W. Varnos,
John S. Carpenter, Bryan S. McClure, C. H. Webb,
James S. Chrisman, M. E. McKenzie, J. M. White,
C. M. Clay, jr., Mat. Nunan, Jonas D. Wilson,
John W. Dyer, John W. Ogilvie, J. N. Woods,

Chapter 46, title “Game and Small Birds,” as amended, was then adopted.

Mr. Graves moved to reconsider the vote by which chapter 29, title “Courts,” was adopted.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

And then, under the rule heretofore adopted, the House took a recess until half-past 7 o’clock, P. M.

At half-past 7 o’clock, P. M., the House again assembled.

The House took up the several amendments proposed by the Senate to bills which originated in this House of the following titles, viz:

An act to incorporate Phantom Lodge, No. 15, of the Knights of Pythias.

An act to prohibit the sale of spirituous, vinous, or malt liquors in Crittenden county.

An act to incorporate the town of Hanson, in Hopkins county.

An act to amend the charter of the town of Marion, in Crittenden county.

An act to amend the charter of the town of Frenchburg, in Menifee county.

An act to incorporate the Union Agricultural and Mechanical Association, near Fort Jefferson, in Ballard county.
An act to provide for organizing and establishing a system of public schools in Winchester.

1. An act to amend the charter of the town of Brooksville, in Bracken county.

2. An act to amend the charter of the Louisville House of Refuge.

3. An act to authorize the county of Hickman to raise a sinking fund for county purposes.

Said amendments were concurred in, and the titles of the last three named bills so changed as that the first thereof shall read,

An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county."

The second so as to read,

An act in relation to the punishment of persons aiding in the escape of inmates from the Louisville House of Refuge.

And the third thereof so as to read,

An act to authorize the Hickman county court to issue bonds for bridges, and to raise a sinking fund to pay same.

The House then took up the motion heretofore made to reconsider the vote adopting the resolution by which J. N. Woods was declared to be duly entitled to a seat in this House as a Representative from the county of Crittenden.

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

And so the House refused to reconsider said vote.

The House took up from the orders of the day a bill, as amended by this House, from the Senate, entitled

An act amending sections 87 and 450 of the Civil Code of Practice.

The question was then taken, "Shall the bill, as amended, be read a third time?" and it was decided in the negative.

And so said bill was disagreed to.

On motion of Mr. Phelps,

Ordered, That a committee, consisting of Messrs. Phelps, Conrad, and Rowan, be appointed to wait on the Senate, and request to withdraw therefrom the announcement of the disagreement of the House to a bill, which originated in the Senate, entitled

An act for the benefit of Samuel Worley, of Butler county.

Said request being communicated to the Senate, said bill was returned and laid upon the Clerk's table.
The House took up the motion to reconsider the vote by which the House passed a bill from the Senate, entitled
An act for the benefit of railroad contractors.
And the question being taken on said motion, it was decided in the affirmative.
On motion of Mr. Arnold, the vote by which said bill was ordered to be read a third time was also reconsidered.
Mr. Arnold then offered an amendment to said bill.
On motion of Mr. Brown, said bill was recommitted to the Committee on the Judiciary.
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act for the benefit of R. F. Scott, sheriff of Garrard county,
With an amendment thereto as a substitute therefor.
Said amendment was taken up and concurred in.
The House took up a joint resolution from the Senate, entitled
Resolution in relation to the duties of the Commissioners on the revision of the Statutes.
And the question being taken on concurring in the adoption thereof, it was decided in the negative.
The House then took up the motion to reconsider the vote by which this House rejected a resolution, entitled
Resolution for the benefit of D. L. Price.
And the question being taken on said motion, it was decided in the affirmative.
Mr. Goodloe offered an amendment to said resolution, which was adopted.
Said resolution, as amended, reads as follows, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of D. L. Price, of Fayette county, for a sum equal to the per diem of a member of the Legislature from the 6th of December, 1871, up to the 24th of January, 1872, that being the length of time from the filing of his petition, contesting the right of W. C. Goodloe to a seat on this floor, up to the decision of said contest by this House: Provided, That on making such payment, the Auditor shall deduct therefrom so much of the time as this General Assembly was not in session.
The question was then taken on the adoption of said resolution, as amended, and it was decided in the negative.
The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (McCreary) C. M. Clay, jr. J. S. Lawson,
George W. Anderson, William G. Conrad, J. P. Sacksteder,
A. C. Armstrong, R. L. Cooper, Frank Sacksteder,
G. W. Bailey, J. E. Cosson, J. R. Sanders,
Alpheus W. Bascom, M. Woods Ferguson, C. G. Scales,
John A. Bell, James B. Fitzpatrick, Harry I. Todd,
J. C. S. Blackburn, Joseph P. Foree, Joseph T. Tucker,
William Brown, Wm. Cassius Goodloe, Mordecai Williams,
John S. Carpenter, Clinton Griffith, S. H. Woolfolk—27.

Those who voted in the negative, were—

A. S. Arnold, E. A. Graves, Julian N. Phelps,
W. W. Ayers, J. P. Hampton, Lewis Potter,
R. Tarv. Baker, E. Polk Johnson, E. A. Robertson,
W. N. Beckham, Thomas M. Johnson, John Rowan,
S. C. Bell, J. J. McAfee, William Sellers,
Wm. F. Bond, Bryan S. McClure, James W. Snyder,
W. B. M. Brooks, William J. McElroy, C. W. Threlkeld,
James S. Chrisman, M. E. McKenzie, L. W. Trafton,
John W. Dyer, J. L. Nall, Jonas D. Wilson,
Walter Evans, Mat. Nunan, J. N. Woods,
W. H. Evans, John W. Ogilvie, J. M. Wright—33.

And then the House adjourned.
WEDNESDAY, MARCH 26, 1873.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of John J. Macklin, late sheriff of Kenton county.

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

An act for the benefit of James P. Bailey, late sheriff of Lincoln county.

An act to incorporate the St. Patrick’s Benevolent Society of Paris.

An act for the benefit of Wm. Chamberland, of Russell county.

An act for the benefit of Barney Sisk, jailer of Hopkins county.

An act to incorporate the Prestonsburg Academy and Normal School Joint Stock Company.

An act for the benefit of George Sublett, of Elliott county.

An act for the benefit of Leonidas H. Voshell, of Boone county.

An act to amend an act, entitled “An act fixing the time of holding the terms of the circuit courts in the tenth judicial district.”

An act for the benefit of Johnson V. Oakley, of Morgan county.

An act for the benefit of Peter Perry, committee of John Perry, a pauper idiot (of color), of Hart county.

An act for the benefit of Arnold S. Hardy.

An act for the benefit of the Falmouth and Claysville Turnpike Road, in Pendleton county.

An act to authorize the change of the State road at Cane creek bridge, between Milburn and Columbus.

An act to incorporate the Augusta and Mount Olivet Turnpike Road Company, in Bracken and Robertson counties.

An act to fix the time of holding the Garrard circuit court.

An act to amend the act incorporating the Cabin Creek Turnpike Road Company.

An act to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.

An act for the benefit of school district No. 34, in Garrard county.
And that they had passed bills of the following titles, viz:

1. An act for the benefit of the incorporated banks of the county of Jefferson.

2. An act to incorporate the Sodom Turnpike Road Company, in Scott county.

3. An act to amend an act, entitled "An act to incorporate the Cairo and Tennessee River Railroad Company," approved March 10, 1873.

4. An act to further amend the charter of the Christian County Bank.

5. An act to amend an act, entitled "An act to incorporate the Central West Kentucky Agricultural and Mechanical Association, in Graves county," approved February 25, 1860.

6. An act to incorporate the Frankfort True Friend Society.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 4th to the Committee on Banks; the 2d and 6th to the Committee on Corporate Institutions; the 3d to the Committee on Railroads; and the 5th to the Committee on Agriculture and Manufactures.

Mr. Ayers, from the Committee on Religion, who were directed to prepare and bring in the same, reported

A bill to prohibit the sale of intoxicating liquors at Cropper’s Depot, in Shelby county.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Mr. Phelps moved to reconsider the vote by which the House disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of Samuel Worley, of Butler county.
And the question being taken on the motion of Mr. Phelps, it was decided in the affirmative.

On motion of Mr. Phelps, the vote by which said bill was ordered to be read a third time was then also reconsidered.

Ordered, That said bill be recommitted to the Committee on Claims.

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend chapter 47 of the Revised Statutes, entitled "Husband and Wife;"

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Wm. H. Fitzpatrick, sheriff of Floyd county for the years 1871 and 1872;

An act to incorporate the Central Kentucky Coal and Mining Company;

An act to organize Urania school district, in Barren county;

An act for the benefit of Wilson Morgan, late sheriff of Clay county;

An act to organize the Morganfield public school;

An act for the benefit of John A. Lafferty, late sheriff of Harrison county;

An act to amend an act, entitled "An act to incorporate the Rebecca Benevolent Society, of Covington;"

An act to incorporate the Covington Mining and Manufacturing Company;

An act for the benefit of the Glasgow Railroad;

An act for the benefit of Rockcastle county;

An act to incorporate the Lebanon and Pope's Creek Turnpike Road Company;

An act to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville;

An act to repeal an act, entitled "An act for the benefit of Levi Kash, judge of the Wolfe county and quarterly courts," approved March 6, 1868;

An act to incorporate Brothers' Lodge, No. 132, Independent Order of Odd Fellows, of Owensboro;

An act to incorporate Daniel Boone Lodge, No. 2, Knights of Pythias, in the city of Louisville;
An act to incorporate the Baptist Church at Elkton, in Todd county;

An act for the benefit of John W. Duncan, sheriff of Wayne county;

An act to authorize the county court of Bourbon county to pay Geo. M. Hibler, circuit clerk of said county, for continuing index and cross-index of suits in said court;

An act for the benefit of John L. Slavin, former sheriff of Garrard county;

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

An act for the benefit of common schools in Kentucky;

An act to authorize the Anderson county court to issue bonds and levy a tax for the relief of certain citizens of Lawrenceburg;

An act to incorporate the Fox Creek and Washington County Turnpike Road Company;

An act to amend an act to incorporate the Bourbon Female College, approved March 14, 1872;

An act to incorporate the Paris Harmonic Society, of Paris;

An act to incorporate the Alexandria Cemetery Company, in Campbell county;

An act to authorize the school commissioner of Campbell county to redistrict the school districts of said county, and to repeal an act, entitled "An act to provide for the redistricting the school districts of Campbell county," approved March 5th, 1872;

An act to amend an act, entitled "An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company," approved March 20th, 1871;

An act to amend an act to incorporate the Highland Racing Park Association;

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company;

An act to amend the charter of the Nicholasville and Kentucky River Turnpike Road Company;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Boone Mining and Manufacturing Company,'" approved February 18, 1873;

An act amending an act incorporating the Vanceburg, Salt Lick, Tollosboro, and Maysville Turnpike Road Company;

An act to exempt certain persons in Fayette and Scott counties from work on public roads;
An act to amend the charter of the Elizabethtown and Paducah Railroad Company;
An act to incorporate the Evansville and Henderson Railroad Packet Company;
An act to amend an act, entitled "An act to incorporate St. Augustine Cemetery, near Lebanon;"
An act for the benefit of J. C. Calhoun, late sheriff of McCracken county;
An act for the benefit of Geo. P. Gillum, sheriff of Logan county;
An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company;"
An act to amend the charter of the Big Sandy Valley Railroad Company;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. McElroy inform the Senate thereof.

Leave of absence, indefinitely, was granted Mr. Bates.

Mr. Wright moved to suspend the rules, for the purpose of allowing him to introduce a resolution in regard to the business of this House.

And the question being taken on the motion of Mr. Wright, it was decided in the negative.

The yeas and nays being taken thereon, under the rule, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker (M'Creary), M. Woods Ferguson, J. P. Sacksteder,
A. C. Armstrong, James B. Fitzpatrick, Frank Sacksteder,
W. W. Ayers, Joseph P. Force, William Sellers,
W. N. Beckham, E. Polk Johnson, James W. Snyder,
John A. Bell, Thomas M. Johnson, C. W. Threlkeld,
S. C. Bell, Bryan S. McClure, Joseph T. Tucker,
J. C. S. Blackburn, William J. McElroy, J. L. Waring,
W. B. M. Brooks, M. E. McKenzie, C. H. Webb,
John S. Carpenter, J. L. Nall, J. M. White,
James S. Chrisman, John W. Ogilvie, F. A. Wilson,
C. M. Clay, John S. Robertson, Jonas D. Wilson,
C. Clay, John Rowan, S. H. Woolfolk,

Those who voted in the negative, were—
George W. Anderson, Thomas P. Cardwell, Mat. Nunan,
G. W. Bailey, William G. Conrad, Julian N. Phelps,
A message was received from the Senate, announcing that they had adopted the following chapters of the report of the joint committee on the report of the Commissioners to revise the statutes, viz:

Chapter 31, title "Currency."
Chapter 32, title "Descent, Distribution, Exempt property, and Adoption."
Chapter 33, title "Dueling."
Chapter 34, title "Elections."
Chapter 35, title "Elisor."
Chapter 36, title "Escapes."
Chapter 37, title "Escheats and Escheators."
Chapter 38, title "Evidence."
Chapter 39, title "Executions."
Chapter 40, title "Executors and Administrators."
Chapter 41, title "Feeble-minded Children."
Chapter 52, title "Husband and Wife."
Chapter 53, title "Idiots and Lunatics."
Chapter 54, title "Impeachment."
Chapter 55, title "Inclosures and Certain Trespasses."
Chapter 56, title "Incorporated Companies."
Chapter 57, title "Injuries to Personal Property."
Chapter 58, title "Insolvent Debtors."
Chapter 59, title "Inspection."
Chapter 60, title "Interest and Usury."
Chapter 61, title "Jail and Jailers."

The House then resumed the consideration of the report from the Senate of their action on the report of the joint committee of the report of the Commissioners to revise the Statutes.

Chapter 47, title "Gaming," being under consideration, Mr. Fitzpatrick offered an amendment thereto, which was rejected.

Said chapter was then adopted without amendment.

Chapter 48, title "Guardian and Ward," and chapter 49, title "Guards, Public," were then adopted.

To chapter 50, title "Heirs and Devisees," Mr. W. H. Evans offered an amendment, which was rejected.

Said chapter was then adopted without amendment.
Chapter 51, title "Holidays," and chapter 31, title "Currency," were then adopted without amendment.

Chapter 32, title "Descent, Distribution, Exempt Property, and Adoption," being taken up, Mr. W. Evans offered an amendment thereto, which was rejected.

Said chapter was then adopted without amendment.

Chapter 33, title "Dueling," being taken up, Mr. W. Evans offered an amendment thereto, which was rejected.

Said chapter was then adopted without amendment.

Chapter 34, title "Elections," being taken up, Mr. E. P. Johnson offered the following amendment thereto, viz: "Add to section 1, article 3, these words: Provided further, That all officers of election under this section shall be white persons."

Mr. Scales then moved the previous question.

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

The yeas and nays being required thereon by Messrs. W. Evans and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, John W. Dyer, Lewis Potter,
W. W. Ayers, J. P. Force, John Rowan,
G. W. Bailey, James Garnett, John P. Rowlett,
W. N. Beckham, E. A. Graves, C. C. Scales,
W. B. M. Brooks, J. P. Hampton, James W. Snyder,
John S. Carpenter, Thomas M. Johnson, C. W. Threlkeld,
James S. Chrisman, J. J. McAfee, Joseph T. Tucker,
C. M. Clay, Jr., Bryan S. McClure, J. M. White,
R. L. Cooper, John W. Ogilvie, J. M. Wright—27.

Those who voted in the negative, were—

Mr. Speaker (M'Creary) Walter Evans, E. A. Robertson,
A. S. Arnold, W. H. Evans, J. P. Sacksteder,
R. Tarv. Baker, Wm. Cassius Goodloe, Frank Sacksteder,
Alpheus W. Bascom, C. P. Gray, Wm. Sellers,
John A. Bell, Clinton Griffith, Harry I. Todd,
S. C. Bell, E. Polk Johnson, J. L. Waring,
J. C. S. Blackburn, T. J. Jones, C. H. Webb,
Wm. F. Bond, Wm. J. McElroy, Mordecai Williams,
Thomas P. Cardwell, M. E. McKenzie, F. A. Wilson,
Robert M. Carlisle, J. L. Nall, Jonas D. Wilson,
William G. Conrad, Mat. Nunan, J. N. Woods,

Mr. Johnson then moved that he be permitted to withdraw his said amendment.
And the question being taken on the motion of Mr. Johnson, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) William G. Conrad, J. L. Nall,
George W. Anderson, R. L. Cooper, John W. Ogilvie,
W. W. Ayers, J. E. Cossen, Lewis Potter,
G. W. Bailey, John W. Dyer, John Rowan,
R. Tarv. Baker, James Garnett, J. P. Sackett,ed,
W. N. Beckham, Wm. Cassius Goodloe, Frank Sacksteder,
John A. Bell, E. A. Graves, C. W. Threlkeld,
S. C. Bell, Clinton Griffith, Harry J. Todd,
J. C. S. Blackburn, E. Polk Johnson, J. L. Waring,
Wm. F. Bond, T. J. Jones, J. M. White,
W. B. M. Brooks, J. J. McAfee, Mordecai Williams,
Robert M. Carlisle, Bryan S. McClure, S. H. Woolfolk,
James S. Chrisman, M. E. McKenzie,

Those who voted in the negative, were—

A. C. Armstrong, Mat. Nunan, Joseph T. Tucker,
Alpheus W. Bascom, C. C. Scales, C. H. Webb,
C. M. Clay, Jr., William Sellers, Jonas D. Wilson,
Walter Evans, James W. Snyder, J. N. Woods—14.
Thomas M. Johnson, L. W. Trafton,

And thereupon said amendment was withdrawn.

Amendments were offered to said chapter by Messrs. W. Evans and J. R. Sanders, which were rejected.

Mr. Wright moved to strike out section 22 of article 1, which motion was rejected.

§ 15. Any person convicted of robbery, forgery, counterfeiting, bribery, or perjury, or other like crime, shall forfeit his right of suffrage and right to hold office.

And the question being taken on the adoption of the amendment proposed by Mr. Wright, it was decided in the affirmative.

Said chapter, as amended, was then adopted.

Chapter 35, title "Elisor," chapter 36, title "Escapes," and chapter 37, title "Escheats and Excheaturs," were then adopted without amendment.

Chapter 38, title "Evidence," being under consideration, Mr. Bascom moved to strike out section 22 of article 1, which motion was rejected.
Mr. Bascom also moved to strike out section 28 of said article, which reads as follows, viz:

§ 28. No one shall be incompetent as a witness because of his or her race or color.

And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

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

Those who voted in the affirmative, were—
Alpheus W. Bascom, Thomas M. Johnson, J. R. Sanders—5.
Robert M. Carlisle, M. E. McKenzie,

Those who voted in the negative, were—
Mr. Speaker (McCreary) Walter Evans, John Rowan,
George W. Anderson, W. H. Evans, John P. Rowlett,
A. C. Armstrong, Joseph P. Foree, J. P. Sacksteder,
A. S. Arnold, James Garnett, Frank Sacksteder,
W. W. Ayers, Wm. Cassius Goodloe, C. C. Scales,
G. W. Bailey, E. A. Graves, William Sellers,
R. Tarv. Baker, C. P. Gray, James W. Snyder,
W. N. Begaeham, Clinton Griffith, C. W. Threlkeld,
John A. Bell, E. Polk Johnson, Harry I. Todd,
S. C. Bell, T. J. Jones, Joseph T. Tucker,
J. C. S. Blackburn, Bryan S. McAlpin, J. L. Waring,
Wm. F. Bond, Bryan S. McClure, C. H. Webb,
W. B. M. Brooks, William J. McElroy, J. M. White,
Thomas P. Cardwell, J. L. Nall, Mordecai Williams,
John S. Carpenter, Mat. Nunan, F. A. Wilson,
James S. Chrisman, John W. Ogilvie, Jonas D. Wilson,
C. M. Clay, Jr., Julian N. Phelps, J. N. Woods,
R. L. Cooper, Lewis Potter, S. H. Woolfolk,

Mr. Cooper offered an amendment to said chapter, which was rejected.

Said chapter, as amended, was then adopted.

The further consideration of said report was postponed until tomorrow.

A message was received from the Senate, announcing their concurrence in the third and fourth, and their disagreement to the first and second amendments proposed by the House, to the action of the Senate on chapter 19, title "Common Schools," of the proposed revision of the statutes.

The House then took up the matter of disagreement between the two Houses in regard to the first amendment proposed by the House to said chapter.
Mr. Carpenter moved that the House do recede from their said proposed amendment.

And the question being taken on the motion of Mr. Carpenter, it was decided in the negative.

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

Those who voted in the affirmative, were—

George W. Anderson, Wm. Cassius Goodloe, C. C. Scales,
A. C. Armstrong, J. P. Hampton, William Sellers,
A. S. Arnold, E. Polk Johnson, James W. Snyder,
R. Tarv. Baker, Bryan S. McClure, J. L. Waring,
Thomas P. Cardwell, J. L. Nall, Mordecai Williams,
John S. Carpenter, Mat. Nunan, Jonas D. Wilson,
J. E. Cosson, John W. Ogilvie, J. N. Woods,
John W. Dyer, J. P. Sacksteder, S. H. Woolfolk,

Those who voted in the negative, were—

Mr. Speaker (M’Creary) C. M. Clay, jr., Julian N. Phelps,
W. W. Ayers, R. L. Cooper, Lewis Potter,
G. W. Bailey, Joseph P. Force, E. A. Robertson,
Alpheus W. Bascom, James Garnett, John Rowan,
W. N. Beckham, E. A. Graves, John P. Rowlett,
John A. Bell, C. P. Gray, J. R. Sanders,
S. C. Bell, Clinton Griffith, C. W. Threlkeld,
J. C. S. Blackburn, Thomas M. Johnson, Harry I. Todd,
Wm. F. Bond, T. J. Jones, Joseph T. Tucker,
W. B. M. Brooks, J. J. McAfee, C. H. Webb,
Robert M. Carlisle, William J. McElroy, J. M. White,

Mr. Chrisman then moved that the House do insist upon its said proposed amendment.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

And so the House decided to insist upon its said proposed amendment.

The House took up the matter of disagreement between the two Houses as to the second proposed amendment of the House to said chapter.

Mr. Arnold moved to recede therefrom.

And the question being taken on the motion of Mr. Arnold, it was decided in the negative.

Mr. Chrisman moved that the House do insist thereon.
And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

And so the House decided to insist on its said second proposed amendment.

Mr. Goodloe moved that a committee of conference be appointed on the subject of the disagreement between the two Houses with regard to the first and second amendments proposed by this House to the action of the Senate on chapter 19, title "Common Schools," of the revision of the statutes.

And the question being taken on the motion of Mr. Goodloe, it was decided in the affirmative.

And thereupon the Speaker appointed on said committee Messrs. Goodloe, Clay, and J. A. Bell, on the part of the House, who were directed to inform the Senate of their appointment, and to request the appointment of a committee for the same purpose on their part.

And then the House, under the rule, took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again reassembled.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Tucker, from the Committee on the Judiciary—
A bill to amend an act, entitled, "An act to incorporate Lost Ford and Otter Creek Turnpike Road Company, in Madison county," approved March 16, 1869.

By same—
A bill to incorporate the Eastern Kentucky Coal, Iron, Lumber, Land, and Manufacturing Company.

By same—
A bill to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of West Bend, Powell county.

By same—
A bill for the benefit of the Kiddville and Montgomery Turnpike Road Company.

By same—
A bill to amend an act, entitled "An act to incorporate the Mt. Sterling Water-works Company."

By same—
A bill to amend the charter of the Winchester Cemetery Company.
By same—
A bill to authorize the appointment of an additional examiner to take depositions in and for Floyd county.

By same—
A bill to amend an act, entitled “An act to amend and make into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling,” approved March 18, 1871.

By same—
A bill to incorporate the Mt. Sterling Gas-light Company.

By same—
A bill to amend the charter of the Lexington and Winchester Turnpike Company.

By same—
A bill for the benefit of Montgomery, Clark, and Bath counties.

By same—
A bill for the benefit of William Little, curator of the estate of Robert E. Moore, deceased.

By same—
A bill to amend the charter of the Newport and Dayton Street Railway Company.

By Mr. Baker, from the same committee—
A bill affixing penalties and forfeitures upon corporations and persons exercising corporate powers that are required to give bond and have failed to do so.

By Mr. Rowlett, from the Committee on Claims—
A bill for the benefit of William R. Williams, of Elliott county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act to suppress lawlessness in this Commonwealth,
Reported the same without amendment.
On motion of Mr. Bascom,

Ordered, That said bill be printed, and that the further consideration thereof be postponed to, and made special order of the day for, Friday, the 28th inst., at 8 o'clock, P. M.

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

An act for the benefit of keepers of licensed stud horses, jacks, and bulls,

Reported the same without amendment.

Mr. Brown moved to recommit said bill to the Committee on Revised Statutes.

And the question being taken on said motion, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said bill was then amended.

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Blackburn, from the Committee on Railroads, 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 to incorporate the Kentucky and Great Eastern Railway Company.’”

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 and constitutional provision as to the third reading of said bill being dispensed with,

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

Mr. Rowlett, from the Committee on Claims, who were directed to prepare and bring in the same, reported
A bill for the benefit of Whitley county court.

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed to, and made special order of the day for, Friday, the 4th day of April, at 8 o'clock, P. M.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported
A bill for the benefit of M. T. Lowery, of Jessamine county.

Which bill was read the first time 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 and directed to draw his warrant on the Treasurer, in favor of M. T. Lowery, for the sum of seven hundred dollars, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That this act be in force from and after its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) R. L. Cooper, E. A. Robertson, John Rowan,
George W. Anderson, John W. Dyer, J. P. Sacksteder,
A. C. Armstrong, Walter Evans, Frank Sacksteder,
G. W. Bailey, W. H. Evans, C. C. Scales,
R. Tarv. Baker, M. Woods Ferguson, J. R. Sanders,
Alpheus W. Basecom, James Garnett, C. W. Threlkeld,
W. N. Beckham, Wm. Cassius Goodloe, William Sellers,
John A. Bell, E. A. Graves, Harry I. Todd,
S. C. Bell, C. P. Gray, L. W. Trafton,
J. C. S. Blackburn, Clinton Griffith, Joseph T. Tucker,
Wm. F. Bond, J. P. Hampton, J. L. Waring,
W. B. M. Brooks, Thomas M. Johnson, C. H. Webb,
William Brown, William J. McElroy, J. M. White,
Thomas P. Cardwell, M. E. McKeezie, Mordecai Williams,
Robert M. Carlisle, J. L. Null, F. A. Wilson,
John S. Carpenter, Mat. Nunan, S. H. Woolfolk,
George Carter, John W. Ogilvie, J. M. Wright—56.
James S. Chrisman, Julian N. Phelps, Lewis Potter,
C. M. Clay, jr.,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, who were directed to prepare and bring in the same, reported

A bill to cause a head and foot-stone to be erected over the grave of Henry Morton (of color).

Which was read the first time as follows, viz:

WHEREAS, Henry Morton (colored), who served this body in the capacity of porter for thirty-six years faithfully, has recently died; and whereas, we desire to show our appreciation of faithful performance of duty in a public servant, no matter what may be his station in life; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of fifty dollars be appropriated to purchase a suitable head and foot-stone for the grave of said Henry Morton, which sum the Auditor shall draw his warrant for in favor of Harry I. Todd, who is authorized to carry this act into effect.

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

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

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

Those who voted in the affirmative, were—
Mr. Speaker (M'Cready) R. L. Cooper, J. P. Sacksteder,
George W. Anderson, John W. Dyer, Frank Sacksteder,
R. Tarv. Baker, Walter Evans, J. R. Sanders,
Alpheus W. Bascom, W. H. Evans, C. C. Scales,
W. N. Beckham, M. Woods Ferguson, William Sellers,
John A. Bell, Wm. Cassius Goodloe, Harry I. Todd,
J. C. S. Blackburn, Clinton Griffith, L. W. Trafton,
Wm. F. Bond, E. Polk Johnson, Joseph T. Tucker,
W. B. M. Brooks, J. J. McAfee, J. L. Waring,
Thomas P. Cardwell, M. E. McKenzie, Mordecai Williams,
John S. Carpenter, J. L. Nall, F. A. Wilson,
George Carter, Mat. Nunan, J. N. Woods,
James S. Chrisman, John W. Ogilvie, J. M. Wright—41,
C. M. Clay, jr., E. A. Robertson.

Those who voted in the negative, were—
A. C. Armstrong, E. A. Graves, Lewis Potter,
W. W. Ayers, C. P. Gray, John Rowan,
G. W. Bailey, Thomas M. Johnson, C. W. Threlkeld,
S. C. Bell, Bryan S. McClure, C. H. Webb,
Robert M. Carlisle, William J. McElroy, J. M. White,

Resolved, That the title of said bill be as aforesaid.
And then the House adjourned.
THURSDAY, MARCH 27, 1873.

A message was received from the Senate, announcing that they had adopted a resolution, entitled
Resolution in relation to the enrolling of the chapters of the Revised Statutes when acted on by the two Houses.

That they had receded from the amendment proposed heretofore by them to a bill, which originated in the House of Representatives, entitled
An act to protect the owners of breeding and training farms and stables.

And had passed said bill with an amendment thereto.
That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of James Ficklin, sheriff of Bath county.
An act for the benefit of the Auditor of Public Accounts.
And that they had passed bills of the following titles, viz:
2. An act to pay for the erection of a stable for the use of the Penitentiary.
3. An act to amend the execution laws of this Commonwealth.
4. An act to incorporate the Mountain Railroad, Mining, and Manufacturing Company.
5. An act providing for levying a tax in aid of common schools in Grant and Pendleton counties.
6. An act to change the time of holding the Grant county quarterly court.
7. An act to prevent cattle, horses, sheep, mules, and jennets from running loose on the public highways, within a radius of two miles of the Dry Ridge, in Grant county.
8. An act to incorporate the Dry Ridge, Knoxville, and Demoss-ville Turnpike Road Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st and 3d to the Committee on Revised Statutes; the 2d to the Committee on Penitentiary; the 4th to the Committee on Railroads; the 5th to the Committee on Education; the 6th to the Committee on County Courts; the 7th to the Committee on Agriculture and Manufactures, and the 8th to the Committee on Internal Improvement.

Mr. F. A. Wilson moved that a committee be appointed to wait upon the Senate, and to request to withdraw therefrom the announcement of the passage by the House of a bill, entitled

An act to cause a head and foot-stone to be erected over the grave of Henry Morton (of color).

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

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to chapter 46, title "Game and Small Birds," of the revision of the statutes.

And that they had appointed a committee of conference, to act with the committee of the House, in relation to the disagreement of the two Houses with respect to the first and second amendments proposed by the House to chapter 19, title "Common Schools," of the proposed revision of the statutes.

Leave of absence, indefinitely, was granted Mr. Fitzpatrick.

The Speaker laid before the House a report of the Board of Visitors of the Agricultural and Mechanical College of Kentucky.

Ordered, That the usual number of copies of said report be printed for the use of the House.

[For Report—see Legislative Document No. 19.]

According to order, the House resumed the consideration of a bill, entitled

A bill for the benefit of Hickman county.

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

Said bill being engrossed, was read a third time as follows, viz:

WHEREAS, The following have been established to the satisfaction of the General Assembly, to-wit: Two men were confined in the jail of Hickman county on a charge of rape. The jail was sufficient and safe to prevent escape or rescue by ordinary means; but an organized band of lawless men, from the county of Fulton, in Kentucky, and Obion and Weakly, in the State of Tennessee, called Ku-Klux, suddenly made their appearance in Clinton, and, surrounding the jail, avowed their determination to take said two men out of the jail. The jailer of the county, with a few brave and determined citizens, opposed the mob, and drove them off. But, as they retired, they avowed openly their intention to augment their force,
and return with strength and arms enough to carry their lawless purpose
into execution. The good and law-abiding citizens of Hickman county
determined to form a guard of the jail, and prevent the rescue, in which
they were encouraged by the county judge, and with promise of compensa-
tion for time actually lost from their ordinary and customary pursuits.
The attack on the jail was renewed; but, because of the precaution of
having a large force of armed citizens, the assailants, after a brief fight,
and exchange of some twenty shots, were driven off, and their purpose
frustrated, the men retained to answer the justice of the Commonwealth,
and are both now in the penitentiary; and whereas, this supernumerary
guard cost the county of Hickman the sum of $888 75; wherefore,
§ 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 for the sum of eight hundred and
eighty-eight dollars and seventy-five cents, in favor of the sheriff of Hick-
man county; and the money, when received by said sheriff, shall be held
as other county funds, and for which he shall be liable upon his county
revenue bond.
§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it
was decided in the negative, not having received a constitutional
majority.

The yeas and nays being required thereon in pursuance to a pro-
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
A. C. Armstrong, W. H. Evans, William Sellers,
A. S. Arnold, M. Woods Ferguson, Harry I. Todd,
R. Tarv. Baker, Wm. Cassins Goodloe, J. L. Waring,
J. C. S. Blackburn, J. P. Hampton, C. H. Webb,
Wm. F. Bond, George M. Jessee, F. A. Wilson,
W. B. M. Brooks, J. L. Nall, Jonas D. Wilson,
Thomas P. Cardwell, J. P. Sacksteder, J. N. Woods,
John S. Carpenter, Frank Sacksteder, S. H. Woolfolk,
Walter Evans, J. R. Sanders, J. M. Wright—27.

Those who voted in the negative, were—
W. W. Ayers, R. L. Cooper, William J. McElroy,
G. W. Bailey, J. E. Cosson, M. E. McKenzie,
Alpheus W. Bascomb, John W. Dyer, John W. Ogilvie,
W. N. Beckham, Joseph P. Force, Julian N. Phelps,
John A. Bell, E. A. Graves, John Rowan,
S. C. Bell, Thomas M. Johnson, James W. Snyder,
Robert M. Carlisle, T. J. Jones, C. W. Threlkeld,

A message was received from the Governor by Mr. Botts, Assistant
Secretary of State, announcing that the Governor had approved and
signed enrolled bills, which originated in the House of Representa-
tives, of the following titles, viz:

An act to incorporate the town of College Hill, in Madison county.
An act to incorporate the Maysville Coal, Salt, and Transfer Company.
An act to incorporate the Board of Trustees of the Kentucky Annual Conference of the Methodist Episcopal Church.
An act to amend the charter, and amendments thereto, incorporating the town of Crab Orchard.
An act for the benefit of the Key's Creek Mining and Manufacturing Company, and to reincorporate the same under the name of the Howland Coal and Iron Works.
An act to amend the charter of the Big Sandy Valley Railroad Company.
An act to incorporate the Maysville Manufacturing Association.
An act in relation to the city of Vanceburg.
An act to charter the Hustonville Cemetery Company.
An act in regard to turnpike roads in Garrard county in which said county owns stock.
An act to amend an act, approved January 24th, 1872, entitled "An act to authorize the clerk of the Nelson county court to make cross-index to deeds in his office, and transcribe the marriage register in said office."
An act to incorporate the Willisburg, Thompsonville, and Pleasant Run Turnpike Road Company.
An act to incorporate the Agricultural and Mechanical Association of the Colored People of Bourbon County.
An act to incorporate the St. Joseph's Catholic Benevolent Society of Frankfort.
An act to amend the charter of the Manufacturers' Bank.
An act authorizing the Lewis county court to levy an additional tax to pay off the debt of said county, and to aid in the building of turnpike roads in said county.
An act for the benefit of common school district No. 24, in Larue county.
An act for the benefit of Cold Spring school district, in Campbell county.
An act for the benefit of Sol. Downey, pauper idiot, of Henry county.
An act to authorize the county court of Whitley county to increase taxes for county purposes.
An act to incorporate the Oak Ridge Turnpike Road Company, in Mercer county.
An act to amend an act, entitled "An act for the benefit of the citizens of Garrard county."

An act to extend the limits of the town of Paradise, in Muhlenburg county.

An act to enable the county court of Laurel county to levy an ad valorem tax for the purpose of building a new jail, and for other purposes.

An act to amend the charter of the Lebanon Female College.

An act to allow the bona fide voters of the Garnettsville district, in Meade county, to vote for or against the sale of spirituous, vinous, and malt liquors in said district.

An act to repeal so much of an act, entitled "An act for the benefit of the clerks of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson," as applies to the counties of Cumberland, Clinton, Adair, Russell, and Todd.

An act to amend the charter of the Fisherville and Buck Creek Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the town of Williamsburg."

An act to amend the charter of the Kentucky Masonic Relief Association.

An act to amend an act, entitled "An act for the protection of the livery-stable keepers of this Commonwealth," approved January 31, 1871.

An act to amend the charter of the Simpsonville and Buck Creek Turnpike Road Company, in Shelby county.

An act to incorporate the Buffalo Furnace Company.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act making an appropriation for the benefit of J. C. Farley, of McCracken county;

An act for the benefit of R. W. Lawler, jailer of Franklin county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county;"
An act in relation to the punishment of persons aiding in the escape of inmates from the Louisville House of Refuge;
An act to authorize the Hickman county court to issue bonds for bridges, and to raise a sinking fund to pay same;
An act to establish a common school for the benefit of the colored people of Catlettsburg and vicinity;
An act for the benefit of Leonidas H. Voshell, of Boone county;
An act to amend an act, entitled "An act fixing the time of holding the terms of the circuit courts in the tenth judicial district;"
An act for the benefit of Johnson V. Oakley, of Morgan county;
An act for the benefit of Peter Perry, committee of John Perry, a pauper idiot (of color), of Hart county;
An act chartering the Young Men's Savings Association of New Liberty, Owen county;
An act for the benefit of the Auditor of Public Accounts;
An act for the benefit of James P. Bailey, late sheriff of Lincoln county;
An act to incorporate Phantom Lodge, No. 15, of the Knights of Pythias;
An act to prohibit the sale of spirituous, vinous, or malt liquors in Crittenden county;
An act to amend the charter of the town of Marion, in Crittenden county;
An act to prohibit the sale of spirituous liquors or intoxicating beverages in Greenup county;
An act to amend the charter of the town of Frenchburg, in Menifee county;
An act for the benefit of R. F. Scott, sheriff of Garrard county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
A message was received from the Senate, announcing that they had concurred in the third, fourth, fifth, and seventh, and disagreed to the first, second, and sixth amendments proposed by this House to chapter 29, title "Courts," of the proposed revision of the Statutes.
The House resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the Statutes.
Chapter 39, title "Executions," being under consideration, Mr. Graves moved to strike out subsection one of section two of article
one, and insert in lieu thereof these words: "All executions shall be returnable to some rule day of the court, not under sixty nor more than one hundred and twenty days from the teste."

And the question being taken on the adoption of the amendment proposed by Mr. Graves, it was decided in the negative.

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

Those who voted in the affirmative, were—

G. W. Bailey, Joseph P. Foree, M. E. McKenzie,
W. N. Beckham, E. A. Graves, John W. Ogilvie,
S. C. Bell, Thomas M. Johnson, James W. Snyder—10.
M. Woods Ferguson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) C. M. Clay, jr., Lewis Potter,
George W. Anderson, R. L. Cooper, E. A. Robertson,
A. C. Armstrong, J. E. Cosson, John Rowan,
A. S. Arnold, Walter Evans, John P. Rowlett,
W. W. Ayers, W. H. Evans, William Sellers,
R. Tarv. Baker, James Garnett, C. W. Threlkeld,
Alpheus W. Bascom, C. P. Gray, Harry I. Todd,
John A. Bell, J. P. Hampton, J. L. Waring,
J. C. S. Blackburn, E. Polk Johnson, C. H. Webb,
Wm. F. Bond, T. J. Jones, J. M. White,
W. B. M. Brooks, Bryan S. McClure, F. A. Wilson,
Thomas P. Cardwell, William J. McElroy, Jonas D. Wilson,
Robert M. Carlisle, J. L. Nall, J. N. Woods,
John S. Carpenter, Mat. Nunan, S. H. Woolfolk,

Mr. Graves also moved to strike from section six of article thirteen, after the word "machine," these words: "all portraits, pictures, and paintings not acquired or kept for sale, not exceeding three hundred dollars in value."

Mr. Chrisman offered the following substitute for the amendment proposed by Mr. Graves, viz:

Strike from said section the same words proposed to be stricken out by the amendment proposed by Mr. Graves, and insert in lieu thereof these words: "and all family portraits and pictures."

The question was then taken on the adoption of the substitute for the amendment of Mr. Graves, proposed by Mr. Chrisman, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Graves, as amended by the substitute offered by Mr. Chrisman, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Graves and Beckham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), John W. Dyer, Julian N. Phelps,
George W. Anderson, Walter Evans, E. A. Robertson,
A. C. Armstrong, W. H. Evans, John Rowan,
A. S. Arnold, M. Woods Ferguson, John P. Rowlett,
Alphons W. Bascom, Joseph P. Force, Frank Sacksteder,
W. N. Beckham, James Garnett, J. R. Sanders,
John A. Bell, Wm. Cassius Goodloe, C. C. Scales,
J. C. S. Blackburn, C. P. Gray, William Sellers,
Wm. F. Bond, Clinton Griffith, James W. Snyder,
W. B. M. Brooks, J. P. Hampton, C. W. Threlkeld,
Thomas P. Cardwell, George M. Jesse, Harry I. Todd,
Robert M. Carlisle, E. Polk Johnson, J. L. Waring,
John S. Carpenter, Thomas M. Johnson, J. M. White,
George Carter, T. J. Jones, Mordecai Williams,
James S. Chrisman, Bryan S. McClure, F. A. Wilson,
C. M. Clay, Jr., William J. McElroy, J. N. Woods,
R. L. Cooper, J. L. Nall, S. H. Woolfolk,
J. E. Cosson, John W. Ogilvie, J. M. Wright—54.

Those who voted in the negative, were—

W. W. Ayers, S. C. Bell, J. P. Sacksteder,

Mr. Carpenter offered an amendment to section 8 of article 13.

Mr. W. Evans offered a substitute for the section as reported from the Senate, and the proposed amendment of Mr. Carpenter, which was adopted.

Said section, as thus amended, was then adopted.

And then chapter 39, title "Executions," as amended, was adopted.

Chapter 40, title "Executors and Administrators," was then adopted without amendment.

Chapter 41, title "Feeble-minded Children," being under consideration, Mr. Blackburn moved to strike out section 3, and substitute therefor the following, viz:

§ 3. The Governor is authorized to appoint seven commissioners, five of whom shall reside in Franklin county, and two in counties adjoining thereto, any four of whom shall constitute a quorum, who shall be confirmed by the Senate before they go into office. Each of the said commissioners shall hold his office for two years, and until his successor is qualified. It shall be the duty of said commissioners to select a Superintendent of said Institution, who shall be a competent physician. The Superintendent shall reside in the Institution, and give his entire time and attention to the duties of his office.
And the question being taken on the adoption thereof, it was decided in the affirmative.

Said section, as thus amended, was then adopted.

Mr. Cooper offered an amendment to section 11.

Mr. Wright offered an amendment to the amendment proposed by Mr. Cooper, which was rejected.

The amendment proposed by Mr. Cooper was then adopted.

Mr. Rowlett offered an amendment to section 5, which was adopted.

Mr. Rowlett offered an amendment also, by adding an additional section 16 thereto, which was adopted.

And then chapter 41, title "Feeble-minded Children," as amended, was adopted.

And then the House, according to order, took a recess until half-past 7 o'clock, P. M.

At half-past 7 o'clock, P. M., the House again reassembled.

The House took up a joint resolution from the Senate, entitled Resolution in relation to the One Hundredth Anniversary of Independence of the United Colonies of North America.

Which was twice read and concurred in.

Mr. Bascom, from the Committee on Banks, to whom was referred a bill from the Senate, entitled An act to further amend the charter of the Christian County Bank, Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

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

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled An act to protect the owners of breeding and training farms and stables.

Said amendment was concurred in.

Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Gray, from the Committee on Education—

A bill for the benefit of school district No. 28, in Clinton county.

By Mr. Cosson, from the same committee—

A bill for the benefit of school district No. 62, in Shelby county.
By Mr. Armstrong, from the same committee—

A bill to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts."

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

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

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

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

Mr. Scales moved to reconsider the vote by which the House concurred in a joint resolution from the Senate, entitled

Resolution in relation to the One Hundredth Anniversary of Independence of the United Colonies of North America.

Mr. T. M. Johnson moved to reconsider the vote by which the House passed a bill, entitled

A bill for the benefit of school district No. 28, in Clinton county.

The House took up the motion heretofore made, to reconsider the vote by which the House disagreed to a bill, which originated in the Senate, entitled

An act to provide for the organization and regulation of banking companies, and to repeal various charters.

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

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

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. H. Evans, Wm. H. Evans, John Rowan,
George W. Anderson, M. Woods Ferguson, Joseph P. Force, John P. Rowlett,
A. C. Armstrong, James Garnett, J. P. Sacksteder,
G. W. Bailey, C. P. Gray, Frank Sacksteder,
Alpheus W. Bascom, George M. Jesse, J. R. Sanders,
W. N. Beckham, Harry L. Todd,
John A. Bell, E. Polk Johnson, C. C. Scales,
S. C. Bell, Thomas M. Johnson, C. H. Webb,
Wm. F. Bond, J. J. McAfee, J. M. White,
Thomas P. Cardwell, Bryan S. McClure, Jonas D. Wilson,
C. M. Clay, Jr., J. L. Nall,
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Those who voted in the negative, were—

And so the vote by which said bill was disagreed to was reconsidered.

The question was then again taken on the passage of said bill, and it was decided in the negative.

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

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<td>George W. Anderson</td>
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<td>John S. Carpenter</td>
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Those who voted in the affirmative, were—

And so said bill was again disagreed to.

And then the House adjourned.
A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

- An act for the benefit of the Louisville Industrial Exposition, and to amend the charter thereof.
- An act for the benefit of A. H. Ditto, committee of Polly Miller, a pauper idiot, of Henry county.
- An act for the benefit of Belleville H. Herndon.
- An act for the benefit of Wm. Pollard, committee of Eliza Pollard, a pauper idiot, of Henry county.
- An act to locate and define the county line between Estill and Lee counties.
- An act to authorize the poor-house commissioners of Ohio county to sell the old poor-house property of said county.
- An act for the benefit of the kindred of Pierre Victor Eustache, deceased, late of McCracken county.
- An act to incorporate the city of Mayfield.
- An act to amend the charter of the Lexington and Newtown Turnpike Road Company.
- An act concerning the appointment of a superintendent and commissioner of roads and bridges for Ohio county.
- An act to amend the charter of the Georgetown and Paris Turnpike Road Company.
- An act for the benefit of W. E. Clelland, late sheriff of Mercer county.
- An act to authorize the sale of the poor-house farm in Estill county.
- An act to amend the charter of the town of Cynthiana, in Harrison county.

That they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled

- An act for the benefit of keepers of licensed stud horses, jacks, and bulls.

With an amendment to the amendment proposed by the House.
That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Benevolent Society of Colored People of Millville, in Woodford county.

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

An act to regulate the official sales of real and personal property in the county of Bracken.

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

An act to amend the charter of the South Kentucky Railroad Company.

An act to amend the original and amended acts incorporating the town of Earlington.

An act providing for copying the surveys, plats, and certificates of land in Warren county.

An act to enable the court of claims of Henry county to pay county indebtedness.

And that they had passed bills of the following titles, viz:

1. An act for the benefit of J. W. Bradburn, of Hardin county, and others.
3. An act changing the time of holding the September term of the Trimble county quarterly court.
5. An act for the benefit of C. M. Hanks, jailer of Wolfe county.
6. An act for the relief of the sheriff of Trigg county.
8. An act to incorporate the Kentucky and South Eastern Railway Company.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 6th to the Committee on Ways and Means; the 2d to the Committee on Education; the 3d and 5th to the Committee on County Courts; the 4th to the Com-
MR. 28.] HOUSE OF REPRESENTATIVES.

committee on Claims; and the 7th and 8th to the Committee on Railroads.

Mr. Jesse, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported
A bill to amend an act, entitled "An act to prohibit the sale of intoxicating liquors in the town of Clayville."

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

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a second time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

Leave of absence, indefinitely, was granted Mr. T. M. Johnson.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of James Ficklin, sheriff of Montgomery county;
An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company;
An act to incorporate the St. Patrick's Benevolent Society of Paris;
An act to incorporate the town of Hanson, in Hopkins county;
An act for the benefit of Wm. Chamberland, of Russell county;
An act for the benefit of Barney Sisk, jailer of Hopkins county;
An act to incorporate the Prestonsburg Academy and Normal School Joint Stock Company;
An act for the benefit of George Sublett, of Elliott county;
An act to incorporate the Muhlenburg Mining Company;
An act to authorize the voters of the town of Clinton to vote upon proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of the same;
An act for the benefit of Arnold S. Hardy;
An act for the benefit of school district No. 46, in Mercer county;
An act for the benefit of the Falmouth and Claysville Turnpike Road, in Pendleton county;
An act to empower the court of claims of Shelby county to levy an additional ad valorem tax;

An act to repeal an act, entitled "An act to establish an institution of learning in the town of Hardinsville, in Shelby county;"

An act to authorize the sale and conveyance of the property of the Kendrick Institute, in Wayne county;

An act to authorize the change of the State road at Cane creek bridge, between Milburn and Columbus;

An act to incorporate the Augusta and Mount Olivet Turnpike Road Company, in Bracken and Robertson counties;

An act to fix the time of holding the Garrard circuit court;

An act to amend the act incorporating the Cabin Creek Turnpike Road Company;

An act to amend the charter of the Winchester and Muddy Creek Turnpike Road Company;

An act for the benefit of school district No. 34, in Garrard county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, March 28, 1873.

Gentlemen of the House of Representatives:

The bill which originated in your honorable body, entitled "An act to authorize certain counties in this Commonwealth to purchase land for a right of way and depot grounds, and lease the same to the trustees of the Cincinnati Southern Railway," makes it the duty of the county judge of any of the counties named, upon the petition of any two residents of the county owning property therein assessed for taxation for revenue purposes, to summon the justices of the peace of his county to meet within ten days; and when so assembled, they may make an order submitting to a vote of all the voters of the county assessed for tax for revenue purposes, the question of raising by taxation, and by the issue of bonds, to raise a fund sufficient to buy the right of way and the necessary depot grounds for the Cincinnati Southern Railway through such county, not exceeding the sum of seventy-five thousand dollars.

After prescribing the manner in which the vote shall be taken, it is enacted that the clerk of the county court and the county judge shall constitute a board to count the vote and enter the result upon the records of the court, which record shall be conclusive of the regularity and the result of such election, and the same shall not be questioned unless proceedings for the purpose be commenced within thirty days thereafter.

The fifth section enacts that whenever the Cincinnati Southern Railway shall be located in any one of the said counties, it shall be the duty of the
commissioners of the sinking fund for such county to pay the owners of the land required to be taken for right of way and depot grounds the sums ascertained to be due them.

The tenth section enacts that, upon the payment of the money to the owners of the land as heretofore provided for, the title to such land shall vest in the county; and the commissioners of the sinking fund for the county shall have power and authority to lease the same to the trustees of the Cincinnati Southern Railway, upon such terms and conditions as may be agreed upon; but no such lease shall continue for a longer period than ninety-nine years; and whenever the said trustees, or their successors or assigns or lessees, shall cease to use the said lands for the purpose hereinafore specified, the same shall at once, without notice or demand, revert to the said counties in fee simple.

The charter heretofore granted by this Legislature to the trustees of the Cincinnati Southern Railway (which has been accepted) clothes them with full power to purchase and condemn lands in the several counties recited in this bill, in order to acquire the right of way, depot grounds, &c., necessary for building and operating the road, and invests them with the same rights, powers, and privileges in this regard that have been granted to similar enterprises in this State. But this bill proposes, as I understand it, not to authorize the trustees to purchase the right of way, but to secure to them the lands necessary for their purposes, by a nominal lease, which will probably be virtually a donation from the counties through which the road shall pass. It provides that whenever it shall be so ordered in any of these counties by a majority of voters owning property assessed for revenue purposes, a tax shall be imposed upon all the taxable property to raise a fund sufficient to purchase, for the use of the Cincinnati Southern Railway, all the necessary real estate for the location of the road and for depot purposes. The property so purchased is authorized to be leased to the trustees of the corporation for ninety-nine years, by a board of commissioners appointed by the county court, upon such terms as may be agreed upon between the trustees and said board. It will be observed that the purchase is to be made of only such real estate as the corporation may indicate, and only for the use of the corporation; and inasmuch as the board of commissioners cannot appropriate the real estate so purchased to any other object or use, and cannot lease the same except to this one corporation, it follows necessarily that the corporation will be able to obtain the use of the property for ninety-nine years upon just such terms as it may prescribe.

No one can fail to see that under the provisions of this bill there can be no mutuality in any contract between the trustees of the road and the board of commissioners. The idea, therefore, of securing to the tax-payer, out of any proceeds of the lease, even the semblance of an equivalent for the tax coerced from him under the provisions of the bill, will be simply preposterous. In fact, no equivalent seems to have been intended, for no provision is made in the bill as to what shall be done with the rents for the use of the land; and the means for securing it, if any were intended, are not within the power of the board of commissioners. It is, therefore, presumable, as before indicated, that the object of this measure is to induce the counties to offer a virtual donation of the necessary lands to secure the location of the route of the road within their borders. But even if a reasonable rental for the use of the property should be obtained, the objectionable character of the measures contained in the bill would not be obviated. The gravest objection to the legislation which it proposes is, that it is founded on the presumption of an unconditional power
of taxation. This power of taxation is one, the exercise of which, invading, as it does, the sanctity of private property, and exacting from the hands of industry a portion of its earnings for the public necessities, has always been one of the most delicate and insidious character; and the distinguishing excellency of representative and constitutional government is the safeguards which such governments provide against its abuse. The odium of its exercise is infinitely aggravated when, without the plea of public necessity, it exacts from the citizen money wherewith to enrich private individuals, especially when associated in some great corporation created for their own private profit. Against such abuse our own State Constitution has carefully guarded. In its power to levy and collect taxes from the people the State is not probably restricted as to either the amount or rate of taxation; but it is certainly restricted in the objects for which it may be exercised, for taxes are, as properly defined, charges or contributions imposed by the Legislature upon persons or property to raise money for public purposes, or to accomplish the public ends of government. Such being the only legitimate objects of taxation, it follows that, to impose a tax, or to authorize the imposition by any agencies for private purposes, or to build up private corporations, or to promote private enterprises, is wholly unauthorized. A law, therefore, authorizing taxation for any other than public purposes, is void; and, though a tax may pass through the hands of public officers with a strict regard to all the forms of law, yet, if it be for private purposes, it is unconstitutional.

The Cincinnati Southern Railway is, to all intents and purposes, a private corporation. It is organized for pecuniary profit alone. The public, as such, has no pecuniary interest in it. Its ultimate business is that of a common carrier. The Legislature cannot exercise any control over its rights under the charter, for the reason that it is a private and not a public corporation; and, although the proposed road is one of great importance to the section of the State through which it may pass, and to the whole State, yet, like all other railroad corporations, it is projected in the interest of the stockholders and not of the public, and it is clear to my mind that no incidental benefits arising to the community from the operations of a private corporation can, in any sense, render it a public one, or justify the exercise of the taxing power in its behalf. Such being the case, can the Legislature confer upon a majority of the voters in any of the counties named in the bill the power to tax the property of the minority, in order to raise a fund to purchase the right of way for the road and grounds for depots, without any equivalent for the taxes thus coerced from an unwilling and protesting minority? I am clearly of the opinion that it cannot be constitutionally done. It was decided in the case of Hensen vs. Vernon, in 1869, by the Supreme Court of Iowa, "that the Legislature has no power to authorize a local majority to vote a tax upon the people of a district, the proceeds of which are to be given or donated to a private company organized for pecuniary profit, and in which the tax-payer has no interest, and for the taxes exacted receives no return." The same doctrine is approved by our own Supreme Court in the Cypress Pond Draining Company case vs. Hooper, &c., and to the same purpose are decisions rendered by the Supreme Courts of the States of New York, California, Oregon, Alabama, Wisconsin, Illinois, Mississippi, Michigan, and perhaps other States. Our own State Constitution, article 13, sections 2 and 14, distinctly denies any power of taxation for purposes of donation for such purpose as indicated in the bill, which, though called a lease, I am constrained to regard as a donation; for, notwithstanding the bill provides that the commissioners shall not part with the legal title to
the land, but shall only lease it to the trustees for ninety-nine years, and that the land shall revert and the fee shall vest in the county upon the corporation ceasing or abandoning the use of its road, still the transaction amounts to a donation of the lands to the corporation. I have searched in vain to find in it any provision which secures, or even contemplates securing, any dividends, rents, profits, or other compensation whatever to remunerate the unwilling tax-payer for the money which this bill proposes to wrest from him. It is a bonus held out to induce the trustees to locate the road through the counties proposing to contribute the right of way and the necessary grounds for building depots. This is the first time, so far as I have any knowledge, that the Legislature has gone so far as to impose a tax, or authorize a majority, by vote, in any locality, to do so, in order to raise a fund to be donated to a private corporation.

I most respectfully, but earnestly, contend that the Legislature has not the constitutional power to coerce contributions of money or property for any such purpose. To require a person to become a stockholder in a private corporation against his will, through the process of taxation, is as far as the legislative power has ever been hitherto exerted; and even such legislation I regard as very questionable. I seriously doubt, as I have expressed it in a former message, whether the Legislature can constitutionally empower voting majorities to impose a tax upon all the citizens of a county, and compel them, however unwilling, to become stockholders in a private corporation.

Suppose that the landed proprietors of one of our counties should think it desirable, and for the public benefit, to invite and settle immigrants among them, and to this end should ask of the Legislature to empower the county court, if so instructed by a majority of the voters of the county, to impose a tax on the people for the purchase of lands to be leased at a nominal rent to a certain number of immigrants, would the Legislature regard the incidental benefits of such a measure sufficient to justify them in authorizing it? I am satisfied that the Legislature would not give its sanction to such a measure; and yet, as a mere question of constitutional power—and this is a question of power, and not of expediency—no objection can possibly be alleged against such an enactment that could not be urged with equal force and propriety against allowing county subscriptions to railroads to be made by voting majorities, whilst even on the grounds of expediency or of incidental public benefits, it might, perhaps, be truly plead that, in the county proposing the immigrant scheme, no railway enterprise could equally promote the public welfare.

The maxim that "the end justifies the means," is as false and mischievous in public policy as in private morals; and yet it requires the unceasing vigilance and firmness of the patriotic statesman to detect and guard against its insidious approaches. It tempts in the guise of an angel of light, and deceives by its professions of devotion to the public good. The surest safeguard to the legislator against the persuasion of its siren voice is a firm, unwavering observance of the Constitution in its letter and spirit. I would respectfully and earnestly urge upon you the responsibility which you share in deciding upon this subject with the other departments of government. For whilst it is the province of the courts to decide whether the purpose indicated in a law is public or otherwise, and sustain or annul such enactment according to their judgment, yet the courts are under no greater obligations to observe the Constitution and enforce its guarantees and restraints, than are the legislators and the
Governor; and it is of the highest importance to the public interest that an unconstitutional measure should not receive the sanction of the law-making power. In accordance, therefore, with my duties under the Constitution, I herewith most respectfully return the bill with these my objections.

P. H. LESLIE.

Said bill reads as follows, viz:

WHEREAS, An act was passed by this General Assembly, approved February 13th, 1872, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way, and to extend a line of railway through certain counties in this Commonwealth;" and whereas, the people of the counties hereinafter named are deeply interested in the location and construction of said line of railway and its appendages in and through said counties; and it is necessary, in order to enable them to secure such location and construction, and the benefits arising therefrom, that said counties shall be authorized to purchase and lease to said trustees the right of way and depot grounds for said railway; and whereas, the people of said counties have applied to this General Assembly for authority to raise money by taxation, and by the issue of bonds, for the purposes aforesaid, upon the conditions hereinafter stated; now, therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That whenever any ten residents and owners of property assessed for taxation in any of the counties of Whitley, Laurel, Madison, Clark, Bourbon, Harrison, Kenton, Scott, Franklin, Anderson, Woodford, Fayette, Jessamine, Mercer, Garrard, Boyle, Lincoln, Rockcastle, Casey, Pulaski, Russell, Wayne, Clinton, Cumberland, Monroe, Adair, Metcalfe, Josh Bell, Gallatin, Knox, Clay, Owsley, Jackson, and Estill, shall make application therefor, in writing, to the presiding judge of the county court in which said applicant resides and owns property as aforesaid, it shall be the duty of said judge forthwith to cause the several justices of the peace in and for said county to be summoned, to meet within ten days after said application is made; and, when so assembled, they may make an order upon the records of said court, submitting to the qualified voters assessed for tax for revenue purposes in said county the question of raising, by taxation, and by the issue of bonds in such sums as may be required, not greater than the amount hereafter named, and directing a poll to be opened at the usual voting place or places in each election precinct in said county, on a day designated in said order, and not less than fifteen days' notice thereof shall be given by printed posters, one of which shall be put up at the door of the court-house, and one at each voting place in said county. It shall be the duty of the presiding judge, at the time such election is ordered, to appoint the necessary officers to conduct the same; who shall have all the powers, perform all the duties, and receive the compensation prescribed by the general laws of this Commonwealth in cases of election for county officers. The poll-book shall be returned to the clerk of the county court within three days after the election; and the clerk shall forthwith report the same to the presiding judge of said court; and said judge, together with the clerk, shall at once proceed to ascertain the result of said election, and enter the same upon the records of the court, which record shall be conclusive of the regularity and result of said election; the result or validity of said election shall not be questioned, unless proceedings for
that purpose be commenced within thirty days after said result is ascer-
tained and stated upon the records of the court.

§ 2. At said election the following questions shall be propounded to
each voter: "Are you in favor of or against the tax authorized by the
General Assembly, approved on the — day of —, 1873?" (the date of
the approval of this act to be inserted); and the sense of the voters shall
be recorded in the affirmative or negative, as the case may be. In case a
majority of votes cast at said election shall be in the affirmative, it shall
be the duty of the presiding judge at once to appoint three commissi-
ners, who shall, under oath, ascertain and report the cost of the right of
way and depot grounds through said county; and he shall cause the
several justices of the peace for said county to assemble within ten days
after the said report is received; and when so assembled, the said com-
missioners shall report the cost of the right of way and depot grounds
as foresaid; and it shall be the duty of the said justices at once to levy
a tax upon the taxable property in said county subject to taxation for
State revenue purposes, sufficient to raise the sum specified in said report,
or such part thereof as may be determined upon; and for the remainder
of the amount authorized to be raised, the presiding judge shall forth-
with issue the bonds of said county for an amount not less than one hun-
red dollars each nor more than one thousand dollars each, signed by him
as presiding judge, and countersigned by the clerk of the county court,
payable to bearer, with interest at any rate not exceeding ten per cent.
per annum, payable semi-annually, at such place as said presiding judge
may determine; and said bonds shall have coupons or interest warrants
attached thereto, attested by the signature of the clerk of the county
court. It shall be the duty of said court, annually, at its sitting as a
court of claims, to levy and cause to be collected a tax upon the taxable
property in said county subject to assessment for State revenue purposes,
sufficient to pay the interest on said bonds, and to provide a sinking fund
for the redemption of the bonds at maturity; and said bonds, when
issued, shall be delivered to the Commissioners of the Sinking Fund as herein-
after provided.

§ 3. All taxes levied under authority of this act shall be collected by
the sheriff at the same time and in the same manner that the county
levy is required to be levied; but before proceeding to collect the same,
he shall execute a bond, with good and sufficient security, to be approved
by the presiding judge of the county court, stipulating for a faithful
performance of his duties under this act, and that he will promptly pay over
to the Commissioners of the Sinking Fund for said county all moneys
collected by him; and in case he shall fail or refuse to execute such bond,
the presiding judge shall appoint a special collector, who shall execute a
like bond, and exercise all the powers of a sheriff in making such collec-
tions. The sheriff or special collector shall receive the same compensa-
tion, for making collections under this act, as is allowed by law for collect-
ing the State revenue. For a breach of the bond of the sheriff or special
collector, the Commissioners of the Sinking Fund may sue in their own
names for the use and benefit of the county; and in case of their refusal
to sue when required by any tax-payer, such tax-payer may prosecute an
action on said bond in the name of said commissioners; but he shall be
liable for all costs and expenses in case such suit is not successful.

§ 4. It shall be the duty of said justices of the peace, at their second
meeting, as required by this act, or within thirty days thereafter, and
every two years afterwards, to elect three Commissioners of the Sinking
Fund, who shall serve two years, and until their successors are elected and
qualified. The said commissioners shall take an oath that they will faithfully perform the duties of their office, and shall execute separate bonds, with good and sufficient sureties, to be approved by the presiding judge of the county court, conditioned that they will well and truly do and perform all the things required of them by this act, and any amendments thereto; and that they will promptly account for and pay over to the proper persons all moneys received by them, all moneys raised by taxation under this act, and all moneys raised by the sales of bonds authorized by this act, that may come to their hands. They shall receipt for all moneys that may come to their hands. They may sell or hypothecate said bonds.

§ 5. Whenever the Cincinnati Southern Railway shall be located in any one of the said counties, it shall be the duty of the Commissioners of the Sinking Fund for such county to pay the owners of the land required to be taken for right of way and depot grounds the sums ascertained to be due them.

§ 6. The amount authorized to be raised by taxation, and by the issue of bonds, shall not be greater in any of the counties herein named than a sum actually necessary to pay for right of way and depot grounds for said railway; and this shall in no county exceed the sum of seventy-five thousand dollars.

§ 7. The Commissioners of the Sinking Fund shall, out of the money in their hands raised for that purpose, pay the interest on any bonds issued under the provisions of this act; and they shall have the custody and management of all money raised for the redemption of said bonds, and may loan the same out, from time to time, upon good security, until the maturity of said bonds; or they may, when so authorized by the presiding judge, by an order entered upon the records of his court, use the whole, or any part of said last mentioned money, in purchasing said bonds before maturity. They shall, once in each year, make a settlement of their accounts with the presiding judge in the same manner that administrators and guardians are required to settle, and the same shall be recorded in a book to be kept for that purpose. The presiding judge shall, at each annual settlement, allow said commissioners a reasonable compensation for their services, to be paid out of the money in their hands; said judge shall receive the sum of three dollars for making each settlement, to be paid in like manner.

§ 8. Any Commissioner of the Sinking Fund may be removed by the presiding judge, for good cause shown, upon ten days' notice; and in case of such removal, or in case of vacancy from any other cause, the presiding judge shall fill the same by appointment. It shall be the duty of the presiding judge to see that the surety furnished by the said commissioners is at all times sufficient; and he shall, whenever applied to by the county attorney or any tax-payer, make inquiry concerning the solvency or sufficiency of any surety, and shall forthwith remove any commissioner who fails or refuses to furnish new or additional security when required.

§ 9. A majority of the justices of the peace in commission in said county shall constitute a quorum to transact business under this act; and in case of the absence of the presiding judge, they shall elect one of their number to preside. The failure or omission of the presiding judge or justices of the peace to perform any act, or enter any order, at the time the same is herein required to be performed or entered, shall not avoid any proceeding herein authorized or required; but such act may be performed, and such order entered, at any subsequent time, with the same effect as if there had been no such failure or omission.
§ 10. That upon the payment of the money to the owner of the land as hereinbefore provided for, the title to such land shall vest in the county; and the Commissioners of the Sinking Fund for the county shall have power and authority to lease the same to the Trustees of the Cincinnati Southern Railway, upon such terms and conditions as may be agreed upon; but no such lease shall continue for a longer period than ninety-nine years; and whenever the said trustees, or their successors or assigns, or lessees, shall cease to use the said lands for the purposes hereinbefore specified, the same shall at once, without notice or demand, revert to the said counties in fee simple.

§ 11. This act shall take effect and be in force from and after its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, Walter Evans, Hiram S. Powell,
John A. Bell, W. H. Evans, C. C. Scales,
William Brown, James Garnett, William Sellers,
Thomas P. Cardwell, C. P. Gray, Harry I. Todd,
James S. Chrisman, J. P. Hampton, Jonas D. Wilson,

Those who voted in the negative, were—

George W. Anderson, John W. Dyer, Lewis Potter,
A. S. Arnold, M. Woods Ferguson, E. A. Robertson,
W. W. Ayers, Joseph P. Foree, John Rowan,
G. W. Bailey, E. A. Graves, John P. Rowlett,
R. Tarv. Baker, Clinton Griffith, J. P. Sacksteder,
Alpheus W. Bascom, George M. Jesse, Frank Sacksteder,
W. R. Bates, E. Polk Johnson, J. R. Sanders,
W. N. Beckham, Thomas M. Johnson, James W. Snyder,
S. C. Bell, T. J. Jones, C. W. Threlkeld,
J. C. S. Blackburn, J. J. McAfee, J. L. Waring,
Wm. F. Bond, William J. McElroy, J. M. White,
Robert M. Carlisle, M. E. McKenzie, Mordecai Williams,
John S. Carpenter, W. A. Morin, F. A. Wilson,
George Carter, J. L. Nall, S. H. Woofolk,

And so said bill was rejected.

A message was received from the Senate, asking leave to withdraw the announcement of their disagreement to bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of William Cook's heirs.
An act for the benefit of John J. Macklin, late sheriff of Kenton county.
Which was granted.
A message was also received from the Senate, announcing that they had passed a bill, entitled
An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Mercer Station, in Muhlenburg county.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be referred to the Committee on Railroads.
The House then took up the matter of the disagreement of the Senate to the amendments Nos. 1, 2, and 6, proposed by the House of Representatives to chapter 29, title "Courts," of the proposed revision of the Statutes.
Mr. Cooper moved that the House do recede from the first and second of its said proposed amendments.
And the question being taken thereon, it was decided in the affirmative.
Mr. W. Evans then moved that the House recede from its sixth proposed amendment, viz: which proposes to increase the civil jurisdiction of justices of the peace.
And the question being taken on the motion of Mr. Evans, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Ogilvie and Jones, were as follows, viz:
Those who voted in the affirmative, were—
Mr. Speaker (M’Creary) George Carter, E. Polk Johnson,
George W. Anderson, James S. Chrisman, Thomas M. Johnson,
R. Tarv. Baker, R. L. Cooper, E. A. Robertson,
Alpheus W. Basecom, J. E. Coason, Frank Sacksteder,
W. N. Beckham, Walter Evans, Harry I. Todd,
John A. Bell, W. H. Evans, J. L. Waring,
J. C. S. Blackburn, M. Woods Ferguson, Mordecai Williams,
Wm. F. Bond, James Garnett, F. A. Wilson,
John S. Carpenter, C. P. Gray,
Those who voted in the negative, were—
A. C. Armstrong, George M. Jessee, John Rowan,
W. W. Ayers, T. J. Jones, J. P. Sacksteder,
G. W. Bailey, Bryan S. McClure, J. R. Sanders,
W. R. Bates, William J. McElroy, C. C. Scales,
Mr. McElroy then moved that the House do insist upon its said proposed amendment.

And the question being taken on the motion of Mr. McElroy, it was decided in the affirmative.

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

Those who voted in the affirmative, were—

A. C. Armstrong, George M. Jessee, J. P. Sacksteder,
W. W. Ayers, T. J. Jones, Frank Sacksteder,
G. W. Bailey, Bryan S. McClure, J. R. Sanders,
W. R. Bates, Wm. J. McElroy, James W. Snyder,
S. C. Bell, M. E. McKenzie, C. W. Thrrelkeld,
Robert M. Carlisle, W. A. Morin, J. L. Waring,
C. M. Clay, jr., J. L. Nall, C. H. Webb,
William G. Conrad, John W. Ogilvie, J. M. White,
John W. Dyer, Julian N. Phelps, Jonas D. Wilson,
Joseph P. Force, Lewis Potter, J. N. Woods,
E. A. Graves, Hiram S. Powell, S. H. Woolfolk—34.
J. P. Hampton,

Those who voted in the negative, were—

Mr. Speaker (McCreary) George Carter, C. P. Gray,
George W. Anderson, James S. Chrisman, Clinton Griffith,
R. Tarv. Baker, R. L. Cooper, E. Polk Johnson,
Alpheus W. Bascom, J. E. Cosson, Thomas M. Johnson,
W. N. Beckham, Walter Evans, E. A. Robertson,
John A. Bell, W. H. Evans, Harry I. Todd,
J. C. S. Blackburn, M. Woods Ferguson, Mordecai Williams,
Thomas P. Cardwell, Wm. Cassius Goodloe,

On motion of Mr. Graves,

Ordered, That a committee of conference be appointed on the subject of the disagreement of the two Houses in regard to the sixth amendment proposed by the House to chapter 29, title "Courts," of the proposed revision of the statutes.

And thereupon the Speaker appointed on said committee Messrs. Ogilvie, Goodloe, and Bascom, on the part of the House, who were directed to inform the Senate of their appointment, and to request the appointment of a committee for the same purpose on their part.
A message was received from the Senate, announcing that they
had concurred in the amendments proposed by the House to the
following chapters of the revision of the statutes, viz:

Chapter 34, title "Elections."
Chapter 39, title "Executions."
Chapter 41, title "Feeble-minded Children."

The House then, according to order, resumed the further consider-
ation of the report from the Senate of their action on the report of
the Joint Committee on the report of the Commissioners to revise the
statutes.

Chapter 52, title "Husband and Wife," being under consideration,
Mr. Chrisman offered an amendment thereto, which was adopted.

To chapter 53, title "Idiots and Lunatics," Mr. Graves offered the
following amendment, viz:

Strike out of sections two and five, in article two, the words "sev­
enty-five," and insert in lieu thereof the word "fifty."

And the question being taken on the motion proposed by Mr.
Graves, it was decided in the negative.

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

Those who voted in the affirmative, were—

W. W. Ayers,              Lewis Potter,              C. H. Webb,
S. C. Bell,              John Rowan,                Jonas D. Wilson—8.
E. A. Graves,            C. W. Thralkeld.

Those who voted in the negative, were—

Mr. Speaker (McCready) J. E. Cosson, John W. Ogilvie,
George W. Anderson, John W. Dyer, Julian N. Phelps,
A. S. Arnold, Walter Evans, John P. Rowlett,
G. W. Bailey, M. Woods Ferguson, Frank Sacksteder,
R. Tarv. Baker, Joseph P. Force, J. R. Sanders,
Alpheus W. Bascom, James Garnett, C. C. Scales,
W. R. Bates, Wm. Cassius Goodloe, James W. Snyder,
W. N. Beckham, C. P. Gray, Harry I. Todd,
John A. Bell, Clinton Griffith, J. L. Waring,
J. C. S. Blackburn, Thomas M. Johnson, J. M. White,
Robert M. Carlisle, T. J. Jones, Mordecai Williams,
John S. Carpenter, Bryan S. McClure, F. A. Wilson,
James S. Chrisman, William J. McElroy, J. N. Woods,
C. M. Clay, Jr., W. A. Norin, S. H. Woolfolk,
R. L. Cooper;

Said chapter was then adopted without amendment.
Chapter 54, title "Impeachment," was then adopted without amendment.

To chapter 55, title "Inclusions and Certain Trespasses," Mr. Rowlett offered the following amendment, viz:
Strike out sections 1 and 2 of the fourth article thereof.

Mr. E. Polk Johnson called for a division of the question.

And the question being taken on striking out the first section of said article, it was decided in the affirmative.

The question was then taken on striking out the second section of said article, and it was decided in the negative.

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

Those who voted in the affirmative, were—

G. W. Bailey, James Garnett, Hiram S. Powell,
W. R. Bates, E. A. Graves, John Rowan,
S. C. Bell, C. P. Gray, John P. Rowlett,
Thomas P. Cardwell, J. P. Hampton, C. C. Scales,
James S. Chrisman, Thomas M. Johnson, C. W. Threlkeld,
J. E. Cosson, Bryan S. McClure, Harry I. Todd,
John W. Dyer, William J. McElroy, J. M. White,

Those who voted in the negative, were—

Mr. Speaker (M'Cready) John S. Carpenter, Frank Sacksteder,
A. C. Armstrong, C. M. Clay, Jr., J. R. Sanders,
W. W. Ayers, William G. Conrad, James W. Snyder,
R. Tarv. Baker, R. L. Cooper, J. L. Waring,
Alpheus W. Bascom, Walter Evans, C. H. Webb,
W. N. Beckham, Joseph P. Forsee, Merdecai Williams,
John A. Bell, George M. Jesse, F. A. Wilson,
J. G. S. Blackburn, T. J. Jones, Jonas D. Wilson,
Wm. F. Bond, M. E. McKenzie, S. H. Woolfolk,

Amendments were then offered by Messrs. Powell and Dyer, which were adopted.

Mr. Garnett moved to strike out sections 3 and 4 of article 2.

Pending the consideration thereof, the hour for taking a recess until 7½ o'clock, P. M., arrived.

At 7½ o'clock, P. M., the House again reassembled.

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

An act for the benefit of the Iron Works Turnpike Road Company.
An act to amend an act incorporating the Concord and Tollsboro Turnpike Road Company.
An act to amend the charter of the Winchester Cemetery Company.
An act to authorize the appointment of an additional examiner to take depositions in and for Floyd county.
An act to amend the charter of the Newport and Dayton Street Railway Company.
An act for the benefit of school district No. 62, in Shelby county.
An act to amend an act incorporating the Cincinnati, Covington, and Cumberland Gap Railroad Company, approved 11th March, 1867.
With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:
1. An act for the benefit of the Baptist Church of Bedford, in Trimble county.
2. An act to charter the public schools of Falmouth, and district No. 1, in Pendleton county.
3. An act to legalize certain orders and the sale of the poor-house property of Morgan county.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Religion; the 2d to the Committee on Education; and the 3d to the committee on County Courts.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to compensate assessors for making an enumeration of the qualified voters of the State.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That each assessor shall be allowed two cents for each voter returned by him in the enumeration for the year 1873.

§ 2. This act to be in force from its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

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

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom the same were referred, viz:

By Mr. Ayers, from the Committee on Religion—
An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Mercer Station, in Muhlenburg county.

By Mr. McKenzie, from the Committee on Ways and Means—
An act for the relief of the sheriff of Trigg county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Evans, from the Committee on the Judiciary—

A bill to amend an act, entitled “An act to incorporate the Vanceburg, Quick’s Run, and Concord Turnpike Road Company,” approved December 17, 1867.

By same—

A bill to define the boundaries of the town of Ashland.

By same—

A bill to amend the charter of the South Kentucky Fair Ground Association.

By same—

A bill amending an act, entitled “An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company,” approved February 18, 1869.

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

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

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

The rule of the House and constitutional provision as to the third reading of said bills being 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. Armstrong, the Public Printer was directed to print eight hundred additional copies of the report of the Board of Managers of the Agricultural and Mechanical College of Kentucky, for the use of said Institution.

A message was also received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the St. Bernard Transportation Company.

With amendments thereto.

The House then, according to order, took up for consideration a bill from the Senate, entitled

An act to suppress lawlessness in this Commonwealth,

Mr. Robertson moved to amend section 5 of said bill, by striking out in lines 5 and 6 of said section the words “one fourth of said
reward to go to the informer," by striking out in line 6 the word "fourth," and inserting in lieu thereof the words "third of said reward to go," and by striking out the word "fourth," wherever it occurs in line 7, and inserting in lieu thereof the word "third."

And the question being taken on the adoption of the amendment proposed by Mr. Robertson, it was decided in the negative.

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

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. McElroy moved to amend said bill by striking out the whole of section 5 thereof, and by striking out of section 8 all after the word "perjury," in line 8.

And upon the adoption of the amendment proposed by Mr. McElroy Mr. Gray demanded a division of the question.

The question was then taken on the first division thereof, viz: "to strike out the fifth section," and it was decided in the negative.

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

Those who voted in the affirmative, were—

Mr. Speaker(M’Creary) C. M. Clay, jr. E. A. Robertson, Wm. A. Allen, John W. Dyer, J. R. Sanders, George W. Anderson, M. Woods Ferguson, L. W. Trafton,
Section 5 of said bill reads as follows, viz:

§ 5. For the purpose of more effectually enforcing the provisions of this act, the Governor is hereby authorized and directed, upon the presentation of evidence made under oath satisfactory to him that there has been a violation of the fourth section of this act, to offer a reward of not less than $100 and not more than $500, for the apprehension and conviction of each of the offenders; one fourth of said reward to go to the informer, one fourth to the officer making the arrest, one fourth to the county attorney, and one fourth to the Commonwealth's Attorney prosecuting the offender or offenders.

Mr. E. Polk Johnson then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, John S. Carpenter, Julian N. Phelps,
A. C. Armstrong, William G. Conrad, Frank Sacksteder,
A. S. Arnold, J. E. Cosson, William Sellers,
W. W. Ayers, Walter Evans, James W. Snyder,
R. Tarv. Baker, W. H. Evans, C. W. Threlkeld,
W. R. Bates, Wm. Cassius Goodloe, Harry I. Todd,
W. N. Beckham, J. P. Hampton, J. L. Waring,
John A. Bell, E. Polk Johnson, Mordecai Williams,
Wm. F. Bond, J. J. McAfee, Jonas D. Wilson,
W. B. M. Brooks, W. A. Morin, J. N. Woods.
Thomas P. Cardwell, John W. Ogilvie,

Those who voted in the negative, were—
Mr. Speaker (McCreary) R. L. Cooper, Bryan S. McClure,
George W. Anderson, John W. Dyer, Wm. J. McElroy,
Alpheus W. Bascom, James B. Fitzpatrick, M. E. McKenzie,
S. C. Bell, Joseph P. Force, E. A. Robertson,
J. C. S. Blackburn, James Garnett, John Rowan,
Robert M. Carlisle, C. P. Gray, J. R. Sanders,
George Carter, Clinton Griffith, C. H. Webb,
James S. Chrisman, George M. Jessy, F. A. Wilson,
C. M. Clay, Jr., L. W. Lassing, S. H. Woolfolk—27.

So the main question was ordered.

At 11½ o'clock, P. M., Mr. F. A. Wilson moved that the House do now adjourn.

And the question being taken on the motion of Mr. Wilson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Fitzpatrick, were as follows, viz:

Those who voted in the affirmative, were—
George W. Anderson, R. L. Cooper, E. A. Robertson,
Alpheus W. Bascom, John W. Dyer, John Rowan,
S. C. Bell, James B. Fitzpatrick, C. W. Threlkeld,
William Brown, Joseph P. Force, L. W. Trafton,
Robert M. Carlisle, Clinton Griffith, C. H. Webb,
George Carter, L. W. Lassing, F. A. Wilson,
William G. Conrad, M. E. McKenzie,

Those who voted in the negative, were—
Wm. A. Allen, J. E. Cossor, Julian N. Phelps,
A. C. Armstrong, Walter Evans, Hiram S. Powell,
A. S. Arnold, W. H. Evans, J. P. Sacksteder,
W. W. Ayers, M. Woods Ferguson, Frank Sacksteder,
R. Tarv. Baker, James Garnett, J. R. Sanders,
W. R. Bates, Wm. Cassius Goodloe, James W. Sellers,
W. N. Beckham, C. P. Gray, Harry L. Todd,
John A. Bell, J. P. Hampton, J. L. Waring,
J. C. S. Blackburn, George M. Jessy, Mordecai Williams,
Wm. F. Bond, E. Polk Johnson, Jonas D. Wilson,
W. B. M. Brooks, J. J. McAfee, J. N. Woods,
Thomas P. Cardwell, Bryan S. McClure, J. M. Wright—40,
John S. Carpenter, John W. Ogilvie,
"and he shall be discharged from all liability for any violation of this act, so necessarily disclosed in his testimony; and, furthermore, the person against whom he testifies shall not be received to prove any violation of this act theretofore by such witness," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, John W. Dyer, William J. McElroy,
George W. Anderson, M. Woods Ferguson, M. E. McKenzie,
Alpheus W. Bascom, James B. Fitzpatrick, E. A. Robertson,
S. C. Bell, Joseph P. Force, J. R. Sanders,
J. C. S. Blackburn, James Garnett, C. W. Threlkeld,
Robert M. Cardale, C. P. Gray, L. W. Trafton,
George Carter, Clinton Griffith, C. H. Webb,
James S. Chrisman, George M. Jessup, F. A. Wilson,
C. M. Clay, jr., L. W. Lassing, S. H. Woolfolk,

Those who voted in the negative, were—

A. C. Armstrong, William G. Conrad, Hiram S. Powell,
A. S. Arnold, J. E. Cosson, John Rowan,
W. W. Ayers, Walter Evans, J. P. Sacksteder,
R. Tarv. Baker, W. H. Evans, Frank Sacksteder,
W. R. Bates, Wm. Cassius Goodloe, William Sellers,
W. N. Beckham, E. Polk Johnson, James W. Snyder,
John A. Bell, J. J. McAfee, Harry I. Todd,
Wm. F. Bond, W. A. Morris, J. L. Waring,
W. B. M. Brooks, J. L. Nall, Mordecai Williams,
William Brown, John W. Ogilvie, Jonas D. Wilson,
Thomas P. Cardwell, Julian N. Phelps, J. N. Woods—34.

The question was then taken, "Shall the bill be read a third time?" and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Baker and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) C. M. Clay, jr., John W. Ogilvie,
Wm. A. Allen, J. E. Cosson, Julian N. Phelps,
A. C. Armstrong, Walter Evans, Hiram S. Powell,
A. S. Arnold, W. H. Evans, John Rowan,
W. W. Ayers, M. Woods Ferguson, J. P. Sacksteder,
R. Tarv. Baker, James Garnett, Frank Sacksteder,
W. R. Bates, Wm. Cassius Goodloe, J. R. Sanders,
W. N. Beckham, C. P. Gray, William Sellers,
John A. Bell, J. P. Hampton, James W. Snyder,
J. C. S. Blackburn, E. Polk Johnson, Harry I. Todd,
Wm. F. Bond, J. J. McAfee, J. L. Waring,
W. B. M. Brooks, Bryan S. McClure, Mordecai Williams,
Thomas P. Cardwell, William J. McElroy, Jonas D. Wilson,
Robert M. Carlisle, M. E. McKenzie, J. N. Woods,
John S. Carpenter, W. A. Morin, J. M. Wright—45.

Those who voted in the negative, were—
S. C. Bell, John W. Dyer, C. H. Webb,
James S. Chrisman, C. W. Threlkeid, F. A. Wilson,

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 if any person shall send, circulate, exhibit, or put up
any threatening notice or letter, signed with such person's own or
another's name, or anonymously, he shall, on conviction thereof, be
fined not less than one hundred nor more than five hundred dollars,
and imprisoned in the county jail not less than three months.

§ 2. If any two or more persons shall confederate or band them­selves together, for the purpose of intimidating, alarming, or disturb­ing
any person or persons, or to do any unlawful act, they or either
shall, on conviction thereof, be confined in the Penitentiary not less
than six nor more than twelve months, or, in the discretion of the
jury, fined not less than one hundred nor more than five hundred
dollars, and imprisoned in the county jail not less than three nor
more than six months.

§ 3. If two or more persons shall unlawfully confederate or band
together, and go forth armed or disguised, they shall each, on con­viction
thereof, be imprisoned in the Penitentiary not less than six
nor more than twelve months, or fined, in the discretion of the jury,
in a sum not less than one hundred nor more than five hundred
dollars, and imprisoned in the county jail for a period of not less
than three nor more than six months.

§ 4. If any injury shall result to the person or property of any
person or persons by reason of any of the unlawful acts denounced
in the preceding sections of this act, the person or persons engaged
or participating, or any one of them, in such unlawful act or acts,
shall, on conviction thereof, be confined in the Penitentiary for a
period of not less than twelve nor more than eighteen months, in
the discretion of the jury.

§ 5. For the purpose of more effectively enforcing the provisions
of this act, the Governor is hereby authorized and directed, upon the
presentation of evidence, made under oath, satisfactory to him, that
there has been a violation of the 4th section of this act, to offer a
reward of not less than one hundred and not more than five hundred
dollars, for the apprehension and conviction of each of the offenders;
one fourth of said reward to go to the informer, one fourth to the
officer making the arrest, one fourth to the county attorney, and one
fourth to the Commonwealth's Attorney prosecuting the offender or
offenders.

§ 6. It shall be the duty of the several sheriffs and other peace
officers of this Commonwealth, upon information furnished them by
written affidavit, made before any officer of the county authorized
to administer an oath, setting forth that said person or persons know,
or have reasonable grounds to believe, that two or more persons
disguised, or otherwise, bearing arms or deadly implements of any
character, have, within twenty-four hours preceding the time of the
making of such affidavit, visited any house, or were seen in any
neighborhood, disguised and bearing arms or other deadly imple­
ments, with a view of injuring, alarming, or intimidating any citi­
zen of said neighborhood, or that any citizen of said neighborhood
has, within said period of time, received any injury to his person or
that of any member of his family, or to his property, by reason of
the act or acts of any two or more persons, confederated or banded
together, in disguise or otherwise, for any unlawful purpose, to sum­
mon a posse comitatus of not less than five nor more than ten persons,
good and true men, and forthwith repair to such neighborhood,
where he may summon an additional posse of not less than five nor
more than twenty-five other persons, from the law-abiding citizens
of said neighborhood, and with the entire posse so summoned, shall
at once proceed to exercise all possible diligence and energy for the
discovery and arrest of all such offenders against the law; and to
this end the sheriff and his posse shall have power to pursue and
arrest any and all such offenders beyond the boundaries of his
county, into any other county of this Commonwealth, whenever he
has reasonable grounds for believing that such offenders, or any of
them, reside in, or have fled to, such other county; and it shall be
his duty, immediately after making such arrests or arrest, to carry
the persons or person so arrested before any magistrate of the county
where the offenses or offense was committed, to be dealt with accord­
ing to law.

§ 7. If any sheriff or other peace officer shall refuse or fail to dis­
charge any of the duties imposed upon him by the provisions of this
act, he shall, upon conviction thereof, be fined in any sum not less
than fifty nor more than five hundred dollars, for each separate
offense; and if any person summoned by the sheriff, or any other
peace officer, as a member of his posse, shall refuse or fail to obey
said summons, without good and sufficient cause, he shall, on like
conviction thereof, be fined in any sum not less than thirty
nor more than three hundred dollars.

§ 8. For the purpose of carrying out the provisions of the 6th
section of this act, and defraying all necessary expenses incurred
by the sheriff and his posse in execution thereof, the sheriff or other
peace officer shall make out an itemized account of said expenses,
and make oath to its correctness before the presiding judge of his
county, who shall certify the same to the Auditor of Public Accounts,
which officer shall, upon presentation of said account and certificate,
draw his warrant upon the Treasurer of the State for the full amount
ef said account in favor of such sheriff or other peace officer, which
warrant shall be paid out of any money in the Treasury not other­
wise appropriated.

§ 9. In any prosecution under this act, it shall be no exemption for
a witness that his testimony may criminate himself; but no such
testimony given by the witness shall be used against him in any prosecution, except for perjury; and he shall be discharged from all liability for any violation of this act, so necessarily disclosed in his testimony; and, furthermore, the person against whom he testifies shall not be received to prove any violation of this act theretofore by such witness.

§ 10. This act shall take effect from and after its passage.

The main question was ordered, and partly executed by the taking of the vote on the second division of the amendment proposed by Mr. McElroy to the bill under consideration, when Mr. McElroy moved to recommit the bill to the Committee on Military Affairs, which motion the Speaker decided to be out of order at this time.

From this decision of the Speaker Mr. Bascom appealed to the House, and reduced his appeal to writing.

And the question being taken, "Shall the decision of the Chair stand as the decision of the House?" it was decided in the affirmative.

And so the House sustained the Speaker in his decision of the question of order stated.

At 1 o'clock, A. M. (this day's session of the House being continued until March 29th), Mr. Dyer moved that the House do now adjourn.

And the question being taken on the motion of Mr. Dyer, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Force, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready),
Alpheus W. Bascom,
S. C. Bell,
Robert M. Carlisle,
George Carter,
James S. Chrisman,
William G. Conrad,

W. A. Allen,
A. C. Armstrong,
A. S. Arnold,
R. Tarv. Baker,
W. R. Bates,
W. N. Beckham,
John A. Bell,
J. C. S. Blackburn,
Wm. F. Bond,

M. L. Cooper,
John W. Dyer,
M. Woods Ferguson,
James B. Fitzpatrick,
James Garnett,
L. W. Lassing,
William J. McElroy,
J. E. Cossen,
Walter Evans,
Wm. Cassius Goodloe,
C. P. Gray,
J. P. Hampton,
George M. Jessee,
E. Polk Johnson,
J. J. McAfee,
Bryan S. McClure,

M. E. McKenzie,
W. A. Morin,
E. A. Robertson,
C. W. Threlkeld,
C. H. Webb,
F. A. Wilson,
S. H. Woolfolk—21.

Those who voted in the negative, were—

Wm. A. Allen,
A. C. Armstrong,
A. S. Arnold,
R. Tarv. Baker,
W. R. Bates,
W. N. Beckham,
John A. Bell,
J. C. S. Blackburn,
Wm. F. Bond,

J. E. Cossen,
Walter Evans,
Wm. Cassius Goodloe,
C. P. Gray,
J. P. Hampton,
George M. Jessee,
E. Polk Johnson,
J. J. McAfee,
Bryan S. McClure,

John Rowan,
J. P. Sackstede,
Frank Sackstede,
J. R. Sanders,
William Sellers,
James W. Snyder,
Harry I. Todd,
J. L. Waring,
Mordecai Williams,
Mr. Bates then moved to reconsider the vote by which said bill was ordered to be read a third time.

Mr. Carpenter moved to lay the motion of Mr. Bates on the table.

And then, at ten minutes past 1 o'clock, A. M., Mr. Jessee moved that the House do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bates and Baker, were as follows, viz:

Those who voted in the affirmative, were—

W. B. M. Brooks, John W. Ogilvie, Jonas D. Wilson,
Thomas P. Cardwell, Julian N. Phelps, J. N. Woods,
C. M. Clay, jr.,

Mr. Bascom moved to recommit the bill to the Committee on Military Affairs.

And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Force and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom, William J. McElroy, L. W. Traf ton,
S. C. Bell, E. A. Robertson, C. H. Webb,
R. L. Cooper, J. R. Sanders, F. A. Wilson,
Joseph P. Force,
Those who voted in the negative, were—

Mr. Speaker (M’Creary), John S. Carpenter, John W. Ogilvie,
Wm. A. Allen, J. E. Cosson, Julian N. Phelps,
A. C. Armstrong, Walter Evans, Hiram S. Powell,
A. S. Arnold, W. H. Evans, John Rowan,
W. W. Ayers, M. Woods Ferguson, J. P. Sacksteder,
R. Tarv. Baker, James Garnett, Frank Sacksteder,
W. R. Bates, Wm. Cassius Goodloe, William Sellers,
W. N. Beckham, C. P. Gray, James W. Snyder,
John A. Bell, J. P. Hampton, Harry I. Todd,
J. C. S. Blackburn, George M. Jesse, J. L. Waring,
Wm. F. Bond, E. Polk Johnson, Mordecai Williams,
W. B. M. Brooks, J. J. McAfee, Jonas D. Wilson,
Thomas P. Cardwell, Bryan S. McClure, J. N. Woods,

At 1½ o’clock, A. M., Mr. Bascom moved that the House do now adjourn.
And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foree and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

Alpheus W. Bascom, James Garnett, J. R. Sanders,
S. C. Bell, George M. Jesse, C. W. Threlkeld,
Robert M. Carlisle, M. E. McKenzie, L. W. Trafton,

Those who voted in the negative, were—

Mr. Speaker (M’Creary), J. E. Cosson, Julian N. Phelps,
Wm. A. Allen, Walter Evans, Hiram S. Powell,
A. C. Armstrong, W. H. Evans, John Rowan,
A. S. Arnold, M. Woods Ferguson, J. P. Sacksteder,
W. W. Ayers, Wm. Cassius Goodloe, Frank Sacksteder,
R. Tarv. Baker, C. P. Gray, William Sellers,
W. R. Bates, J. P. Hampton, James W. Snyder,
W. N. Beckham, E. Polk Johnson, Harry I. Todd,
John A. Bell, J. J. McAfee, J. L. Waring,
J. C. S. Blackburn, Bryan S. McClure, Mordecai Williams,
Wm. F. Bond, William J. McElroy, Jonas D. Wilson,
W. B. M. Brooks, W. A. Morin, J. N. Woods,
John S. Carpenter, John W. Ogilvie, J. M. Wright—49.

Mr. W. Evans moved the previous question.
And the question being taken, “Shall the main question be now put?” and no quorum voting thereon, said motion was lost.
The yeas and nays being required thereon by Messrs. Bascom and W. Evans, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (McCreary) John S. Carpenter, W. A. Morin,
Wm. A. Allen, C. M. Clay, Jr., John W. Ogilvie,
A. C. Armstrong, J. E. Cosson, Julian N. Phelps,
A. S. Arnold, Walter Evans, Hiram S. Powell,
W. W. Ayers, W. H. Evans, J. P. Sacksteder,
R. Tarv. Baker, M. Woods Ferguson, Frank Sacksteder,
Alpheus W. Bascom, James Garnett, William Sellers,
W. R. Bates, Wm. Cassius Goodloe, James W. Snyder,
W. N. Beckham, C. P. Gray, C. W. Threlkeld,
John A. Bell, J. P. Hampton, Harry I. Todd,
S. C. Bell, George M. Jesse, J. L. Waring,
J. C. S. Blackburn, E. Polk Johnson, Mordecai Williams,
Wm. F. Bond, J. J. McAfee, Jonas D. Wilson,
W. B. M. Brooks, Bryan S. McClure, J. N. Woods,

Those who voted in the negative, were—


Mr. E. Polk Johnson then 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. E. Polk Johnson and Wright, were as follows, viz:

Wm. A. Allen, W. H. Evans, E. A. Robertson,
A. C. Armstrong, James B. Fitzpatrick, J. P. Sacksteder,
R. Tarv. Baker, James Garnett, Frank Sacksteder,
Alpheus W. Bascom, Wm. Cassius Goodloe, J. R. Sanders,
W. N. Beckham, C. P. Gray, William Sellers,
John A. Bell, J. P. Hampton, James W. Snyder,
S. C. Bell, George M. Jesse, C. W. Threlkeld,
J. C. S. Blackburn, E. Polk Johnson, Harry I. Todd,
Wm. F. Bond, J. J. McAfee, L. W. Trafton,
Thomas P. Cardwell, Bryan S. McClure, J. L. Waring,
John S. Carpenter, William J. McElroy, Mordecai Williams,
C. M. Clay, Jr., M. E. McKenzie, F. A. Wilson,
R. L. Cooper, John W. Ogilvie, Jonas D. Wilson,
J. E. Cosson, Hiram S. Powell, J. M. Wright—48,
Walter Evans,

At 2 o’clock and forty-five minutes, A. M., Mr. Bascom moved that the House do now adjourn.
And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baker and Wright, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Arnold, James Garnett, Mordecai Williams—3.
Those who voted in the negative, were—

Wm. A. Allen,          J. E. Cosson,          E. A. Robertson,
A. C. Armstrong,       W. H. Evans,          J. P. Sacksteder,
R. Tarv. Baker,        Wm. Cassius Goodloe, Frank Sacksteder,
Alpheus W. Bascom,     C. P. Gray,           J. R. Sanders,
W. N. Beckham,         J. P. Hampton,        William Sellers,
John A. Bell,          George M. Jesse,      C. W. Threlkeld,
S. C. Bell,            E. Polk Johnson,      Harry L. Todd,
J. C. S. Blackburn,    J. J. McAfee,         L. W. Trafton,
Wm. F. Bond,           Bryan S. McClure,     J. L. Waring,
W. B. M. Brooks,       Wm. J. McElroy,       C. H. Webb,
Thomas P. Cardwell,    M. E. McKenzie,       F. A. Wilson,
John S. Carpenter,     John W. Ogilvie,      Jonas D. Wilson,

A quorum having appeared in the House, on motion of Mr. Wright, all further proceedings under the order for a call of the House were dispensed with.

Mr. Wright then moved that the further consideration of the bill be postponed to, and made special order of the day for, Tuesday next, at 8 o'clock, P. M.

And the question being taken on the motion of Mr. Wright, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sacksteder and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen,          James S. Chrisman,     J. L. Nall,
A. C. Armstrong,       C. M. Clay, jr.,       Mat. Nunan,
W. W. Ayers,           William G. Conrad,     Julian N. Phelps,
G. W. Bailey,          J. E. Cosson,         Hiram S. Powell,
R. Tarv. Baker,        W. H. Evans,          E. A. Robertson,
W. W. Baldwin,         James B. Fitzpatrick, William Sellers,
Alpheus W. Bascom,     James Garnett,        C. W. Threlkeld,
W. N. Beckham,         C. P. Gray,           Harry L. Todd,
John A. Bell,          J. P. Hampton,        J. L. Waring,
S. C. Bell,            E. Polk Johnson,      C. H. Webb,
J. C. S. Blackburn,    T. J. Jones,          J. M. White,
William F. Bond,       J. J. McAfee,         Mordecai Williams,
William Brown,         Bryan S. McClure,     F. A. Wilson,
Thomas P. Cardwell,    William J. McElroy,   J. N. Woods,
George Carter,

Those who voted in the negative, were—

L. W. Lassing,

And then the House adjourned.
SATURDAY, MARCH 29, 1873.

On motion of Mr. Cooper,
Ordered, That Messrs. Cooper, Robertson, and Waring be appointed a committee, to act in conjunction with a committee which may be appointed by the Senate for the same purpose, to wait upon the Governor, and request him to return, unsigned, to the Senate, in which it originated, an enrolled bill, entitled
An act to amend the charter of the city of Maysville.
Leave of absence, indefinitely, was granted Mr. Dyer.

On motion of Mr. Bond,
Ordered, That the consideration of the majority and minority reports of the committee heretofore appointed to investigate certain charges against the Superintendent of the Feeble-minded Institute (made a special order for this day), be postponed to, and made special order of the day for, Tuesday, April 1st, at 11 o'clock, A.M.

The House took up from the orders of the day a bill, entitled
A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.
Mr. Brown offered a substitute for said bill by way of amendment thereto.

On motion of Mr. Brown,
Ordered, That said proposed amendment be printed, and that the consideration of said bill and proposed amendment (substitute) be postponed to, and made the special order of the day for, Monday, the 7th day of April, at eight o'clock, P.M.

Mr. Wright, from the Committee on Revised Statutes, to whom was recommitted a bill, entitled
A bill providing for the appointment of commissioners to represent Kentucky at the International Exposition at Vienna,
Reported the same without amendment.

On motion of Mr. J. P. Sacksteder,
Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Carpenter, from the Committee on Education, who were directed to prepare and bring in the same, reported
A bill to incorporate the American Industrial College. Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the Statutes.

Chapter 55, title "Inclosures and Certain Trespasses," being under consideration, the amendment proposed by Mr. Garnett was then rejected.

Said chapter, as amended, was then adopted.

And then the House adjourned.

MONDAY, MARCH 31, 1873.

The following petitions were presented, viz:

By Mr. McAffee—

1. The petition of sundry citizens of Anderson county, praying the concurrence by this House in a Senate bill providing for the relief of the Lawrenceburg sufferers by fire.

By Mr. Morin—

2. The petition of citizens of, and property-holders in, the district cited by an act to authorize a portion of the Jamestown magisterial district, in Campbell county, to purchase the Newport and Dayton Turnpike Road, and to bridge Taylor's creek, praying the passage of said act.
Which were received, the first read, and the reading of the second dispensed with, and it referred to the Committee on Internal Improvement.

Leave was given to bring in the following bills, viz:

1. A bill for the benefit of the Paducah and Northeastern Railroad Company.

2. A bill for the benefit of common school district No. 3, in Franklin county.

Ordered, That the Committee on Railroads prepare and bring in the 1st, and the Committee on Education the 2d.

Leave of absence, indefinitely, was granted Messrs. Lassing, Graves, and Woolfolk.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts incorporating the town of Brooksville, in Bracken county."

An act for the benefit of R. F. Scott, sheriff of Garrard county.

An act to amend the charter of the Elizabethtown and Paducah Railroad Company.

An act for the benefit of the Falmouth and Claysville Turnpike Road, in Pendleton county.

An act to incorporate Augusta and Mount Olivet Turnpike Road Company, in Bracken and Robertson counties.

An act to incorporate the Prestonsburg Academy and Normal School Joint Stock Company.

An act to amend the act incorporating the Cabin Creek Turnpike Road Company.

An act to incorporate the St. Patrick's Benevolent Society of Paris.

An act for the benefit of school district No. 34, in Garrard county.

An act for the benefit of Barney Sisk, jailer of Hopkins county.

An act to amend the charter of the Winchester and Muddy Creek Turnpike Road Company.

An act for the benefit of George Sublett, of Elliott county.

An act to authorize the change of the State road at Cane creek bridge, between Milburn and Columbus.
An act for the benefit of James Ficklin, sheriff of Bath county.
An act for the benefit of Arnold S. Hardy.
An act for the benefit of Wm. Chamberland, of Russell county.
An act to authorize the voters of the town of Clinton to vote upon proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of the same.
An act to repeal an act, entitled "An act to establish an institution of learning in the town of Hardinsville, in Shelby county."
An act to authorize the sale and conveyance of the property of the Kendrick Institute, in Wayne county.
An act to incorporate the Muhlenburg Mining Company.
An act in relation to the Cabin Creek, Sand Hill, and Manchester Turnpike Road Company.
An act to empower the court of claims of Shelby county to levy an additional ad valorem tax.
An act for the benefit of school district No. 46, in Mercer county.
An act for the benefit of James P. Bailey, late sheriff of Lincoln county.
An act for the benefit of Peter Perry, committee of John Perry, a pauper idiot (of color), of Hart county.
An act for the benefit of Leonidas H. Voshell, of Boone county.
An act for the benefit of Johnson V. Oakley, of Morgan county.
An act for the benefit of John Scott, of Pike county.
An act for the benefit of John L. Slavin, former sheriff of Garrard county.
An act for the benefit of common schools in Kenton county.
An act for the benefit of the Auditor of Public Accounts.
An act to amend an act, entitled "An act fixing the time of holding the terms of the circuit courts in the tenth judicial district."
An act for the benefit of the Glasgow Railroad.
An act to organize Urania school district, in Barren county.
An act to incorporate the Alexandria Cemetery Company, in Campbell county.
An act to incorporate the Evansville and Henderson Railroad Packet Company.
An act amending an act incorporating the Vanceburg, Salt Lick, Tolsboro, and Maysville Turnpike Road Company.
An act to incorporate the Paris Harmonic Society, of Paris.
An act to authorize the school commissioner of Campbell county to redistrict the school districts of said county, and to repeal an
act, entitled "An act to provide for the redistricting the school districts of Campbell county," approved March 5th, 1872.

An act to exempt certain persons in Fayette and Scott counties from work on public roads.

An act to amend an act, entitled "An act to charter the Owensboro and Russellville Railroad Company."

An act to incorporate Brothers' Lodge, No. 132, Independent Order of Odd Fellows, of Owensboro.

An act to amend the charter of the Nicholasville and Kentucky River Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Little Benson and Lane's Mill Turnpike Road Company," approved March 20th, 1871.

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

An act for the benefit of John W. Duncan, sheriff of Wayne county.

An act for the benefit of Wilson Morgan, late sheriff of Clay county.

An act for the benefit of John A. Lafferty, late sheriff of Harrison county.

An act to incorporate the Fox Creek and Washington County Turnpike Road Company.

An act to incorporate Daniel Boone Lodge, No. 2, Knights of Pythias, in the city of Louisville.

An act to amend chapter 47 of the Revised Statutes, entitled "Husband and Wife."

An act to authorize the Anderson county court to issue bonds and levy a tax for the relief of certain citizens of Lawrenceburg.

An act to incorporate the Baptist Church at Elkton, in Todd county.

An act to amend an act, entitled "An act to incorporate the Rebecca Benevolent Society, of Covington."

An act to amend an act, entitled "An act to incorporate St. Augustine Cemetery, near Lebanon."

An act for the benefit of Geo. P. Gillum, sheriff of Logan county.

An act for the benefit of J. C. Calhoun, late sheriff of McCracken county.

An act to incorporate the Lebanon and Pope's Creek Turnpike Road Company.
An act to amend an act to incorporate the Bourbon Female College, approved March 14, 1872.

An act to amend an act to incorporate the Highland Racing Park Association.

An act to authorize the county court of Bourbon county to pay Geo. M. Hibler, circuit clerk of said county, for continuing index and cross-index of suits in said court.

An act to repeal an act, entitled "An act for the benefit of Levi Kash, judge of the Wolfe county and quarterly courts," approved March 6, 1868.

An act for the benefit of Rockcastle county.

An act for the benefit of common school district No. 45, in Ballard county.

An act for the benefit of Wm. H. Fitzpatrick, sheriff of Floyd county for the years 1871 and 1872.

An act to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville.

An act to prohibit the sale of spirituous, vinous, or malt liquors in Crittenden county.

An act chartering the Young Men's Savings Association of New Liberty, Owen county.

An act to prohibit the sale of spirituous liquors or intoxicating beverages in Greenup county.

An act to establish a common school for the benefit of the colored people of Catlettsburg and vicinity.

An act to amend the charter of the town of Frenchburg, in Menifee county.

An act to amend the charter of the town of Marion, in Crittenden county.

An act in relation to the punishment of persons aiding in the escape of inmates from the Louisville House of Refuge.

An act to incorporate Phantom Lodge, No. 15, of the Knights of Pythias.

The House took up the amendment proposed by the Senate to the amendment proposed by this House to a bill, which originated in the Senate, entitled

An act for the benefit of keepers of licensed stud horses, jacks, and bulls.

Said amendment was concurred in.
The House took up the several amendments proposed by the Senate to bills which originated in this House of the following titles, viz:

An act to amend an act incorporating the Cincinnati, Covington, and Cumberland Gap Railroad Company, approved 11th March, 1867.

An act to incorporate the St. Bernard Transportation Company.

Said amendments were severally concurred in.

The Committee on the Judiciary, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

By Mr. Garnett—
1. A bill to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

By Mr. W. Evans—
2. A bill to require delinquent tax lists to be recorded in the county court clerk's office.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be recommitted—the first to the Committee on the Judiciary, and the second to the Joint Committee on the Revision of the Statutes.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred bills from the Senate of the following titles, viz:

An act to repeal all laws heretofore enacted, adopting John Elrod as heir-at-law of H. B. Elrod or Jane Elrod, of Warren county;

An act to establish an assessor's agent for the further regulation and assessment of property in the city of Louisville, and the collection of taxes on the same;

Reported the same without amendment, and with the expression of opinion that said bills ought not to pass.

The question was then severally taken, "Shall the bill pass, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bills were disagreed to.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a resolution offered by Mr. Thomas, providing for the redistricting of the State into a certain number of judicial districts,

Reported the same without the expression of opinion thereon.

On motion of Mr. Force, said resolution was laid on the table.
Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of R. L. Ewell, clerk of the Laurel county court.

Reported the same with a substitute as an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit and relief of persons who have paid tax on income from United States bonds, imposed by an act passed and approved March 8th, 1867,

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, An act was passed and approved March 8th, 1867, entitled "An act to tax income on United States bonds;" and by said act a tax of five (5) per cent. was imposed on income derived from United States bonds against all tax-payers owning and deriving income from United States bonds in this State; and whereas, said tax so imposed and collected was assessed and collected as a separate tax, and the records of the Auditor's Office will show a complete list of the names of all persons from whom said tax was collected, and the amount paid by each taxpayer; and whereas, the Court of Appeals of this State, in the case of the Bank of Kentucky against the Commonwealth, decided and declared said act of March 8th, 1867, illegal and unconstitutional; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all taxes assessed and collected of tax-payers in this State, under said act of March 8th, 1867, and entitled "An act to tax income on United States bonds," shall be refunded and paid back to each and every person from whom the same was collected; and the Auditor of Public Accounts is hereby directed, upon the presentation to him of the tax receipts, or other satisfactory evidence showing the payment of said tax under said act of March 8th, 1867, by any person from whom said tax was collected, shall draw his warrant upon the Treasurer in favor of such person for the amount of tax so paid, and in conformity to, and corresponding with, the name of such person, and amount of tax paid by such person, as shown and evidenced by the records of the Auditor's office; or in case of the death of any person from whom said tax was collected, the warrant shall be drawn by the Auditor in favor of the personal representatives of such deceased person, and which warrant shall be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That said act, passed and approved March 8th, 1867, and entitled "An act to tax income on United States bonds," be, and the same is hereby, repealed.

§ 3. This act shall take effect and be in force from and after its passage.
Mr. W. Evans moved to amend said bill by striking out section two thereof.

And the question being taken on the motion of Mr. Evans, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time.

The question was then taken on the passage of said bill, and it was decided in the negative, not having received a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. N. Beckham,  Manlius T. Flippin,  Hiram S. Powell,
S. C. Bell, Joseph P. Foree,  E. A. Robertson,
William Brown,  James Garnett,  J. R. Sanders,
George Carter,  C. P. Gray,  Harry I. Todd,
R. L. Cooper,  Clinton Griffith,  Mordecai Williams,
J. E. Cosson,  J. P. Hampton,  F. A. Wilson,
Walter Evans,  W. A. Morin,  Jonas D. Wilson,
W. H. Evans,  John W. Ogilvie,  J. N. Woods,
James B. Fitzpatrick,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) Thomas P. Cardwell,  J. L. Nall,
Wm. A. Allen,  James S. Chrisman,  Julian N. Phelps,
W. W. Ayers,  E. Polk Johnson,  John Rowan,
G. W. Bailey,  T. J. Jones,  John P. Rowlett,
Alpheus W. Bascom,  Bryan S. McClure,  Samuel M. Sanders,
W. R. Bates,  Wm. J. McElroy,  James W. Snyder,
John A. Bell,  M. E. McKenzie,  C. W. Threlkeld,

Mr. Chrisman then moved to reconsider the vote by which said bill was disagreed to.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

Mr. Chrisman also moved to reconsider the vote by which said bill, as amended, was ordered to be read a third time.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

And so said votes were reconsidered.

Mr. Foree then moved to recommit said bill to the Committee on the Judiciary.
And the question being taken on the motion of Mr. Force, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Evans, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary), J. E. Cosson, Lewis Potter,
Wm. A. Allen, M. Woods Ferguson, Hiram S. Powell,
W. W. Ayers, James B. Fitzpatrick, E. A. Robertson,
G. W. Bailey, Joseph P. Force, John Rowan,
W. R. Bates, James Garnett, John P. Rowlett,
W. N. Beckham, E. Polk Johnson, J. R. Sanders,
John A. Bell, T. J. Jones, Samuel M. Sanders,
S. C. Bell, William J. McElroy, James W. Snyder,
J. C. S. Blackburn, M. E. McKenzie, C. W. Threlkeld,
Church H. Blakey, J. C. Moorman, J. M. White,
Thomas P. Cardwell, W. A. Morin, Mordecai Williams,
George Carter, J. L. Nall, F. A. Wilson,
James S. Chrisman, John W. Ogilvie, J. M. Wright—41.
R. L. Cooper, Julien N. Phelps,

Those who voted in the negative, were—

Alpheus W. Bascom, Manlius T. Flippin, Harry I. Todd,
William Brown, C. P. Gray, Jonas D. Wilson,
W. H. Evans,

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to prohibit partnerships to practice law between circuit, chancery, and criminal court clerks and county court clerks.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then, according to order, resumed the consideration of the report of the Senate of their action on the report of the joint committee on the report of the Commissioners to revise the Statutes.

Chapter 56, title "Incorporated Companies;"
Chapter 57, title "Injuries to Persons or Property;"
Chapter 59, title "Inspection;"
Were each adopted without amendment.

Chapter 58, title "Insolvent Debtors," was, on motion of Mr. Garnett, amended, and, as amended, was then adopted.

Chapter 60, title "Insult and Usury," being under consideration, Mr. Foree moved to amend the same by striking out all of article 2. Mr. W. Evans offered an amendment to the amendment proposed by Mr. Foree.

Mr. Blakey offered a substitute, as an amendment for the amendments proposed by Messrs. Foree and Evans, which was rejected.

The amendment proposed by Mr. Evans was then rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Foree, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foree and S. M. Sanders, were as follows, viz:

Those who voted in the affirmative, were—
Wm. A. Allen, W. H. Evans, Hiram S. Powell,
W. W. Ayers, Manlius T. Flippin, J. R. Sanders,
G. W. Bailey, Joseph P. Force, Samuel M. Sanders,
W. R. Bates, J. P. Hampton, James W. Snyder,
W. N. Beckham, Bryan S. McClure, Harry I. Todd,
Thomas P. Cardwell, William J. McElroy, J. M. White,
James S. Chisam, J. L. Nall,

Those who voted in the negative, were—
Alpheus W. Bascom, C. P. Gray, E. A. Robertson,
John A. Bell, Clinton Griffith, John Rowan,
S. C. Bell, E. Polk Johnson, John P. Rowlett,
J. C. S. Blackburn, T. J. Jones, C. W. Threckeld,
Church H. Blakey, J. J. McAltee, Mordecai Williams,
R. L. Cooper, J. C. Moorman, F. A. Wilson,
J. E. Cossen, W. A. Morin, J. N. Woods,
Walter Evans, John W. Ogilvie, S. H. Woolfolk,
James Garnett, Lewis Potter,

Amendments were offered by Messrs. Rowlett and Bascom, which were adopted.

Said chapter, as amended, was then adopted.

Chapter 61, title "Jails and Jailors," being under consideration, Mr. W. Evans offered an amendment thereto, which was adopted.

And said chapter, as amended, was adopted.

And then the House, under the rule, took a recess until 7½ o'clock, P. M.
At 7½ o'clock, P. M., the House again reassembled.
A message was received from the Senate, announcing that they had passed a bill, entitled
An act to repeal section 17 of an act to incorporate the Chattaroi Railway Company, approved 11th March, 1873.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be referred to the Committee on Railroads.
Mr. Chrisman moved the following joint resolution, viz:
Resolved by the General Assembly of the Commonwealth of Kentucky, when the two Houses of this General Assembly adjourn on Tuesday, the 15th day of April, 1873, they shall adjourn sine die.
The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up, twice read, and adopted.
Messrs. Chrisman, Clay, and Threlkeld were appointed a committee to communicate said resolution to the Senate.
On motion of Mr. Williams, leave was given to bring in a bill, entitled
A bill to amend an act, entitled "An act to amend the charter of the Big Sandy Valley Railroad Company."
Ordered, That the Committee on Railroads prepare and bring in said bill.
Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:
By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to incorporate the United Colored Baptist Church, of Lancaster.
By Mr. Bailey, from the same committee—
A bill to amend the charter of the Webster Coal Company, approved March 9, 1867, and amendments thereto, approved March 20, 1871.
By Mr. McClure, from the Committee on Religion—
A bill to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof," approved February 28, 1872.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to change the name of the Trayser Piano-forte Company, of Maysville.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The House then took up the motion heretofore made to reconsider the vote by which the House passed a bill, entitled

A bill uniting the offices of Adjutant General and Quarter-Master General.

Mr. Brown moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Brown, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Baseem and Beckham, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) W. H. Evans, Frank Sacksteder,
Wm. A. Allen, Manlius T. Flippin, William Sellers,
W. W. Ayers, Joseph P. Force, James W. Snyder,
William Brown, Wm. Cassius Goodloe, J. M. White,
Thomas P. Cardwell, C. P. Gray, F. A. Wilson,
C. M. Clay, jr., T. J. Jones, Jonas D. Wilson,
William G. Conrad, Bryan S. McClure, J. N. Woods,
The question was then taken on the motion to reconsider the vote by which said bill was passed, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brow~ and Wright, were as follows, viz:

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<td>Mr. Speaker (McCrea)</td>
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<td>W. A. Allen</td>
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<td>W. W. Ayers</td>
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<td>Julian N. Phelps</td>
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<th>Those who voted in the negative, were-</th>
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<td>Wm. A. Allen</td>
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<td>J. E. Cosson</td>
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<td>Walter Evans</td>
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<td>W. H. Evans</td>
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<td>Manlius T. Fippin</td>
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<td>Joseph P. Force</td>
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On motion of Mr. Wright, the vote by which said bill was ordered to be engrossed and read a third time was also reconsidered.

Mr. Wright offered a substitute by way of amendment for said bill.

By consent of the House, Mr. Ogilvie also offered a substitute by way of amendment for said bill.
Mr. McElroy moved that said bill and proposed amendments be recommitted to the Joint Committee on the Revision of the Statutes.

And the question being taken on the motion of Mr. McElroy, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Brown, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, C. M. Clay, jr., R. L. Cooper,
Alpheus W. Bascom, M. Woods Ferguson, Frank Sacksteder,
W. R. Butts, James Garnett, J. R. Sanders,
W. N. Beckham, J. S. Lawson, C. W. Threlkel,
John A. Bell, William J. McElroy, L. W. Trafton,
S. C. Bell, M. E. McKenzie, J. L. Waring,
J. C. S. Blackburn, W. A. Morin, G. H. Webb,
Church H. Blakey, J. L. Nall, J. M. White,
George Carter,
James S. Chrisman, E. A. Robertson,

Those who voted in the negative, were—

Mr. Speaker (M'Cready) Hiram S. Powell,
Manlius T. Flippin, Samuel M. Sanders,
Joseph P. Fores, William Sellers,
Wm. Cassius Goodloe, Harry I. Todd,
William Brown, Mordecai Williams,
C. P. Gray, Jonas D. Wilson,
Thomas P. Cardwell, Bryan S. McClure,
T. J. Jones, J. N. Woods,
William G. Conrad, John W. Ogilvie, J. M. Wright—26,
J. J. McAfee,
J. E. Casson,
Walter Evans,
W. H. Evans,

And then the House adjourned.
TUESDAY, APRIL 1, 1873.

Leave was given to bring in the following bills, viz:

On motion of Mr. Flippin—
1. A bill for the benefit of J. B. Evans, of Monroe county.

On motion of Mr. Graves—
2. A bill for the benefit of Joseph Campbell, for the keeping of a pauper lunatic.

On motion of Mr. Sellers—
3. A bill to incorporate the Lancaster Building and Loan Association.

On motion of Mr. Morin—
4. A bill to authorize a portion of Jamestown magisterial district, in Campbell county, to purchase the Newport and Dayton Turnpike, and to bridge Taylor creek.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Claims the 2d; the Committee on Corporate Institutions the 3d; and the Committee on Internal Improvement the 4th.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Morin, from the Committee on Education—
A bill to establish a colored free school at Bowling Green.

By Mr. Waring, from the Committee on Railroads—
A bill to amend an act, entitled "An act to amend the charter of the Big Sandy Valley Railroad Company."

By Mr. Blackburn, from the Committee on Railroads—
A bill to amend the charter of the Eastern Kentucky Railway Company.

By Mr. Garnett, from the Committee on the Judiciary—
A bill to further define the duties of Commonwealth and county attorneys.

By same—
A bill to provide for the payment of conveying prisoners to the House of Reform.

By same—
A bill for the benefit of the tax-payers of Carter county.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Ogilvie, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Jefferson and Brownsville and Harrod's Creek and Sand Hill Turnpike Road Companies and branches,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bascom moved to reconsider the vote by which this House adopted a resolution offered on yesterday by Mr. Chrisman, providing for a final adjournment of this General Assembly on the 15th inst.

Mr. Blackburn moved the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee, consisting of three members of the House and two members of the Senate, be appointed, whose duty it shall be to inquire into the cause of the delay in the enrollment of the chapters of the revision of the Statutes, and the presentation of the same to the Governor for his consideration; and it shall be the duty of the said committee to inquire into and report to the two Houses of this General Assembly who, if any one, is responsible for this delay, and what, if anything, is necessary to secure the prompt presentation of the said work to the Governor, together with any and all other bills passed, or that may be passed, by this General Assembly.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up, twice read, and adopted.

Said resolution having been communicated to the Senate, a message was received therefrom, announcing that they had concurred in the adoption of the same.
And thereupon the Speaker appointed on said committee, on the part of the House, Messrs. Blackburn, F. A. Wilson, and Blakey.

The House took up a joint resolution from the Senate, entitled Resolution in relation to the enrolling of the chapters of the Revised Statutes when acted on by the two Houses.

Said resolution being twice read, was concurred in.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, 
FRANKFORT, March 31, 1873.

Gentlemen of the Senate and House of Representatives:

In compliance with the terms of a resolution which was adopted by your honorable body, and approved 18th day of January, 1873, providing for appointment of Commissioners to the National Prison Reform Congress, I appointed Hon. K. F. Prichard, John Thompson Gray, Esq., and Rev. John F. South, who visited and attended said Congress at the city of Baltimore; and I have the honor now to lay before you the joint report of said Prichard and Gray, and the separate report of said South, made to me upon their return.

Respectfully,

P. H. LESLIE.

Ordered, That said message be referred to the Committee on the Penitentiary.

[For Report—see Legislative Document No. 21.]

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, 
FRANKFORT, March 27, 1873.

Gentlemen of the Senate and House of Representatives:

I herewith respectfully lay before you a communication from His Excellency, John McEnery, Governor of Louisiana, inclosing an address to the people of that State and of the Union, issued by authority of a joint resolution of the General Assembly of Louisiana, and invite your serious consideration of the allegations which it presents.

The bitter strife which characterized the contest which succeeded the late Gubernatorial election in Louisiana, and the calamities which ensued, have for months painfully occupied the attention of the whole country, and need no recital here. The domestic troubles of our sister State may excite interest and sympathy in us, but they are beyond the pale of our censure or advice. Whatever of alleged wrong and fraud may have attended this strife of parties, it is not for us to inquire into.
Such evils a State, which is of right sovereign and independent, must deal with for itself.

But the struggle in which Louisiana appeals to us now, is no mere conflict of intestine factions. Her agony is a political crisis of the nation. The constitutional liberty, the independence of every State, is involved in the issue. To-day a species of pro-consular Government has superseded the elect of the people in that State—a Government created by the interlocutory decree of a United States District Judge, and which would not live a day but for the support of Federal authority maintained by Federal bayonets. A Federal District Judge usurping authority in matters purely political, over which he had not the least jurisdiction, has presumed upon the allegations of a bill in chancery to restrain and set aside the legally appointed board of returning officers for the State of Louisiana, and recognize others, without authority of law, in their stead; and to set aside in like manner the legally elected Governor and other State officers and members of the General Assembly, recognizing in their place defeated candidates whom the illegal board had declared elected upon the pretended evidence of fraudulent and fictitious returns.

He furthermore enjoined and restrained the proprietors of the New Orleans Republican, the official journal of the State of Louisiana, from publishing any official notice or statement of the canvass of votes emanating from the lawful Governor of the State or the board of returning officers. To complete his work of usurpation, this satrap judge issued from his private residence an order—not the mandate of a judge in court, but a vice-royal decree, of which the Committee of the United States Senate on Privileges and Elections says: "Out of court, at his house, late at night, December 5, without application by any party, he made the following order, which is without parallel, and, it is hoped, will remain so in judicial proceedings." By this order he commanded the marshal, with a detachment of Federal troops, acting as a posse comitatus, to seize upon the building used as a State-house, with instructions to exclude the legislators elected by the people, and admit only those persons whose names were on the lists furnished by the pretended Secretary of State. Of these a General Assembly was organized, who immediately proceeded to impeach and suspend from office the lawful Governor of the State, and installing their partisan, the Lieutenant Governor, in his place.

Of the order which authorized these extraordinary proceedings the report of the Committee of the United States Senate says: "It is impossible to conceive of a more irregular, illegal, and, in every way, inexcusable act on the part of a judge. Conceding the power of the court to make such an order, the judge out of court had no more authority to make it than had the marshal. It has not even the form of judicial process. It was not sealed, nor was it signed by the clerk, and had no more legal effect than an order issued by any private citizen."

And in reference to a bill in equity, under which writs of injunction were granted restraining the lawfully elected members and officers of the Legislature from assisting in the organization of the General Assembly, the report of said committee declares:
"Indeed, it is impossible not to see that this bill was filed, and the restraining order thereon was issued, for the sole purpose of accomplishing what no Federal court has the jurisdiction to do—the organization of a State Legislature. And your committee cannot refrain from expressing their astonishment that any Judge of the United States should thus unwarrantably have interfered with a State Government, and know no language too strong to express their condemnation of such a proceeding.

Unfortunately for the cause of constitutional liberty, public peace and justice, the Federal Executive, under a mistaken sense of duty, instead of rebuking this presumptuous order of a District Judge, determined to enforce it, and the usurping Government is sustained to-day under his authority by the military power of the United States.

The most reprehensible and ominous feature, perhaps, of the whole transaction, is found in the fact that the unlawful and unconstitutional acts of both the District Judge and the Federal Executive are sought to be justified, not on the ground of right, but of expediency. The District Judge, for instance, admits the validity of the lawfully appointed returning board, but supersedes it for fear its recognition might be productive of evil. The President must have been, ere this, fully convinced that the Government which was created and is still maintained in Louisiana by the authority and military power of the United States is not in anywise the lawfully elected Government of that State; and yet he continues to recognize and support it as the de facto Government, forgetting that it is such only by the intervention of his authority and the army of the United States; for all concede that, but for the illegal interference of the United States authorities, civil and military, the lawfully elected Government would have been peaceably inaugurated as the Government both de facto and de jure, and as such, submitted to by the people.

Upon what plea can any authority be justified in taking advantage of its own wrong, or can derive a legal right from its own violation of law? The proposition which claims a right in such a case to recognize a de facto Government, when fairly interpreted, amounts plainly and simply to this: That a President of the United States may, in the interests of party, if so inclined, through the agency of the Federal Court, supported by Federal troops, directly or indirectly crush out the Government elected by the people, and installing the defeated candidates of his party, recognize them, in defiance of Constitution and laws, as a Government de facto, denouncing and treating all recusants as rebels.

For such procedure the Congressional legislation to enforce the Fifteenth Amendment to the Constitution will always furnish in the Southern States abundant occasion and pretext. I do not impute to the President such sinister purpose in the present instance; and yet by whatever motives he may have been actuated, the disastrous result has attended his policy, and to-day unhappy Louisiana is more a pro-consular Province than a sovereign and independent State of our Federal Union. By the intervention of Federal authority, under the pretext of enforcing the Fifteenth Amendment, the Government of her choice has been set aside, and the candidates of a defeated political party made to
bear rule over her. We learn, therefore, without surprise, that within her borders "business is paralyzed, commerce frightened away, trade "stopped, credit destroyed, confidence lost, and withal taxes increased."

No plea can excuse such an outrage upon the constitutional rights of a State. The control of her own elections, untrammeled by any interference from without, is essential to self-government, and is guaranteed to her by the Federal Constitution and laws. It is true that, by the act of Congress of May 31, 1870, candidates for certain offices, if defeated by a denial of the right of suffrage to the black man, and the sole question of title to such offices arises out of such denial, may bring the case before a Circuit or District Court of the United States, which shall have, concurrently with the State Courts, jurisdiction thereof, "so far as to "determine the rights of the parties to such office by reason of the "denial of the right guaranteed by the Fifteenth Article of Amendment "to the Constitution of the United States."

This law was enacted simply to secure to the colored man his right of suffrage; and from its operation candidates for seats in a State Legislature are specially excepted. But such provision of law, whilst it may serve as a pretext, cannot be plead to authorize such a subversion of State Government as we are considering. Could it be so used, self-government in the States would be at an end. If, as is conceded, the setting up of the usurping government in Louisiana was a wrong, it is a wrong still, and every day of its continuance is an aggravated wrong. That the Governor and Legislature who have been thus wrongfully superseded should still assert their claim to offices to which they believe they have been fairly elected by the people, and firmly maintain their protest against the Federal interference which has forbidden them the exercise of their rights, is a duty to their State and to the cause of republican liberty which they cannot honorably avoid, and in the discharge of which I feel they are entitled to our largest sympathy and moral support. Besides, their cause is our cause; for their danger is our danger. The bitter cup of which they drink to-day may be soon commended to our own lips. For the President of the United States, in his last annual message, has declared, in full view of this case, that "No Executive control is exercised in any one of the Southern States that "would not be exercised in any of the States under like circumstances."

We must recollect that the present status of Louisiana is quite different from that of the seceding States after the late civil war. Then the extraordinary and unconstitutional measures adopted in the reconstruction of those States—measures acknowledged to be above and beside the Constitution—were with some plausibility justified by their advocates on the grounds that, being a case, from the very nature of the federal compact not provided for in the Constitution, the victors had the right to dictate terms to the vanquished; and much exceptional legislation was excused by the maxim that "the public safety is the highest law." In fact, the unsuccessful attempt at secession by the Southern States wrought a political revolution in the entire nation, the inevitable results of which were of necessity accepted. But to-day, as when this act of usurpation was laid upon her, Louisiana is a reconstructed State, fully entitled to all the rights guaranteed by the Constitution to the sovereign and independ-
ent States of the Federal Union; and when any of those rights are invaded in her, they are potentially and virtually invaded in all. To abandon her is to abandon the common cause of State rights, the preservation of which is the only bond which can perpetuate our cherished Federal Union.

If the great wrong which has been perpetrated against her shall pass unchallenged and unredressed now, it may serve as a precedent to render resistance to similar encroachments more difficult in the future. The rolling stone which a child's hand may easily arrest in its first career, often becomes a resistless, crushing avalanche, that no obstacle can check. Surely if an earnest appeal be made to the Congress of the United States, there will be found in our national councils statesmen enough patriotic, just and wise of heart, to rectify the wrong which has been committed, and restore to our sister State the rights and benefits of self-government.

I therefore recommend that a respectful but earnest and solemn protest against the unwarrantable intervention of Federal authority in the State of Louisiana, to which your attention has been called, be prepared and uttered by the General Assembly of the State of Kentucky in a suitable form, to be laid before the Congress of the United States, and that our Senators be instructed, and our members in the House of Representatives be requested, to give all proper aid in supporting the appeal proposed to be made by the people of Louisiana for a redress of their grievances.

P. H. LESLIE.

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LETTER FROM GOVERNOR OF LOUISIANA.

EXECUTIVE CHAMBERS, NEW ORLEANS, March 13th, 1873.

To His Excellency Preston H. Leslie, Governor of Kentucky:

DEAR SIR: I have the honor herewith to inclose to you an address to the people of Louisiana and of the Union, issued by authority of a joint resolution of the General Assembly. Permit me to ask your serious attention to its allegations, and also to request that you lay it officially before the Legislature of your great State.

The people of this State, without distinction of past sectional feeling, present party differences, or of birth, race or color, feel that an issue has been made in our case by the illegal and monstrous usurpations of certain officials, which, if suffered to be decided against us, either by the non-action or adverse action of Congress, involves most certainly and gravely the liberties and the rights of every other State.

The President has said, in his message: "No Executive control is exercised in any one of them (the Southern States) that would not be exercised in any of the States under like circumstances."

What has been the action referred to?

A United States District Judge, sitting on the bench of the Circuit Court, has seized a State Capitol, by the use of the United States army, created a Legislature by an interlocutory order of the nature of an injunction, and installed that Legislature in power by admitting them into the Capitol, past the guard of United States Marshals, whose orders were obeyed by those troops, and excluding all others claiming seats, until that Legislature had been seated and sworn. Senator Carpenter characterizes this action thus:

"I do not want to go before the people of Wisconsin with the testimony of these Louisiana Republicans themselves, admitting their hands, in setting up this Kellogg Government, and with our votes here sustaining this acknowledged fraud and usurpation finally executed and accomplished by the military force of the Government of the United States."

The majority of the Senate committee say of this:

"The testimony does not show that voters were disfranchised in many instances on account of race, color, or previous condition of servitude, and therefore the law of the General Govern-
ment was not violated sufficiently to authorize the interference of Durrell. The injunction placed by the Eighth District Court of the State upon the counting of the returns by the Lynch board was legal, and should have been respected.

"The whole interference by the United States Court, in the organization of the Legislature, is a gross usurpation. The Constitution expressly gives to each State the organization of its own Legislature. A member has no right to contest for his seat before a court of the United States."

"It is therefore evident that such a court has no authority to seat a hundred members at the instance of the Lieutenant Governor. In this connection it becomes the painful duty of the committee to express their opinion of the action of Judge Durrell. A proceeding so manifestly illegal has never come before Congress for its consideration in connection with a court of the United States, and the committee fail to find words with which to express their abhorrence of the action of Durrell."

Senator Schurz speaks of it as follows:

"A Federal judge is applied to for interference. Overstepping his jurisdiction, he does interfere; he restrains all other returning officers but those recognized and designated by him, from returning the vote. By an act of usurpation still more palpable and flagrant, he orders that the State House be taken possession of by troops; he virtually orders who shall be members of the Legislature--nay, I think it is not an inexcusable exaggeration when I say he virtually makes or creates that Legislature. In executing these gross and flagrant usurpations, he is supported by the military force of the Federal Government. The usurpation is consummated under the protection of Federal bayonets. The Legislature is created by the interference of the Federal Court, convokes, * * * Thus the usurpation is consummated--a usurpation without the shadow of law as an excuse, with nothing but fraud and force to stand upon--a usurpation palpable, gross, shameless, and utterly subversive of all principles of Republican Government--a usurpation such as this country has never seen, and probably no citizen of the United States has ever dreamed of. The clipping of this Legislature is the Kellogg Government."

And even Senator Morton cannot avoid, in his extreme partisanship, showing his honest opinion of its villainy in these words: "The conduct of Judge Durrell, sitting in the Circuit Court of the United States, cannot be justified or defended. He grossly exceeded his jurisdiction, and assumed the exercise of powers to which he could lay no claim." * * * * In the Antoine case Judge Durrell not only assumed to determine who constituted the legal returning board, but to prescribe who should be permitted to take part in the organization of the Legislature, and to enjoin all persons from taking part in the organization who were not returned by the Lynch board as elected, and this assumption of jurisdiction was made in the face of the express provisions in the act of 1870, that its benefits should not extend to candidates for electors, for Congress, or for members of the State Legislature.

"His order, issued in the Kellogg case to the United States Marshal, to take possession of the State House for the purpose of preventing unlawful assemblages, under which the Marshal called to his aid a portion of the army of the United States as a force collector, can only be characterized as a gross usurpation."

Upon these facts our citizens, in one of the largest mass meetings ever held in New Orleans, appointed a committee of two hundred of the most worthy and respected people of the city, to wait upon the President and request the withdrawal of Federal interference. In reply to the notice of their coming, Attorney General Williams sent me the following dispatch, which I quote without comment:


Your visit with a hundred citizens will be unavailing so far as the President is concerned. His decision is made, and will not be changed, and the soldier it is acquiesced in the sooner good order and peace will be restored.

(Signed) GEO. H. WILLIAMS, Attorney General.

In the extremity of our distress, business being paralyzed, commerce frightened away, trade stopped, credit destroyed, confidence lost, and withal taxes increased, we appeal to our brethren of sister States to consider our situation. We feel that what is our and led to-day may be theirs some other day through the same means, and that therefore they should, and doubtless will, feel interested in seeing that their Senators and Representatives in Congress take steps to right those wrongs. Our only hope is in the intervention of the States of the Union through Congress.

Because if we seek to right ourselves, our enemies will revive against us the unhappy cries of the late civil war, and falsely represent us as seeking to re-open its dead issues. As to this question, we point to the record of the last political canvass in this State to demonstrate to you what is the truth, that our people have honestly and squarely accepted all the results of the war; the measures of reconstruction, the disfranchisement, suffragium, and right to hold
office, of the colored people, and all the constitutional amendments. In the last canvass the People's or Fusion ticket had upon it Republicans and Democrats, white and colored, Southern and Northern men, Federal and Confederate soldiers. In our platform we ignored all past differences. We sought solely to obtain a Government of the whole people, that should be representative, economical, and just. This Government we obtained by the honest votes of the people at the late elections. It has been wrested from us by this grave usurpation. I cannot describe to you the gloom and despair of our people. We feel that unless their cause is made a common one by the people of the other States, elections, so far as we are concerned, are a mockery, and free government ended.

Hoping that this appeal may receive your mature and deliberate attention, and will be by you made known to the people of your State, and that it may ensue to the benefit of free and just government throughout the Union, and earnestly inviting you to join in the appeal now being made by the people of this State to the President for an extra session of Congress, in order that necessary and legal measures may be inaugurated by that honorable body which will give to the people of Louisiana a just, free, and republican government, I remain, sir, with great consideration,

Your obedient servant,

JOHN McENERY,
Governor of Louisiana.

ADDRESS
To the People of Louisiana by the Governor and Legislature, in Pursuance of a Resolution of the Legislature.

The undersigned were appointed by a resolution of the General Assembly of the State to attend their elections in reference to the contest, growing out of a canvass made on the 4th of November last, with a view of vindicating the course they have thought proper to pursue, and of indicating that which they recommend for the consideration and adoption of their constituents in the present grave emergency of our State.

It is a source of consolation and confidence to us, in the discharge of this duty, that in our past conduct, as you have seen, we are able to present the full endorsement of the highest political authority which could be invoked or desired on the question at issue, to wit: that of the most prominent representatives of the political party opposed to us in that august tribunal, the United States Senate. A committee of that body, composed exclusively of Senators who supported the reconstruction and enforcement acts of Congress, which have been set up as the basis and pretext for the violent reversal of the legally expressed will of the people in our last election, and the installation of a usurping minority in our State Government, has, after a full investigation of the law and facts, arrived at the following conclusions:

1. That the action of a United States Judge, in foisting into the Chief Executive office of the State a person who was legally returned as defeated by a majority of over six thousand votes, and further by an illegal order directing the occupation of the building leased for a State House, and through armed force and menace of United States troops, installing as members of the General Assembly of Louisiana, persons who were never elected by the people, and had no other title to such places but that conferred by the allegations of ahill in chancery, and excluding the lawfully returned and elected members, is unanimously and emphatically condemned as an act of judicial usurpation, abuse, and outrage.

2. It is shown by the same committee that the lawful and regular returns of the votes of the people were set aside by a corrupt, dishonest, and partisan Board of Canvassers, who substituted for the real and proper evidence of such votes and election, ex parte affidavits, census estimates, newspaper reports, and other equally inadmissible data.

3. It is conceded by the same committee, that no de jure or lawful government can be created by such modes of canvassing, or making up the election returns, and that no court or other tribunal can impart any legality to a tenure to office thus obtained.

4. It is with like unanimity admitted by the same high authority that the State officers, who had the regular and lawful returns, were entitled to enter upon their offices, and that those who contested their rights on charges of fraud and violence, should be remitted to the tribunals which had jurisdiction of such controversies, and that in this case this uniform practice and law were reversed, and the prima facie right accorded to those who merely alleged or claimed their election against those who had the legal and proper returns.

These several propositions being concurred in by all of the committee of the United States Senate, a majority thereof declared that the Government of Kellogg and his party over this State was a gross and flagrant usurpation.
These conclusions of a committee of the highest political authority in the nation have fully confirmed and justified the course pursued by the executive and legislative officers who were returned as the elect of the people of Louisiana, and who proceeded duly to organize the government of the State. To have done otherwise would have been an abandonment of a plain duty, and a surrender of the rights of the people who had elected them.

The Government thus organized has been confronted by another, resting entirely upon the outrageous judicial orders of a United States Judge, and upon an illegal and purely fictitious and fraudulent return of the votes of the people. Unhappily for the honor of the Republic and the cause of right, justice, and law, the President of the United States deemed it his duty to extend to this fictitious and fraudulent Government the protection of the United States army. This was done at first under a greatly erroneous view of his duty as the Chief Executive of the Nation, to enforce an order of a United States Court, whether legal and constitutional or not, even though that order was a palpable excess and abuse of jurisdiction and authority.

It is still more to be lamented that this support and protection of a usurping State Government has been continued by the President in the exercise of his political power, when he could no longer defend his course by a concession to a United States Judge, of the authority to decide such questions, and after a full investigation and exposure, by a proper tribunal, of the illegal, fraudulent, and usurping character of that Government. The position of the President, supported by the opinion of a single member of the committee of the United States Senate, was based on the assumption that there existed a de facto Government in Louisiana, separate and apart from, and opposed to the de jure Government, and that he was bound to recognize the de facto authority.

Totally dissenting from this view, that there can be any legal Government in a State entitled to recognition by the Federal authority which is not de jure, as well as de facto, we have further to record the following fact, as declared by the report of the committee of the United States Senate, that such Government is maintained, and its authority enforced, by the aid of the military power of the United States. It has even been intimated that the Government de jure does not command the support and approval of the people of the State, because that Government is unwilling to defy and unable to overcome the power of the United States. Because of this unwillingness and inability the stupendous falsehood is proclaimed that the people of Louisiana voluntarily submit to, and acquiesce in, this usurpation. If we resist the Executive of the United States, which, with arms, defends this usurpation, we are rebels; if we do not resist it, we submit to and acknowledge, its authority and power. We do not believe that the founders of this Government, or the friends of republican institutions and of liberty, in any part of the world, have ever sanctioned such a doctrine and proposition. We believe that the Federal Government, represented by Congress and the President, are under a sacred constitutional obligation to protect and defend the people of the State in the enjoyment of their republican right of selecting their own political agents, and that this right is utterly disregarded and trampled on by the course pursued in our case.

In so clear a path of duty and manhood, we have deemed it imperative to assert this right, guaranteed by the Federal Constitution, and to endeavor to perform the functions and exercise the powers conferred upon us by the people. We are prevented and hindered therein by what we regard the wrongful and unconstitutional interposition of the Federal Executive. Such interposition being so regarded by us, we cannot if we would, and we would not if we could, cease our protest and opposition thereto. We appeal to our brethren in the other States for their sympathy and support of a position which they are all interested in maintaining, thus vindicating a cardinal principle of our political system. We have no other hope or means of defense against the wrongs done us. We can only assert our rights, refuse submission to usurpation, and abide the judgment of the American people in our case. Meantime, it behoves the people of Louisiana to preserve their manhood, their dignity, and their patience. Suffering under the greatest indignities which can be perpetrated upon a free people, they are threatened with the prolongation of a reign of corruption, opulation, and oppression for four years longer.

We have no other recourse against such calamity, and no means of re-establishing our rights as a people and our status as a republican State, but by a firm and unyielding adherence to the lawful Government of the State. We therefore urge our fellow-citizens to give us their united support and encouragement in our endeavors to support and put in operation this Government, not by violent resistance to the authority of the United States, but by a firm and united opposition to any and every act of the usurping Government of Kellogg and his confederates.

In view of the great disasters of our State, resulting from political troubles, we have been disposed to make large concessions and compromises to secure peace and good government to Louisiana; but all propositions for any character have been humiliatingly rejected by the usurpers. Emboldened by the countenance and support extended to them by the Federal Executive, nothing, then, is left to the free and honest citizens of this State who elected us and our associates, but to rally with renewed earnestness and devotion to the defense and support of the de jure and lawful government. With their approval and support, we have an abiding confidence in the eventual triumph of our cause, and the recognition by a just and honest national administration.
igration of the equal rights of Louisiana, as one of the glorious Union of this great Republic and Confederacy.

Dishonor, the reproach of the people, and self-abasement must attach to all who, having once assumed the position so clearly pointed out as that of duty and manhood, shall abandon the same, or shrink from any of its responsibilities and obligations.

JOHN McENERY,
Governor of the State of Louisiana.

HUGH J. CAMPBELL,
B. F. JONES,
Committee on the part of the Senate.

H. E. VICKERS,
LEWIS TEXADA,
FERGUS FUSILIER,
J. H. McCaleb,
Committee on the part of the House of Representatives.

Ordered, That two thousand copies of said message be printed, and the same be referred to the Committee on Federal Relations.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled ‘An act to amend the charter of the Big Sandy Valley Railroad Company.’

A message was also received from the Senate, asking to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Benevolent Society of Colored People of Millville, in Woodford county.

And also the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Newport and Dayton Street Railway Company.

Which was granted, and said bills returned to the Senate.

Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to prohibit and punish persons guilty of intimidating qualified voters.

Which was read the first time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any person or persons shall, by means of violence to person, family or property, prevent, hinder, control, or intimidate, or shall, by such means, attempt to prevent, hinder, control or intimidate any person from exercising or in exercising the right of suffrage, to whom such right is secured by law; or shall, on account of any vote that a voter may give at any election in this Commonwealth, use any violence to such voter’s person, family, or property, he or they shall be guilty of a misdemeanor, and, on conviction thereof, be fined not less than one hundred dollars, or imprisoned not less than one month nor more than one year, or both so fined and imprisoned, at the discretion of the jury.

§ 2. This act shall take effect from its passage.
Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Bascom moved to print said bill, and place the same in the orders of the day.

And the question being taken on the motion of Mr. Bascom, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Mr. Clay moved to dispense with the constitutional provision and rule of the House, and that said bill be read a third time to-day.

And the question being taken on the motion of Mr. Clay, and having received the number of votes required by the Constitution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Said bill being engrossed, was then read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bascom and Anderson, were as follows, viz:

Those who voted in the affirmative, were—


Mr. F. A. Wilson moved to lay the motion of Mr. Clay on the table.

And the question being taken on the motion of Mr. Wilson, it was decided in the affirmative.

The House then, according to order, took up and resumed the consideration of the reports of the majority and minority of the committee, raised under the resolution heretofore offered by Mr. Sellers, to inquire into certain reports regarding the conduct and management of the Institution for the Education and Training of Feebleminded Children.

Mr. Bond, from the majority of said committee, moved the following resolution, viz:

Resolved, That the committee be discharged, and after hearing the report of the majority of the committee, and after investigating all the evidence in the case, this House is of the opinion that Dr. Black
is nowise culpable in the matter referred to; and that all reports prejudicial to his character, in this regard, are wholly unsustained by any competent proof; and that the investigation has shown that Dr. Black has, in his office, discharged all his duties faithfully, and to the best of his ability.

Mr. Powell offered the following amendment (by way of substitute) for the resolution offered by Mr. Bond, viz:

Resolved, That, while this House acquits Dr. Black of guilt, in the seduction of the girl, Joanna Loudon, yet they find from the evidence in the reports that she became pregnant while in a State institution under his charge; and the House, therefore, finds him guilty of culpable negligence in the care of the wards placed under his charge, or this outrage could never have occurred.

The question was then taken on the adoption of the amendment (substitute) proposed by Mr. Powell, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blackburn and J. A. Bell, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Griffith then offered the following substitute (by way of amendment) for the resolution proposed by Mr. Bond, viz:

Resolved, That it is the judgment of this House, after hearing the report of the majority and minority of the committee to investigate the subject, and a due consideration of the cause, together with the proofs reported by them, there is no just sense for attaching a sus-
picion to the conduct of the Superintendent of the Feeble-minded Institute in regard to the matter alluded to in said investigation; and that no reason appears for further action on the subject-matter of said reports.

Mr. Brown offered an amendment to the substitute proposed by Mr. Griffith, which was rejected.

The amendment (substitute) offered by Mr. Griffith was then adopted.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Sellers and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary)
Wm. A. Allen
George W. Anderson
Alpheus W. Bascom
John A. Bell
S. C. Bell
J. C. S. Blackburn
Church H. Blakey
Wm. F. Bond
John S. Carpenter
George Carter
B. E. Cassilly
J. Guthrie Coke
William G. Conrad
R. L. Cooper

Mr. Woods Ferguson
James B. Fitzpatrick
Joseph P. Force
James Garnett
C. P. Gray
Clinton Griffith
George M. Jesse
E. Polk Johnson
J. J. McAfee
Bryan S. McClure
William J. McElroy
M. E. McKenzie
J. C. Moerman
J. L. Nall
Lewis Potter

E. A. Robertson
John Rowen
John P. Rowlett
Frank Sacksteder
J. R. Sanders
C. W. Threlkeld
Harry I. Todd
T. W. Varnon
J. L. Waring
J. M. White
Mordecai Williams
F. A. Wilson
J. M. Wright—44.

Those who voted in the negative, were—

Thomas P. Cardwell
J. E. Cessson
W. H. Evans

J. P. Hampton
Mat. Nuan
Julian N. Phelps

Hiram S. Powell
William Sellers

And then, under the rule, the House took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again reassembled.

Bills from the Senate, of the following titles, were reported without amendment by the committee to whom the same were referred, viz:

By Mr. Waring, from the Committee on Railroads—

An act to repeal section 17 of an act to incorporate the Chataroi Railway Company, approved 11th March, 1873.

By same—

An act to incorporate the Rockcastle Railway Company.
By same—
An act to incorporate the Kentucky and Southeastern Railway Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Blackburn, leave was given to bring in a bill, entitled
A bill to prohibit the sale of spirituous, vinous, or malt liquors in less quantities than one quart within one and a half miles of Troy post-office, in Woodford county.

Ordered, That the Committee on Religion prepare and bring in the same.

Leave of absence, indefinitely, was granted Mr. Conrad.

Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported
A bill to authorize the sheriff and master commissioner of Fayette county to advertise sales of real and personal property in said county.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the motion heretofore made to reconsider the vote by which the House concurred in the adoption of a resolution from the Senate, entitled

Resolution in relation to the One Hundredth Anniversary of Independence of the United Colonies of North America.

Mr. Goodloe moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Goodloe, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Scales and
Fitzpatrick, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, William G. Conrad, J. P. Sacksteder,
W. N. Beckham, J. E. Cosson, Frank Sacksteder,
John A. Bell, Walter Evans, William Sellers,
W. B. M. Brooks, W. H. Evans, Harry I. Todd,
William Brown, Manlius T. Flippin, T. W. Varnon,
Thomas P. Cardwell, Wm. Cassius Goodloe, J. L. Waring,
John S. Carpenter, E. A. Graves, Mordecai Williams,
B. E. Cassilly, J. P. Hampton, Jonas D. Wilson,
J. Guthrie Coke, John W. Ogilvie, J. N. Woods—20.
Josiah H. Combs, Hiram S. Powell,

Those who voted in the negative, were—

Mr. Speaker (MrCreary) M. Woods Ferguson, J. L. Nall,
George W. Anderson, James B. Fitzpatrick, Julian N. Puckles,
A. S. Arnold, Joseph P. Faree, Lewis Potter,
W. W. Ayers, James Garnett, E. A. Robertson,
G. W. Bailey, C. P. Gray, John P. Rowlett,
Alpheus W. Bascom, Clinton Griffith, J. R. Sanders,
S. C. Bell, George M. Jesse, Samuel M. Sanders,
J. C. S. Blackburn, E. Polk Johnson, C. C. Scales,
Church H. Blakey, T. J. Jones, James W. Snyder,
Wm. F. Bond, J. S. Lawson, C. W. Threlkeld,
George Carter, J. J. McAtee, L. W. Trafton,
James S. Chrisman, Bryan S. McClare, C. H. Webb,
C. M. Clay, jr., William J. McElroy, J. M. White,
R. L. Cooper, T. J. Megibben, J. M. Wright—42.

The further consideration of the motion to reconsider the vote
by which the adoption of said resolution was concurred in, was cut off
by the arrival of the hour for taking up a special order.

The House then, according to order, took up and resumed the con-
sideration of a bill from the Senate, entitled

An act to suppress lawlessness in this Commonwealth.

Mr. Carpenter then withdrew the motion heretofore made by him
to lay on the table the motion of Mr. Bates, to reconsider the vote
by which said bill was ordered to be read a third time.

Mr. Brown then renewed said motion.

And the question being taken on the motion of Mr. Brown, it was
decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and
Brown, were as follows, viz:

Those who voted in the affirmative, were—

William Brown, W. H. Evans, Hiram S. Powell,
Thomas P. Cardwell, Manlius T. Flippin, William Sellers,
Those who voted in the negative, were—

Mr. Speaker (McCreary) R. L. Cooper, Julian N. Phelps,
Wm. A. Allen, M. Woods Ferguson, Lewis Potter,
George W. Anderson, James B. Fitzpatrick, E. A. Robertson,
G. W. Bailey, Joseph P. Force, John P. Rowlett,
Alpheus W. Bascom, James Garnett, J. P. Sacksteder,
W. N. Beckham, E. A. Graves, Frank Sacksteder,
John A. Bell, C. P. Gray, J. R. Sanders,
S. C. Bell, Clinton Griffith, Samuel M. Sanders,
J. C. S. Blackburn, George M. Jesse, C. C. Scales,
Church H. Blakey, E. Polk Johnson, C. W. Threlkeld,
Wm. P. Bond, T. J. Jones, Harry I. Todd,
W. B. M. Brooks, J. S. Lawson, L. W. Trafton,
John S. Carpenter, J. J. McAfee, J. L. Waring,
George Carter, Bryan S. McClure, C. H. Webb,
B. E. Cassilly, William J. McElroy, J. M. White,
James S. Chrisman, T. J. Megibben, Mordecai Williams,
J. Guthrie Coke, John W. Ogilvie,
Wm. Cassius Goodloe, Jonas D. Wilson,

The question was then taken on the motion of Mr. Bates, to reconsider the vote by which said bill was ordered to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) William G. Conrad, John W. Ogilvie,
Wm. A. Allen, R. L. Cooper, Julian N. Phelps,
George W. Anderson, M. Woods Ferguson, Lewis Potter,
W. W. Ayers, James B. Fitzpatrick, E. A. Robertson,
G. W. Bailey, Joseph P. Force, John P. Rowlett,
Alpheus W. Bascom, James Garnett, J. P. Sacksteder,
W. N. Beckham, E. A. Graves, Frank Sacksteder,
John A. Bell, C. P. Gray, J. R. Sanders,
S. C. Bell, Clinton Griffith, Samuel M. Sanders,
J. C. S. Blackburn, George M. Jesse, C. C. Scales,
Church H. Blakey, E. Polk Johnson, C. W. Threlkeld,
Wm. P. Bond, T. J. Jones, Harry I. Todd,
W. B. M. Brooks, J. S. Lawson, L. W. Trafton,
John S. Carpenter, J. J. McAfee, J. L. Waring,
George Carter, Bryan S. McClure, C. H. Webb,
B. E. Cassilly, William J. McElroy, J. M. White,
James S. Chrisman, T. J. Megibben, Mordecai Williams,
J. Guthrie Coke, John W. Ogilvie,
Those who voted in the negative, were—

William Brown, W. H. Evans, J. P. Sacksteder,
Thomas P. Cardwell, Manlius T. Flippin, William Sellers,
Josiah H. Combs, Wm. Cassius Goodloe, Jonas D. Wilson,
Walter Evans, Hiram S. Powell,
And so said vote was reconsidered.

Mr. Jessee then moved to amend said bill by adding after the word “anonymously,” in the third line of section 1, these words: “For the purpose of alarming or intimidating;” and by striking out the word “and,” in the fifth line of same section, and inserting in lieu thereof the word “or.”

And the question being taken on said proposed amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Evans and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, James B. Fitzpatrick, T. J. Megibben,
George W. Anderson, Joseph P. Foree, Lewis Potter,
Alpheus W. Bascom, James Garnett, E. A. Robertson,
W. N. Beckham, E. A. Graves, Frank Sacksteder,
S. C. Bell, C. P. Gray, J. R. Sanders,
Church H. Blakey, Clinton Griffith, Samuel M. Sanders,
George Carter, George M. Jessee, C. W. Threlkeld,
B. E. Cassilly, J. S. Lawson, L. W. Trafton,
James S. Chrisman, Bryan S. McClure, G. H. Webb,
R. L. Cooper,

Those who voted in the negative, were—

A. S. Arnold, Walter Evans, John P. Rowlett,
W. W. Ayers, W. H. Evans, C. C. Scales,
G. W. Bailey, Manlius T. Flippin, William Sellers,
John A. Bell, Wm. Cassius Goodloe, James W. Snyder,
J. C. S. Blackburn, J. P. Hampton, Harry I. Todd,
Wm. F. Bond, E. Polk Johnson, T. W. Varnon,
W. B. M. Brooks, J. J. McAfee, J. L. Waring,
Thomas P. Cardwell, J. L. Nall, Mordecai Williams,
John S. Carpenter, John W. Ogilvie, Jonas D. Wilson,
Josiah H. Combs, Julian N. Phelps, J. N. Woods,
J. E. Cosson,

Mr. Jessee also moved to amend said bill, in section 5, by striking out all after the word “offenders,” in the fifth line.

And the question being taken on the adoption of said proposed amendment, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Garnett and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, M. Woods Ferguson, Julian N. Phelps,
George W. Anderson, Manlius T. Flippin, Lewis Potter,
A. S. Arnold, Joseph P. Foree, E. A. Robertson,
Alpheus W. Bascom, James Garnett, J. R. Sanders,
W. N. Beckham, E. A. Graves, Samuel M. Sanders,
S. C. Bell, C. P. Gray, C. C. Scales,
Church H. Blakey, George M. Jesse, C. W. Threlkeld,
George Carter, J. S. Lawson, L. W. Trafton,
James S. Chrisman, Bryan S. McClure, J. L. Waring,
C. M. Clay, Jr., Wm. J. McElroy, C. H. Webb,

Those who voted in the negative, were—

W. W. Ayers, William G. Conrad, John P. Rowlett,
G. W. Bailey, J. E. Cosson, Frank Sacksteder,
John A. Bell, Walter Evans, William Sellers,
J. C. S. Blackburn, W. H. Evans, James W. Snyder,
Wm. F. Bond, Wm. Cassius Goodloe, Harry I. Todd,
W. B. M. Brooks, Clinton Griffith, T. W. Varnon,
William Brown, E. Polk Johnson, Mordecai Williams,
Thomas P. Cardwell, J. J. McAfee, Jonas D. Wilson,
John S. Carpenter, J. L. Nall, J. N. Woods,
B. E. Cassilly, John W. Ogilvie, J. M. Wright—32.
Josiah H. Combs, Hiram S. Powell,

Mr. Blackburn offered the following amendment, viz:

Strike out all after the word "testimony," in the fifth line of section 8.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fitzpatrick and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, M. Woods Ferguson, Lewis Potter,
George W. Anderson, Joseph P. Foree, E. A. Robertson,
A. S. Arnold, James Garnett, John P. Rowlett,
Alpheus W. Bascom, E. A. Graves, Frank Sacksteder,
W. N. Beckham, C. P. Gray, J. R. Sanders,
John A. Bell, Clinton Griffith, Samuel M. Sanders,
S. C. Bell, George M. Jesse, C. C. Scales,
J. C. S. Blackburn, E. Polk Johnson, C. W. Threlkeld,
Church H. Blakey, J. S. Lawson, Harry I. Todd,
Wm. F. Bond, J. J. McAfee, T. W. Varnon,
W. B. M. Brooks, Bryan S. McClure, J. L. Waring,
George Carter, William J. McElroy, C. H. Webb,
B. E. Cassilly, T. J. Megibben, J. M. White,
Mr. Blakey offered the following amendment, viz:

Strike out in line three of section 2 the word "unlawful," and insert in lieu thereof the word "felonious."

And the question being taken on the adoption of the amendment proposed by Mr. Blakey, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Powell and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, George W. Anderson, A. S. Arnold, Alpheus W. Bascom, W. N. Beckham, John A. Bell, S. C. Bell, Church H. Blakey, Wm. F. Bond, W. B. M. Brooks, John S. Carpenter, George Carter, B. E. Cassilly, James S. Chrisman,


Those who voted in the negative, were—


Mr. Cooper offered the following amendment, viz:

Strike out sections 2 and 3 of the bill, and insert in lieu thereof the following, viz: If any two or more persons shall confederate or band themselves together, and go forth armed or unarmed, disguised
or not disguised, for the purpose of intimidating, alarming, or disturbing any person or persons, they, or either of them, shall, on conviction thereof, be fined not less than one hundred nor more than three hundred dollars, or imprisoned in the county jail not less than two nor more than six months, or both so fined and imprisoned, in the discretion of the jury.

And the question being taken on the adoption of the amendment proposed by Mr. Cooper, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Evans and Powell, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, Joseph P. Force, E. A. Robertson,
Alpheus W. Bascom, C. P. Gray, Frank Sacksteder,
George Carter, George M. Jesse, J. R. Sanders,
B. E. Cassilly, Bryan S. McClure, Samuel M. Sanders,
James S. Chrisman, William J. McElroy, C. W. Threlkeld,
C. M. Clay, jr. T. J. Megibben, L. W. Trafton,

Those who voted in the negative, were—

Wm. A. Allen, Walter Evans, Julian N. Phelps,
A. S. Arnold, W. H. Evans, Hiram S. Powell,
W. W. Ayers, Manlius T. Flippin, John P. Rowlett,
G. W. Bailey, James Garnett, C. C. Scales,
W. N. Beckham, Wm. Cassius Goodloe, William Sellers,
John A. Bell, E. A. Graves, James W. Snyder,
S. C. Bell, Clinton Griffith, Harry I. Todd,
J. C. S. Blackburn, J. P. Hampton, T. W. Varson,
W. B. M. Brooks, E. Polk Johnson, J. M. White,
William Brown, T. J. Jones, Modocai Williams,
Thomas P. Cardwell, J. S. Lawson, Jonas D. Wilson,
John S. Carpenter, J. J. McAfee, J. N. Woods,

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That if any person shall send, circulate, exhibit, or put up any threatening notice or letter, signed with such person's own or another's name, or anonymously, he shall, on conviction thereof, be fined not less than one hundred nor more than five hundred dollars, and imprisoned in the county jail not less than three months.

§ 2. If any two or more persons shall confederate or band themselves together, for the purpose of intimidating, alarming, or disturbing any person or persons, or to do any felonious act, they or either shall, on conviction thereof, be confined in the Penitentiary not less than six nor more than twelve months, or, in the discretion of the jury, fined not less than one hundred nor more than five hundred
dollars, and imprisoned in the county jail not less than three nor more than six months.

§ 3. If two or more persons shall unlawfully confederate or band together, and go forth armed or disguised, they shall each, on conviction thereof, be imprisoned in the Penitentiary not less than six nor more than twelve months, or fined, in the discretion of the jury, in a sum not less than one hundred nor more than five hundred dollars, and imprisoned in the county jail for a period of not less than three nor more than six months.

§ 4. If any injury shall result to the person or property of any person or persons by reason of any of the unlawful acts denounced in the preceding sections of this act, the person or persons engaged or participating, or any one of them, in such unlawful act or acts, shall, on conviction thereof, be confined in the Penitentiary for a period of not less than twelve nor more than eighteen months, in the discretion of the jury.

§ 5. For the purpose of more effectually enforcing the provisions of this act, the Governor is hereby authorized and directed, upon the presentation of evidence, made under oath, satisfactory to him, that there has been a violation of the 4th section of this act, to offer a reward of not less than one hundred and not more than five hundred dollars, for the apprehension and conviction of each of the offenders.

§ 6. It shall be the duty of the several sheriffs and other peace officers of this Commonwealth, upon information furnished them by written affidavit, made before any officer of the county authorized to administer an oath, setting forth that said person or persons know, or have reasonable grounds to believe, that two or more persons disguised, or otherwise, bearing arms or deadly implements of any character, have, within twenty-four hours preceding the time of the making of such affidavit, visited any house, or were seen in any neighborhood, disguised and bearing arms or other deadly implements, with a view of injuring, alarming, or intimidating any citizen of said neighborhood, or that any citizen of said neighborhood has, within said period of time, received any injury to his person or that of any member of his family, or to his property, by reason of the act or acts of any two or more persons, confederated or banded together, in disguise or otherwise, for any unlawful purpose, to summon a posse comitatus of not less than five nor more than ten persons, good and true men, and forthwith repair to such neighborhood, where he may summon an additional posse of not less than five nor more than twenty-five other persons, from the law-abiding citizens of said neighborhood, and with the entire posse so summoned, shall at once proceed to exercise all possible diligence and energy for the discovery and arrest of all such offenders against the law; and to this end the sheriff and his posse shall have power to pursue and arrest any and all such offenders beyond the boundaries of his county, into any other county of this Commonwealth, whenever he has reasonable grounds for believing that such offenders, or any of them, reside in, or have fled to, such other county; and it shall be his duty, immediately after making such arrests or arrest, to carry the persons or person so arrested before any magistrate of the county.
where the offenses or offense was committed, to be dealt with according to law.

§ 7. If any sheriff or other peace officer shall refuse or fail to discharge any of the duties imposed upon him by the provisions of this act, he shall, upon conviction thereof, be fined in any sum not less than fifty nor more than five hundred dollars, for each separate offense; and if any person summoned by the sheriff, or any other peace officer, as a member of his posse, shall refuse or fail to obey said summons, without good and sufficient cause, he shall, on like conviction thereof, be fined in any sum not less than thirty nor more than three hundred dollars.

§ 8. In any prosecution under this act, it shall be no exemption for a witness that his testimony may criminate himself; but no such testimony given by the witness shall be used against him in any prosecution, except for perjury; and he shall be discharged from all liability for any violation of this act, so necessarily disclosed in his testimony.

§ 9. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and Cooper, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Griffith then moved to amend the title of said bill so as to read:

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

And the question being taken on the motion of Mr. Griffith, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary), R. L. Cooper, Julian N. Phelps,
Wm. A. Allen, M. Woods Ferguson, Lewis Potter,
George W. Anderson, James B. Fitzpatrick, E. A. Robertson,
A. S. Arnold, Joseph P. Force, John P. Rowlett,
Alpheus W. Bascom, James Garnett, J. P. Sacksteder,
W. N. Beckham, E. A. Graves, Frank Sacksteder,
John A. Bell, C. P. Gray, J. R. Sanders,
S. C. Bell, Clinton Griffith, Samuel M. Sanders,
J. C. S. Blackburn, George M. Jessee, C. W. Threlkeld,
Church H. Blakey, E. Polk Johnson, T. W. Varnon,
Wm. F. Bond, T. I. Jones, J. L. Waring,
W. B. M. Brooks, J. S. Lawson, C. H. Webb,
John S. Carpenter, Bryan S. McClure, J. M. White,
George Carter, M. E. McKenzie, Mordecai Williams,
James S. Chrisman, T. J. Megibben, F. A. Wilson,
J. Guthrie Coke, John W. Ogilvie,

Those who voted in the negative, were—

William Brown, Manlius T. Flippin, Hiram S. Powell,
Thomas P. Cardwell, Wm. Cassius Goodloe, William Sellers,
B. E. Cassilly, J. P. Hampton, Harry I. Todd,
J. E. Cosson, William J. McElroy, Jonas D. Wilson,
W. H. Evans,

And then the House adjourned.
A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled “An act to prevent the destruction of fish in the Kentucky river and its tributaries,” approved March 13, 1872.

An act to repeal an act, entitled “An act to amend an act, entitled ‘An act to charter the Crab Orchard and Crew’s Knob Turnpike Company;’” approved March 20, 1872.

An act for the benefit of common school districts Nos. 70 and 73, in Warren county.

An act to incorporate the Exchange Bank of Sharpsburg.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled “An act to authorize the county clerk of Cumberland county to procure books and indexes, for the purpose of transcribing the mutilated records of the surveyor's office of said county, and also to amend an act transcribing the surveyor's books and records of Cumberland county.

2. An act to change the time of holding the county and quarterly courts of Lee county.

3. An act to authorize Mary Boyd to erect cattle-stops across John's creek, in Pike county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on County Courts, and the 3d to the Committee on Internal Improvement.

On motion of Mr. Jones, leave was given to bring in a bill, entitled A bill for the benefit of H. C. Rye.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the same.
Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to incorporate the Hillsboro and Plummer's Landing Company.

By same—

A bill for the benefit of the Hillsboro and Mouth of Fox, and the Tilton and Day's Mill Turnpike Company.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend the articles of incorporation of the Irish Building and Loan Association, of Louisville;

An act to further amend the charter of the Christian County Bank;

Resolution in relation to the enrollment of the chapters of the Revised Statutes when acted on by the two Houses;

And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to protect the owners of breeding and training farms and stables;

An act for the benefit of the Iron Works Turnpike Road Company;

An act to amend the original and amended acts incorporating the town of Earlington;

An act to enable the court of claims of Henry county to pay county indebtedness;

An act to amend an act incorporating the Concord and Tollsboro Turnpike Road Company;

An act to amend the charter of the Winchester Cemetery Company;
An act to authorize the appointment of an additional examiner to take depositions in and for Floyd county;
An act for the benefit of school district No. 62, in Shelby county;
An act to amend an act, entitled "An act to amend the charter of the Big Sandy Valley Railroad Company;"
Resolution directing an inquiry as to certain delays in regard to the revision of the statutes;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
Leave was given to bring in the following bills, viz:
On motion of Mr. Blakey—
A bill to amend the charter of Russellville.
On motion of Mr. Todd—
A bill to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Frankfort, and for other purposes."
Ordered, That the Committee on Corporate Institutions prepare and bring in the same.
A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to chapter 52, title "Husband and Wife," and to chapter 61, title "Jails and Jailers," and to chapter 58, title "Insolvent Debtors," and to the second amendment proposed by the House to chapter 60, title "Interest and Usury," of the proposed Revision of the Statutes.
And that they had disagreed to the amendments proposed by the House to Nos. 1, 2, and 3, to chapter 55, title "Inclosures and Certain Trespasses," and also to the first amendment proposed by the House to chapter 60, title "Interest and Usury," of said proposed Revision.
Mr. Goodloe moved to reconsider the vote by which the House, on yesterday, passed a bill from the Senate, entitled
An act to incorporate the Kentucky and Southeastern Railway Company.
A message was received from the Senate, announcing that they had adopted chapter 30, title "Crimes and Punishments," of the proposed Revision of the Statutes.
The House then took up and proceeded to consider said chapter.
Amendments were offered thereto by Messrs. W. Evans, Gray, and F. A. Wilson, which were rejected.
Mr. W. Evans offered the following amendment, viz:

Add to section 3, of article 3, these words: “But the Governor shall have power, in his discretion, to commute the sentence of death, in cases of persons convicted of murder, to confinement in the penitentiary during the life of the person so convicted.”

Mr. Wright offered the following amendment (by way of substitute) for the amendment proposed by Mr. Evans

The Governor shall not have power to commute a sentence of death to imprisonment for life, or any other term.

Mr. Garnett then proposed the following amendment, as a substitute for said section and the amendments proposed thereto, viz:

Strike out the section and the proposed amendments, and insert in lieu thereof the following, viz:

§ 3. If any person be guilty of willful murder, he shall be punished with death.

The question was then taken on the adoption of the amendment (substitute) proposed by Mr. Garnett, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Garnett, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mat. Nunan, J. P. Sacksteder, Frank Sacksteder, J. R. Sanders, Samuel M. Sanders, C. C. Scales, James W. Snyder, J. M. White, Mordecai Williams, Jonas D. Wilson,
The amendment proposed by Mr. Wright to the amendment of Mr. Evans was then rejected.

Mr. Gray moved to reconsider the vote by which the amendment proposed by Mr. Garnett was rejected.

The question was then taken on the adoption of the amendment proposed by Mr. Evans, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Clay, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Mr. Creary) R. D. Cook, Wm. A. Allen, J. E. Cosson, J. R. Sanders,
R. Tarv. Baker, Walter Evans, Samuel M. Sanders,
W. N. Beckham, W. H. Evans, C. C. Scales,
John A. Bell, Wm. Cassius Goodloe, William Sellers,
J. C. S. Blackburn, C. P. Gray, James W. Snyder,
Church H. Blakey, Clinton Griffith, Harry I. Todd,
Wm. F. Bond, E. Polk Johnson, Mordecai Williams,
W. B. M. Brooks, Thomas M. Johnson, F. A. Wilson,
William Brown, M. E. McKenzie, Jonas D. Wilson,
Robert M. Carlisle, J. L. Nall, J. N. Woods,
George Carter, Julian N. Phelps

Those who voted in the negative, were—

A. C. Armstrong, James Garnett, Hiram S. Powell,
W. W. Ayers, E. A. Graves, E. A. Robertson,
Alpheus W. Bascom, George M. Jesse, John Rowan,
S. C. Bell, J. S. Lawson, John P. Rowlett,
Thomas P. Cardwell, Bryan S. McClure, C. W. Threlkeld,
James S. Chrisman, William J. McElroy, L. W. Trafford,
C. M. Clay, jr., T. J. Megibben, T. W. Varnon,
J. Guthrie Coke, J. C. Moorman, J. L. Waring,
William G. Conrad, John W. Ogilvie, C. H. Webb,
Manlius T. Flippin,

Mr. McElroy moved to suspend the rule, and take up the motion made by Mr. Gray to reconsider the vote by which the amendment proposed by Mr. Garnett was rejected.

And the question being taken thereon, and not having received the requisite number of votes required by the rule, said motion was rejected.

The yeas and nays being taken thereon, under the rule, were as follows, viz:
Those who voted in the affirmative, were—

Wm. A. Allen, Joseph P. Foree, Hiram S. Powell,
George W. Anderson, James Garnett, E. A. Robertson,
G. W. Bailey, C. P. Gray, John Rowan,
Alpheus W. Bascom, Clinton Griffith, John P. Rowlett,
S. C. Bell, George M. Jesse, Samuel M. Sanders,
W. B. M. Brooks, Thomas M. Johnson, C. C. Scales,
Thomas P. Cerdwell, T. J. Jones, C. W. Threikeld,
Robert M. Carlisle, J. S. Lawson, Harry I. Todd,
George Carter, Bryan S. McClure, L. W. Trafton,
James S. Christian, William J. McElroy, T. W. Varnon,
C. M. Clay, jr., J. C. Moorman, J. L. Waring,
J. Guthrie Coke, J. L. Null, C. H. Webb,
William G. Conrad, John W. Ogilvie, J. M. White,
R. L. Cooper, Julian N. Phelps, F. A. Wilson—44.
Manlius T. Filippin, Lewis Potter,

Those who voted in the negative, were—

Mr. Speaker (Mr. Creary) John S. Carpenter, Mat. Nunan,
R. Tarv. Baker, R. D. Cook, William Sellers,
W. N. Beckham, J. E. Cosson, James W. Snyder,
John A. Bell, Walter Evans, Mordecai Williams,
J. C. S. Blackburn, W. H. Evans, Jonas D. Wilsen,
Church H. Blakey, Wm. Cassius Goodloe, J. N. Woods,
Wm. F. Bond, E. Polk Johnson, J. M. Wright—23.
William Brown, T. J. Megibben,

Mr. Wright moved an amendment to article 7, section 6, which was adopted.

Mr. W. Evans then moved to strike out section 1 of article 11, and insert in lieu thereof the following, viz:

§ 1. Persons guilty of larceny of goods and chattels of the value of twenty dollars or more, shall be punished by confinement in the Peniten­tiary of not less than one nor more than five years; and all larceny shall be denominated petit larceny, except in cases where the property stolen shall exceed in value twenty dollars in gold coin.

§ 2. That hereafter the punishment of the offense of petit larceny shall be a fine of not exceeding one hundred dollars, or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment may be inflicted for said offense, at the discretion of the court or jury trying the offender. Such imprisonment may be in the work-house of any county or city which has one, instead of in the county jail.

§ 3. Punishment by the infliction of lashes for petit larceny is hereby abolished.

§ 4. That hereafter the judges of the several county courts, and the judge of the city court of Louisville, shall have jurisdiction to try and punish any person charged with petit larceny committed within their several counties, or in said city of Louisville.

§ 5. No indictment for petit larceny shall be necessary; but all warrants of arrest therefor shall be on a written affidavit, to be filed in the cause.

§ 6. All laws in regard to bail, pending the trial of the cause and continuances of the same, shall be observed by the judge.
§ 7. Persons accused of the offense of petit larceny, and arrested on said charge, shall be entitled to trial by a jury, should one be demanded by the accused; otherwise the trial may be by the judge, who may then determine the guilt or innocence of the accused, and fix his punishment as herein prescribed; and if on the trial the proof should show that any other offense had been committed by the accused instead of petit larceny, the said judge may hold to bail as in examining courts.

§ 8. The accused shall, on conviction, have the right to appeal to the circuit court from the judgment of such judge: Provided, The fine inflicted be twenty dollars or over, or if there be over five days' imprisonment adjudged, which appeal shall be allowed on his executing bond with good security before the clerk of the circuit court of the county in the amount of the judgment; and if there be imprisonment as a part of such judgment, then by adding to the amount of the fine and costs five dollars for each day's imprisonment inflicted by such judgment; said bond to be conditioned as other appeal bonds, and it shall operate as a supersedeas of the judgment, and in the circuit court shall be tried as other appeals. Appeals to the Court of Appeals shall be allowed as in other causes where the fine in the circuit court is fifty dollars or over, whether such excess be inflicted in a money fine or in imprisonment; and a judgment for twenty days' imprisonment shall, under this section, be deemed equivalent in determining the right of appeal to the Court of Appeals to fifty dollars.

§ 9. All laws in conflict with this act are hereby repealed; but no statute in regard to horse-stealing shall be deemed in conflict herewith.

§ 10. All indictments now pending in any court in this Commonwealth, charging any person or persons with larceny, shall still be tried on such indictments in said courts; but on the trial the accused shall have the benefit of the 1st, 2d, and 3d sections of this act.

§ 11. This section and all its subsections to take effect on the adoption of this revision of the statutes.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Evans and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Walter Evans,

Those who voted in the negative, were—

Mr. Speaker(M'Creary)R. D. Cook, Mat. Nunan,
Wm. A. Allen, R. L. Cooper, Julian N. Phelps,
George W. Anderson, J. E. Cosson, Lewis Potter,
W. W. Ayers, M. Woods Ferguson, Hiram S. Powell,
G. W. Bailey, Manlius T. Flippin, E. A. Robertson,
Alpheus W. Bascom, James Garnett, John Rowan,
John A. Bell, E. A. Graves, John P. Rowlett,
S. C. Bell, C. P. Gray, C. W. Threlkeld,
J. C. S. Blackburn, E. Polk Johnson, Harry I. Todd,
Mr. Graves then offered the following amendment, viz:

In article 11, section 1, strike out the word "ten," wherever it occurs, and insert the word "four."

And the question being taken on the adoption of the amendment proposed by Mr. Graves, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Gray and Graves, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The further consideration of said chapter was suspended by the arrival of the hour for taking a recess.

And then the House, under the rule, took a recess until 7½ o'clock, P. M.
At 7½ o'clock, P. M., the House again reassembled.

The House took up the motion heretofore made by Mr. Thos. M. Johnson, to reconsider the vote by which the House passed a bill, entitled

An act for the benefit of school district No. 28, in Clinton county.

Mr. Graves then moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the affirmative.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. W. Evans, from the Committee on Circuit Courts—
A bill to change the time of holding the circuit courts in the 13th judicial district.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to incorporate the Moore and Noland Turnpike Road Company.

By same—
A bill to amend an act, entitled "An act to incorporate the Lincoln and Boyle Turnpike Road Company."

By Mr. Clay, from the Committee on Internal Improvement—
A bill for the protection of bee-keepers in this Commonwealth.

By Mr. Garnett, from the Committee on the Judiciary—
A bill to amend an act, entitled "An act to amend and reduce into one the acts in regard to the town of Columbia."

By Mr. W. Evans, from the same committee—
A bill for the benefit of J. B. Evans, of Monroe county.

By same—
A bill providing for transcribing the plats, surveys, and certificates of land lying in Magoffin county.

By same—
A bill for the protection of sheep in Bracken county.

By same—
A bill to prescribe and regulate the rates of ferriage upon the Ohio river for boats plying to and from the corporate limits of the town of Greenup.

By same—
A bill to repeal an act, entitled "An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg, or within two miles thereof."
By same—

A bill to amend an act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies, approved March 15, 1870.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment by the several committees to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the Owenton and Sparta Telegraph Company.

By same—
An act to incorporate the Dallasburg Cemetery Company.

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act for the benefit of the Minerva and Beazley's Creek Turnpike Road Company, in Mason county.

By Mr. Clay, from the Committee on Agriculture and Manufactures—
An act to amend an act, entitled "An act to incorporate the Fulton County Agricultural Society," approved January 18th, 1867.

By Mr. Morin, from the Committee on Education—
An act for the benefit of common school district No. 1, in Allen county.

By same—
An act for the benefit of common school district No. 42, in Allen county.

By Mr. Evans, from the Committee on the Judiciary—
An act for the benefit of the administrator of Asa Gilbert, late sheriff of Clay county.

Ordered, That said bills be read a third time.

95-R. R.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported
A bill to repeal an act, entitled “An act authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats.”
Which was read the first time and ordered to be read a second time.

Mr. F. A. Wilson moved that said bill be read a second time tomorrow at 8 o'clock, P. M.
And the question being taken on the motion of Mr. F. A. Wilson, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Todd, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker (M'Cready) C. M. Clay, jr., T. J. Megibben,
Wm. A. Allen, J. Guthrie Coke, W. A. Morin,
A. C. Armstrong, William G. Conrad, J. N. Nall,
A. S. Arnold, R. L. Cooper, John W. Ogilvie,
W. W. Ayers, Walter Evans, Lewis Potter,
Alpheus W. Bascom, W. H. Evans, E. A. Robertson,
W. N. Beckham, M. Woods Ferguson, John P. Rowlett,
John A. Bell, Manlius T. Flippin, J. P. Sacksteder,
S. C. Bell, E. A. Graves, Frank Sacksteder,
Church H. Blakey, C. P. Gray, J. R. Sanders,
Wm. F. Bond, George M. Jesse, Samuel M. Sanders,
W. B. M. Brooks, Thomas M. Johnson, William Sellers,
Robert M. Carlisle, J. S. Lawson, James W. Snyder,
John S. Carpenter, J. J. McAfee, C. W. Threlkeld,
B. E. Cassilly, William J. McElroy, J. L. Waring,

Those who voted in the negative, were—
R. Tarv. Baker, James B. Fitzpatrick, T. W. Varnon,
William Brown, Clinton Griffith, C. H. Webb,
George Carter, Bryan S. McClure, J. M. White,
Josiah H. Combs, Julian N. Phelps, Mordecai Williams,
R. D. Cook, C. C. Scales, Jonas D. Wilson,

Mr. W. Evans, from the Committee on the Judiciary, to whom was recommitted a bill, entitled,
A bill to prohibit the sale, giving, or furnishing intoxicating liquors on election days,
Reported the same with a substitute (by way of amendment) therefor.

Mr. J. P. Sacksteder offered an amendment to the amendment (substitute) proposed by the committee.

Mr. J. R. Sanders then moved to lay the bill and proposed amendments on the table.

And the question being taken on the motion of Mr. Sanders, it was decided in the negative.

At 9 o'clock, P. M., Mr. Goodloe moved that the House do now adjourn.

And the question being taken on the motion of Mr. Goodloe, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Ayers, were as follows, viz:

Those who voted in the affirmative, were—

THURSDAY, APRIL 3, 1873.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled “An act to incorporate the Clay Fire and Marine Insurance Company, of Newport,” approved March 10, 1856.

An act to incorporate the Williamsburg Geological and Mining Company.

An act for the benefit of Martha A. Hightower, a pauper lunatic.

An act for the benefit of Sallie Sanders.

An act for the benefit of Mildred Broadus, a pauper idiot of Lincoln county.

An act for the benefit of W. R. Stringer, of Livingston county.

An act for the benefit of John Pinkerton, of Carter county.

An act for the benefit of Mrs. Elizabeth J. Spradlin, of Floyd county.

An act to amend an act, entitled “An act to incorporate the Mt. Sterling Water-works Company.”

An act to amend the charter of the South Kentucky Fair Ground Association.

An act to amend the charter of the Webster Coal Company, approved March 9, 1867, and amendments thereto, approved March 20, 1871.

An act to establish a colored free school at Bowling Green.

An act to incorporate the American Industrial College.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to incorporate the Grand Division of Sons of Temperance.

2. An act to incorporate the Weolen Manufacturing Company.

3. An act providing for the collection of railroad tax in the county of Montgomery.

4. An act to incorporate Confederate City, in Rowan county.

5. An act to amend the charter of the town of Danville.
6. An act to require attachments to be noted of record in the office of the county clerk of Jefferson county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with.

Ordered, That they be referred—the 1st to the Committee on Religion; the 2d and 6th to the Committee on the Judiciary; the 3d to the Committee on Railroads; and the 4th and 5th to the Committee on Corporate Institutions.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—An act for the benefit of the Big Sandy Telegraph Company.

By Mr. Jones, from the Committee on Agriculture and Manufactures—An act to amend an act, entitled “An act to incorporate the Central West Kentucky Agricultural and Mechanical Association, in Graves county,” approved February 25, 1880.

By Mr. Baker, from the Committee on Circuit Courts—An act to amend an act, entitled “An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county,” approved February 9, 1872.

By Mr. Ogilvie, from the Committee on Internal Improvement—An act to provide for the leasing of the interest of the State in the Louisville and Nashville Turnpike Road, on the north side of Barren river, in the county of Warren.

By Mr. Trafton, from the Committee on County Courts.

An act to prevent live stock of all kinds from running at large in Mason and Fleming counties

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. F. A. Wilson, from the Committee on County Courts—A bill for the protection of property on Tennessee river.
By same—
A bill in relation to the sheriff of Calloway county.
By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to amend the charter of Russellville.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being 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 motion heretofore made, to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act to provide a private secretary for the Governor.

On motion of Mr. McKenzie, the consideration of said motion was postponed to, and made special order of the day for, to-morrow, at 8 o'clock, P. M.

On motion of Mr. W. Evans,
Ordered, That Messrs. W. Evans, McAfee, and Threlkeld, be appointed a committee to wait upon the Senate, and request to withdraw therefrom the announcement of the passage by the House of a bill, which originated herein, entitled

A bill to repeal an act, entitled "An act to prohibit the granting of license for the sale of spirituous or vinous liquors in the town of Harrodsburg; or within two miles thereof."

After a time said committee returned, and reported that they had discharged their duty, and laid said bill upon the Clerk's table.

Thereupon Mr. McAfee moved to reconsider the vote by which the House passed said bill.
And the question being taken on the motion of Mr. McAfee, it was decided in the affirmative.

On motion of Mr. McAfee, the vote by which said bill was ordered to be read a third time was also reconsidered.
And thereupon said bill was recommitted to the Committee on the Judiciary.
Leave was given to bring in the following bills, viz:

On motion of Mr. Chrisman—
1. A bill for the benefit of John W. Duncan, of Wayne county.

On motion of Mr. Moorman—
2. A bill to incorporate the town of Carbondale, in Muhlenburg county.

Ordered, That the Committee on Ways and Means prepare and bring in the first, and the Committee on Corporate Institutions the 2d.

Upon their motion, it is ordered that Messrs. Garnett and Bates be relieved from further service on the committee heretofore raised under the resolution offered by Mr. Brown, to inquire into the expenditures in the prosecution of the claim of this Commonwealth against the Government of the United States, for expenses incurred by this Commonwealth in the equipment, pay, &c., of troops during the late civil war.

And thereupon Messrs. Blakey and Wright were appointed in their place.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

- An act to change the name of the Trayser Piano-forte Company, of Maysville;
- An act to amend the charter of the Jefferson and Brownsboro and Harrod's Creek and Sand Hill Turnpike Road Companies and branches;
- An act for the benefit of keepers of licensed stud horses, jacks, and bulls;
- An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company;
- An act to repeal section 17 of an act to incorporate the Chattaroi Railway Company, approved 11th March, 1873;
- An act for the relief of the sheriff of Trigg county;
- An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Mercer Station, in Muhlenburg county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

- An act to amend an act, entitled "An act to prevent the destruction of fish in the Kentucky river and its tributaries," approved March 13, 1872;
An act to repeal an act, entitled "An act to amend an act, entitled "An act to charter the Crab Orchard and Crew's Knob Turnpike Company,"" approved March 20, 1872;
An act to amend the charter of the South Kentucky Railway Company;
An act for the benefit of common school districts Nos. 70 and 73, in Warren county;
An act providing for copying the surveys, plats, and certificates of land in Warren county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

A message was received from the Senate, announcing that they had adopted so much of the report of the joint committee on the report of the Commissioners to Revise the Statutes, as is comprised under the following heads, viz:
Chapter 62, title "Jurors, Grand and Petit."
Chapter 63, title "Lands."
Chapter 64, title "Lands, Processioning of."
Chapter 65, title "Lands West of the Tennessee River."
Chapter 66, title "Laws."
Chapter 67, title "Legislature."

The House, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to Revise the Statutes.

Chapter 30, title "Crimes and Punishments," being still under consideration,

Mr. McElroy moved to amend said chapter by striking out all of section 1 of article 11, as amended on yesterday, and insert in lieu thereof the following:

§ 1. Persons guilty of larceny of goods and chattels of the value of four dollars or more, shall be punished by confinement in the penitentiary of not less than one nor more than five years; and persons guilty of larceny of goods and chattels of less value than four dollars, shall be punished by stripes, not exceeding thirty-nine, unless in those cases in which the punishment is specifically prescribed in this chapter.

And the question being taken on the adoption of the amendment proposed by Mr. McElroy, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Carpenter and E. P. Johnson, were as follows, viz:
Those who voted in the affirmative, were—

W. W. Ayers, Josiah H. Combs, J. C. Moorman,
G. W. Bailey, William G. Conrad, John W. Ogilvie,
Alpheus W. Bascom, W. H. Evans, Hiram S. Powell,
S. C. Bell, J. P. Hampton, E. A. Robertson,
Church H Blakey, T. J. Jones, James W. Snyder,
Thomas P. Cardwell, J. J. McAfee, L. W. Trafton,

Those who voted in the negative, were—

Mr. Speaker (M'Cready) J. E. Cosson, John Rowan,
Wm. A. Allen, Walter Evans, John P. Rowlett,
George W. Anderson, M. Woods Ferguson, J. P. Sacksteder,
A. C. Armstrong, Manlius T. Flippin, Frank Sacksteder,
A. S. Arnold, Wm. Cassius Goodloe, J. R. Sanders,
R. Tarv. Baker, E. A. Graves, Samuel M. Sanders,
W. R. Bates, C. P. Gray, C. C. Scales,
W. N. Beckham, Clinton Griffith, C. W. Threlkeld,
John A. Bell, E. Polk Johnson, Harry I. Todd,
W. B. M. Brooks, Thomas M. Johnson, T. W. Varnon,
William Brown, J. S. Lawson, J. L. Waring,
Robert M. Carlisle, Bryan S. McClure, C. H. Webb,
John S Carpenter, M. E. McKenzie, J. M. White,
George Carter, T. J. Megibben, Mordecai Williams,
B. E. Cassilly, W. A. Morin, F. A. Wilson,
C. M. Clay, jr., J. L. Nall, Jonas D. Wilson,
R. L. Cooper, Lewis Potter,

Mr. Wright then moved to amend said chapter by adding thereto the following as an additional article thereof, viz:

It shall be unlawful for the keeper, or any of the officers or turnkeys employed in the penitentiary, to flog any prisoner confined therein. Any person violating the provisions of this article shall, on conviction thereof, be confined in the county jail not less than thirty days nor more than three months, and shall forfeit his office.

And the question being taken on the adoption of the amendment proposed by Mr. Wright, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Gray, were as follows, viz:

Those who voted in the affirmative, were—

Walter Evans, Hiram S. Powell, J. N. Woods,
E. Polk Johnson, Mordecai Williams,

Those who voted in the negative, were—

Mr. Speaker (M'Cready) William G. Conrad, T. J. Megibben,
Wm. A. Allen, R. D. Cook, W. A. Morin,
George W. Anderson, R. L. Cooper, J. L. Nall,
Mr. Garnett then offered the following amendment (No. 1) to section 2 of article 11 of said chapter, viz:

Strike out the word "five" wherever it occurs therein, and insert in lieu thereof the word "two."

Mr. Bascom then offered the following as a substitute for the amendment proposed by Mr. Garnett, viz:

Amend section 2 of article 11, by striking out all after the word "jennet," in the first line, and inserting the following: "He shall be punished with death, or confined in the penitentiary, at the discretion of the jury, for a term of not less than five years."

And the question being taken on the adoption of the substitute proposed by Mr. Bascom for the amendment proposed by Mr. Garnett, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Bailey; Alpheus W. Bascom—2

Those who voted in the negative, were—

Mr. Speaker (McCready) J. E. Cosson; Julian N. Phelps; Lewis Potter; E. A. Robertson; John Rowan; John P. Rowlett; J. R. Sanders; Samuel M. Sanders; C. W. Threlkeld; Harry I. Todd; L. W. Trafton; T. W. Varnon; J. L. Waring; J. M. White; F. A. Wilson; Jonas D. Wilson—54.
Mr. Garnett then offered amendments to article 11, sections 4 and 5, and article 17, section 17, and to article 29, section 1, of said chapter, which were adopted.

Mr. Evans offered an amendment to article 13, section 2, of said chapter, which was adopted.

Mr. Force offered an amendment to article 17, section 26, of said chapter, which was adopted.

Mr. Clay offered a substitute (by way of amendment) for section 3 of article 18 of said chapter, which was adopted.

Mr. Blakey offered an amendment to sections 5 and 6 of article 18, which was adopted.

Amendments were also offered to said chapter by Messrs. W. Evans, Graves, and Webb, which were rejected.

Mr. W. Evans then offered an amendment to article 29 of said chapter.

Mr. Graves offered a substitute for the amendment proposed by Mr. Evans.

Pending consideration of said chapter and proposed amendments, the hour for taking a recess arrived.

And then, under the rule, the House took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again reassembled.

Mr. Garnett, from the Committee on the Judiciary, who originated the same, reported

A bill to repeal an act to amend the charter of the town of Harrodsburg, approved February 17, 1872.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then, according to order, took up and proceeded to consider further a bill, entitled

A bill to repeal an act, entitled "An act authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats."

Said bill was then, according to an order of the House heretofore made, read a second time.

Mr. Powell then moved to recommit said bill to the Committee on the Judiciary.

And the question being taken on the motion of Mr. Powell, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Powell and Brown, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Brown then moved to lay said bill on the table.
And the question being taken on the motion of Mr. Brown, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gray and Nall, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Bailey, C. D. Foote, John Rowan,
William Brown, Joseph P. Force, J. P. Sacksteder,
Thomas P. Cardwell, J. P. Hampton, Frank Sacksteder,
George Carter, T. J. Jones, J. R. Sanders,
Josiah H. Combs, J. S. Lawson, Harry I. Todd,
R. D. Cook, Bryan S. McClure, T. W. Varnon,
J. E. Cosson, John W. Ogilvie, C. H. Webb,
W. H. Evans, Julian N. Phelps, J. M. White,
James B. Fitzpatrick.

Those who voted in the negative, were—

Mr. Speaker (McCready) James S. Chrisman, T. J. Megibben,
Wm. A. Allen, C. M. Clay, jr., W. A. Morin,
A. C. Armstrong, William G. Conrad, J. L. Nall,
A. S. Arnold, Walter Evans, Lewis Potter,
W. W. Ayers, Manlius T. Flippin, E. A. Robertson,
Alpheus W. Bascomb, James Garnett, John P. Rowlett,
W. N. Beckham, E. A. Graves, Samuel M. Sanders,
John A. Bell, C. P. Gray, James W. Snyder,
S. C. Bell, George M. Jesse, C. W. Threlkeld,
J. C. S. Blackburn, Thomas M. Johnson, J. L. Waring,
Church H. Blakey, J. J. McAfee, F. A. Wilson,
W. B. M. Brooks, William J. McElroy, J. N. Woods,
B. E. Cassilly.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act entitled "An act authorizing rewards for killing wolves, red foxes, grey foxes, and wild cats," approved 13th February, 1873, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and W. H. Evans, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready) James S. Chrisman, M. E. McKenzie,
Wm. A. Allen, C. M. Clay, jr., T. J. Megibben,
George W. Anderson, William G. Conrad, W. A. Morin,
Resolved, That the title of said bill be as aforesaid.

Mr. Rowlett moved to reconsider the vote by which said bill was passed.

Mr. Clay moved to lay the motion of Mr. Rowlett on the table.

At twenty minutes before 10 o'clock, P. M., Mr. Powell moved that the House do now adjourn.

And the question being taken on the motion of Mr. Powell, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Powell and W. H. Evans, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on the motion of Mr. Clay, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Powell and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Leave of absence, indefinitely, was granted Mr. Nunan.

And then the House adjourned.
FRIDAY, APRIL 4, 1873.

Leave of absence, indefinitely, was granted Messrs. Threlkeld and Moorman.

Bills were reported by the committee, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the Oakland Iron Company.

By Mr. Anderson, from the same committee—
A bill to amend an act, entitled “An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company,” approved February 8th, 1871.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. A. Bell, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend section sixteen of an act, entitled “An act to amend an act to incorporate the town of Smith’s Grove,”

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Carlisle, leave was given to bring in a bill, entitled

A bill to incorporate the Forrest Hill Building and Loan Association, in Kenton county.
Ordered, That the Committee on Corporate Institutions prepare and bring in the same.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to bills, which originated in the House of Representatives, of the following titles, viz.:

1. An act for the benefit of R. L. Ewell, clerk of the Laurel county court.

2. An act to suppress lawlessness in this Commonwealth.

3. The title of the last named bill changed so as to read:

   An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

4. That they had passed a bill, which originated in the House of Representatives, entitled

   An act to facilitate the collection of delinquent taxes in Owen county.

And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth," approved March 9, 1868.

2. An act to incorporate the Southwest Kentucky Immigration and Real Estate Company.

3. An act providing compensation for the services of W. R. Bradley, in the defense of the action of the State of Missouri against the State of Kentucky, for the recovery of Wolf Island.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Corporate Institutions; and the 3d to the Committee on Claims.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

1. An act for the benefit of R. L. Ewell, clerk of the Laurel county court;

2. An act for the benefit of common school district No. 42, in Allen county;

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An act for the benefit of the kindred of Pierre Victor Eustache, late of McCracken county;

An act for the benefit of the Minerva and Beazley's Creek Turnpike Road Company, in Mason county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Union Agricultural and Mechanical Association, near Fort Jefferson, in Ballard county;

An act to provide for organizing and establishing a system of public schools in Winchester;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

The House took up the motion to reconsider the vote by which the House rejected the substitute (amendment) offered by Mr. Garnett to section 3 of article 3 of chapter 30, title "Crimes and Punishments," of the report from the Senate of the proposed Revision of the Statutes.

The question was then taken on reconsidering said vote, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. T. M. Johnson and McElroy, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The House took up also the motion to reconsider the vote by which the House disagreed to the report of the joint committee of conference on the subject of the disagreement of the two Houses with respect to the amendment proposed by the House to section 2 of article 1 of chapter 7, title "Auditor," of the report of the Senate of the proposed Revision of the Statutes.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McElroy and McClure, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) R. D. Cook, Hiram S. Powell;
Wm. Allen, R. L. Cooper, E. A. Robertson;
A. C. Armstrong, W. H. Evans, John P. Rowlett;
A. S. Arnold, C. D. Foote, J. P. Sacksteder;
R. Tarv. Baker, James Garnett, Frank Sacksteder;
Alpheus W. Bassom, C. P. Gray, J. R. Sanders;
J. C. S. Blackburn, George M. Jesse, James W. Snyder;
Church H. Blakey, E. Polk Johnson, Harry I. Todd;
W. B. M. Brooks, J. J. McAfee, T. W. Varnon;
James S. Chrisman, W. A. Morin, C. H. Webb;
C. M. Clay, Jr., J. L. Nall, J. N. Woods;
William G. Conrad, Lewis Potter,

Those who voted in the negative, were—

W. W. Ayers, Joseph P. Foree, M. E. McKenzie;
W. N. Beckham, E. A. Graves, J. C. Moorman;
John A. Bell, Thomas M. Johnson, John W. Ogilvie;
S. C. Bell, T. J. Jones, John Rowan;
Robert M. Carlisle, J. S. Lawson, Samuel M. Sanders;
J. E. Coisson, Bryan S. McClure, William Sellers;

The question was then again taken on concurring in the report of said joint committee of conference, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Foree, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) William G. Conrad, J. L. Nall,
George W. Anderson, R. L. Cooper, Lewis Potter,
A. C. Armstrong, Walter Evans, E. A. Robertson,


Those who voted in the negative, were—


The House took up the disagreement of the Senate to the amendments proposed by the House to sections 1 and 2, article 4, chapter 55, title "Inclosures and Certain Trespasses," of the report from the Senate of the proposed Revision of the Statutes.

Mr. Rowlett moved that the House do insist upon its said proposed amendments.

And the question being taken on the motion of Mr. Rowlett, it was decided in the affirmative.

On motion of Mr. Rowlett,

Ordered, That a committee of conference be appointed on the subject of the disagreement of the two Houses with respect to the proposed amendments aforesaid—that they inform the Senate of their appointment, and request the appointment of a committee for the same purpose on their part.

And thenceupon the Speaker appointed upon said committee, on the part of the House, Messrs. Rowlett, Foree, and T. M. Johnson.

The House took up also the disagreement of the Senate to the amendment proposed by the House to article 1 of chapter 60, title "Interest and Usury," of the proposed Revision of the Statutes.

Mr. Bascom moved that the House do insist upon the said proposed amendment.
And the question being taken on the motion of Mr. Bascom, it was decided in the affirmative.

On motion of Mr. Foote,

Ordered, That a committee of conference be appointed on the subject of the disagreement of the two Houses with respect to the proposed amendments aforesaid—that they inform the Senate of their appointment, and request the appointment of a committee for the same purpose on their part.

And thereupon the Speaker appointed upon said committee, on the part of the House, Messrs. Foote, Bascom, and Griffith.

The House took up and proceeded to consider still further chapter 30, title "Crimes and Punishments," of the report from the Senate of their action in regard to the proposed Revision of the Statutes.

Mr. Graves withdrew the substitute, proposed by him on yesterday, for the amendment proposed by Mr. Evans.

Mr. Gray then offered another amendment in lieu thereof, which was rejected.

The amendment proposed by Mr. Evans reads as follows, viz:

Add to article 29 the following:

§ 5. Carrying concealed deadly weapons shall be lawful in the following cases: 1st. Where the person has reasonable grounds to believe his person, or the person of some of his family, or his property, is in danger from violence or crime; 2d. By sheriffs, constables, marshals, and policemen, when necessary for the protection in the discharge of their duties; 3d. During the night, where the business or occupation of the person requires that he should go abroad from his home.

The question was then taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. M. Johnson and Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

George W. Anderson, R. D. Cook, Bryan S. McClure,
G. W. Bailey, J. E. Cosson, Hiram S. Powell,
Thomas P. Cardwell, James Garnett, F. A. Wilson,
James S. Chrisman, E. A. Graves, Jonas D. Wilson,

Amendments were offered by Messrs. Beckham and Gray, which were adopted.

Mr. Beckham offered the following amendment, viz:
Add to article 4, section 3, these words: “or with confinement in the penitentiary for life, in the discretion of a jury.”

The question was then taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garnett and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) R. D. Cook, J. L. Nall,
Wm. A. Allen, J. E. Cosson, Julian N. Phelps,
A. C. Armstrong, Walter Evans, Lewis Potter,
A. S. Arnold, James B. Fitzpatrick, J. P. Sacksteder,
R. Tarv. Baker, Manlius T. Flippin, Frank Sacksteder,
W. N. Beckham, C. D. Foole, J. R. Sanders,
John A. Bell, Joseph P. Force, Samuel M. Sanders,
J. S. Blackburn, C. P. Gray, William Sellers,
W. H. M. Brooks, M. E. McKenzie, C. H. Wehn,
William Brown, T. J. Megibben, Mordecai Williams,
Thomas P. Cardwell, J. C. Moorman, J. N. Woods,

Those who voted in the negative, were—

George W. Anderson, James Garnett, John W. Ogilvie,
W. W. Ayers, E. A. Graves, Hiram S. Powell,
Alpheus W. Bascom, Clinton Griffith, E. A. Robertson,
S. C. Bell, George M. Jesse, John Rowan,
James S. Chrisman, E. Polk Johnson, John P. Rowlett,
C. M. Clay, jr., Thomas M. Johnson, Harry I. Todd,
J. Guthrie Coke, T. J. Jones, T. W. Varnon,
William G. Conrad, J. S. Lawson, F. A. Wilson,

M. Woods Ferguson, Wm. J. McElroy,
Chapter 30, title "Crimes and Punishments," as amended, was then adopted.

The House took up also, of said report, chapter 62, title "Juries, Grand and Petit."

Mr. Garnett offered an amendment thereto, which was adopted.

Said chapter, as thus amended, was then adopted.

The House then, under the rule, took a recess until 7 1/2 o'clock, P. M.

At half-past 7 o'clock, P. M., the House again reassembled.

Mr. J. P. Sacksteder moved the following resolution, viz:

Resolved, That after this day the night sessions of this House, as now provided for, shall be continued each night, except Saturday night, until 11 o'clock.

Which was adopted.

Mr. Anderson, from the Committee on Corporate Institutions, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the city of Covington,

Reported the same with an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House, according to order, took up a bill, entitled

A bill for the benefit of Whitley county.

On motion of Mr. Cook, the consideration of said bill was postposed to, and made special order of the day for, Tuesday, the 15th inst., at 8 o'clock, P. M.

The House then, according to order, took up the motion to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act to provide a private secretary for the Governor.

Mr. Brown moved to lay the motion to reconsider on the table.

And the question being taken on the motion of Mr. Brown, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and T. M. Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, R. D. Cock, Bryan S. McClure,
S. C. Bell, J. E. Cooson, William Sellers,
William Brown, W. H. Evans, Jonas D. Wilson,
Those who voted in the negative, were—

Mr. Speaker (Mr. Creary) R. L. Cooper, John W. Ogilvie,
George W. Anderson, Walter Evans, Julian N. Phelps,
A. S. Arnold, M. Woods Ferguson, Lewis Potter,
W. W. Ayers, James B. Fitzpatrick, E. A. Robertson,
G. W. Bailey, James Garnett, John P. Rowlett,
Alpheus W. Bascom, E. A. Graves, J. P. Sacksteder,
W. N. Beckham, Clinton Griffith, Frank Sacksteder,
J. C. S. Blackburn, George M. Jesse, J. R. Sanders,
Church H. Blakey, Thomas M. Johnson, Samuel M. Sanders,
W. B. M. Brooks, T. J. Jones, C. C. Scales,
Thomas P. Cardwell, Wm. J. McElroy, James W. Snyder,
Robert M. Carlisle, M. E. McKenzie, Harry I. Todd,
George Carter, T. J. Megibben, T. W. Varnon,
B. E. Cassilly, W. A. Morin, J. M. White,
C. M. Clay, jr., J. L. Nall, Mordecai Williams,

Those who voted in the affirmative, were—

Mr. Speaker (Mr. Creary) Walter Evans, Julian N. Phelps,
George W. Anderson, M. Woods Ferguson, Lewis Potter,
A. C. Armstrong, James B. Fitzpatrick, E. A. Robertson,
A. S. Arnold, C. D. Foote, John P. Rowlett,
W. W. Ayers, Joseph P. Force, J. P. Sacksteder,
Alpheus W. Bascom, E. A. Graves, Frank Sacksteder,
W. N. Beckham, Clinton Griffith, J. R. Sanders,
John A. Bell, George M. Jesse, Samuel M. Sanders,
J. C. S. Blackburn, Thos. M. Johnson, C. C. Scales,
W. B. M. Brooks, T. J. Jones, James W. Snyder,
Thomas P. Cardwell, Wm. J. McElroy, Harry I. Todd,
George Carter, M. E. McKenzie, T. W. Varnon,
B. E. Cassilly, T. J. Megibben, J. L. Waring,
J. S. Lawson, James S. Chrisman, J. M. White,
William G. Conrad, J. L. Nall, Mordecai Williams,
J. E. Cosson, John W. Ogilvie, F. A. Wilson—52.

The question was then taken on the motion to reconsider the vote by which said bill was disagreed to, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Cook, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (Mr. Creary) Walter Evans, Julian N. Phelps,
George W. Anderson, M. Woods Ferguson, Lewis Potter,
A. C. Armstrong, James B. Fitzpatrick, E. A. Robertson,
A. S. Arnold, C. D. Foote, John P. Rowlett,
W. W. Ayers, Joseph P. Force, J. P. Sacksteder,
Alpheus W. Bascom, E. A. Graves, Frank Sacksteder,
W. N. Beckham, Clinton Griffith, J. R. Sanders,
John A. Bell, George M. Jesse, Samuel M. Sanders,
J. C. S. Blackburn, Thos. M. Johnson, C. C. Scales,
W. B. M. Brooks, T. J. Jones, James W. Snyder,
Thomas P. Cardwell, Wm. J. McElroy, Harry I. Todd,
George Carter, M. E. McKenzie, T. W. Varnon,
B. E. Cassilly, T. J. Megibben, J. L. Waring,
J. L. Nall, John W. Ogilvie, J. M. Wright—52.

Those who voted in the negative, were—

Wm. A. Allen, Josiah H. Combs, Bryan S. McClure,
G. W. Bailey, R. D. Cook, William Sellers,
S. C. Bell, W. H. Evans, Jonas D. Wilson,

Robert M. Carlisle,
The question was then again taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) R. L. Cooper,
George W. Anderson, J. E. Cosson,
A. C. Armstrong, Walter Evans,
A. S. Arnold, M. Woods Ferguson,
R. Tarv. Baker, James B. Fitzpatrick,
Alpheus W. Bascomb, C. D. Foote,
W. N. Beckham, Joseph P. Force,
John A. Bell, E. A. Graves,
J. C. S. Blackburn, Clinton Griffith,
W. B. M. Brooks, George M. Jesse,
Thomas P. Cardwell, Thomas M. Johnson,
George Carter, T. J. Jones,
B. E. Cassilly, J. S. Lawson,
James S. Chrisman, William J. McElroy,
C. M. Clay, Jr., M. E. McKenzie,
J. Guthrie Coke, T. J. Megibben,
William G. Conrad, W. A. Motin,

Those who voted in the negative, were—

Wm. A. Allen, Robert M. Carlisle,
W. W. Ayers, Josiah H. Combs,
G. W. Bailey, R. D. Cook,
S. C. Bell, W. H. Evans,
Church H. Blakey, Manlius T. Flippia,
William Brown, James Garnett,

Resolved, That the title of said bill be as aforesaid.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, that the Governor of this Commonwealth be, and he is hereby, allowed to employ and have a private secretary to assist him in the labors of his office. The salary of said private secretary shall not exceed twelve hundred dollars per annum, and shall be payable out of the Treasury monthly, as the salaries of other public officers. The Governor shall be responsible for all the official acts of his said private secretary.

§ 2. This act shall take effect from its passage.

Mr. Ayers, from the Committee on Religion, to whom was recommitted a bill, entitled

A bill to prohibit the sale of spirituous, vinous, or malt liquors in Lincoln county, and to take a vote on the same,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House took up the motion heretofore made by Mr. Goodloe to reconsider the vote by which the House passed a bill from the Senate, entitled

An act to incorporate the Kentucky and Southeastern Railway Company.

And the question being taken on said motion, it was decided in the affirmative.

On motion of Mr. Waring, the vote by which said bill was ordered to be read a third time was also reconsidered.

Ordered, That said bill be recommitted to the Committee on the Judiciary.

On motion of Mr. Blackburn, leave was given to bring in a bill, entitled

A bill to create a board of registration for the county of Fayette.

Ordered, That the Committee on the Judiciary prepare and bring in the same.

The House resumed the consideration of an unfinished report of yesterday, and the substitute (by way of amendment) proposed therefor by the committee, and the amendment offered by Mr. J. P. Sacksteder to the amendment proposed by the committee, viz:

A bill to prohibit the sale, giving, or furnishing intoxicating liquors on election days.

The question was then taken on the adoption of the amendment to the substitute proposed by the committee, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. P. Sacksteder and Ferguson, were as follows, viz:

Those who voted in the affirmative, were:

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W. B. M. Brooks,                     C. D. Foote,                      J. R. Sanders,
William Brown,                      James Garnett,                   Harry I. Todd,
Thomas P. Cardwell,                  Clinton Griffith,                  J. M. Wright—36.

Those who voted in the negative, were—

Wm. A. Allen,                        Manlius T. Flippin,               William Sellers,
R. Tarv. Baker,                      Joseph P. Force,                  James W. Snyder,
John A. Bell,                        E. A. Graves,                    J. L. Waring,
William G. Conrad,                   T. J. Jones,                     J. M. White,
R. D. Cook,                          J. S. Lawson,                    Mordecai Williams,
R. L. Cooper,                        William J. McElroy,               F. A. Wilson,
J. E. Cosson,                        W. A. Morin,                     Jonas D. Wilson,

Said amendment reads as follows, viz:

Add to section 3 these words: "but shall not apply to the city of
Louisville and Jefferson county."

Mr. Graves then offered the following amendment, viz:

Add to section 1 these words: "or for Representatives in the
Congress of the United States."

Mr. Blackburn then moved to lay said bill and amendments on the

And the question being taken on the motion of Mr. Blackburn, it

The yeas and nays being required thereon by Messrs. Graves and

Blackburn, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) George Carter,                     Thomas M. Johnson,
Wm. A. Allen,                                             B. E. Cassilly,                 Bryan S. McClure,
George W. Anderson,                                       J. Guthrie Coke,                M. E. McKenzie,
A. S. Arnold,                                             Josiah H. Combs,                Julian N. Phelps,
R. Tarv. Baker,                                           William G. Conrad,              Hiram S. Powell,
Alpheus W. Bascom,                                       M. Woods Ferguson,              J. P. Sacksteder,
John A. Bell,                                             James B. Fitzpatrick,           Frank Sacksteder,
S. C. Bell,                                              C. D. Foote,                    James W. Snyder,
J. C. S. Blackburn,                                      Joseph P. Force,                 Harry I. Todd,
W. B. M. Brooks,                                         Clinton Griffith,               J. M. White,

Those who voted in the negative, were—

A. C. Armstrong,                                         J. E. Cosson,                   Lewis Potter,
W. W. Ayers,                                             Walter Evans,                   E. A. Robertson,
W. N. Beckham,                                           Manlius T. Flippin,             John P. Rowlett,
Church H. Blakey,                                        James Garnett,                  William Sellers,
William Brown,                                           E. A. Graves,                   J. L. Waring,
Thomas P. Cardwell,                                      T. J. Jones,                    Mordecai Williams,
James S. Chrisman,                                       William J. McElroy,              F. A. Wilson,
R. D. Cook,                                              W. A. Morin,                     Jonas D. Wilson,
R. L. Cooper,                                            John W. Ogilvie,                 J. N. Woods—27.

And so said bill was rejected.
Said bill, and the substitute proposed therefor by the committee, read as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all persons in this Commonwealth, who are authorized to sell intoxicating liquors of any description, by retail or otherwise, be, and they are hereby, prohibited from selling, giving, or furnishing the same to any person or persons on election days.

§ 2. That any person named in the above section, who shall sell, give, or furnish intoxicating liquors of any description, to any person or persons, on election days, in this Commonwealth, shall be liable to a fine of one hundred dollars for each offense, to be recovered by indictment in the circuit court of the county in which the offense is committed. But this act shall not apply to any druggist who sells, gives, or furnishes such liquors on such days, bona fide for medical purposes.

§ 3. This act to take effect and be in force from and after its passage.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all persons in this Commonwealth who are authorized to sell intoxicating liquors of any description, by retail or otherwise, be, and they are hereby, prohibited from selling, giving, or furnishing such liquors to any person or persons on any day appointed by law for the election of State or county officers, or for the election of electors for President of the United States.

§ 2. That any person mentioned in the first section of this act who shall sell, give, or furnish intoxicating liquors, of any description, to any person or persons, on the election days aforesaid in this Commonwealth, shall be fined one hundred dollars for each offense, to be recovered by indictment in the circuit court of the county in which the offense is committed. Said fine may be recovered in the Louisville city court, if the offense is committed in said city. But nothing in this act shall apply to any druggist who may sell, give, or furnish on such days such liquors, bona fide for medical purposes.

§ 3. This act to be in force from its passage.

Mr. Waring, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act to charter Ohio River, Owenton, and Lexington Railway Company,

Reported the same with an amendment thereto, which was adopted. Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Megibben withdrew, by leave of the House, his motion to reconsider the vote by which this House passed

A bill to change the time of holding the circuit, criminal, and chancery courts in the 12th judicial district.

The House took up the motion to reconsider the vote by which this House disagreed to a bill from the Senate, entitled
An act to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices in the city of Frankfort.

On motion of Mr. Todd,

Ordered, That the consideration thereof be postponed to, and made special order of the day for, Thursday, the 10th inst., at 8 o'clock, P. M.

Mr. Todd, from the Committee on Public Offices, who were directed to prepare and bring in the same, reported, without the expression of an opinion thereon,

A bill to erect a monument over the grave of E. L. Van Winkle, late Secretary of State.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That the further consideration of said bill be postponed to, and made special order of the day for, Thursday, the 10th inst., at 8½ o'clock, P. M.

Mr. Baker, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of married women in this Commonwealth,

Reported the same without amendment.

Ordered, That the consideration of said bill be postponed to, and made special order of the day for, Tuesday, the 8th inst., at 8½ o'clock, P. M.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Cooper, from the Committee on Education—
A bill to establish a school district from parts of Fayette and Madison counties.

By Mr. Sacket, from the Committee on the Judiciary—
A bill to incorporate the Immigration Association of Kentucky.

By Mr. Garnett, from the same committee—

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the Sodom Turnpike Road Company, in Scott county.

By Mr. Blackburn, from the Committee on Railroads—
An act for the protection of counties, cities, &c., subscribing stock in railroads, turnpikes, and other improvements.

By Mr. Sacksteder, from the Committee on the Judiciary—
An act to increase the jurisdiction of justices of the peace in Ballard county, and to regulate appeals from their courts.

By same—
An act to require the clerk of the Wolfe circuit court to index and cross-index certain judgment and order-books in his office.

By same—
An act to legalize the official actions of William W. White, deputy clerk of the Clay circuit court.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill for the benefit of Jesse Clark, of Bath county.

Which was read the first time as follows, viz:

Whereas, Louisa Clark, wife of Jesse Clark, obtained a divorce at the March term, 1873, of the Bath circuit court, and the said Jesse Clark is desirous of marrying again before the expiration of one year, and has made all necessary arrangements to do so, under the belief he had the right to marry again at any time after the decree of divorce therefor.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Jesse Clark, of Bath county, be, and he is hereby, permitted to marry, by proper license, at any time after the passage of this act.

§ 2. This act shall take effect from its passage.
Ordered, That said bill be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Graves and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, Josiah H. Combs, J. L. Nall,
George W. Anderson, William G. Conrad, John P. Rowlett,
R. Tarv. Baker, Walter Evans, J. P. Sacksteder,
Alpheus W. Bascom, M. Woods Ferguson, Frank Sacksteder,
John A. Bell, James B. Fitzpatrick, J. R. Sanders,
J. C. S. Blackburn, C. D. Foote, C. C. Scales,
Thomas P. Cardwell, Thomas M. Johnson, Harry I. Todd,
George Carter, T. J. Jones, T. W. Varson,
J. Guthrie Coke, T. J. Megibben, Mordecai Williams—27

Those who voted in the negative, were—

A. C. Armstrong, Joseph P. Foree, Hiram S. Powell,
Church H. Blakey, James Garnett, E. A. Robertson,
W. B. M. Brooks, E. A. Graves, William Sellers,
James S. Chrisman, Bryan S. McClure, J. L. Waring,
C. M. Clay, Jr., Wm. J. McElroy, F. A. Wilson,
R. D. Cook, M. E. McKenzie, Jonas D. Wilson,
R. L. Cooper, W. A. Morin, J. N. Woods,

Resolved, That the title of said bill be as aforesaid.
And then the House adjourned.
A message was received from the Senate, announcing that they had concurred in an amendment proposed by the House to a bill, which originated in the Senate, entitled

An act to amend an act, entitled “An act to incorporate the Kentucky and Great Eastern Railway Company.”

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of S. H. Piles, late sheriff of Livingston county.

An act to submit to the qualified voters of Meade county the question of removal of the county seat.

An act to compensate assessors for making an enumeration of the qualified voters of the State.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Benevolent Society of Colored People of Millville, in Woodford county.

An act to prevent the sale of intoxicating liquors in the Murphysville precinct, in Mason county.

An act for the benefit of Mrs. V. W. Fishback.

An act for the benefit of S. H. Piles, late sheriff of Livingston county.

An act to prohibit the sale of intoxicating liquors at Cropper’s Depot, in Shelby county.

An act to amend an act, entitled, “An act to incorporate Lost Fork and Otter Creek Turnpike Road Company, in Madison county,” approved March 16, 1869.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of West Bend, Powell county.

An act for the benefit of the Kiddville and Montgomery Turnpike Road Company.

An act for the benefit of William Little, curator of the estate of Robert C. Moore, deceased.

An act to cause a head and foot-stone to be erected over the grave of Henry Morton (of color).
An act for the benefit of school district No. 28, in Clinton county.
An act to amend an act, entitled "An act to prohibit the sale of intoxicating liquors in the town of Clayville."
An act to incorporate the Colored Baptist Church, of Lancaster.
An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof," approved February 28, 1872.
An act to amend the charter of the Eastern Kentucky Railway Company.
An act to further define the duties of Commonwealth and county attorneys.
An act for the benefit of the tax-payers of Carter county.
An act to prohibit and punish persons guilty of intimidating voters.
An act for the benefit of the Hillsboro and Mouth of Fox and the Tilton and Day's Mill Turnpike Company.
An act for the benefit of R. T. McGlauling.
An act affixing penalties and forfeitures upon corporations and persons exercising corporate powers that are required to give bonds and have failed to do so.
An act to provide for the payment of conveying prisoners to the House of Reform.
An act to amend an act, entitled "An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott circuit court."
With amendments to the last four named bills.
And that they had passed bills of the following titles, viz:
1. An act concerning the various charitable institutions in this Commonwealth.
2. An act to amend and reduce into one the several acts concerning the management of the Wilderness Turnpike Road.
5. An act to exempt secretaries, assistant secretaries, superintendents, assistant superintendents, and depot agents of railroads, from jury service.
6. An act repealing the charter of St. Matthews and Goose Creek Turnpike Road Company.

99-H. R.
7. An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

8. An act for the benefit of Browder Institute, in Logan county.

9. An act to amend an act incorporating the Williamstown Odd Fellows' Hall Company.

10. An act to incorporate the Louisville, Winchester, and Iron and Coal Region Railway Company.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Charitable Institutions; the 2d, 6th, and 7th to the Committee on Internal Improvement; the 3d and 4th to the Committee on Ways and Means; the 5th to the Committee on the Judiciary; the 8th to the Committee on Education; the 9th to the Committee on Corporate Institutions; and the 10th to the Committee on Railroads.

A message was received from the Governor by Mr. Botts, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz.:

An act to incorporate the town of Hanson, in Hopkins county.

An act to protect the owners of breeding and training farms and stables.

An act to amend the charter of the Winchester Cemetery Company.

An act to amend an act, entitled "An act to amend the charter of the Big Sandy Valley Railroad Company."

An act to authorize the appointment of an additional examiner to take depositions in and for Floyd county.

An act to amend an act incorporating the Concord and Tollesboro Turnpike Road Company.

An act for the benefit of the Iron Works Turnpike Road Company.

An act for the benefit of school district No. 62, in Shelby county.

An act to amend the original and amended acts incorporating the town of Earlington.

An act to provide for organizing and establishing a system of public schools in Winchester.

An act to incorporate the Union Agricultural and Mechanical Association, near Fort Jefferson, in Ballard county.
An act for the benefit of common school districts Nos. 70 and 73, in Warren county.

An act providing for copying the surveys, plats, and certificates of land in Warren county.

An act to amend an act, entitled "An act to prevent the destruction of fish in the Kentucky river and its tributaries," approved March 13, 1872.

Mr. Phelps moved to reconsider the vote by which the House, on yesterday, adopted a resolution providing for an adjournment of the House each day at 11 o'clock, P. M.

A message was also received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of Charles K. Oldham, sheriff of Madison county,

With an amendment thereto.

Said amendment was taken up and concurred in.

A message was also received from the Senate, announcing that they had appointed a committee of conference on their part, to act in conjunction with the committee appointed by the House, in regard to the disagreement of the two Houses in respect to the amendment proposed by the House to chapter 29, title "Courts," of the proposed Revision of the Statutes.

And also that they had adopted of the proposed Revision of the Statutes the following chapters, viz:

Chapter 82, title "Peddlers."
Chapter 83, title "Penitentiary."
Chapter 84, title "Poor and Poor-houses."
Chapter 85, title "Port-wardens."
Chapter 86, title "Public Arms and Accoutrements."
Chapter 87, title "Public Buildings, State and County."
Chapter 88, title "Landlord and Tenant."
Chapter 89, title "Liens in Favor of Mechanics, Laborers, and Material Men."
Chapter 70, title "Limitations of Actions."
Chapter 71, title "Lost Records, &c., how Supplied."
Chapter 72, title "Master Commissioners, Receivers, and other Commissioners in Equity."
Chapter 74, title "Mills."
Chapter 75, title "Militia."
Chapter 76, title "Names May be Changed."
Chapter 77, title "Notary Public."
Chapter 78, title "Occupying Claimants."
Chapter 79, title "Office and Officer."
Chapter 80, title "Partnerships."
Chapter 81, title "Patrols."

Mr. Graves moved to suspend the rules to enable him to offer the following resolution, viz:

Resolved, That Senate bill, entitled "An act concerning the various charitable institutions in this Commonwealth," be referred to the Committee on Charitable Institutions, and that they be directed to report to this House on Wednesday next, at 10 o'clock, A. M.

Objections being made thereto, the question was then taken thereon, and decided in the negative.

The yeas and nays being taken thereon, under the rule, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, C. D. Foote, John Rowan,
A. S. Arnold, Joseph P. Force, John P. Rowlett,
W. W. Ayers, James Garnett, J. R. Sanders,
G. W. Bailey, E. A. Graves, Samuel M. Sanders,
S. C. Bell, C. P. Gray, C. C. Scales,
J. C. S. Blackburn, Clinton Griffith, James W. Snyder,
Church H. Blakey, T. J. Jones, Harry I. Todd,
W. B. M. Brooks, J. S. Lawson, L. W. Trafton,
Robert M. Carlisle, William J. McElroy, T. W. Varnon,
George Carter, M. E. McKenzie, J. L. Waring,
James S. Chrisman, T. J. Megibben, C. H. Webb,
C. M. Clay, Jr., W. A. Morin, J. M. White,
J. E. Cosson, J. L. Nall, Mordecai Williams,
W. H. Evans, John W. Ogilvie, F. A. Wilson,
Manlius T. Flippin, Lewis Potter,

Those who voted in the negative, were—

George W. Anderson, B. E. Cassilly, Thomas M. Johnson,
Alpheus W. Bascom, J. Guthrie Coke, Jonas D. Wilson,
Thomas P. Cardwell, Walter Evans,

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Dallasburg Cemetery Company;
An act to amend an act, entitled "An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county," approved February 9, 1872;
An act for the benefit of the Big Sandy Telegraph Company;
An act for the benefit of common school district No. 1, in Allen county;
An act to incorporate the Owenton and Sparta Telegraph Company;
An act to incorporate the Rockcastle Railway Company;
An act to amend an act, entitled "An act to incorporate the Kentucky and Great Eastern Railway Company;"
An act for the benefit of the administrator of Asa Gilbert, late sheriff of Clay county;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the St. Bernard Transportation Company;
An act to incorporate the Exchange Bank of Sharpsburg;
An act to amend an act, entitled "An act to incorporate the Clay Fire and Marine Insurance Company, of Newport," approved March 10, 1856;
An act to facilitate the collection of delinquent taxes in Owen county;
An act to incorporate the Williamsburg Geological and Mining Company;
An act for the benefit of Martha A. Hightower, a pauper lunatic;
An act for the benefit of Sallie Sanders;
An act for the benefit of Mildred Broadus, a pauper idiot of Lincoln county;
An act for the benefit of W. R. Stringer, of Livingston county;
An act for the benefit of John Pinkerton, of Carter county;
An act for the benefit of Mrs. Elizabeth J. Spradlin, of Floyd county;
An act to amend an act, entitled "An act to incorporate the Mt. Sterling Water-works Company;"
An act to amend the charter of the South Kentucky Fair Ground Association;
An act to amend the charter of the Webster Coal Company, approved March 9, 1867, and amendments thereto, approved March 20, 1871;
An act to establish a colored free school at Bowling Green;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.
The House, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to Revise the Statutes, viz:

Chapter 63, title "Lands;"
Chapter 64, title "Lands, Processioning of;"
Chapter 65, title "Lands West of the Tennessee River;"
Chapter 67, title "Legislature;"

Which were adopted without amendment.

Chapter 68, "title Landlord and Tenant," being under consideration,

Mr. Blakey offered the following amendment thereto, viz:
Amend section 5, of article 6, by adding thereto the following words: "The property of the lessee exempt from execution shall not be exempt from the payment of rent, unless the lessee notifies the lessor, in writing, that he has no property subject to execution."

The question was then taken on the adoption of said amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Evans and Blakey, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, James B. Fitzpatrick, Hiram S. Powell,
Alpheus W. Bascom, Thomas M. Johnson, John Rowan,
Church H. Blakey, T. J. Jones, J. M. Wright—11.
J. Guthrie Coke, Lewis Potter,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Walter Evans, John W. Ogilvie,
Wm. A. Allen, W. H. Evans, Julian N. Phelps,
W. W. Ayers, Manlius T. Flippin, John P. Rowlett,
G. W. Bailey, C. D. Foote, Samuel M. Sanders,
John A. Bell, Joseph P. Force, James W. Snyder,
S. C. Bell, James Garnett, Harry I. Todd,
J. C. S. Blackburn, E. A. Graves, L. W. Trafton,
Wm. F. Bond, C. P. Gray, T. W. Varnon,
W. B. M. Brooks, J. S. Lawson, J. L. Waring,
Robert M. Carlisle, J. J. McAfee, C. H. Webb,
George Carter, Bryan S. McClure, J. M. White,
B. E. Cassilly, William J. McElroy, Mordecai Williams,
James S. Chrisman, M. E. McKenzie, F. A. Wilson,
C. M. Clay, jr., W. A. Morin, Jonas D. Wilson,
R. D. Cook,

Said chapter was then adopted without amendment.

Chapter 69, title "Liens in Favor of Mechanics, Laborers, and Material Men," being under consideration,
Mr. Graves, offered the following amendment thereto, viz:

Amend section 1, in line 5, by adding after the word "owner" the words, "or by the consent of the husband of a married woman, who owns such property."

And the question being taken on the adoption of the amendment proposed by Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, Manlius T. Flippin, C. C. Scales,
A. S. Arnold, Joseph P. Force, James W. Snyder,
W. W. Ayers, E. A. Graves, Harry I. Todd,
Alpheus W. Bascom, T. J. Jones, T. W. Yarnon,
Wm. F. Bond, J. J. McAfee, J. N. Woods,
R. D. Cook, Samuel M. Sanders,

Those who voted in the negative, were—

Mr. Speaker (McCreary) William G. Conrad, W. A. Morin,
Wm. A. Allen, Walter Evans, J. L. Nall,
George W. Anderson, C. D. Poote, Julian N. Phelps,
John A. Bell, James Garnett, Lewis Potter,
S. C. Bell, C. P. Gray, John Rowan,
J. C. S. Blackburn, Thomas M. Johnson, L. W. Trafton,
Church H. Blakey, J. S. Lawson, J. L. Waring,
W. B. M. Brooks, Bryan S. McClure, C. H. Webb,
Robert M. Carlisle, Wm. J. McElroy, J. M. White,
George Carter, M. E. McKenzie, F. A. Wilson,
O. M. Clay, jr., T. J. Megibbon, Jonas D. Wilson—34.

Mr. Blakey offered an amendment to the same section, which was rejected.

Said chapter was then adopted without amendment.

Chapter 66, title "Laws," being under consideration,
Mr. Flippin offered an amendment thereto, which was rejected.

Amendments were offered by Messrs. Jones, W. Evans, and Garnett, which were adopted.

Said chapter, as amended, was then adopted.

Chapter 70, title "Limitation of Actions," being under consideration,
Mr. Wright offered an amendment thereto, which was adopted.

Said chapter, as amended, was adopted.

And then the House adjourned.
A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to further amend the charter of the Christian County Bank.
An act for the benefit of R. L. Ewell, clerk of the Laurel county court.
An act for the benefit of the Minerva and Beazley's Creek Turnpike Road Company, in Mason county.
An act for the benefit of common school district No. 42, in Allen county.
An act to amend an act, entitled "An act to incorporate the Fulton County Agricultural Society," approved January 18th, 1867.
An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Mercer Station, in Muhlenburg county.
An act to change the name of the Trayser Piano-forte Company, of Maysville.
An act for the relief of the sheriff of Trigg county.
An act to amend the charter of the Jefferson and Brownsboro and Harrod's Creek and Sand Hill Turnpike Road Companies and branches.
An act to amend the charter of the Paducah, Benton, and Murray Gravel Road Company.
That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:
An act to charter Ohio River, Owenton, and Lexington Railway Company.
An act to amend the charter of the city of Covington.
That they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Thos. M. Purnell.
An act to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington.
An act for the protection of bee-keepers in this Commonwealth.
With an amendment to the last named bill.
And that they had passed bills of the following titles, viz:

1. An act to amend an act, entitled “An act to incorporate the Deposit Bank of Henderson.”

2. An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, in Mason county.

3. An act to repeal an act, entitled “An act for the benefit of the German Evangelical St. Paul Church, of Paducah,” and to revive the act approved 26th January, 1869, named therein.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Banks; the 2d to the Committee on Internal Improvement; and the 3d to the Committee on Religion.

A message was also received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to amend the charter of, and to authorize the city of, Mayfield, to subscribe and pay for stock in the Cairo and Tennessee River Railroad Company.

An act to amend the charter of the Farmers’ Bank of Kentucky.

The rule of the House requiring the reference of said bills to a committee being dispensed with,

Said bills were taken up and read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Williams, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act for the benefit of common school district No. 1, in Laurel county,

Reported the same with an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be read a third time.

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The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on Military Affairs, who originated the same, reported
A bill to amend an act to pay military claims audited by the Quarter-Master General.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bailey then moved to reconsider the vote by which said bill was passed.

Mr. W. Evans then moved to lay the motion of Mr. Bailey on the table.

And the question being taken on the motion of Mr. Evans, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bailey and S. C. Bell, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, J. E. Cosson, Hiram S. Powell, John Rowan,
A. C. Armstrong, Walter Evans, John P. Rowlett, 
A. S. Arnold, C. D. Foote, C. C. Scales,
W. W. Ayers, E. Polk Johnson, Harry I. Todd,
Alpheus W. Bascom, Thomas M. Johnson, L. W. Trafton,
John A. Bell, J. S. Lawson, T. W. Varnon,
Church H. Blakey, G. W. Little, J. L. Waring,
Wm. F. Bond, J. J. McAfee, C. H. Webb,
Thomas P. Cardwell, M. E. McKenzie, J. M. White,
Robert M. Carlisle, W. A. Morin, Mordecai Williams,
George Carter, J. L. Nall, Jonas D. Wilson,
William G. Conrad, Julian N. Phelps,

Those who voted in the negative, were—

G. W. Bailey, C. P. Gray, J. S. Taylor,
Mr. Trafton, from the Committee on County Courts, to whom was referred a bill from the Senate, entitled

An act to change the time of holding the Grant county and quarterly courts,

Reported the same with an amendment thereto, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. W. Evans, from the Committee on the Judiciary—
A bill to authorize the holding of special chancery courts in the county of Rockcastle.

By Mr. F. A. Wilson, from the Committee on County Courts—
A bill to limit the jurisdiction of the police judge of the town of Dickson, in Webster county.

By Mr. Williams, from the Committee on Education—
A bill to amend an act, entitled "An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years, to build a school-house in said district," approved March 5th, 1872, and to establish and maintain a public school in the town of Catlettsburg.

By Mr. Blakey, from the Committee on Corporate Institutions—
A bill to incorporate the Henderson Water-works Company.

By Mr. Morin, from the Committee on Education—
A bill for the benefit of common school district No. 1, in the county of Jessamine.

By same—
A bill for the benefit of Bethel Academy, in the county of Jessamine.

By Mr. Trafton, from the Committee on County Courts—
A bill to amend the charter of the city of Covington.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to provide for the construction and completion of turnpike roads in Scott county.
By same—
A bill to amend an act to charter the town of Prestonville, in Carroll county.

By Mr. Armstrong, from the Committee on Education—
A bill to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, in Henderson county."

By Mr. Garnett, from the Committee on the Judiciary—
A bill to exempt certain lands within the corporate limits of the town of Greenup from municipal taxation.

By same—
A bill for the benefit of Jos. W. Winlock.

By Mr. Ayers, from the Committee on Religion—
A bill to authorize a vote upon the sale of liquor in Highland, Lincoln county.

By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill resubmitting an act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof, approved February 28, 1872.

By Mr. Scales, from the Committee on Corporate Institutions—
A bill to incorporate the North Kentucky Bridge Connecting Railway and Construction Company.

By same—
A bill to incorporate the Transit Railway Company.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Clay, from the Committee on Agriculture and Manufactures—
An act to prevent cattle, horses, sheep, mules, and jennets from
running loose on the public highways within a radius of two miles of the Dry Ridge, in Grant county.

By Mr. W. Evans, from the Committee on the Judiciary—
An act to incorporate the Woolen Manufacturing Company.

By Mr. Armstrong, from the Committee on Education—
An act for the benefit of Browder Institute, in Logan county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to authorize Mary Boyd to erect cattle-stops across John's creek, in Pike county.

By same—
An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth," approved March 8, 1808.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported

A bill for the benefit of F. K. Beaven, sheriff of Marion county.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Foote offered an amendment thereto.

Mr. J. R. Sanders moved to lay the bill and proposed amendment on the table.

And the question being taken on said motion, it was decided in the negative.

Mr. Clay offered an amendment to the amendment proposed by Mr. Foote.

Mr. Garnett offered a substitute for the bill and proposed amendments.

On motion of Mr. Garnett, said bill and proposed amendments were recommitted to the Committee on Ways and Means.

Leave of absence, indefinitely, was granted Mr. Potter.

The House took up the motion heretofore made to reconsider the vote by which the House passed a bill, entitled

A bill for the benefit of Henry H. Moody, of Green county.
And the question being taken on said motion, it was decided in the negative.

And the Clerk was directed to report said bill to the Senate as passed by the House.

A message was received from the Senate, announcing that they had receded from their disagreement to the amendment proposed by the House to chapter 7, title "Auditor," of the proposed Revision of the Statutes.

That they had receded from their disagreement to the amendment proposed by the House to chapter 60, title "Interest and Usury," of the said proposed Revision.

That they had receded from their disagreement to the amendment proposed by the House to chapter 65, title "Inclusions and Certain Trespasses," and insist on their disagreement to the amendment to said chapter proposed by the House, of said proposed Revision.

That they had concurred in the 2d, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, and 17th amendments proposed by the House to chapter 30, title "Crimes and Punishments," of said proposed Revision, and had disagreed to all the other amendments proposed by the House to said chapter.

And having taken further action on the report of the joint committee on the report of the Commissioners to Revise the Statutes, had also adopted the following chapters thereof, viz:

Chapter 88, title "Public Printing and Binding."
Chapter 89, title "Register."
Chapter 91, title "Salaries."
Chapter 92, title "Salt and Saltpetre Works and Water Pipes."

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill uniting the offices of Adjutant General and Quarter-Master General,

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.

The question was then taken, "Shall the bill be engrossed and read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was rejected.

The House, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint
committee on the report of the Commissioners to Revise the Statutes.

The following chapters of said report were each adopted without amendment, viz:

Chapter 71, title "Lost Records, &c., how Supplied."
Chapter 73, title "Master Commissioners, Receivers, and other Commissioners in Equity."
Chapter 74, title "Mills."
Chapter 75, title "Militia."
Chapter 76, title "Names May be Changed."
Chapter 77, title "Notary Public."
Chapter 78, title "Occupying Claimants."
Chapter 80, title "Partnerships."
Chapter 82, title "Peddlers."
Chapter 83, title "Penitentiary."
Chapter 84, title "Poor and Poor-houses."
Chapter 85, title "Port-wardens."
Chapter 86, title "Public Arms and Accoutrements."
Chapter 87, title "Public Buildings, State and County."
Chapter 88, title "Public Printing and Binding."
Chapter 92, title "Salt, Saltpetre-works, and Water-pipes."

Mr. W. Evans offered an amendment thereto, which was rejected. Said chapter was then adopted without amendment.

Chapter 81, title "Patrols," being under consideration, the question was taken on the adoption thereof, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bascom and Graves, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Arnold, James Garnett, John P. Rowlett,
Alpheus W. Bascom, C. P. Gray, Samuel M. Sanders,
John A. Bell, E. Polk Johnson, J. S. Taylor,
S. C. Bell, Thomas M. Johnson, Harry I. Todd,
Robert M. Carlisle, T. J. Jones, L. W. Trafton,
James S. Chrisman, J. S. Lawson, T. W. Varnon,
C. M. Clay, jr., J. J. McAfee, C. H. Webb,
William G. Conrad, Bryan S. McClure, J. M. White,
C. D. Foote, William J. McElroy, Mordecai Williams—29
Joseph F. Force, W. A. Morin,
Those who voted in the negative, were—

Wm. A. Allen, E. A. Graves, Frank Sacksteder,
A. C. Armstrong, G. W. Little, J. R. Sanders,
W. W. Ayers, M. E. McKenzie, C. W. Threlkeld,
G. W. Bailey, J. L. Nall, J. L. Waring,
Church H. Blakey, John W. Ogilvie, F. A. Wilson,
George Carter, Julian N. Phelps, Jonas D. Wilson,
R. D. Cook, Hiram S. Powell, J. N. Woods,
Manlius T. Flippin,
The House then took up chapter 89, title "Register," of said report.
Amendments were offered thereto by Messrs. Graves and Garnett,
which were adopted.
Said chapter, as amended, was then adopted.
At five minutes past one o'clock, P. M., Mr. E. Polk Johnson moved
that the House do now adjourn for this sitting.
The yeas and nays being required thereon by Messrs. Graves and
Blakey, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Bailey, Clinton Griffith, J. R. Sanders,
S. C. Bell, E. Polk Johnson, James W. Snyder,
Wm. F. Bond, Thomas M. Johnson, C. W. Threlkeld,
C. M. Clay, jr., J. S. Lawson, L. W. Trafton,
R. D. Cook, G. W. Little, J. L. Waring,
J. E. Cosson, M. E. McKenzie, J. M. White,
Walter Evans, W. A. Morin, F. A. Wilson,
C. D. Foote, Julian N. Phelps, J. N. Woods,
James Garnett, Frank Sacksteder,

Those who voted in the negative, were—

Wm. A. Allen, Robert M. Carlisle, J. L. Nall,
A. C. Armstrong, William G. Conrad, John W. Ogilvie,
W. W. Ayers, W. H. Evans, J. S. Taylor,
Alpheus W. Bascom, E. A. Graves, Harry J. Todd,
John A. Bell, C. P. Gray, T. W. Varnon,
Thomass P. Cardwell, Wm. J. McElroy,

And no quorum being present and voting thereon, the Speaker declared
the House to be adjourned until 7½ o'clock, P. M.
At 7½ o'clock, P. M., the House again reassembled.
Bills were reported by the several committees who were directed
to prepare and bring in the same, of the following titles, viz:
By Mr. W. Evans, from the Committee on the Judiciary—
A bill amending an act, approved January 24th, 1871, entitled "An
act to amend and reduce into one the several acts in relation to the
road laws in Greenup county."
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the town of Berea.

By same—
A bill to amend and reduce into one the several acts relating to
Stanford Female College.

By Mr. Coke, from the Committee on the Judiciary—
A bill to provide for notice before a toll-gate or gates on turnpike
roads shall be thrown.

Which bills were read the first time and ordered to be read a second
time.
The rule of the House and constitutional provision as to the second
reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with, and the same being en-
grossed,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.

Bills from the Senate, of the following titles, were reported with­
out amendment by the several committees to whom they had been
referred, viz:

By Mr. Ayers, from the Committee on Religion—
An act to repeal an act, entitled "An act for the benefit of the Ger­
man Evangelical St. Paul Church, of Paducah," and to revive the act
approved 26th January, 1869, named therein.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the Oakland Cemetery Company.

By same—
An act to incorporate the Christian Church at Warsaw.

By Mr. Coke, from the Committee on the Judiciary—
An act in relation to the fees of officers in certain cases.
Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.

Mr. Coke, from the Committee on the Judiciary, to whom was re­
ferred a bill from the Senate, entitled
An act for the benefit of licensed tavern-keepers,
101-H. R.
Reported the same without amendment, and with an expression of opinion that the same ought not to pass.

The question was then taken, "Shall said bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was disagreed to.

Mr. Coke, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to require attachments to be noted of record in the office of the county clerk of Jefferson county,

Reported the same without amendment.

The further consideration of said bill was cut off by the arrival of the hour for taking up a special order.

The House then, according to order, took up and proceeded to consider further a bill, and the substitute (by way of amendment) proposed therefor by Mr. Brown, entitled

A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

The question was then taken on the adoption of the substitute proposed by Mr. Brown, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Goodloe, were as follows, viz:

These who voted in the affirmative, were—


Those who voted in the negative, were—

Wm. A. Allen, W. H. Evans, John Rowan,
A. C. Armstrong, M. Woods Ferguson, John P. Rowlett,
W. W. Ayers, James B. Fitzpatrick, J. P. Sacksteder,
Alpheus W. Bascom, C. D. Foote, Frank Sacksteder,
John A. Bell, Joseph P. Force, J. R. Sanders,
S. C. Bell, James Garnett, Samuel M. Sanders,
Church H. Blakey, C. P. Gray, C. C. Scales,
Wm. F. Bond, Clinton Griffith, James W. Snyder,
Thomas P. Cardwell, E. Polk Johnson, J. S. Taylor,
Robert M. Carlisle, Thomas M. Johnson, C. W. Threlkeld,
John S. Carpenter, J. S. Lawson, Harry I. Todd,
George Carter, G. W. Little, L. W. Trafton,
James S. Chrisman, Bryan S. McClure, T. W. Varnon,
C. M. Clay, Jr., William J. McElroy, J. L. Waring,
J. Guthrie Coke, W. A. Morin, C. H. Webb,
Josiah H. Combs, Wm. Mynnier, Mordecai Williams,
William G. Conrad, J. L. Nall, F. A. Wilson,
R. L. Cooper, John W. Ogilvie, Jonas D. Wilson,
The substitute proposed by Mr. Brown for said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Commissioners of Common Schools in the several counties in the Commonwealth, and the Trustees of Common Schools in the several school districts, or other officers having authority in the premises, shall be, and they are hereby, authorized and required to establish within their respective jurisdictions one or more separate schools for colored children, when the whole number of such children, by enumeration, exceeds twenty-five, so as to afford them, as far as practicable, under all the circumstances, the advantages and privileges of a common school education; and all such schools so established for colored children shall be under the control and management of the Board of Education or other school officers who have in charge the educational interests of the schools for white children.

§ 2. That where the average attendance of colored children at any school herein provided for shall be less than twenty for three consecutive months, the Trustees having such school in charge may discontinue the same for any period of time, at their discretion, not to exceed six months for any one period; Provided, however, That at least one common school for the education of colored children shall be kept open for not less than three consecutive months in every year in each county in the Commonwealth, wherein, by enumeration, the colored population reaches one thousand, and the average attendance of pupils for any one month is fifteen.

§ 3. That for the maintenance and support of schools for colored children, purchase of grounds for school purposes, and the erection of suitable buildings thereon for like purposes, any of the resources of the common school fund of the Commonwealth shall be applied, share and share alike, in proportion to the number of the children of the respective races who are between the age of six and twenty, the same as for common schools for white children; and no distinction or discrimination of any kind in the establishment, maintenance, and control thereof, shall be made by any person whatever between common schools for white and colored children, except that the schools for each class shall be separate.

§ 4. That the property owned by persons of African descent in this Commonwealth shall be taxed for common school purposes at the same rate that the property of white persons is taxed, the taxes collected in the same manner, and paid into the common school fund.

§ 5. That all the provisions of the common school laws for the establishment, control, and support of the common schools for white children, shall apply equally to common schools for colored children, excepting only the limitation as to separate schools hereinbefore provided for.

§ 6. That all acts and parts of acts in conflict with any of the foregoing provisions be, and the same are hereby, repealed.

§ 7. This act shall take effect from and after its passage.

Mr. Griffith then offered an amendment to said bill.

Mr. T. M. Johnson offered an amendment to the amendment proposed by Mr. Griffith.

Mr. Goodloe then moved to lay said bill and proposed amendments on the table.
And the question being taken on the motion of Mr. Goodloe, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Scales and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—


William G. Conrad, Thomas M. Johnson,

Those who voted in the negative, were—

Wm. A. Allen, A. C. Armstrong, W. W. Ayers, Alpheus W. Bascom, John A. Bell, S. C. Bell, Church H. Blakey, Wm. F. Bond, Thomas P. Cardwell, John S. Carpenter, George Carter, James S. Chrisman, C. M. Clay, Jr., J. Guthrie Coke, Josiah H. Combs, R. D. Cook, R. L. Cooper, J. E. Cosson, 


At twenty-five minutes past ten o'clock, P. M., Mr. Brown moved that the House do now adjourn.

And the question being taken on the motion of Mr. Brown, it was decided in the negative, no quorum voting thereon.

The yeas and nays being required thereon by Messrs. Brown and J. R. Sanders, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Ayers, William Brown, J. Guthrie Coke, William G. Conrad, R. D. Cook,


Those who voted in the negative, were—

Wm. A. Allen, A. C. Armstrong, Alpheus W. Bascom, John A. Bell, S. C. Bell, Church H. Blakey, John S. Carpenter, 

C. D. Foote, Joseph P. Force, James Garnett, C. P. Gray, Clinton Griffith, E. Polk Johnson, J. S. Lawson, 

J. P. Sacksteder, Frank Sacksteder, J. R. Sanders, Samuel M. Sanders, C. C. Scales, J. S. Taylor, C. W. Threlkeld,
Mr. E. Polk Johnson then moved a call of the House.

And the question being taken on said motion, it was decided in the affirmative.

The yeas and nays being required thereon, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, James B. Fitzpatrick, John W. Ogilvie,
Alphens W. Bascom, Joseph P. Foree, Julian N. Phelps,
John A. Bell, James Garnett, Frank Sacksteder,
S. C. Bell, C. P. Gray, J. R. Sanders,
Church H. Blakey, Clinton Griffith, Samuel M. Sanders,
William Brown, E. Polk Johnson, C. C. Scales,
John S. Carpenter, Thos. M. Johnson, J. S. Taylor,
George Carter, J. S. Lawson, Harry I. Todd,
C. M. Clay, jr., Bryan S. McClure, L. W. Trafton,
M. Woods Ferguson,

Those who voted in the negative, were—

Wm. A. Allen, Wm. Cassius Goodloe, C. W. Threlkeld,
Josiah H. Combs, J. L. Nall,

The Clerk proceeded then to call the roll of members, but whilst proceeding therewith, a quorum having appeared, on motion of Mr. Poole, all further proceedings under the call of the House were suspended.

And then, on motion of Mr. Goodloe, the further consideration of the pending bill and proposed amendments was postponed to, and made special order of the day for, Wednesday, the 9th inst., at 8 o'clock, P. M.

And then the House adjourned.
TUESDAY. APRIL 8, 1873.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Maysville Chair Company.
An act to incorporate the town of Pryorsburg, in Graves county.
An act to incorporate the Louisville and Highland Turnpike Road Company, in Jefferson county.
An act to incorporate the town of Peak’s Mill, in Franklin county.
An act to incorporate the Rothrock Coal and Mining Company, of Muhlenburg county.
An act to define and enlarge the boundaries of the town of Ashland.
An act to amend an act, entitled “An act to incorporate the Vanceburg, Quick’s Run, and Concord Turnpike Road Company,” approved December 17, 1867.
An act amending an act, entitled “An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company,” approved February 18, 1869.
An act to incorporate the Hillsboro and Plummer’s Landing Turnpike Company.
An act to amend an act, entitled “An act to amend and reduce into one the acts in regard to the town of Columbia.”
An act for the benefit of J. B. Evans, of Monroe county.
An act providing for transcribing the plats, surveys, and certificates of land lying in Magoffin county.
An act to incorporate the Oakland Iron Company.
An act to establish a school district from parts of Fayette and Madison counties.
An act to incorporate the Eastern Kentucky Coal, Iron, Lumber, Land, and Manufacturing Company.
An act for the benefit of Montgomery, Clark, and Bath counties.
With an amendment to the last two named bills.
And that they had passed bills of the following titles, viz:
1. An act to incorporate the Pickett Tobacco Warehouse, of Louisville.
2. An act to provide for the transfer of certain causes from the Graves circuit court to the McCracken court of common pleas.
5. An act to amend an act, entitled "An act to amend the charter of the Elizabethtown and Paducah Railroad Company," approved February 28th, 1873.
6. An act to amend the charter of the town of Nicholasville.
7. An act to incorporate the Mt. Sterling Hotel Company.
8. An act to amend an act, entitled "An act to incorporate the town of Booneville, in Owsley county," approved March 1st, 1847.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 7th, and 8th to the Committee on Corporate Institutions; the 2d to the Committee on Circuit Courts; the 3d and 6th to the Committee on the Judiciary; the 4th to the Committee on Ways and Means; and the 5th to the Committee on Railroads.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide a private secretary for the Governor;
An act to amend section sixteen of an act, entitled "An act to amend an act to incorporate the town of Smith’s Grove;"
An act to legalize the official actions of William W. White, deputy clerk of the Clay circuit court;
An act to require the clerk of the Wolfe circuit court to index and cross-index certain judgment and order-books in his office;
An act to provide for the leasing of the interest of the State in the Louisville and Nashville Turnpike Road, on the north side of Barren river, in the county of Warren;
An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments;"
An act to increase the jurisdiction of justices of the peace in Ballard county, and to regulate appeals from their courts;
An act to prevent live stock of all kinds from running at large in Mason and Fleming counties;
An act to amend an act, entitled “An act to incorporate the Central West Kentucky Agricultural and Mechanical Association, in Graves county,” approved February 25, 1860;

An act to repeal an act, entitled “An act for the benefit of the German Evangelical St. Paul Church of Paducah,” and to revive the act approved 26th January, 1869, named therein;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of school district No. 28, in Clinton county;

An act to amend the charter of the Eastern Kentucky Railway Company;

An act to further define the duties of Commonwealth and county attorneys;

An act to prohibit and punish persons guilty of intimidating voters;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

Mr. Arnold moved to reconsider the vote by which the House, on yesterday, passed a bill, entitled

A bill to incorporate the town of Berea.

Mr. Phelps, on leave of the House, withdrew the motion heretofore made by him, to reconsider the vote by which the House adopted a resolution to continue its sessions until 11 o’clock at night.

Mr. Cardwell, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported bills of the following titles, viz:

A bill for the benefit of W. S. Allen, late sheriff of Breathitt county, and his securities.

A bill for the benefit of John Gibbs, of Wolfe county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act to amend the charter of the city of Covington;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Charles K. Oldham, sheriff of Madison county;

An act to suppress the selling or giving to minors spirituous, vineous, or malt liquors in the city of Covington;

An act to prohibit the sale of intoxicating liquors at Cropper's Depot, in Shelby county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. McElroy inform the Senate thereof.

Mr. Bascom, from the Committee on Banks, to whom was referred a bill from the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Henderson,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, announcing that they had concurred in the 1st, 2d, and 3d amendments proposed by the House to chapter 66, title "Laws," of the proposed Revision of the Statutes; that they had disagreed to the amendment proposed by the House to chapter 62, title "Jurisdictions, Grand and Petit," and to the amendment proposed by the House to chapter 70, title "Limitation of Actions," of the said proposed Revision.

The House took up and proceeded to consider so much of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to Revise the Statutes, as is embraced in chapter 91, title "Salaries."

Mr. Gray offered the following amendment, viz:

Strike out the 14th line, which reads as follows, viz: "second clerk of Register, seven hundred dollars."

102-2. R.
And the question being taken on the adoption of the amendment proposed by Mr. Gray, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Chrisman and Gray, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Ayers, W. H. Evans, John Rowan,
G. W. Bailey, C. P. Gray, J. S. Taylor,
S. C. Bell, T. J. Jones, C. W. Threlkeld,
Wm. F. Bond, Bryan S. McClure, J. M. White,
James S. Chrisman, Wm. J. McElroy, F. A. Wilson,
J. E. Cosson, Julian N. Phelps,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) C. M. Clay, jr., E. A. Robertson,
Wm. A. Allen, J. Guthrie Coke, J. R. Sanders,
A. C. Armstrong, William G. Conrad, C. C. Scales,
A. S. Arnold, R. L. Cooper, James W. Snyder,
R. Tarv. Baker, M. Woods Ferguson, Harry I. Todd,
Alpheus W. Bascom, C. D. Foote, L. W. Trafford,
John A. Bell, Joseph P. Foree, T. W. Varnon,
Church H. Blakey, E. Polk Johnson, J. L. Waring,
Thomas P. Cardwell, Thomas M. Johnson, C. H. Webb,
Robert M. Carlisle, J. S. Lawson, Mordecai Williams,
John S. Carpenter, W. A. Morin, J. N. Wood,
B. E. Cassilly, J. L. Nall,

Mr. Blakey offered the following amendment, viz:

Strike out the words "two thousand," and insert in line 12 the following: "fifteen hundred."

Line 12 reads as follows, viz:

"Register of Land Office, two thousand dollars."

The question being taken on the amendment proposed by Mr. Blakey, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Blakey and Threlkeld, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, R. D. Cook, Samuel M. Sanders,
A. C. Armstrong, W. H. Evans, J. S. Taylor,
W. W. Ayers, C. P. Gray, C. W. Threlkeld,
G. W. Bailey, Bryan S. McClure, J. M. White,
S. C. Bell, Julian N. Phelps, Jonas D. Wilson,
Church H. Blakey, E. A. Robertson, J. N. Woods—20,
Robert M. Carlisle, John Rowan,
Those who voted in the negative, were—

Mr. Speaker (M’Creary) William G. Conrad, J. L. Nall,
A. S. Arnold, R. L. Cooper, John W. Ogilvie,
Alpheus W. Bascom, J. E. Cosson, J. R. Sanders,
John A. Bell, Walter Evans, C. C. Scales,
Wm. F. Bond, M. Woods Ferguson, James W. Snyder,
Thomas P. Cardwell, C. D. Foote, Harry I. Todd,
John S. Carpenter, E. Polk Johnson, T. W. Varnon,
George Carter, Thomas M. Johnson, J. L. Waring,
B. E. Cassilly, J. S. Lawson, Mordecai Williams,
James S. Chrisman, William J. McElroy, F. A. Wilson,
J. Guthrie Coke, W. A. Morin, J. M. Wright—35,
Josiah H. Combs, Wm. Mynhier,

The 15th line reads as follows, viz: “Adjutant General, five hundred dollars.”

Mr. Ogilvie moved to strike from the 15th line the words “five hundred,” and insert in lieu thereof the words “two hundred and fifty dollars.”

Mr. Wright offered as a substitute for 15th line, and for the amendment proposed by Mr. Ogilvie, the following, viz:

15. Adjutant General, two hundred and fifty dollars per year; but when any part of the militia are called into actual service by the Governor, he shall receive the same pay, in addition, as a commissioned officer of the militia for and during the time any part of the militia remain in actual service.

And the question being taken on the substitute proposed by Mr. Wright, it was decided in the negative.

Mr. Cooper then offered the following amendment as a substitute for line 15, and for the amendment proposed by Mr. Ogilvie, viz:

Make line 15th read as follows, viz: “Adjutant General, twelve hundred dollars.”

And the question being taken on the amendment (substitute) proposed by Mr. Cooper, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Griffith, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M’Creary) William G. Conrad, Julian N. Phelps,
George W. Anderson, R. L. Cooper, E. A. Robertson,
A. C. Armstrong, M. Woods Ferguson, J. P. Sacksteder,
A. S. Arnold, James B. Fitzpatrick, Frank Sacksteder,
G. W. Bailey, C. D. Foote, J. R. Sanders,
Alpheus W. Bascom, James Garnett, Samuel M. Sanders,
John A. Bell, C. P. Gray, C. C. Scales,
S. C. Bell, Thomas M. Johnson, James W. Snyder,
Church H. Blakey, J. S. Lawson, J. S. Taylor,
John S. Carpenter, J. J. McAfee, Harry I. Todd,
George Carter, William J. McElroy, T. W. Varnon,
B. E. Cassilly, W. A. Morin, J. L. Waring,
James S. Chrisman, Wm. Mynhier, Mordecai Williams—41
J. Guthrie Coke, J. L. Nall,

Those who voted in the negative, were—

Wm. A. Allen, Joseph P. Foree, C. W. Threlkeld,
W. W. Ayers, Clinton Griffith, L. W. Troftton,
R. Tarv. Baker, E. Polk Johnson, C. H. Webb,
Wm. F. Bond, T. J. Jones, J. M. White,
Robert M. Carlisle, G. W. Little, F. A. Wilson,
C. M. Clay, jr., Bryan S. McClure, Jonas D. Wilson,
R. D. Cook, John W. Ogilvie, J. N. Woods,
W. H. Evans,

Line 15, as amended, was then adopted.

Mr. McElroy offered the following amendment, viz:

Strike out the 18th line, which reads as follows: "second clerk of
Quarter-Master General one thousand dollars."

And the question being taken on the adoption of said amendment,
it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and
Bailey, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Ayers, Walter Evans, Samuel M. Sanders,
G. W. Bailey, W. H. Evans, J. S. Taylor,
R. Tarv. Baker, T. J. Jones, C. H. Webb,
S. C. Bell, Bryan S. McClure, J. M. White,

Those who voted in the negative, were—

Mr. Speaker (McCreary) William G. Conrad, J. L. Nall,
Wm. A. Allen, R. L. Cooper, John W. Ogilvie,
George W. Anderson, J. E. Cosson, Julian N. Phelps,
A. C. Armstrong, M. Woods Ferguson, E. A. Robertson,
A. S. Arnold, C. D. Fotte, John Rowan,
Alpheus W. Bascom, Joseph P. Foree, J. R. Sanders,
John A. Bell, C. P. Gray, C. C. Scales,
Church H. Blakey, Clinton Griffith, James W. Snyder,
Wm. F. Bond, E. Polk Johnson, O. W. Threlkeld,
William Brown, Thomas M. Johnson, Harry I. Todd,
Robert M. Carlisle, J. S. Lawson, T. W. Varnon,
John S. Carpenter, G. W. Little, J. L. Waring,
George Carter, J. J. McAfee, Mordecai Williams,
James S. Chrisman, W. A. Morin, J. N. Woods,
J. Guthrie Coke,
Mr. Webb offered the following amendment, viz:

in line 29, strike out the words "fifteen hundred," and insert in lieu thereof the words "seven hundred and fifty."

Lines 28 and 29 read as follows, viz:

"The judge of the court of common pleas of the county of Warren, fifteen hundred dollars"

And the question being taken on the adoption thereof, it was decided in the affirmative.

Mr. Blakey then moved to reconsider the vote by which the amendment proposed by Mr. Webb was adopted.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Blakey and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), J. Guthrie Coke, W. A. Morin, W. A. Ayers, Clinton Griffith.
Wm. A. Allen, William G. Conrad, J. L. Nall, Alpheus W. Bascom, Samuel M. Sanders.
William Brown, Joseph P. Force, Mordecai Williams, Robert M. Carlisle, E. Polk Johnson.
B. E. Cassilly, C. P. Gray, F. A. Wilson, John S. Carpenter, J. S. Lawson.

Those who voted in the negative, were—

W. W. Ayers, G. W. Little, E. A. Robertson, S. C. Bell, James M. Sanders.
Alpheus W. Bascom, Thomas M. Johnson, Samuel M. Sanders, Thomas P. Cardwell, J. T. Jones, James W. Snyder.
S. C. Bell, J. J. McAfee, J. S. Taylor, George Carter, G. W. Little, L. W. Trafton.
W. H. Evans, Wm. Mynheir, James Garnett, John W. Ogilvie.

James Garnett, John W. Ogilvie, And so said vote was reconsidered.

The question was then again taken on the adoption of the amendment proposed by Mr. Webb, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Webb and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

S. C. Bell, G. W. Little, Samuel M. Sanders, James M. Sanders.
J. E. Cosson, Wm. Mynhier, J. S. Taylor,
W. H. Evans, John W. Ogilvie, L. W. Trafton,
James Garnett, E. A. Robertson, C. H. Webb,
Thomas M. Johnson,

Those who voted in the negative, were—

Mr. Speaker (McCreary), B. E. Cassilly, William J. McElroy,
Wm. A. Allen, C. M. Clay, Jr., W. A. Moriw,
George W. Anderson, J. Guthrie Coke, J. L. Nall,
A. C. Armstrong, William G. Conrad, J. P. Sacksteder,
A. S. Arnold, R. D. Cook, Frank Sacksteder,
R. Tarv. Baker, R. L. Cooper, C. C. Scales,
Alpheus W. Bascom, Walter Evans, C. W. Threlkeld,
John A. Bell, M. Woods Ferguson, Harry I. Todd,
Church H. Blakey, C. D. Foote, T. W. Varnon,
Wm. F. Bond, Joseph P. Foree, J. L. Waring,
William Brown, C. P. Gray, Mordecai Williams,
Thomas P. Cardwell, E. Polk Johnson, F. A. Wilson,
Robert M. Carlisle, T. J. Jones, J. N. Woods,
John S. Carpenter, J. S. Lawson, J. M. Wright—42.

And so said amendment was rejected.

Said chapter, as amended, was then adopted.

The hour of 2 o'clock, P. M., having arrived, the House, under the
rule heretofore adopted, took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again reassembled.

Bills from the Senate, of the following titles, were reported without
amendment, by the several committees to whom they had been
referred, viz:

By Mr. Ayers, from the Committee on Religion—
An act to incorporate the Grand Division of Sons of Temperance.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to incorporate the Ohio and Red River Packet Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as
foresaid.

Mr. Anderson, from the Committee on Corporate Institutions, who
were directed to prepare and bring in the same, reported

A bill to incorporate the Forrest Hill Building and Loan Association,
of West Covington.

Which bill was read the first time and ordered to be read a second
time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The House then took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of R. T. McGlauling.
An act to incorporate the Eastern Kentucky Coal, Iron, Lumber, Land, and Manufacturing Company.
An act to incorporate the American Industrial College.
An act affixing penalties and forfeitures upon corporations and persons exercising corporate powers that are required to give bonds and have failed to do so.
An act to provide for the payment of conveying prisoners to the House of Reform.
An act for the protection of bee-keepers in this Commonwealth.
An act to amend an act, entitled "An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott circuit court."
Said amendments were severally concurred in, and the title of the last named bill changed so as to read:
An act to amend an act, entitled "An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott county court."
The House took up and proceeded to consider further a bill, and the amendments proposed thereto by Mr. Davidson, entitled
A bill for the benefit of W. W. Smith.
The question was then taken on the motion heretofore made by Mr. S. M. Sanders to lay said bill (as amended, by the adoption of the amendment proposed by Mr. Garnett) and the pending amendment thereto on the table, and it was decided in the negative.
The amendment proposed by Mr. Davidson was then rejected.

Ordered, That said bill, as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be changed so as to read:
An act for the benefit of W. W. Smith, J. D. Royse, and C. H. Jones.

Leave of absence, indefinitely, was granted Messrs. Hampton, White, and Flippin.
The House then, according to order, took up for consideration a bill from the Senate, entitled
An act for the benefit of married women in this Commonwealth.

Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.
The House took up the motion to reconsider the vote by which the House rejected a bill, entitled
A bill for the benefit of S. M. Goble, of Carter county.

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 is hereby, authorized to draw his warrant on the Treasury in favor of S. M. Goble for $250, pay for taking care of Bird Goble (colored), a pauper lunatic, from the 10th day of October, 1871, until the 10th day of January, 1873, by order of the county court of Carter county.

§ 2. This act shall take effect from its passage.

And the question being taken on said motion, it was decided in the affirmative.
The question was then again taken on the passage of said bill, and it was decided in the affirmative.
The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker (McCready), J. E. Cosson, Hiram S. Powell,
Wm. A. Allen, Walter Evans, E. A. Robertson,
George W. Anderson, W. H. Evans, John Rowan,
A. C. Armstrong, M. Woods Ferguson, J. P. Sacksteder,
A. S. Arnold, James B. Fitzpatrick, Frank Sacksteder,
G. W. Bailey, C. D. Foote, J. R. Sanders,
R. Tarv. Baker, Joseph P. Force, William Sellers,
Alpheus W. Bascom, James Garnett, James W. Snyder,
John A. Bell, Wm. Cassius Goodloe, J. S. Taylor,
S. C. Bell, C. P. Gray, C. W. Threlkeld,
Church H. Blakey, Clinton Griffith, Harry I. Todd,
Wm. F. Bond, E. Polk Johnson, L. W. Trafton,
Resolved. That the title of said bill be as aforesaid.

The House took up the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled An act for the benefit of Montgomery, Clark, and Bath counties. Said amendment was concurred in, and the title of said bill was thereby changed so as to read:

An act authorizing the counties of Montgomery, Clark, and Bath to sell a part or all of the stock owned by such counties, or either of them.

The House then took up the motion heretofore made to reconsider the vote by which the House rejected a bill, entitled A bill for the benefit of Sanford Goin. 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 is hereby directed to draw his warrant upon the Treasury in favor of Sanford Goin, of Franklin county, for seven hundred and ten dollars and forty-seven cents, for ice furnished for State officers, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

And the question being taken on said motion, it was decided in the affirmative.

On motion of Mr. Threlkeld, the vote by which said bill was ordered to be read a third time, was also reconsidered.

Mr. McAfee then offered the following amendment to said bill, viz:

Strike out the words "seven hundred and ten dollars and forty-seven cents," and insert in lieu thereof "three hundred dollars."

Which was adopted.

Ordered, That said bill, as amended, be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed.

The question was then taken on the passage of said bill, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), R. D. Cook, J. P. Sacksteder,
George W. Anderson, R. L. Cooper, Frank Sacksteder,
A. C. Armstrong, Walter Evans, J. R. Sanders,
A. S. Arnold, W. H. Evans, William Sellers,
R. Tarv. Baker, M. Woods Ferguson, James W. Snyder,
Alpheus W. Bascom, James B. Fitzpatrick, J. S. Taylor,
John A. Bell, C. D. Foote, C. W. Threlkeld,
Church H. Blakey, J. P. Force, Harry I. Todd,
Wm. F. Bond, Wm. Cassius Goodloe, L. W. Trafton,
William Brown, C. P. Gray, T. W. Varnon,
Thomas P. Cardwell, Clinton Griffith, J. L. Waring,
Robert M. Carlisle, E. Polk Johnson, C. H. Webb,
John S. Carpenter, J. J. McAfee, Mordecai Williams,
George Carter, T. J. Megibbon, F. A. Wilson,
B. E. Cassilley, W. A. Morin, Jonas D. Wilson,
J. Guthrie Coke, John W. Ogilvie, J. N. Woods,
William G. Conrad, Hiram S. Powell,

Those who voted in the negative, were—

Wm. A. Allen, J. E. Cosson, Wm. Mynhier,
W. W. Ayers, James Garnett, E. A. Robertson,
G. W. Bailey, Thomas M. Johnson, John Rowan,
S. C. Bell, Bryan S. McClure, Samuel M. Sanders,

Resolved, That the title of said bill be as aforesaid.

Mr. W. Evans then moved to reconsider the vote by which said bill was passed.

Mr. Baker moved to lay the motion of Mr. Evans on the table.

And the question being taken on the motion of Mr. Baker, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cosson and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), R. D. Cook, Hiram S. Powell,
George W. Anderson, Walter Evans, J. P. Sacksteder,
A. C. Armstrong, W. H. Evans, Frank Sacksteder,
A. S. Arnold, M. Woods Ferguson, J. R. Sanders,
Those who voted in the negative, were—

Wm. A. Allen, James Garnett, Wm. Mynder,
S. C. Bell, C. P. Gray, E. A. Robertson,
Church H. Blakey, Thomas M. Johnson, John Rowan,
George Carter, G. W. Little, William Sellers,
James S. Chrisman, Bryan S. McClure, C. H. Webb,
J. E. Cosson,

At forty-five minutes past nine o'clock, P. M., Mr. Goodloe moved that the House do now adjourn.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Bascom and McClure, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, W. H. Evans, Hiram S. Powell,
A. S. Arnold, James Garnett, John Rowan,
S. C. Bell, Wm. Cassius Goodloe, J. R. Sanders,
William Brown, E. Polk Johnson, James W. Snyder,
John S. Carpenter, Thomas M. Johnson, T. W. Varnon,
James S. Chrisman, G. W. Little, J. L. Waring,
Josiah H. Combs, Bryan S. McClure, J. M. White,
R. D. Cook, William J. McElroy, Jonas D. Wilson,
Walter Evans,

Those who voted in the negative, were—

Mr. Speaker (McCreary) R. L. Cooper, J. P. Sacksteder,
R. Tarv. Baker, James B. Fitzpatrick, Frank Sacksteder,
Alpheus W. Bascom, C. D. Foote, J. S. Taylor,
John A. Bell, C. P. Gray, C. W. Threlkeld,
Church H. Blakey, J. J. McAf Fe, Harry I. Todd,
Wm. F. Bond, T. J. Megibben, C. H. Webb,
Robert M. Carlisle, Wm. Mynder, Mordecai Williams,
B. E. Cassilly,
The House then took up a bill, entitled
A bill to repeal an act, entitled "An act to exempt the wages of laborers, who are bona fide housekeepers of this Commonwealth with a family, from attachment or garnishee, not exceeding fifty dollars,"
On motion of Mr. W. Evans, said bill was laid on the table.
The House then took up the motion heretofore made by Mr. Graves, to reconsider the vote by which the House passed a bill from the Senate, entitled
An act to authorize sales and conveyances by trustees under a power.
Mr. Coke moved to lay said motion on the table.
And the question being taken on the motion of Mr. Coke, it was decided in the affirmative.
The House took up the motion heretofore made, to reconsider the vote by which the House disagreed to a bill from the Senate, entitled
An act for the benefit of the Eastern Lunatic Asylum.
On motion of Mr. Bascom,
Ordered, That the consideration thereof be postponed to, and made special order of the day for, Friday, the 11th inst., at 8 o'clock, P. M.
The House took up and proceeded to consider further a bill, entitled
A bill to define the offense of petit larceny, and to provide for and fix its punishment.
Mr. Bascom moved to lay said bill on the table.
And the question being taken on said motion, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Foote and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) J. Guthrie Coke, Wm. Mynhier,
George W. Anderson, R. L. Cooper, John W. Ogilvie,
A. C. Armstrong, M. Woods Ferguson, Julian N. Phelps,
A. S. Arnold, James B. Fitzpatrick, Hiram S. Powell,
Alpheus W. Bascom, Joseph P. Foree, E. A. Robertson,
John A. Bell, James Garnett, J. R. Saunders,
S. C. Bell, C. P. Gray, J. S. Taylor,
Church H. Blakey, E. Polk Johnson, C. W. Threlkeld,
Wm. P. Bond, Thomas M. Johnson, Harry I. Todd,
Thomas P. Cardwell, G. W. Little, C. H. Webb,
Robert M. Carlisle, Bryan S. McClure, Mordecai Williams,
John S. Carpenter, William J. McElroy, F. A. Wilson,
said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all larceny shall be denominated petit larceny, except in cases where the property stolen shall exceed in value twenty dollars in gold coin.

§ 2. That hereafter the punishment of the offense of petit larceny shall be a fine of not exceeding one hundred dollars, or imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment may be inflicted for said offense, at the discretion of the court or jury trying the offender. Such imprisonment may be in the work-house of any county or city which has one, instead of in the county jail.

§ 3. Punishment by the infliction of lashes for petit larceny is hereby abolished.

§ 4. That hereafter the judges of the several county courts, and the judge of the city court of Louisville, shall have jurisdiction to try and punish any person charged with petit larceny committed within their several counties, or in said city of Louisville.

§ 5. No indictment for petit larceny shall be necessary; but all warrants of arrest therefor shall be on a written affidavit, to be filed in the cause.

§ 6. All laws in regard to bail, pending the trial of the cause and continuances of the same, shall be observed by the judge.

§ 7. Persons accused of the offense of petit larceny, and arrested on said charge, shall be entitled to trial by a jury, should one be demanded by the accused; otherwise the trial may be by the judge, who may then determine the guilt or innocence of the accused, and fix his punishment as herein prescribed; and if on the trial the proof should show that any other offense had been committed by the accused instead of petit larceny, the said judge may hold to bail as in examining courts.

§ 8. The accused shall, on conviction, have the right to appeal to the circuit court from the judgment of such judge: Provided, The fine inflicted be twenty dollars or over, or if there be over five days' imprisonment adjudged, which appeal shall be allowed on his executing bond with good surety before the clerk of the circuit court of the county in the amount of the judgment; and if there be imprisonment as a part of such judgment, then by adding to the amount of the fine and costs five dollars for each day's imprisonment inflicted by such judgment; said bond to be conditioned as other appeal bonds, and it shall operate as a supersedeas of the judgment, and in the circuit court shall be tried as other appeals. Appeals to the Court of Appeals shall be allowed as in other causes where the fine in the circuit court is fifty dollars or over, whether such excess be inflicted in a money fine or in imprisonment; and a judgment for twenty days' imprisonment shall, under this section, be deemed equivalent in determining the right of appeal to the Court of Appeals to fifty dollars.

§ 9. All laws in conflict with this act are hereby repealed; but no statute in regard to horse-stealing shall be deemed in conflict herewith.
§ 10. All indictments now pending in any court in this Commonwealth, charging any person or persons with larceny, shall still be tried on such indictments in said courts; but on the trial the accused shall have the benefit of the 1st, 2d, and 3d sections of this act.

§ 11. This act to take effect from its passage.

The House then took up for further consideration a bill, and the amendments proposed thereto, entitled

A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors.

On motion of Mr. Garnett, said bill and proposed amendments were laid on the table.

The House took up and proceeded to consider further a bill, entitled

A bill to repeal an act, entitled "An act to authorize Life Insurance Companies to make special deposits of securities in the Insurance Department."

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Goodloe, said bill was recommitted to the Committee on Insurance.

Mr. Foote, by leave of the House, withdrew the motion heretofore made by him to reconsider the vote by which the House rejected a bill, entitled

A bill to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the county of Kenton.

And then the House adjourned.
A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the circuit court clerk of Butler county to make a general cross-index.

An act to increase the civil jurisdiction of the quarterly and justices' courts of Barren county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of William Cook's heirs.

An act to incorporate the Henderson Water-works Company.

An act to incorporate the town of Hickory Grove, in Graves county.

An act to prohibit partnerships to practice law between circuit, chancery, and criminal court clerks and county court clerks.

And that they had passed bills of the following titles, viz:

1. An act to provide for the registration of bonds and obligations issued by counties, districts, municipal corporations, and other corporations.

2. An act to authorize the making of an abstract book for the counties of Kenton, Campbell, and Boone.

3. An act to amend section fourteen (14) of article five (5) of the charter of the city of Hopkinsville, passed March 5, 1870.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 2d to the Committee on the Judiciary, and the 3d to the Committee on Corporate Institutions.

Mr. T. M. Johnson presented the petition of sundry citizens of Campbellsville, praying the repeal of all laws now in force prohibiting the trustees of said town, within the discretion of the qualified voters of said town, from granting coffee-house license.

Which was received, the reading dispensed with, and referred to the Committee on Religion.
Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to incorporate the town of Lynnville, in Graves county.

By Mr. Armstrong, from the Committee on Education—
An act for the benefit of R. G. Scott, of Rowan county.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to amend the charter of the town of Danville.

By Mr. Baker, from the Committee on Circuit Courts—
An act to amend an act, entitled "An act to change the time for holding the circuit courts in the fifth judicial district," approved January 13, 1872.

By Mr. Graves, from the Committee on Ways and Means—
An act to amend an act, entitled "An act for the benefit of Wm. H. Miller and others, sureties of Q. C. Shanks, late sheriff of Ohio county," approved February 3, 1870.

By Mr. McKenzie, from the same committee—
An act for the benefit of J. W. Bradburn, of Hardin county, and others.

By Mr. Morin, from the Committee on Education—
An act for the benefit of school district No. 30, in Butler county.
With an amendment to the last named bill, which was adopted.

Ordered, That said bills (the last as amended) be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Ayers, from the Committee on Religion—
A bill to prohibit the sale of spirituous or vinous liquors in Nicholas county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to amend an act, entitled "An act to incorporate the town of Cairo, in Henderson county."

By same—
A bill to change the boundary line of the town of Clinton, in Hickman county.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to charter Ohio River, Owenton, and Lexington Railway Company;

An act to incorporate the Sodom Turnpike Road Company, in Scott county;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Benevolent Society of Colored People of Millville, in Woodford county;

An act for the benefit of Thos. M. Purnell;

An act to amend an act incorporating the Cincinnati, Covington, and Cumberland Gap Railroad Company, approved 11th March, 1867;

An act to prevent the sale of intoxicating liquors in the Murphysville precinct, in Mason county;

An act for the benefit of Mrs. V. W. Fishback;

An act for the benefit of S. H. Piles, late sheriff of Livingston county;

An act to amend an act, entitled, "An act to incorporate Lost Fork and Otter Creek Turnpike Road Company, in Madison county," approved March 16, 1869;

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of West Bend, Powell county;

An act for the benefit of the Kiddville and Montgomery Turnpike Road Company;

An act for the benefit of William Little, curator of the estate of Robert C. Moore, deceased;
An act to cause a head and foot-stone to be erected over the grave of Henry Morton (of color);
An act to amend an act, entitled "An act to prohibit the sale of intoxicating liquors in the town of Clayville;"
An act to incorporate the Colored Baptist Church, of Lancaster;
An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof," approved February 28, 1872;
An act for the benefit of the tax-payers of Carter county;
An act for the benefit of the Hillsboro and Mouth of Fox and the Tilton and Day's Mill Turnpike Company;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
Leave was given to bring in the following bills, viz:
On motion of Mr. Carlise—
1. A bill for the benefit of Kenton county.
On motion of Mr. S. M. Sanders—
2. A bill to amend an act, entitled "An act for the benefit of common school district No. 16, in Larue county."
On motion of Mr. Speaker McCreary—
3. A bill regulating roads in the Kirksville district of Madison county.
Ordered, That the Committee on County Courts prepare and bring in the 1st; the Committee on Education the 2d; and the Committee on the Judiciary the 3d.
Mr. Foree, from the Committee on the Penitentiary, to whom was referred a bill from the Senate, entitled
An act to pay for the erection of a stable for use of Penitentiary, Reported the same without amendment.
Ordered, That said bill be read a third time.
Said bill was then read a third time as follows, viz:
WHEREAS, The extension of the walls of the Penitentiary, and the erection of buildings in the space thereby inclosed, as provided for by act of the General Assembly of 1872, to provide for the erection of a prison for females, &c., approved March 2d, 1872, necessitated the removal of the stable belonging to the Penitentiary, and used by J. W. South, Lessee and Keeper, and compelled him to erect a stable, which he has done, on ground pertaining or belonging to the Penitentiary; and whereas, there remains, unexpended, of the appropriations for the construction of a block of warehouses for the use of the Penitentiary, approved March 13th, 1871, the
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sum of $4,762 34, and of the appropriation to provide for the erection of a prison for females, &c., approved March 2d, 1872, about the sum of $2,909 45; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That J. W. South, Lessee and Keeper of the Penitentiary, be paid by the Treasurer of the State, on the warrant of the Auditor, the sum of eighteen hundred and fifty-eight dollars and seventy-six cents, for the erection of this stable, out of these unexpended sums.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) W. H. Evans, Julian N. Phelps,
Wm. A. Allen, M. Woods Ferguson, Lewis Potter,
George W. Anderson, Manlius T. Flippin, Hiram S. Powell,
A. C. Armstrong, C. D. Foote, E. A. Robertson,
A. S. Arnold, Joseph P. Foree, John Rowan,
W. W. Ayers, James Garnett, John P. Rowlett,
G. W. Bailey, Wm. Cassius Goodloe, Frank Sacksteder,
R. Tarv. Baker, E. A. Graves, J. R. Sanders,
Alpheus W. Bascom, C. P. Gray, Samuel M. Sanders,
John A. Bell, Clinton Griffith, C. C. Scales,
S. C. Bell, E. Polk Johnson, William Sellers,
Church H. Blakey, Thomas M. Johnson, James W. Snyder,
W. B. M. Brooks, T. J. Jones, J. S. Taylor,
Thomas P. Cardwell, G. W. Little, C. W. Thralkeld,
Robert M. Carlisle, J. J. McAfée, Harry I. Todd,
John S. Carpenter, Bryan S. McClure, L. W. Trafton,
George Carter, William J. Melroy, T. W. Varnon,
B. E. Cassilly, M. E. McKenzie, J. L. Waring,
C. M. Clay, jr., T. J. Megibben, C. H. Webb,
J. Guthrie Coke, W. A. Martin, Mordecai Williams,
William G. Conrad, Wm. Mynhier, Jonas D. Wilson,
R. D. Cook, J. L. Nall, J. N. Woods,
R. L. Cooper, Mat. Nunam, S. H. Woolfolk,
J. E. Cosson, John W. Ogilvie, J. M. Wright—76,
Joseph M. Davidson, Walter Evans,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act providing compensation for the services of W. R. Bradley, in the defense of the action of the State of Missouri against the State of Kentucky, for the recovery of Wolf Island,

Reported the same without amendment.
On motion of Mr. Chrisman,

Ordered, That said bill be recommitted to the Committee on the Judiciary, with instructions to report the same on Friday, the 11th inst., at 10 o'clock, A. M.

The House took up an unfinished report of a former day, viz: a bill from the Senate, entitled

An act to require attachments to be noted of record in the office of the county clerk of Jefferson county.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, to whom was recommitted a bill from the Senate, entitled

An act for the benefit of, and relief of, persons who have paid tax on income from United States bonds, imposed by an act passed and approved March 8, 1867,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

WHEREAS, An act was passed and approved March 8th, 1867, entitled "An act to tax income on United States bonds," and by said act a tax of five (5) per cent. was imposed on income derived from United States bonds against all tax-payers owning and deriving income from United States bonds in this State; and whereas, said tax so imposed and collected was assessed and collected as a separate tax; and the records of the Auditor's office will show a complete list of the names of all persons from whom said tax was collected, and the amount paid by each tax-payer; and whereas, the Court of Appeals of this State, in the case of the Bank of Kentucky against the Commonwealth, decided and declared said act of March 8th, 1867, illegal and unconstitutional; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all taxes assessed and collected of tax-payers in this State, under said act of March 8th, 1867, and entitled "An act to tax income on United States bonds," shall be refunded and paid back to each and every person from whom the same was collected; and the Auditor of Public Accounts is hereby directed, upon the presentation to him of the tax receipts, or other satisfactory evidence showing the payment of said tax under said act of March 8th, 1867, by any person from whom said tax was collected, shall draw his warrant upon the Treasurer in favor of such person for the amount of tax so paid, and in conformity to, and corresponding with, the name of such person, and amount of tax paid by such person, as shown and evidenced by the records of the Auditor's office; or in case of the death of any person from whom said tax was collected, the warrant shall be drawn by the Auditor in favor of the personal representatives of such
deceased person, and which warrant shall be paid out of any money in the Treasury not otherwise appropriated.

§ 2. That said act, passed and approved March 8th, 1867, and entitled "An act to tax income on United States bonds," be, and the same is hereby, repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Threlkeld moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Graves then moved to reconsider the vote by which the previous question was ordered.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

The main question, "Shall the bill pass?" was then taken, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


C. M. Clay, jr.,

Resolved, That the title of said bill be as aforesaid.

Mr. W. Evans then moved to reconsider the vote by which said bill was passed.

Mr. Foree moved to lay the motion of Mr. Evans on the table.
And the question being taken on the motion of Mr. Foree, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Baker, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


On motion of Mr. Potter, leave was given to bring in a bill, entitled

A bill to legalize the action of the Warren county court in borrowing seven thousand dollars, for bridge purposes, of Warren College.

Ordered, That the Committee on County Courts prepare and bring in said bill.

Mr. Garnett, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported

A bill to incorporate the Columbia Christian College.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ogilvie, from the joint committee of conference on the disagreement of the two Houses in regard to the amendment proposed by the House to chapter 29, title "Courts," of the proposed Revision of the Statutes, proposing to increase the jurisdiction of justices of the peace in certain cases to one hundred dollars, made a report, recommending that the House do recede from its said proposed amendment.

And the question being taken on concurring in said report, it was decided in the affirmative.

And so the House receded from its said proposed amendment.

On motion of Mr. Foote,

Ordered, That a committee be appointed by the House, to act in conjunction with such committee as may be appointed by the Senate, to wait upon the Governor, and request him to return to the Senate, unsigned, an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington.

And thereupon the Speaker appointed upon said committee Messrs. Foote, F. Sacksteder, and Carlisle, who, after a time, returned, and reported that they had discharged their duty, and had returned said bill to the Senate.

Proceeding further with the consideration of the report from the Senate in regard to the proposed Revision of the Statutes, the House took up the disagreement of the Senate to the 1st amendment proposed by the House to chapter 30, title "Crimes and Punishments."

Said amendment reads as follows, viz:

Amend section 3, of article —, by adding thereto these words: "But the Governor shall have the power, in his discretion, to commute the sentence of death, in cases of persons convicted of murder, to confinement in the Penitentiary during the life of the person so convicted."

Mr. Cooper moved that the House do recede from its said proposed amendment.

And the question being taken on the motion of Mr. Cooper, it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. T. M. Johnson and Foote, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) William G. Conrad, E. A. Robertson, John Rowan,
Wm. A. Allen, R. L. Cooper, John P. Rowlett,
George W. Anderson, E. A. Graves, Frank Sacksteder,
A. C. Armstrong, T. J. Jones, J. R. Sanders,
A. S. Arnold, G. W. Little, C. C. Scales,
Alpheus W. Bascom, William J. McElroy, James W. Snyder,
John A. Bell, M. E. McKenzie, C. W. Threlkeld,
Wm. F. Bond, T. J. Megibbes, T. W. Varnon,
George Carter, W. A. Morin, J. L. Waring,
C. M. Clay, jr., Julian N. Phelps,
J. Guthrie Coke, Lewis Potter,

Those who voted in the negative, were—

W. W. Ayers, Walter Evans, J. L. Nall,
R. Tarv. Baker, W. H. Evans, M. Numan,
S. C. Bell, C. D. Foote, Hiram S. Powell,
Church H. Blakey, Joseph P. Force, Samuel M. Sanders,
Thomas P. Cardwell, James Garnett, Harry J. Todd,
Robert M. Carlisle, C. P. Gray, L. W. Trafton,
John S. Carpenter, Clinton Griffith, C. H. Webb,
James S. Chrisman, E. Polk Johnson, Mordecai Williams,
Josiah H. Combs, Thomas M. Johnson, Jonas D. Wilson,
R. D. Cook, J. S. Lawson, J. N. Woods—32.
J. E. Cosson, Bryan S. McClure,

The House took up also the disagreement of the Senate to the third amendment proposed by the House to the same chapter.

Mr. E. Polk Johnson moved that the House do insist upon said proposed amendment.

And the question being taken on the motion of Mr. Johnson, it was decided in the negative.

Mr. W. Evans moved that the House do recede therefrom.

And the question being taken on the motion of Mr. Evans, it was decided in the affirmative.

The House took up also the disagreement of the Senate to the 4th amendment proposed by the House to said chapter.

Mr. Chrisman moved that the House do recede from their said proposed amendment.

And the question being taken on the motion of Mr. Chrisman, it was decided in the negative.

Mr. Garnett moved that the House do insist thereon.

And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.
The House also took up the disagreement of the Senate to the 5th amendment proposed by the House to said chapter.
Mr. Garnett moved that the House do insist upon its said proposed amendment.
And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.
The House also took up the disagreement of the Senate to the 6th amendment proposed by the House to said chapter.
Mr. Garnett moved that the House do insist upon its said proposed amendment.
And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.
The House also took up the disagreement of the Senate to the 15th amendment proposed by the House to said chapter.
Mr. W. Evans moved that the House do insist upon its said proposed amendment.
And the question being taken on the motion of Mr. Evans, it was decided in the affirmative.
The House also took up the disagreement of the Senate to the 18th amendment proposed by the House to said chapter.
Mr. W. Evans moved that the House do insist upon its said proposed amendment.
And the question being taken on the motion of Mr. Evans, it was decided in the affirmative.
The House also took up the disagreement of the Senate to the amendment proposed by the House to chapter 62, title “Juries, Grand and Petit,” of the proposed Revision of the Statutes.
Mr. Arnold moved that the House do recede from its said proposed amendment.
And the question being taken on the motion of Mr. Arnold, it was decided in the affirmative.
The House also took up the disagreement of the Senate to the amendment proposed by the House to chapter 70, title “Limitation of Actions,” of the proposed Revision of the Statutes.
Mr. Garnett moved that the House do recede from its said proposed amendment.
And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.
Mr. Coke, from the Committee on the Judiciary, to whom was re­
committed a bill, entitled
A bill providing for the appointment of commissioners to repre­
sent Kentucky at the International Exposition at Vienna,
Reported the same without amendment.
Mr. S. M. Sanders moved to lay said bill on the table.
And the question being taken on the motion of Mr. Sanders, it was
decided in the negative.
The yeas and nays being required thereon by Messrs. S. M. Sanders
and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, William G. Conrad, Bryan S. McClure,
G. W. Bailey, Walter Evans, Wm. Myrhyier,
R. Tarv. Baker, W. H. Evans, John W. Ogilvie,
Alpheus W. Bascom, Joseph P. Foree, Lewis Potter,
S. C. Bell, E. A. Graves, Samuel M. Sanders,
Church H. Blakey, C. P. Gray, J. S. Taylor,
Robert M. Carlisle, Thomas M. Johnson, C. W. Threlkeld,

Those who voted in the negative, were—

Mr. Speaker (McCreary), C. D. Foote, J. P. Sacksteder,
A. C. Armstrong, James Garrett, Frank Sacksteder,
A. S. Arnold, Wm. Cassius Goodloe, J. R. Sanders,
John A. Bell, Clinton Griffith, William Sellers,
W. B. M. Brooks, J. S. Lawson, James W. Snyder,
John S. Carpenter, G. W. Little, Harry I. Todd,
B. E. Cassilly, J. J. McAfee, T. W. Varnon,
C. M. Clay, jr., William J. McElroy, J. L. Waring,
J. Guthrie Coke, T. J. Megibben, C. H. Webb,
R. D. Cook, J. L. Nall, Mordecai Williams,
R. L. Cooper, Mat. Nunan, Jonas D. Wilson,
M. Woods Ferguson, E. A. Robertson,

The further consideration of said bill was cut off by the arrival of
the hour for taking a recess.

And then, under the rule, the House took a recess until 7½ o’clock,
P. M.

At 7½ o’clock, P. M., the House again reassembled.
Mr. W. Evans, from the Committee on the Judiciary, who were
directed to prepare and bring in the same, reported bills of the fol­
lowing titles, viz:

- A bill for the benefit of turnpike district No. 2, in Henry county.
- A bill to legalize a certain survey made in the name of William
  Day, in Morgan county.
A bill to authorize a portion of Jamestown magisterial district, in Campbell county, to purchase the Newport and Dayton Turnpike and to bridge Taylor's creek.

A bill to legalize a certain survey made in the name of D. P. Mosley and J. H. Amyx, in Morgan county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Clay, from the Committee on Railroads, to whom was recommitted a bill from the Senate, entitled

An act to incorporate the Kentucky and Southeastern Railway Company,

Reported the same with amendments thereto.

On motion of Mr. Clay,

Ordered, That the consideration of said bill and proposed amendments be postponed to, and made special order of the day for, Thursday, the 10th inst., at 8 o'clock, P. M.

The House then took up and proceeded to consider further a bill, and the amendments proposed thereto, entitled

A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

Mr. Scales moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Griffith, and it was decided in the negative.

The amendment proposed by Mr. T. M. Johnson, is to strike out the 5th subsection of section 2 of said bill.

The question was then taken on the adoption of the amendment proposed by Mr. T. M. Johnson, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. T. M. Johnson and S. M. Sanders, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) James B. Fitzpatrick, John W. Ogilvie,
Wm. A. Allen, C. D. Foote, Julian N. Phelps,
R. Tarv. Baker, James Garnett, Lewis Potter,
Alpheus W. Bascom, Wm. Cassius Goodloe, John Rowan,
John A. Bell, C. P. Gray, J. P. Sacksteder,
S. C. Bell, George M. Jesse, Frank Sacksteder,
Church H. Blakey, E. Polk Johnson, Samuel M. Sanders,
W. B. M. Brooks, Thomas M. Johnson, J. S. Taylor,
William Brown, J. S. Lawson, C. W. Threlkeld,
Robert M. Carlisle, Bryan S. McClure, Harry I. Todd,
John S. Carpenter, William J. McElroy, C. H. Webb,
George Carter, M. E. McKenzie, Merdecai Williams,
R. L. Cooper,

Those who voted in the negative, were—

A. C. Armstrong, M. Woods Ferguson, C. C. Scales,
W. N. Beckham, E. A. Graves, William Sellers,
B. E. Cassilly, G. W. Little, L. W. Trafton,
C. M. Clay, jr., Mat. Nunan, T. W. Varnon,
William G. Conrad, Hiram S. Powell, Jonas D. Wilson,
R. D. Cook, E. A. Robertson, J. N. Woods,
Walter Evans,

The question was then taken on ordering said bill, as amended, to
be engrossed and read a third time—the yeas and nays being called
thereon—but before the roll could be called, the hour of 11 o'clock,
P. M., arrived, and then, under the rule, the House adjourned.
MR. COOK PRESENTED THE PETITION OF SANDY CITIZENS OF LAUREL COUNTY, PRAYING THE PASSAGE OF AN ACT FOR THE BENEFIT OF JOHN H. CARRIER, LATE JAILER OF SAID COUNTY.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

A message was received from the Senate, announcing that they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate sales made under decrees of the Barren circuit court."

And that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the Lexington and Winchester Turnpike Company.

An act to incorporate the Moore and Noland Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Lincoln and Boyle Turnpike Road Company."

Leave was given to bring in the following bills, viz:

On motion of Mr. Nunan—

1. A bill for the benefit of A. J. Cocanaugher, late sheriff of Washington county, for the year 1872.

On motion of Mr. E. Polk Johnson—


On motion of Mr. Phelps—

3. A bill for the relief of the inmates of the Penitentiary.

On motion of Mr. Sellers—


Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Codes of Practice the 2d; the Committee on the Penitentiary the 3d; and the Committee on Codes of Practice the 4th.
At his request,

Ordered, That Mr. Clay be discharged from further service, as one of the committee of conference on the part of the House, to take into consideration the matter of disagreement between the two Houses in relation to the amendments proposed by the House to chapter 19, title “Common Schools,” of the proposed Revision of the Statutes.

And thereupon Mr. Beckham was appointed in his place.

Mr. McElroy, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

- An act to incorporate the Oakland Cemetery Company;
- An act in relation to the fees of officers in certain cases;
- An act to incorporate the Christian Church at Wapsaw;
- An act for the benefit of married women in this Commonwealth;
- An act to incorporate the Ohio and Red River Packet Company;
- An act to authorize Mary Boyd to erect cattle-stops across John’s creek, in Pike county;
- An act to incorporate the Grand Division of Sons of Temperance;
- An act to incorporate the Woollen Manufacturing Company;
- An act to amend an act, entitled “An act to empower county courts to take stock in turnpike roads in this Commonwealth,” approved March 3, 1868;
- An act for the benefit of Browder Institute, in Logan county;
- An act to amend an act, entitled “An act to incorporate the Deposit Bank of Henderson;”
- An act to amend the charter of, and to authorize the city of, Mayfield, to subscribe and pay for stock in the Cairo and Tennessee River Railroad Company;
- An act to amend the charter of the Farmers’ Bank of Kentucky;

And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:

- An act for the benefit of William Cook’s heirs;
- An act to incorporate the Maysville Chair Company;
- An act to incorporate the town of Hickory Grove, in Graves county;
- An act to incorporate the town of Poyrsburg, in Graves county;
- An act to amend an act, entitled “An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott county court;”
- An act to incorporate the town of Peak’s Mill, in Franklin county;
An act to incorporate the Rothrock Coal and Mining Company, of Muhlenburg county;
An act for the benefit of R. T. McGlauling;
An act authorizing the counties of Montgomery, Clark, and Bath to sell a part or all of the stock owned by such counties, or either of them;
An act affixing penalties and forfeitures upon corporations and persons exercising corporate powers that are required to give bonds and have failed to do so;
An act to define and enlarge the boundaries of the town of Ashland;
An act amending an act, entitled “An act to incorporate the Vanceburg, Quincy, and Springville Turnpike Road Company,” approved February 18, 1869;
An act to prohibit partnerships to practice law between circuit, chancery, and criminal court clerks and county court clerks;
An act to provide for the payment of conveying prisoners to the House of Reform;
An act to incorporate the Hillsboro and Plummer’s Landing Turnpike Company;
An act for the protection of bee-keepers in this Commonwealth;
An act for the benefit of J. B. Evans, of Monroe county;
An act providing for transcribing the plats, surveys, and certificates of land lying in Magoffin county;
An act to establish a school district from parts of Fayette and Madison counties;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. McElroy inform the Senate thereof.
Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:
By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to incorporate the Crab Orchard Salts Manufacturing Company, at Crab Orchard Springs.
By Mr. Waring, from the Committee on Railroads—
A bill for the benefit of the Paducah and North Eastern Railroad Company.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being 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. Potter, leave was given to bring in a bill, entitled

A bill to amend the charter of the city of Covington.

Ordered, That the Committee on Corporate Institutions prepare and bring in said bill.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to incorporate the Pickett Tobacco Warehouse Company.

By same—
An act to charter the Southern Land and Construction Company.

By Mr. Waring, from the Committee on Railroads—
An act to incorporate the Tug River Coal Railroad Company.

By Mr. Armstrong, from the Committee on Education—
An act to incorporate the Henderson Library Association.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Craddock, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish a colored free school at Bowling Green.
An act to facilitate the collection of delinquent taxes in Owen county.
An act for the benefit of Sallie Sanders.
An act to amend an act, entitled “An act to incorporate the Clay Fire and Marine Insurance Company, of Newport,” approved March 10, 1856.
An act to amend the charter of the Webster Coal Company, approved March 9, 1867, and amendments thereto, approved March 20, 1871.

An act to incorporate the Williamsburg Geological and Mining Company.

An act for the benefit of Martha A. Hightower, a pauper lunatic.

An act to amend the charter of the South Kentucky Fair Ground Association.

An act for the benefit of John Pinkerton, of Carter county.

An act for the benefit of W. R. Stringer, of Livingston county.

An act for the benefit of Mrs. Elizabeth J. Spradlin, of Floyd county.

An act to amend an act, entitled "An act to incorporate the Mt. Sterling Water-works Company."

An act for the benefit of Mildred Broadus, a pauper idiot of Lincoln county.

An act for the benefit of Thos. M. Purnell.

An act to amend an act, entitled "An act to prohibit the sale of intoxicating liquors in the town of Clayville."

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof," approved February 28, 1872.

An act for the benefit of the Hillsboro and Mouth of Fox and the Tilton and Day's Mill Turnpike Company.

An act for the benefit of Mrs. V. W. Fishback.

An act to prohibit the sale of spirituous, vinous, or malt liquors within one mile and a half of West Bend, Powell county.

An act for the benefit of the Kiddville and Montgomery Turnpike Road Company.

An act for the benefit of William Little, curator of the estate of Robert C. Moore, deceased.

An act to cause a head and foot-stone to be erected over the grave of Henry Morton (of color).

An act to amend an act, entitled "An act to incorporate Lost Fork and Otter Creek Turnpike Road Company, in Madison county," approved March 16, 1869.

An act to incorporate the Benevolent Society of Colored People of Millville, in Woodford county.
An act to incorporate the United Colored Baptist Church, of Lancaster.
An act to prevent the sale of intoxicating liquors in the Murphysville precinct, in Mason county.
An act for the benefit of S. H. Piles, late sheriff of Livingston county.
An act to prohibit and punish persons guilty of intimidating voters.
An act to amend the charter of the Eastern Kentucky Railway Company.
An act for the benefit of Charles K. Oldham, sheriff of Madison county.
An act to prohibit the sale of intoxicating liquors at Cropper's Depot, in Shelby county.
An act for the benefit of school district No. 28, in Clinton county.
An act to further define the duties of Commonwealth and county attorneys.

A message was received from the Senate, announcing that they had appointed a committee of conference, to act with the committee appointed by the House, on the subject of the disagreement of the two Houses with regard to the 3d amendment proposed by the House to chapter 55, title "Inclosures and Certain Trespasses," of the proposed Revision of the Statutes.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill to empower the county court of Mercer county to make subscription to capital stock in turnpike roads in Mercer county.

By same—
A bill to amend an act, entitled "An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company."

By Mr. Armstrong, from the Committee on Education—
A bill to amend an act, entitled "An act for the benefit of school district No. 16, in Larue county."

By same—
A bill to amend an act, entitled "An act for the benefit of common schools in Bracken county."

By Mr. Trafton, from the Committee on County Courts—
A bill to authorize the county court of Harrison to appropriate money towards building a bridge on the Cynthiana and Ashbrook's Mills Turnpike Road.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a second time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills be engrossed and read a third time.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Waring, from the Committee on Railroads, to whom was referred a bill from the Senate, entitled

An act providing for the collection of railroad tax in the county of Montgomery,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. Craddock, Secretary of State, which was taken up and read as follows, viz:

EXECUTIVE OFFICE, FRANKFORT, April 9, 1873.

Gentlemen of the Senate and House of Representatives:

As the General Assembly has by a late act made an appropriation for a further prosecution of a Geological Survey of the State, I feel it my duty to communicate to you some information which I have recently received, and deem of very great importance to the interests of that enterprise. I am gratified to learn that the valuable maps and illustrations which were designed to accompany the fourth volume of the Geological Survey of Kentucky, issued in 1861, but which, for the want of an adequate appropriation at that time, were not published, have been carefully preserved, and can be still obtained for publication.

The importance of these documents, not only in completing the value of the text already published, but also in greatly facilitating the further prosecution of the work, will be clearly apparent from the following descriptive schedule:

1st. A stratigraphical section with colored rock strata of the great east and west base line, extending over 300 miles from the Ohio river, near Uniontown on the west, to the Virginia line. The cost of surveying this line consumed about one half of the appropriation made by the Legislature. The work was a necessary preliminary to a proper Geological Survey, inasmuch as, at that time, no accurate Geographical and Topographical Survey of the State had been made. This base line was accurately measured, leveled by barometrical observation, and marked by the felling of trees, &c. It will be indispensable in the continuance of the survey.
2d. A large map, five feet long, of the secondary base line, with a carefully worked up geological section from Greenupsburgh to Clinton county. This fine map and section embodies the results of the labors of Mr. Jos. Leslie, and his assistants of the Geological Survey, for two years in our valuable Eastern coal-field, and the loss or want of it would entail the cost and labor of a new survey of that region.

3d. A map of the outlines of the Western coal-fields of Kentucky, &c.

4th. A map of Eastern Kentucky, showing the Western out-crop of its coal-field.

5th. Four plates of Kentucky coal plants, by M. Lesquereaux, to illustrate his report in the fourth volume of the report of the Geological Survey.

6th. Comparative sections (colored) of Kentucky coal measures with those of Great Britain.

7th. Plan of Bell's coal-mine, in Crittenden county. There were also plans of other coal-mines prepared, which, perhaps, with proper effort, might be recovered.

The maps and illustrations above referred to were in the hands of the Public Printer of the State, in order to accompany the Fourth Report of the Geological Survey; but when it was found that the appropriation made by the State was not sufficient to defray the expense of their republication, they were returned to Dr. Peter, in whose custody they had been placed by the late Dr. D. D. Owen, the Chief Geologist of the Survey, except the map of the secondary base line, which was returned to its author, Mr. Leslie, by whom, I learn, it has been carefully preserved.

These gentlemen, I am informed, are both willing and anxious to surrender these documents to the State, if adequate appropriation be made for their publication. The cost of engraving and publishing 5,000 copies of each of the first two maps mentioned above will be probably from ten to twelve hundred dollars; a small sum will pay the expense of publishing the others. The entire cost of the whole will not exceed, probably, three thousand dollars.

It seems to me a very unwise economy to make appropriations of public money for a great enterprise, and then permit some of the most valuable results of its labors to be lost for want of a small additional and necessary expenditure. The political agitation, the excited condition of the country in 1861, might excuse such action then; but now that the importance of the subject has awakened attention again, and you have appropriated means for resuming the work of a Geological Survey, I trust you will not hesitate to add a sum necessary to secure to the interests of industry and science the important contributions already achieved, especially when the further prosecution of the survey will be so greatly aided thereby.

I respectfully submit the subject to your consideration, and recommend that you make an appropriation sufficient to publish 5,000 copies of the maps and illustrations above mentioned, in a suitable form, to accompany the report of the fourth volume of the Geological Survey.

So highly do I estimate the value of these documents to the State, that should you deem it not advisable to make an additional supply of money, I would recommend most respectfully that a portion of the sum which you have already appropriated for prosecuting the survey be set aside, and applied for their publication. P. H. LESLIE.

On motion of Mr. Foote, said message was referred to the Committee on Ways and Means, with authority to report thereon at pleasure.
A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to chapter 89, title "Register," of the proposed Revision of the Statutes.

That they had concurred in the report of the joint committee of conference in relation to the disagreement of the two Houses on the amendment proposed by the House to chapter 29, title "Courts," of said proposed Revision.

And that they had adopted of said proposed Revision the following additional chapters, viz:

Chapter 90, title "Roads and Passways."
Chapter 93, title "Secretary of State."
Chapter 94, title "Sergeant."
Chapter 95, title "Sheriffs."

A message was also received from the Senate, announcing that they had disagreed to the amendment proposed by the House to chapter 91, title "Salaries," of the proposed Revision of the Statutes.

Mr. Gray then moved that the House do recede from its said proposed amendment.

And the question being taken on the motion of Mr. Gray, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ogilvie and Bascom, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

The House took up the further report of the Senate of their action in regard to the proposed Revision of the Statutes.

Chapter 90, title "Roads and Passways," being under consideration, amendments were offered thereto by Messrs. Graves, Powell, and E. Polk Johnson, which were rejected.

Said chapter was then adopted without amendment.

Chapter 93, title "Secretary of State;"

Chapter 94, title "Sergeant;"

Were each adopted without amendment.

To chapter 95, title "Sheriffs," Mr. Blakey offered an amendment, which was rejected.

And then said chapter was adopted without amendment.

The House took up an unfinished order of yesterday, viz:

A bill providing for the appointment of commissioners to represent Kentucky at the International Exposition at Vienna,

Mr. Griffith offered an amendment therefor.

Mr. W. Evans moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Garnett then moved to reconsider the vote by which the main question was ordered.

And the question being taken on the motion of Mr. Garnett, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Threlkeld, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) C. D. Foote, J. L. Nall,
A. C. Armstrong, Joseph P. Force, Mat. Nunnan,
W. W. Ayers, James Garnett, Julian N. Phelps,
R. Tarv. Baker, Wm. Cassius Goodloe, Lewis Potter,
Alpheus W. Bascom, C. P. Gray, Hiram S. Powell,
W. N. Beckham, E. Polk Johnson, J. P. Sacksteder,
John A. Bell, Thomas M. Johnson, Frank Sacksteder,
S. C. Bell, J. S. Lawson, J. R. Sanders,
Church H. Blakey, G. W. Little, James W. Snyder,
Thomas P. Cardwell, J. J. McAfee, Harry L. Todd,
A~RIL 10.]  HOUSE OF REPRESENTATIVES.  

James S. Chrisman,  Bryan S. McClure,  T. W. Vernon,
R. D. Cook,  Wm. J. McElroy,  J. L. Waring,
W. H. Evans,

Those who voted in the negative, were—

Wm. A. Allen,  J. E. Cosson,  E. A. Robertson,
A. S. Arnold,  Joseph M. Davidson,  John Rowan,
G. W. Bailey;  Walter Evans,  William Sellers,
John S. Carpenter,  E. A. Graves,  J. S. Taylor,
George Carter,  M. E. McKenzie,  C. W. Threlkeld,
B. E. Cassilly,  J. C. Moorman,  Mordecai Williams,

The further consideration of said bill and proposed amendment was cut off by the arrival of the hour for taking a recess.

And then, under the rule, the House took a recess until 7½ o’clock, P. M.

At 7½ o’clock, P. M., the House again reassembled.

A message was received from the Governor by Mr. Craddock, Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
FRANKFORT, April 10, 1873.

Gentlemen of the House of Representatives:

After a careful examination of a bill originating in your honorable body, entitled "An act to amend the charter of the South Kentucky Railroad Company," I feel constrained to return it, with my reasons for withholding approval.

The bill proposes to authorize any county, city, town, or election district, having authority to subscribe to the capital stock of said company, to purchase, take, hold, and sell the bonds of the company, which may be secured by either a first or second mortgage, and to issue to the company, in discharge or in payment of such bonds so purchased, the bonds of the county, city, town, or election district so purchasing the bonds of the company; provided, that the question shall be first submitted to a vote of the qualified voters of such county, city, town, or election district; and if a majority of "all those voting," shall be in favor of the purchase being made, the county court shall, in behalf of the county, or in behalf of the election district, or the mayor and council shall, on behalf of the city, or the board of trustees shall, on behalf of the town, complete the purchase, according to the terms agreed upon, and issue the necessary bonds, and levy and collect a tax upon the people sufficient to pay the interest and principal thereof. It further provides that any proposition of taxation, in favor of the railroad company, may be submitted to the voters of a county, city, town, or election district, through or near which the road may be located. In other words, it authorizes a voting majority to create and impose, upon the counties and other localities mentioned, an unlimited amount of indebtedness, for the payment of which the county courts, and city and town authorities, are required to issue their bonds, which are to be exchanged for the bonds of the railroad company, upon just such terms as may be agreed upon. Thus the property of these counties and districts may be mortgaged to the railroad company for an indefinite
length of time, the mortgaged debt to be honored every six months by
taxes collected from the people. But the bill gives no direction as to the
disposal of the bonds purchased by such taxation. Should any dividends
ever be paid on them, it makes no provision for the distribution of the
money thus accruing among the tax-payers, or its application, even, to
any public use. Let it be conceded that majorities may vote upon mi-
norities, however reluctant, subscriptions of stock in railroad corporations,
provided that some compensation, in the form of stock certificates and
dividends, be secured to them, still I must regard it as a monstrous per-
version of popular suffrage, and a grievous infringement of the vested
rights of the citizen, that a majority should be empowered to compel him
to incur a debt which may impoverish him, in order to supply a fund for
setting up a broker's office in the purchase of railroad bonds, or to em-
brace, against his will, in any similar speculation; especially when the
taxes upon which it is to be conducted are left to the discretion of that
majority, as is the case in the bill under consideration.

I have, upon former occasions, felt it to be my duty to refuse my assent
to bills containing substantially the provisions of this bill, in respect to
the constitutional power of the Legislature to levy and collect taxes, or to
authorize any subordinate agency to levy and collect taxes for any other
than public purposes. I have maintained that railroad companies are
private corporations, artificial persons, created for private gain and emol-
ument, and that the Legislature can no more impose a tax upon the people,
to build up and sustain the fortunes of such artificial person, than it can
that of a natural person. The taxing power, for public purposes, is broad
and plenary; but nowhere in the Constitution of the State, nor in the
theory or principles of the government, can a power be found to author-
ize the taxation of the people for private or mere speculative purposes.
This bill not only allows counties to engage in the purchase of railroad
bonds, but cities, towns, and even voting districts in counties, are clothed
with that power. Counties are civil divisions of the State, made for con-
venience of local government, and have a character of permanency; but
voting districts, in their very nature, are subject to frequent changes in
their boundaries, and, in fact, may be abolished altogether, or absorbed in
other districts. The policy (even admitting the constitutional right) of
levying and collecting a tax in one or more voting districts of a county,
different from that which is levied and collected in the other districts of
the same county, is of very doubtful propriety; so doubtful, that, in my
judgment, it ought not to be resorted to except in the most urgent neces-
sity. But I do not rest my objections to this bill upon this ground alone.

Upon a mere question of policy or expediency, I would be strongly in-
clined to defer to the judgment of the Legislature. A more serious ob-
jection to it is, that it authorizes the property of a citizen to be taken, and
that, too, for a private use, without any adequate compensation. In what
way will the tax-payer find any remuneration for the sums of money ex-
cuted from him, year after year, under the provisions of this bill? It may
be said that the bonds of the railroad company, received in exchange for
the county; city, town, or district, would afford ample remuneration; that
a thousand dollar bond of the corporation would be equal in value to a
thousand dollar bond of the county, city, town, or district, given in ex-
change for it. This may or may not be the case. The bill, however, con-
tains a provision which, it seems to me, will effectually preclude such
equivalence in the value of the bonds. After providing that the railroad
bonds shall be received in exchange for the county, city, town, or district
bonds, upon such terms as the majority may agree to, the eighth section ex-
pressly allows the railroad company to release its subscribed stock by paying to the subscribers such advances as they may have made; thus yielding and giving up the very assets, perhaps, upon the credit of which a majority of the popular vote was induced to grant the bonds of the locality, and using, it may be, the people’s money to refund to subscribers the sums advanced by them. But whether this be so or not, it does not alter the nature of the proposition, nor the effect of the transaction, in a constitutional point of view. The question is, can the Legislature impose taxes for any such purpose, or can it authorize a majority, by a vote, to fasten such a tax, for such a purpose, upon the minority? Ours is not a mere popular government, controlled in all matters by the voice of majorities. It is a constitutional government, and the rights of property are protected and secured as well against mere majorities as against the government itself, except in the proper exercise of the taxing power or the right of eminent domain; and whether asserted in the one or the other mode, it must be done for public, in contradistinction to private, uses and purposes. If the Legislature cannot constitutionally impose a tax upon a voting district in any county, to be expended in the purchase of railroad or other bonds, or if it cannot authorize the county court of any county to issue the bonds of certain voting districts in such county, and the sale or exchange thereof for the bonds of a private corporation, it cannot authorize a majority of the voters of such district to do so. It is a question of power, in regard to which I scarcely feel any doubt; and believing that no such right is vested in the General Assembly, I deem it my duty, and do now most respectfully return to your honorable body the bill, with these, my reasons for its disapproval.

P. H. LESLIE.

The bill referred to in said message reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act, entitled “An act to incorporate the South Kentucky Railroad Company,” approved March 15th, 1871, be, and the same is amended as follows: Any county, city, or town, or election district or districts, now having authority to subscribe to the capital stock of the said South Kentucky Railroad Company, may purchase, take, and hold and sell the bonds of the said railroad company issued by said company, and secured by a first or second mortgage of the said railroad, with its appurtenances and franchises; and may issue and deliver to the said company, in exchange or in payment for their said bonds, the bonds of such county, city, or town, election district or districts, upon such terms and conditions as may be agreed upon by and between said company and such city or town, election district or districts; the question of the purchase of the bonds of the company, upon the terms and conditions proposed, to be submitted to the qualified voters of such county, city, or town, election district or districts, at an election which may be ordered by the proper officers, not oftener than once in any one year, to be held therein, in the manner prescribed in the said act to which this is an amendment, in respect to subscriptions of stock in said railroad company; and if a majority of all those voting on such question shall be in favor of purchasing said company, upon the terms and conditions proposed, the county court of such county (in all cases of such vote in the county, election district or districts), and the mayor and council of such city, and the board of trustees of such town (in all cases of such vote in the city or town), shall have full power and
authority, and it shall be their duty, to issue the bonds of such county, city, or town, election district or districts, in the same manner and with the same effect as prescribed in said act in respect to bonds to be issued in payment for stock in said company; and it shall be the duty of the county court of such county, the city council of such city, and the board of trustees of such town, to cause to be levied and collected a tax sufficient to pay the semi-annual interest on the bonds issued, with the costs of collection, on all the real and personal property in said county, city, or town, election district or districts, subject to taxation under the revenue laws of this State, including the amount owned by residents of such county, city, or town, or election district or districts, which ought to be given in under the equalization laws.

§ 2. That in case any election district or districts shall subscribe to the capital stock of said company, or vote to purchase the bonds of said company, the county court of the county, embracing such district or districts, shall cause to be levied and collected a tax sufficient to pay the semi-annual interest on the bonds issued, with the costs of collection, on all the real estate and personal property in such district or districts, as provided in said act in respect to county subscriptions to stock in said company.

§ 3. In case of any county, city, or town, or election district or districts, shall subscribe to the capital stock of said company, and issue bonds under the provisions of the charter of the South Kentucky Railroad Company, or shall issue bonds under this amendment, the county court of such county, the city council of such city, and the board of trustees of such town, shall have power to levy and collect a tax on all estate and property taxable under said charter, to provide a sinking fund for the payment of the principal of the bonds on maturity.

§ 4. All bonds of any county, city, or town, election district or districts, as well as all bonds of said railroad company, shall be negotiable and payable to bearer in the city of New York, at not more than thirty years from their date, and shall bear interest at a rate not greater than ten per cent. per annum, payable semi-annually in the city of New York.

§ 5. That the said South Kentucky Railroad Company may construct their railroad from the city of Henderson, into or through the county of McCracken, or any other county west of the Tennessee river, and to any point in or near the line of the State of Tennessee.

§ 6. It shall be lawful for the county court of any county through which it is proposed to build said South Kentucky Railroad, or the city council of any city, or the board of trustees of any town, through or near which it is proposed to build said railroad, to submit any proposition of the South Kentucky Railroad Company for taxation, directly or indirectly in conjunction with other propositions, to the voters of any such county, city, or town, or election district or districts, at any one election held therein.

§ 7. The board of directors of the South Kentucky Railroad Company shall have power to elect a vice president of said company, either from among themselves or other stockholders, and to prescribe his duties, and allow him reasonable compensation for his services.

§ 8. The said railroad company shall have power to build, own, and operate a line of telegraph along the route of their said railroad, and to release the subscription of any stock in their company heretofore subscribed, with the assent of the subscribers, and refund all payments made on such subscriptions, with interest.

§ 9. This act shall take effect from its passage.
The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

Mr. Speaker (McCreary) R. D. Cook, Wm. Mynhier,
Wm. A. Allen, R. L. Cooper, J. L. Nall,
George W. Anderson, Joseph M. Davidson, Mat. Nunan,
A. C. Armstrong, W. H. Evans, John W. Ogilvie,
W. W. Ayers, James B. Fitzpatrick, Julian N. Phelps,
G. W. Bailey, C. D. Foote, E. A. Robertson,
Alpheus W. Bascom, Joseph P. Foree, John Rowan,
W. N. Beckham, James Garnett, J. P. Sacksteder,
John A. Bell, E. A. Graves, Frank Sacksteder,
S. C. Bell, C. P. Gray, J. R. Sanders,
Church H. Blakey, E Polk Johnson, Samuel M. Sanders,
Wm. F. Bond, Thomas M. Johnson, C. C. Scales,
W. B. M. Brooks, J. S. Lawson, J. S. Taylor,
Thomas P. Cardwell, G. W. Little, C. W. Thralkeld,
Robert M. Carlisle, J. J. McAfee, Harry I. Todd,
John S. Carpenter, Bryan S. McClure, L. W. Trafton,
George Carter, William J. McElroy, J. L. Waring,
B. E. Cassilly, M. E. McKenzie, C. H. Webb,
James S. Chrisman, T. J. Megibben, Mordecai Williams,
Josiah H. Combs, J. C. Moorman, S. H. Woolfolk,

And so said bill was rejected.

A message was received from the Senate, announcing that they had passed (with an amendment) a bill, which originated in the House of Representatives, entitled

An act to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington.

The House then, according to order, took up for consideration a motion to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act to further provide for the completion of the unfinished apartments in the building known as the Fire-proof Offices, in the city of Frankfort.

Mr. Graves moved to lay said motion on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Todd and Foree, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Creary), J. E. Cosson, J. C. Moorman,
Wm. A. Allen, Walter Evans, J. L. Nall,
W. W. Ayers, W. H. Evans, John Rowan,
G. W. Bailey, James Garnett, Frank Sacksteder,
S. C. Bell, E. A. Graves, Samuel M. Sanders,
W. B. M. Brooks, C. P. Gray, James W. Snyder,
William Brown, Thomas M. Johnson, J. S. Taylor,
Robert M. Carlisle, J. S. Lawson, C. W. Threlkeld,
John S. Carpenter, Bryan S. McClure, C. H. Webb,
B. E. Cassilly, William J. McElroy, Jonas D. Wilson,

Those who voted in the negative, were—

A. C. Armstrong, Joseph M. Davidson, John W. Ogilvie,
A. S. Arnold, James B. Fitzpatrick, Julian N. Phelps,
Alpheus W. Bascom, C. D. Foote, E. A. Robertson,
John A. Bell, Joseph P. Force, J. P. Sacksteder,
Church H. Blakey, Wm. Cassius Goodloe, J. R. Sanders,
Wm. F. Bond, E. Polk Johnson, C. C. Scales,
Thomas P. Cardwell, G. W. Little, William Sellers,
George Carter, J. J. McAfee, Harry I. Todd,
James S. Chrisman, T. J. Megibben, L. W. Trafton,
William G. Conrad, W. A. Morin, J. L. Waring,
R. D. Cook, Wm. Mynhier, Mordecai Williams—34.
R. L. Cooper,

The question was then taken on the motion to reconsider the vote by which said vote was disagreed to, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foree and Mynhier, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, R. L. Cooper, W. A. Morin,
A. C. Armstrong, Joseph M. Davidson, Wm. Mynhier,
A. S. Arnold, James B. Fitzpatrick, Mat. Nunan,
R. Tarv. Baker, C. D. Foote, J. P. Sacksteder,
Alpheus W. Bascom, Joseph P. Force, J. R. Sanders,
John A. Bell, Wm. Cassius Goodloe, C. C. Scales,
Wm. F. Bond, Clinton Griffith, Harry I. Todd,
Thomas P. Cardwell, E. Polk Johnson, J. L. Waring,
George Carter, G. W. Little, Mordecai Williams,
R. D. Cook, T. J. Megibben,

Those who voted in the negative, were—

Mr. Speaker (M'Creary), Walter Evans, E. A. Robertson,
Wm. A. Allen, W. H. Evans, John Rowan,
W. W. Ayers, James Garnett, Frank Sacksteder,
G. W. Bailey, E. A. Graves, Samuel M. Sanders,
Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of sixty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in current funds, for the purpose of completing all of the unfinished apartments in the building known as the Fire-proof Offices, in the city of Frankfort.

§ 2. The sum of money hereby appropriated, or such less sum as shall be necessary to accomplish the objects herein contemplated, shall be expended by the Governor and two Commissioners, to be appointed by the Governor and confirmed by the Senate, who shall make such contracts, or cause such work to be done, as shall be necessary to complete all of the unfinished apartments in said building: Provided, That the Governor shall have power and authority to fill any vacancy which may occur in said commission.

§ 3. That all certificates for work done under provisions of this act, to the Auditor, for his warrant upon the Treasurer, shall be signed by the Governor.

§ 4. That this act shall take effect from its passage.

The House then, according to order, took up and proceeded to consider further a bill from the Senate, entitled

An act to incorporate the Kentucky and Southeastern Railway Company.

On motion of Mr. Davidson,

Ordered, That said bill be printed, and that the further consideration thereof be postponed to, and made special order of the day for, Tuesday, 15th inst., at 8 o'clock, P. M.

The House then took up and proceeded to consider further a bill, entitled

A bill to erect a monument over the grave of E. L. Van Winkle, late Secretary of State.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

WHEREAS, Ephraim L. Van Winkle, late Secretary of State, departed this life whilst in the service of the State, and his remains now lie in the
cemetery, near this city, without slab or other thing marking his resting-place; therefore,
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That a sum not exceeding five hundred dollars be, and the same is hereby, appropriated, to erect a suitable monument over his grave, with appropriate inscriptions thereon, under the supervision of the Governor of this State; and the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer of this State in favor of P. H. Leslie for said sum.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, not having received the majority required by the Constitution.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Joseph M. Davidson, W. A. Morin,
George W. Anderson, Walter Evans, Mat. Nunan,
A. S. Arnold, James B. Fitzpatrick, E. A. Robertson,
R. Tarv. Baker, Joseph P. Foree, J. P. Sacksteder,
Alpheus W. Bascom, James Garnett, J. R. Sanders,
John A. Bell, Wm. Cassius Goodloe, C. C. Scales,
W. B. M. Brooks, C. P. Gray, Harry I. Todd,
John S. Carpenter, Clinton Griffith, L. W. Trafton,
James S. Chrisman, E. Polk Johnson, T. W. Varnon,
Josiah H. Combs, J. S. Lawson, J. L. Waring,
R. D. Cook, G. W. Little, Mordecai Williams,
R. L. Cooper, J. J. McAfee, J. N. Woods,

Those who voted in the negative, were—

Wm. A. Allen, Thomas M. Johnson, Samuel M. Sanders,
A. C. Armstrong, Bryan S. McClure, William Sellers,
W. N. Beckham, William J. McElroy, James W. Snyder,
S. C. Bell, J. C. Moorman, J. S. Taylor,
Thomas P. Cardwell, Wm. Myhier, C. W. Threlkeld,
Robert M. Carlisle, Julian N. Phelps, C. H. Webb,

And so said bill was rejected.

At quarter past ten o'clock, P. M., Mr. Goodloe moved that the House do now adjourn.

And the question being taken on said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and J. A. Bell, were as follows, viz:

Those who voted in the affirmative, were—

A. S. Arnold, G. W. Little, Julian N. Phelps,
S. C. Bell, William J. McElroy, J. R. Sanders,
APRIL 10.] HOUSE OF REPRESENTATIVES. 983

J. E. Cosson, J. C. Moorman,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Walter Evans, J. P. Sacksteder,
Wm. A. Allen, James B. Fitzpatrick, Frank Sacksteder,
George W. Anderson, C. D. Foote, Samuel M. Sanders,
A. C. Armstrong, Joseph P. Foree, William Sellers,
R. Tarv. Baker, James Garnett, J. S. Taylor,
Alpheus W. Bascom, E. A. Graves, C. W. Threlkeld,
W. N. Beckham, C. P. Gray, Harry I. Todd,
John A. Bell, Clinton Griffith, L. W. Trafton,
W. B. M. Brooks, E. Polk Johnson, T. W. Varner,
Thomas P. Cardwell, J. S. Lawson, J. L. Waring,
John S. Carpenter, Bryan S. McClure, C. H. Webb,
George Carter, W. A. Morin, Mordecai Williams,
R. L. Cooper, Wm. Mynhier, S. H. Woolfolk,
Joseph M. Davidson, E. A. Robertson, J. M. Wright—42.

The House took up from the orders of the day and proceeded to consider further a bill, entitled

A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

The question was then taken on ordering said bill, as amended, to be engrossed and read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Walter Evans, J. L. Nall,
Wm. A. Allen, M. Woods Ferguson, Mat. Nunan,
George W. Anderson, James B. Fitzpatrick, Julian N. Phelps,
A. C. Armstrong, C. D. Foote, Lewis Potter,
A. S. Arnold, Joseph P. Foree, Hiram S. Powell,
Alpheus W. Bascom, James Garnett, E. A. Robertson,
W. N. Beckham, Wm. Cassius Goodloe, John Rowan,
John A. Bell, E. A. Graves, J. P. Sacksteder,
S. C. Bell, C. P. Gray, Frank Sacksteder,
Church H. Blakey, Clinton Griffith, Samuel M. Sanders,
W. B. M. Brooks, George M. Jessoe, C. C. Scales,
Thomas P. Cardwell, E. Polk Johnson, J. S. Taylor,
Robert M. Carlisle, Thomas M. Johnson, C. W. Threlkeld,
John S. Carpenter, J. S. Lawson, Harry I. Todd,
George Carter, G. W. Little, L. W. Trafton,
B. E. Cassilby, Bryan S. McClure, J. L. Waring,
James S. Chrisman, William J. McElroy, C. H. Webb,
C. M. Clay, jr., M. E. McKenzie, Mordecai Williams,
Josiah H. Combs, T. J. Megibben, S. H. Woolfolk,
Joseph M. Davidson, W. A. Morin,
Those who voted in the negative, were—

William Brown,

Mr. Bascom then moved to reconsider the vote by which said bill was ordered to be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

At forty-five minutes past ten o'clock, P. M., Mr. W. Evans moved that the House do now adjourn.

Pending the consideration of said motion, the hour of 11 o'clock, P. M., arrived, and then, under the rule, the House adjourned.

FRIDAY, APRIL 11, 1873.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled “An act for the benefit of the German Evangelical St. Paul Church of Paducah,” and to revive the act approved 26th January, 1869, named therein.

An act for the benefit of common school district No. 1, in Allen county.

An act to incorporate the Owenton and Sparta Telegraph Company.

An act to incorporate the Dallasburg Cemetery Company.

An act for the benefit of the administrator of Asa Gilbert, late sheriff of Clay county.

An act to amend an act, entitled “An act to regulate the civil jurisdiction of the police court in the city of Hickman, Fulton county,” approved February 9, 1872.

An act for the benefit of the Big Sandy Telegraph Company.

An act to amend an act, entitled “An act to incorporate the Kentucky and Great Eastern Railway Company.”
An act to incorporate the Sodom Turnpike Road Company, in Scott county.

An act to amend the charter of the city of Covington.

An act for the protection of counties, cities, &c., subscribing stock in railroads, turnpikes, and other improvements.

An act to prevent live stock of all kinds from running at large in Mason and Fleming counties.

An act to provide a private secretary for the Governor.

An act to amend section sixteen of an act, entitled "An act to amend an act to incorporate the town of Smith's Grove."

An act to require the clerk of the Wolfe circuit court to index and cross-index certain judgment and order-books in his office.

An act to provide for the leasing of the interest of the State in the Louisville and Nashville Turnpike Road, on the north side of Barren river, in the county of Warren.

An act to amend an act, entitled "An act to incorporate the Central West Kentucky Agricultural and Mechanical Association, in Graves county," approved February 25, 1860.

An act to legalize the official actions of William W. White, deputy clerk of the Clay circuit court.

That they had concurred in the amendments proposed by the House to bills, which originated in the Senate, of the following titles, viz:

An act to authorize sales and conveyances by trustees under a power.

An act for the benefit of common school district No. 1, Lawrence county.

An act to change the time of holding the Grant county quarterly court.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend an act to provide for the organization and regulation of incorporated companies, except banking, insurance, and railroad companies, approved March 15, 1870.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:


An act to change the time of holding the circuit, criminal, and chancery courts in the fourth judicial district.
An act to incorporate the Falls City Club, of the city of Louisville.

An act to amend an act, entitled "An act to provide for the location and erection of the Third Lunatic Asylum."

An act to incorporate Clay Lodge, No. 1, Knights of Pythias.

An act to change the time of holding the circuit courts in the thirteenth judicial district.

An act to prescribe and regulate the rates of ferriage upon the Ohio river for boats plying to and from the corporate limits of the town of Greenup.

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871.

An act to authorize the holding of special chancery courts in the county of Rockcastle.

An act to limit the jurisdiction of the police judge of the town of Dixon, in Webster county.

An act to amend an act, entitled "An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years, to build a school-house in said district," approved March 5th, 1872, and to establish and maintain a public school in the town of Catlettsburg.

An act to exempt certain lands within the corporate limits of the town of Greenup from municipal taxation.

An act for the benefit of Jos. W. Winlock.

An act amending an act, approved January 24th, 1871, entitled "An act to amend and reduce into one the several acts in relation to the road laws in Greenup county."

An act to incorporate the Crab Orchard Salts Manufacturing Company, at Crab Orchard Springs.

An act to incorporate the Owensboro Building and Loan Association.

An act in regard to certain streets in the city of Louisville.

An act to amend an act, entitled "An act to amend and make into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling," approved March 18, 1871.

An act to authorize the sheriff and master commissioner of Fayette county to advertise sales of real and personal property in said county.

With amendments to the last four named bills.
And that they had passed bills of the following titles, viz:

1. An act to incorporate the Henderson Building and Loan Association.
2. An act to incorporate the Central Club.
3. An act to incorporate the Lockport Odd Fellows' and Masonic Building Company.
4. An act to amend the charter of the town of Lockport, in Henry county.
5. An act for the benefit of Perry Jefferson, sheriff of Mason county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, 3d, and 4th to the Committee on Corporate Institutions, and the 5th to the Committee on Ways and Means.

A message was also received from the Senate, announcing that they had passed a bill, entitled

An act exempting the county of Hart from erecting fire-proof vaults in said county.

The rule requiring the reference of said bill to a committee being suspended, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The following petitions were presented, viz:

By Mr. Cardwell—

1. The petition of sundry citizens of Breathitt county, asking the passage of an act to incorporate the Troublesome Creek Lumber and Mining Company.

By same—

2. The petition of sundry citizens of Breathitt county, asking the passage of an act to incorporate the Quicksand Creek Lumber and Mining Company.
By Mr. Davidson—
3. The petition of citizens of Pike county, asking the passage of an act to declare the Swinge Cat Fork of Big creek, in said county, a navigable stream.

By Mr. Coke—
4. The petition of citizens of Louisville, praying the repeal of the charter of the Short Route Railway Transfer Company.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Internal Improvement; the 3d to the Committee on Propositions and Grievances; and the 4th to the Committee on Railroads.

The House then took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington.

An act to amend an act, entitled "An act to amend and make into one the several acts relating to the charter and amendments thereto of the town of Mount Sterling," approved March 18th, 1871.

Said amendments were severally concurred in, and the title of the last named bill changed so as to read:

An act to amend an act, entitled "An act to amend and make into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling," approved March 18, 1871, and to repeal chapter 262.

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted a bill from the Senate, entitled

An act providing compensation for the services of W. R. Bradley, in the defense of the action of the State of Missouri against the State of Kentucky, for the recovery of Wolf Island,

Reported the same without amendment.

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 Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of W. R. Bradley for the sum of fifteen hundred dollars, payable out of any money in the Treasury not otherwise appropriated; which sum, when paid, shall be in full satisfaction of all claims of said Bradley against the Commonwealth for his services and expenses in finding witnesses, taking depositions, and making maps and plats for the State of Kentucky in her defense of the action
brought against her in the Supreme Court of the United States by the State of Missouri for the recovery of Wolf Island.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready) Walter Evans, Lewis Potter,
Wm. A. Allen, M. Woods Ferguson, W. L. Reeves,
George W. Anderson, C. D. Foote, E. A. Robertson,
A. C. Armstrong, Joseph P. Foree, John Rowan,
A. S. Arnold, James Garnett, John P. Rowlett,
R. Tarv. Baker, Wm. Cassius Goodloe, J. P. Sacksteder,
Alpheus W. Bascom, C. P. Gray, Frank Sacksteder,
John A. Bell, Clinton Griffith, J. R. Sanders,
S. C. Bell, E. Polk Johnson, C. C. Scales,
Church H. Blakey, T. J. Jones, Harry I. Todd,
Wm. F. Bond, J. S. Lawson, L. W. Trafton,
W. B. M. Brooks, Wm. J. McElroy, T. W. Varnon,
Robert M. Carlisle, M. E. McKenzie, J. L. Waring,
John S. Carpenter, T. J. Magibben, C. H. Webb,
B. E. Cassilly, J. C. Moorman, Mordecai Williams,
James S. Chrisman, W. A. Morin, J. N. Woods,
J. Guthrie Coke, J. L. Nall, S. H. Woolfolk,
Joseph M. Davidson, John W. Ogilvie,

Those who voted in the negative, were—

G. W. Bailey, E. A. Graves, James W. Snyder,
Thomas P. Cardwell, G. W. Little, J. S. Taylor,
Josiah H. Combs, Bryan S. McClure, C. W. Threlkeld,
W. H. Evans, William Sellers,

Resolved, That the title of said bill be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville and Highland Turnpike Road Company, in Jefferson county;

An act to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington;

An act to incorporate the Eastern Kentucky Coal, Iron, Lumber, Land, and Manufacturing Company;

An act to amend the charter of the Lexington and Winchester Turnpike Company;
Ordered, That a committee of conference on the part of the House, consisting of Messrs. W. Evans, T. M. Johnson, and Davidson, be appointed, to act with such committee as may be appointed on the matter of disagreement between the two Houses in regard to the 4th and 18th amendments proposed by the House to said chapter.

Mr. Graves, from the Committee on Ways and Means, to whom was referred the message of the Governor relating to the publication of certain maps, &c., reported the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That his Excellency, the Governor of this Commonwealth, be empowered to contract with the Public Printer, or any other person, for the publishing of certain valuable maps and illustrations, which were designed to accompany the fourth volume of the Geological Survey of Kentucky, issued in 1861; and he shall cause to be published from three to five thousand copies of said maps and illustrations, at a cost not to exceed three thousand dollars; and upon presentation of the bill for publishing said maps and illustrations, after being signed by the Governor, the Auditor is hereby directed to draw his warrant on the Treasurer for the amount of same, out of any money in the Treasury not otherwise appropriated.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolution was taken up and twice read.

The question was then taken on the adoption thereof, but having failed to receive a constitutional majority, it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, A. C. Armstrong, A. S. Arnold, Alpheus W. Bascom, W. N. Beckham, John A. Bell, Wm. F. Bond, W. B. M. Brooks, Thomas P. Cardwell, John S. Carpenter, George Carter, B. E. Cassilly, James S. Chrisman, J. Guthrie Coke, R. D. Cook, J. E. Cosson, Joseph M. Davidson,

Those who voted in the negative, were—

Mr. Speaker (M'Cready) Walter Evans, Wm. A. Allen, C. P. Gray,
Mr. Little then moved to reconsider the vote by which said resolution was rejected.

Mr. Rowlett, from the joint committee of conference, with respect to the disagreement of the two Houses in regard to the amendment proposed by the House to chapter 55, title "Inclosures and Certain Trespasses," of the proposed Revision of the Statutes, made a report, recommending that the House do recede from its said proposed amendment.

And the question being taken on receding from said proposed amendment, it was decided in the affirmative.

Mr. Griffith moved to reconsider the vote by which the House receded from its proposed amendment to chapter 91, title "Salaries," of the proposed Revision of the Statutes, as reported from the Senate.

Mr. Goodloe moved to lay the motion of Mr. Griffith on the table.

And the question being taken on the motion of Mr. Goodloe, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

| Wm. A. Allen | Wm. Cassius Goodloe, Lewis Potter, |
| W. W. Ayers | Thomas M. Johnson, John Rowan, |
| R. Tarv. Baker | G. W. Little, William Sellers, |
| W. N. Beckham | Bryan S. McClure, James W. Snyder, |
| Wm. F. Bond | J. C. Moorman, J. S. Taylor, |
| W. B. M. Brooks | Mat. Nunan, Jonas D. Wilson, |
| R. D. Cook | John W. Ogilvie, J. N. Woods, |

Those who voted in the negative, were—

| Mr. Speaker (M'Cready)M. Woods Ferguson | Wm. Mynhier, |
| George W. Anderson, James B. Fitzpatrick | J. L. Nall, |
| A. C. Armstrong | C. D. Foote, E. A. Robertson, |
| A. S. Arnold | Joseph P. Foree, John P. Rowlett, |
| G. W. Bailey | James Garnett, J. P. Sacksteder, |
| Alphens W. Bascom, E. A. Graves, Frank Sacksteder, |
| John A. Bell, C. P. Gray, J. R. Sanders, |

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The question was then taken on the motion of Mr. Griffith to reconsider said vote, and it was decided in the affirmative.

The question was then again taken on the motion to recede from said proposed amendment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cosson and Baker, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) Clinton Griffith, Clinton Griffith, C. W. Threlkeld,
Wm. A. Allen, E. Polk Johnson, Harry I. Todd,
W. W. Ayers, Thomas M. Johnson, L. W. Trafton,
R. Tarv. Baker, G. W. Little, T. W. Varnon,
Wm. F. Bond, Bryan S. McClure, Mordecai Williams—41
W. B. M. Brooks, J. C. Moorman, C. H. Webb,
Thomas P. Cardwell, Mat. Nunan, Jonas D. Wilson,
R. D. Cook, John W. Ogilvie, J. N. Woods,
Wm. Cassius Goodloe, Lewis Potter,
C. P. Gray, W. L. Reeves,

Those who voted in the negative, were—

George W. Anderson, J. Guthrie Coke, Wm. Mynhier,
A. C. Armstrong, William G. Conrad, J. L. Nall,
A. S. Arnold, Joseph M. Davidson, E. A. Robertson,
G. W. Bailey, M. Woods Ferguson, John P. Rowlett,
Alpheus W. Basecom, James B. Fitzpatrick, J. P. Sacksteder,
W. N. Beckham, C. D. Foote, Frank Sacksteder,
John A. Bell, James Garnett, J. R. Sanders,
S. U. Bell, E. A. Graves, Samuel M. Sanders,
Robert M. Carlisle, J. S. Lawson, Harry I. Todd,
John S. Carpenter, J. J. McAfee, J. L. Waring,
George Carter, William J. McElroy, Mordecai Williams,
B. E. Cassilly, T. J. Megibben, S. H. Woolfolk—38.
James S. Chrisman, W. A. Morin,

Mr. Bascom then moved that the House do insist upon its said proposed amendment.

And the question being taken on the motion of Mr. Bascom, it was decided in the affirmative.

The House then resumed the consideration of an unfinished report of a former day, viz:
A bill providing for the appointment of commissioners to represent Kentucky at the International Exposition at Vienna.

Mr. Goodloe offered an amendment to the amendment proposed by Mr. Griffith, which was rejected.

The amendment proposed by Mr. Griffith was also rejected.

Mr. Graves then moved to strike out the second section of the bill.

Mr. Foote then offered the following as a substitute for the amendment proposed by Mr. Graves, viz:

Strike out the words "three commissioners," in the 2d section, and insert in lieu thereof the words "two commissioners;" and strike out of the same section the words "two thousand," and insert in lieu thereof the words "five hundred."

And the question being taken on the amendment proposed by Mr. Foote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Foree and Fitzpatrick, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Joseph M. Davidson, W. L. Reeves,
Wm. A. Allen, M. Woods Ferguson, J. P. Sacksteder,
A. C. Armstrong, C. D. Foote, C. C. Scales,
W. N. Beckham, E. Polk Johnson, James W. Snyder,
John A. Bell, J. S. Lawson, C. W. Thralkeld,
Wm. F. Bond, T. J. Megibben, T. W. Varnon,
W. B. M. Brooks, J. C. Moorman, J. L. Waring,
John S. Carpenter, J. L. Nall, Mordecai Williams,
B. E. Cassilly, Lewis Potter, J. M. Wright—27.

Those who voted in the negative, were—

W. W. Ayers, James B. Fitzpatrick, Julian N. Phelps,
G. W. Bailey, Joseph P. Force, Hiram S. Powell,
Alpheus W. Bascom, James Garnett, E. A. Robertson,
S. C. Bell, Wm. Cassius Goodloe, John Rowan,
Church H. Blakey, E. A. Graves, John P. Rowlett,
Thomas P. Cardwell, C. P. Gray, Frank Sacksteder,
Robert M. Carlisle, G. W. Little, Samuel M. Sanders,
George Curter, J. J. Mcafee, J. S. Taylor,
James S. Chrisman, Bryan S. McClure, Harry I. Todd,
J. Guthrie Coke, William J. McElroy, L. W. Trafton,
William G. Conrad, M. E. McKenzie, J. N. Woods,
J. E. Cosson, Wm. Mynhier, S. H. Woolfolk—38,
Walter Evans, John W. Ogilvie,

Mr. W. Evans then moved to lay the said bill and proposed amendment on the table.

And the question being taken on the motion of Mr. Evans, it was decided in the negative.
The yeas and nays being required thereon by Messrs. W. Evans and Force, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


The question was then taken on the adoption of the amendment proposed by Mr. Graves, viz: to strike out 2d section, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Force, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Wright then offered the following substitute for said bill, by way of amendment thereto, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is hereby, authorized and empowered to appoint three citizens, and such assistants as he may think proper, of Kentucky, as Commissioners, to attend the exposition at Vienna, Austria, and take charge of the interests of this State, and promote, in every way that is necessary and proper, a full representation thereof of our minerals, arts, products, and manufactures.

§ 2. This act shall take effect from and after its passage.

Mr. Graves then offered the following amendment to the substitute proposed, viz:

"Add thereto: Provided, however, That no one appointed by the Governor shall be paid, and that the Governor shall state on the face of the commission appointing any such Commissioner, that he shall have no claim against the Commonwealth of Kentucky for any services claimed to have been rendered.

Mr. Bascom then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative,

The yeas and nays being required thereon by Messrs. Griffith and Davidson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), James S. Chrisman, Wm. Mynhier,
Wm. A. Allen, Josiah H. Combs, Julian N. Phelps,
George W. Anderson, William G. Conrad, Lewis Potter,
A. C. Armstrong, J. E. Cosson, E. A. Roberson,
A. S. Armstrong, W. H. Evans, John P. Rowlett,
W. W. Ayers, M. Woods Fergusca, Frank Sacksteder,
G. W. Bailey, E. A. Graves, Samuel M. Sanders,
Alpheus W. Bascom, C. P. Gray, C. C. Scales,
W. N. Beckham, E. Polk Johnson, James W. Snyder.
Those who voted in the negative, were—

R. Tarv. Baker, James Garnett, Hiram S. Powell,
R. D. Cook, Wm. Cassius Goodloe, W. L. Reeves,
Joseph M. Davidson, Clinton Griffith, William Sellers,
Walter Evans, G. W. Little, Harry L. Todd,

The question was then taken on the adoption of the amendment proposed by Mr. Graves to the substitute proposed by Mr. Wright, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Ayers, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, W. B. M. Brooks, E. A. Graves,
W. W. Ayers, Thomas P. Cardwell, G. W. Little,
G. W. Bailey, James S. Chrisman, Bryan S. McClure,
W. N. Beckham, J. E. Cossor, Wm. Mynhier,
S. C. Bell, Walter Evans, Lewis Potter,
Church H. Blakey, W. H. Evans, William Sellers,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Clinton Griffith, J. R. Sanders,
George W. Anderson, E. Polk Johnson, Samuel M. Sanders,
A. C. Armstrong, Thomas M. Johnson, C. C. Scales,
A. S. Arnold, J. S. Lawson, James W. Snyder,
Alpheus W. Bascom, M. E. McKenzie, J. S. Taylor,
John A. Bell, T. J. Megibben, C. W. Thraskeld,
Robert M. Carlisle, J. C. Moorman, Harry I. Todd,
John S. Carpenter, Mat. Nunan, L. W. Trafton,
William G. Conrad, Julian N. Phelps, T. W. Varnon,
R. D. Cook, Hiram S. Powell, J. L. Waring,
M. Woods Ferguson, W. L. Reeves, C. H. Webb,
C. D. Foote, E. A. Robertson, Mordecai Williams,
James Garnett, John P. Rowlett, Jonas D. Wilson,
Wm. Cassius Goodloe, Frank Sacksteder, J. M. Wright—43.

C. P. Gray,

The question was being taken on the adoption of the substitute proposed by Mr. Wright, and on which the yeas and nays were called by Messrs. W. Evans and Bell, but before the roll could be called,
the hour of 2 o'clock, P. M., arrived, at which hour, under the rule, the House took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again assembled.

Leave of absence, indefinitely, was granted Messrs. Baker, Scales, and Cooper.

On motion of Mr. Nunan, leave was given to bring in a bill, entitled

A bill to authorize any constable of Washington county to execute final process from certain courts.

Ordered, That the Committee on Court of Appeals prepare and bring in said bill.

The House took up the motion to reconsider the vote by which the House passed a bill from the Senate, entitled

An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company.

The question was then taken on said motion, and it was decided in the affirmative.

On motion of Mr. Varnon, the vote by which said bill was ordered to be read a third time, was also reconsidered.

Mr. Varnon then offered an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cassilly, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the Louisville and Cane Run Road Company,

Reported the same with a substitute (by way of amendment) therefore, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. E. Polk Johnson then moved to reconsider the vote by which said bill was passed.
The House then, according to order, took up for consideration the motion to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act for the benefit of the Eastern Lunatic Asylum.

Mr. Graves moved to lay said motion on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and Mynhier, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Ayers, C. P. Gray, W. L. Reeves,
G. W. Bailey, Bryan S. McClure, John Rowan,
W. N. Beckham, William J. McElroy, John P. Rowlett,
S. C. Bell, J. C. Moerman, J. P. Sacksteder,
Church H. Blakey, Wm. Mynhier, William Sellers,
Robert M. Carlisle, Mat. Nunan, J. S. Taylor,
George Carter, John W. Ogilvie, C. W. Thrifteld,
W. H. Evans, Julian N. Phelps, Jonas D. Wilson,
C. D. Foote, Lewis Potter, J. N. Woods,
E. A. Graves, Hiram S. Powell, S. H. Woolfolk—30.

Those who voted in the negative, were—

Mr. Speaker (M'Cready) John S. Carpenter, George M. Jessee,
Wm. A. Allen, B. E. Cassilly, Thomas M. Johnson,
George W. Anderson, J. Guthrie Coke, J. S. Lawson,
A. C. Armstrong, Josiah H. Combs, G. W. Little,
A. S. Arnold, William G. Canrad, M. E. McKenzie,
Alpheus W. Bascom, R. D. Cook, E. A. Robertson,
John A. Bell, J. E. Cosson, J. R. Sanders,
Wm. F. Bond, Joseph M. Davidson, Samuel M. Sanders,
W. B. M. Brooks, Walter Evans, James W. Suyder,
Thomas P. Cardwell, Joseph P. Force,

On motion of Mr. W. Evans,

Ordered, That the further consideration of said motion be postponed to, and made special order of the day for, Wednesday, the 16th inst., at 7½ o'clock, P. M.

The House then resumed the consideration of an unfinished report of a former day, viz:

A bill providing for the appointment of Commissioners to represent Kentucky at the International Exposition at Vienna.

The taking of the question was resumed and completed, on the adoption of the substitute proposed by Mr. Wright, and it was decided in the negative.
The yeas and nays required thereon, as before stated, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) R. D. Cook, Thomas M. Johnson,
George W. Anderson, Joseph M. Davidson, J. S. Lawson,
A. C. Armstrong, M. Woods Ferguson, Mat. Nunan,
A. S. Arnold, James B. Fitzpatrick, Hiram S. Powell,
John A. Bell, C. D. Foote, W. L. Reeves—16.

Those who voted in the negative, were—

Wm. A. Allen, W. H. Evans, Lewis Potter,
W. W. Ayers, Joseph P. Force, E. A. Robertson,
G. W. Bailey, James Garnett, John Rowan,
R. Tarv. Baker, E. A. Graves, John P. Rowlett,
Alpheus W. Bascom, C. P. Gray, Samuel M. Sanders,
S. C. Bell, George M. Jesse, William Sellers,
Church H. Blakey, G. W. Little, James W. Snyder,
Wm. F. Bond, Bryan S. McClure, J. S. Taylor,
W. B. M. Brooks, Wm. J. McElroy, G. W. Threlkeld,
Robert M. Carlisle, M. E. McKenzie, Harry L. Todd,
James S. Chrisman, J. C. Moorman, L. W. Trafton,
J. Guthrie Coke, Wm. Mynhier, Jonas D. Wilson,
William G. Conrad, John W. Ogilvie, J. N. Woods,
J. E. Cosson, Julian N. Phelps, S. H. Woolfolk—43.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

WHEREAS, A Grand International Exposition, for the display of the manufactures, arts, and products of the whole country, will be held in Vienna, Austria, commencing in May, 1873, in which all the nations of the civilized world are manifesting an interest, and to which delegates have already been appointed from nearly all the leading powers of Europe, and from many States of this Union; and whereas, the United States Government has been duly invited to make such arrangements as are right and proper to promote the success of this grand exhibition, and the Governor of this Commonwealth has received communications, asking the co-operation of the General Assembly and the people of Kentucky in securing a proper representation there of our minerals, arts, products, and manufactures, whereby the whole of Europe may know and understand the wealth and resources of our State, and duly appreciate the advantages which Kentucky presents to the industrious immigrant, and to the capitalist seeking investment; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is hereby, authorized and empowered to appoint three citizens of Kentucky as Commissioners to attend said Exposition at Vienna, and take charge of the interests of this State, and promote, in every way that is necessary and proper, a full representation there of our minerals, arts, products, and manufactures.
§ 2. That when the Commissioners shall have performed the duties herein set forth, they shall present, to the Governor of this Commonwealth, vouchers showing the necessary expense of each in going to said Exposition and attending to the aforesaid duties, and returning to Kentucky; and thereupon the Governor shall direct the Auditor to draw his warrant on the Treasurer for such sum for each as he may think right and proper: Provided, The sum allowed to pay the expenses of each Commissioner shall not exceed the sum of two thousand dollars.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cveary) B. E. Cassilly, George W. Anderson, Joseph M. Davidson, A. C. Armstrong, M. Woods Ferguson, W. N. Beckham, James B. Fitzpatrick, John A. Bell, C. D. Foote, William Brown, Clinton Griffith, John S. Carpenter, J. S. Lawson,


Those who voted in the negative, were—


And so said bill was rejected.

Mr. Graves moved to reconsider the vote by which the House rejected a bill, entitled

A bill to erect a monument over the grave of E. L. Van Winkle, late Secretary of State.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of J. B. Otter, of Edmonson county;

Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken, "Shall said bill be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.

And so said bill was rejected.

Mr. W. Evans, from the Committee on the Judiciary, to whom was recommitted a bill, entitled

A bill to amend an act, entitled "An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson," approved March 28th, 1872,

Reported the same without amendment.

Mr. Blakey then offered an amendment to said bill, which was rejected.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—

A bill to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company," approved February 24, 1870.

By same—

A bill to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Frankfort, and for other purposes."

By same—

A bill to incorporate the Lancaster Building and Loan Association.

By same—

A bill to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

By Mr. J. A. Bell, from the same committee—

A bill to incorporate Asher Lodge, No. 591, of Free and Accepted Masons.

By Mr. W. Evans, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.

By Mr. W. Evans, from the Committee on the Judiciary—
An act to provide for the registration of bonds and obligations issued by counties, districts, municipal corporations, and other corporations.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, who were directed to prepare and bring in the same, reported without an expression of opinion thereon,

A bill to amend an act, entitled "An act to incorporate the Public Library of Kentucky."

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Mr. Brooks moved to lay said bill on the table.

And the question being taken on the motion of Mr. Brooks, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.
Mr. E. Polk Johnson then moved to recommit said bill to the Committee on the Revised Statutes.

And on this question the yeas and nays were called by Messrs. W. Evans and E. Polk Johnson, but before the calling of the roll could be completed, the hour of 11 o'clock, P. M., arrived, when, under the rule heretofore adopted, the House adjourned.

SATURDAY, APRIL 12, 1873.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Immigration Association of Kentucky.

An act for the benefit of common school district No. 1, in the county of Jessamine.

An act for the benefit of Bethel Academy, in the county of Jessamine.

An act to provide for the construction and completion of turnpike roads in Scott county.

An act to amend and reduce into one the several acts relating to Stanford Female College.

An act for the benefit of turnpike district No. 2, in Henry county.

An act for the benefit of school district No. 59, in Hart county.

An act to incorporate the Columbia Christian College.

An act to authorize any constable of Washington county to execute final process from certain courts.

An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, in Henderson county."

With an amendment to the last named bill.

That they had adopted a joint resolution, entitled Resolution in relation to the final adjournment of this General Assembly.

And that they had passed a bill, entitled

An act to incorporate the town of Norton, in Hopkins county.
Which bill was read the first time and ordered to be read a second
time.

The rule of the House and constitutional provision as to the second
reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Corporate
Institutions.

Leave of absence, indefinitely, was granted Messrs. Nall and Morin.

Ordered, That Mr. Griffith be appointed on the joint committee of
conference on the part of the House; in the place of Mr. Goodloe, in
regard to the disagreement between the two Houses as to the amend-
ment proposed by the House to chapter 19, title "Common Schools,"
of the proposed Revision of the Statutes.

A message was received from the Senate, announcing that they had
appointed a committee of conference on their part, to act in con-
junction with the committee appointed by the House, in regard to
the disagreement of the two Houses as to the 18th amendment pro-
posed by the House to chapter 30, title "Crimes and Punishments;"
of the proposed Revision of the Statutes.

And that they had receded from their disagreement to the 4th
amendment proposed by the House to the same chapter.

Leave was given to bring in the following bills, viz:

On motion of Mr. Sellers—
1. A bill for the benefit of school district No. 17, in Garrard county.

On motion of Mr. Coke—
2. A bill to amend an act, entitled "An act to incorporate the
Louisville Stock and Bond Board."

On motion of Mr. Davidson—
3. A bill to amend an act, entitled "An act to amend the charter
of the Big Sandy Railway Company," approved March 27th, 1873.

Ordered, That the Committee on Education prepare and bring in
the 1st; the Committee on Banks the 2d; and the Committee on
Railroads the 3d.

A message was received from the Senate, announcing that they had
adopted chapter 96, title "Revenue and Taxation," of the proposed
Revision of the Statutes.

Mr. Trafton, from the Committee on County Courts, who were di-
rected to prepare and bring in the same, reported

A bill for the benefit of C. B. Wickliffe, sheriff of Muhlenburg
county.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Ways on Means.

A message was received from the Senate, announcing that they had adopted the following chapters of the proposed Revision of the Statutes, viz:

Chapter 97, title “Small-pox.”
Chapter 98, title “Sureties and Co-obligors.”
Chapter 99, title “Surveyors.”
Chapter 100, title “Treasury Warrant Claims.”
Chapter 101, title “Taverns, Tippling-houses, &c.”
Chapter 102, title “Master and Apprentice.”
Chapter 103, title “Strays.”
Chapter 104, title “Seal of the Commonwealth and of the Secretary of State.”
Chapter 105, title “Towns.”
Chapter 106, title “Treasurer.”
Chapter 107, title “Turnpike, Gravel, and Plank Roads.”
Chapter 108, title “Vagrants.”
Chapter 109, title “Weights and Measures.”
Chapter 110, title “Wills.”
Chapter 111, title “Library of the Commonwealth, and Librarian.”

Said chapters were taken up, considered, and severally adopted without amendment.

Mr. W. Evans, from the joint committee of conference, with respect to the disagreement of the two Houses in regard to the 18th amendment proposed by the House to chapter 30, title “Crimes and Punishments,” of the proposed Revision of the Statutes,” made a report, which was adopted.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to authorize the United States to condemn land in the city of Covington as a site for its public buildings.

The rule requiring its reference to a committee being suspended, said bill was taken up, read the first time, and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Ayers, from the Committee on Religion—
An act to prohibit the sale of spirituous, vinous, or malt liquors at Island Station, or within two miles thereof, in McLean county.

By Mr. Gray, from the Committee on Education—
An act for the benefit of school district No. 1, of Metcalfe county.

By Mr. Brooks, from the Committee on Railroads—
An act to amend an act, entitled "An act to incorporate the Princeton, Marion, and Ohio River Railroad Company," approved March 28, 1872.

By Mr. J. D. Wilson, from the Committee on Internal Improvement—
An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to amend section 14 of article 5 of the charter of the city of Hopkinsville, passed March 5, 1870.

By same—
An act to incorporate the Central Club.

By same—
An act to incorporate the Henderson Building and Loan Association.

By Mr. J. D. Wilson, from the Committee on Internal Improvement—
An act repealing the charter of the St. Mathews and Goose Creek Turnpike Road Company.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled An act to repeal an act, entitled "An act to authorize the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes,"

Reported the same with a substitute therefor (by way of amendment), which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be changed so as to read:

An act to amend an act, entitled "An act to authorize the second school district in Hickman county to levy and collect a tax for school purposes."

Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled An act to charter the public schools of Falmouth, and district No. 1, in Pendleton county,

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 and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Graves, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled An act for the benefit of John M. Martin, sheriff of Jefferson county,

Reported the same without amendment.

Mr. Graves offered a substitute (by way of amendment) for said bill. Mr. Gray offered an amendment to the amendment (substitute), which was adopted.

The amendment (substitute) proposed by Mr. Graves, as amended, was then adopted.

On motion of Mr. Carpenter, said bill and amendment was recommitted to the Committee on Ways and Means.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

111-H. R.
By Mr. Foote, from the Committee on County Courts—
A bill to amend an act, entitled "An act for the benefit of Kenton county."

By Mr. Trafton, from the same committee—
A bill to establish an additional justices' district in Shelby county.
By same—
A bill for the benefit of Spencer King, sheriff of Bell county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to establish and incorporate the town of Stroud City, in Muhlenburg county.
By Mr. Armstrong, from the Committee on Education—
A bill for the benefit of common school district No. 34, in Bracken county.
By same—
A bill to repeal an act, entitled "An act for the benefit of common school district No. 31, in Bullitt county," approved March 15, 1871.
By same—
A bill repealing an act in regard to common schools in Carrollton, in Carroll county.

By Mr. J. R. Sanders, from a select committee—
A bill to prohibit the submission of the question of taxation for railroad purposes in the county of Henry.

By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill for the benefit of Henry C. Fitzpatrick, collector of the revenue for Floyd county for the year 1870.
By same—
A bill to define the boundary line between the counties of Clay and Perry.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to amend section 101 of act revising the charter of the city of Paducah, Kentucky, approved March the 27th, 1872.

By same—
A bill to amend section 153, title "City Tax Collector," of an act revising the charter of the city of Paducah, Kentucky, approved March the 27th, 1872.

By Mr. Jesse, from a select committee—
A bill repealing an act preventing the setting of nets, seining, &c., in the streams, or parts of streams, in the counties of Trimble and Carroll.
By Mr. Beckham, from the Committee on Court of Appeals—
A bill to authorize any constable of Washington county to execute
final process from certain courts.

By Mr. Gray, from the Committee on Education—
A bill for the benefit of common school district No. 3, Franklin
county.

By Mr. Foote, from the Committee on County Courts—
A bill to authorize the Garrard county court to appropriate money
to aid in building a hospital for small-pox patients, and to levy a tax
therefor.

Which bills were read the first time and ordered to be read a second
time.

The rule of the House and constitutional provision as to the second
reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with, and the same being en-
grossed,

Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.

And then the House adjourned.
MONDAY, APRIL 14, 1873.

A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. W. Smith, J. D. Royse, and C. H. Jones.

An act to incorporate Mount Olivet Encampment, No. 55, Independent Order of Odd Fellows, of Greenville.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to prohibit the sale of spirituous and intoxicating liquors in Rockcastle county, approved March the 1st, 1870.

An act to charter the Dozier Mountain Coal Company.

An act to regulate the pay of the members of the court of claims of Todd county.

An act in relation to persons convicted of penal offenses in Union county.

An act to prohibit the sale of spirituous or intoxicating liquors at Mercer's Station, in Muhlenburg county.

An act to incorporate the Mt. Sterling Gas-light Company.

An act in relation to the sheriff of Calloway county.

An act to amend the charter of the city of Covington.

An act to authorize a vote upon the sale of liquor in Highland, Lincoln county.

An act to amend an act to charter the town of Prestonville, in Carroll county.

An act to incorporate the Forest Hill Building and Loan Association, of West Covington.

An act to amend an act, entitled "An act to incorporate the town of Cairo, in Henderson county."

An act for the benefit of the Paducah and Northeastern Railroad Company.

An act to amend an act, entitled "An act for the benefit of school district No. 10, in Larue county."

An act to amend the charter of the city of Bowling Green.
An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Madisonville," approved February 13th, 1873.

An act to amend an act, entitled "An act for the benefit of common schools in Bracken county."

An act for the benefit of John W. Duncan, collector of the revenue due from Wayne county for the years 1863 and 1864.

An act for the benefit of Henry C. Fitzpatrick, collector of the revenue for Floyd county for the year 1870.

An act for the protection of sheep in Bracken county.

An act to amend the charter of the Newport and Dayton Street Railway Company.

With amendments to the last two named bills.

And that they had passed bills of the following titles, viz:

1. An act amending an act, approved February 6, 1873, entitled "An act partitioning the Fairfield and Samuels' Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox's Creek Turnpike Road Company, and the Samuels' Depot and Cox's Creek Turnpike Road Company."

2. An act to prohibit the retail of spirits, vinous, or malt liquors in the towns of Hudsonville, Constantine, and Cross Roads, in Breckinridge county, or in any part of said county, within six miles of either of said towns.

3. An act for the benefit of Simon Humphrey, late sheriff of Nelson county.


Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Religion; the 3d to the Committee on the Judiciary; and the 4th to the Committee on County Courts.

Leave of absence, indefinitely, was granted Mr. Fitzpatrick.

The following petitions were presented, viz:

By Mr. McClure—

1. The petition of sundry citizens of Russell county, asking that
the Caney Fork of Wolf creek, in said county, be declared a navigable stream.

By Mr. Mynhier—

2. The petition of sundry citizens of Menifee county, praying for the passage of an act to define the boundary line between Rowan and Menifee counties.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement, and the 2d to the Committee on Propositions and Grievances.

On motion of Mr. Taylor,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to change the time for holding the circuit courts in the fifth judicial district," approved January 13, 1872.

Said message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

And thereupon a message was received from the Senate, asking to withdraw from the House their announcement of the passage of said bill, which was granted, and said bill returned to the Senate.

A message was received from the Governor by Mr. Craddock, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one the acts in regard to the town of Columbia."

An act affixing penalties and forfeitures upon corporations and persons exercising corporate powers that are required to give bonds and have failed to do so.

An act to define and enlarge the boundaries of the town of Ashland.

An act to incorporate the town of Pryorsburg, in Graves county.

An act for the benefit of William Cook's heirs.

An act to amend an act, entitled "An act for the benefit of S. W. Thompson and his sureties, late clerk of the Scott county court."

An act to prohibit partnerships to practice law between circuit, chancery, and criminal court clerks and county court clerks.

An act for the protection of bee-keepers in this Commonwealth.

An act to incorporate the town of Peak's Mill, in Franklin county.

An act to incorporate the Maysville Chair Company.
An act to incorporate the Hillsboro and Plummer's Landing Turnpike Company.

An act for the benefit of J. B. Evans, of Monroe county.

An act providing for transcribing the plats, surveys, and certificates of land lying in Magoffin county.

An act to provide for the payment of conveying prisoners to the House of Reform.

An act for the benefit of R. T. McGlauling.

An act authorizing the counties of Montgomery, Clark, and Bath to sell a part or all of the stock owned by such counties, or either of them.

An act to incorporate the town of Hickory Grove, in Graves county.

An act to establish a school district from parts of Fayette and Madison counties.

An act to incorporate the Louisville and Highland Turnpike Road Company, in Jefferson county.

An act to incorporate the Moore and Noland Turnpike Road Company.

An act to amend an act, entitled “An act to incorporate the Lincoln and Boyle Turnpike Road Company.”

An act to incorporate the Rothrock Coal and Mining Company, of Muhlenburg county.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. J. D. Wilson, from the Committee on Internal Improvement—

An act to repeal the fourth section of an act, entitled “An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company.”

By Mr. Graves, from the Committee on Ways and Means—

An act to amend an act, approved March 28, 1872, authorizing sheriffs to sell real estate to pay revenue tax.

By Mr. Waring, from the Committee on Railroads—

An act to incorporate the Harlan County Mining and Railroad Company.

By Mr. Conrad, from the Committee on Internal Improvement—

An act to incorporate the Dry Ridge, Knoxville, and DeMossville Turnpike Road Company.
Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. McKenzie, from the Committee on Propositions and Grievances—

A bill for the benefit of A. J. Coeanaugher, late sheriff of Washington county.

By same—

A bill defining the boundary line between the counties of Clay and Bell.

By Mr. Ogilvie, from the Committee on Internal Improvement—

A bill to declare the Lower Long Branch of Grassy Creek, in Morgan county, a navigable stream, from its mouth to opposite the school-house, on the lands of Jackson Goodpasture.

By same—

A bill to declare the Rockhouse Fork of Licking river a navigable stream.

By same—

A bill to declare the State Road Fork of Licking river, in Magoffin county, a navigable stream, from its mouth to John Q. A. Bailey's mill.

By Mr. Arnold, from the same committee—

A bill to repeal an act, entitled “An act to declare certain lakes and creeks in Ballard county navigable.”

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
A message was received from the Senate, asking leave to withdraw from the House the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled
An act to incorporate Mount Olivet Encampment, No. 55, Independent Order of Odd Fellows, of Greenville.
Which was granted, and said bill delivered to the Senate messenger.
And announcing also that they had passed a bill, entitled
An act to amend an act, entitled "An act to change the time for holding the circuit courts in the fifth judicial district," approved January 13, 1872.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be referred to the Committee on Circuit Courts.
A message was also received from the Senate, announcing that they had adopted the following additional chapters of the proposed Revision of the Statutes, viz:
Chapter 112, title "Fees."
Chapter 113, title "Revenue Agent."
Chapter 114, title "Sinking Fund."
Leave was given to bring in the following bills, viz:
On motion of Mr. Robertson—
1. A bill to give validity to the last will and testament of James J. Andrews, deceased, late of Fleming county.
On motion of Mr. McClure—
2. A bill declaring so much of Wolf creek a navigable stream as lies between the mouth of Dick's Branch and Wolf creek, in Russell county.
Ordered, That the Committee on Internal Improvement prepare and bring in the 2d, and a select committee, consisting of Messrs. Wright, Chrisman, and Bascom, the 1st.
On motion of Mr. Mooiman, leave was given to bring in a bill, entitled
A bill for the benefit of Jerry Millard, of Muhlenburg county.
Ordered, That the Committee on Education prepare and bring in said bill.

112-H. R.
The House resumed the consideration of the report from the Senate of their action upon the proposed Revision of the Statutes, and took up Chapter 96, title "Revenue and Taxation."

Mr. W. Evans offered the following amendment thereto, viz:

Amend section 1 of article I by adding thereto these words: But the twenty cents hereby directed to be collected for the support of common schools shall not be collected on the property owned by persons of African descent, unless and until a system of common schools is provided for the children of such persons in this State; and when such schools are provided for such children, said twenty cents tax shall be collected on the property of such persons, and applied to the system of schools so established.

The question was taken on the adoption of the amendment proposed by Mr. Evans, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Evans and Brown, were as follows, viz:

Those who voted in the affirmative, were—

R. D. Cook,                W. H. Evans,                William Sellers,  
J. E. Cosson,              G. W. Little,              Jonas D. Wilson,  

Those who voted in the negative, were—

Wm. A. Allen,              John W. Dyer,                    Lewis Potter,  
A. C. Armstrong,           C. D. Foote,                       Hiram S. Powell, 
A. S. Arnold,              E. A. Graves,                    W. L. Reeves,  
G. W. Bailey,              C. P. Gray,                        E. A. Robertson, 
W. W. Baldwin,             Clinton Griffith,                 John Rowan,    
Alpheus W. Bascom,         E. Polk Johnson,                 Frank Sacksteder,  
W. N. Beckham,             Thomas M. Johnson,               Samuel M. Sanders, 
John A. Bell,              T. J. Jones,                       J. S. Taylor,  
S. C. Bell,                J. S. Lawson,                    C. W. Thralkeld,  
William Brown,             Bryan S. McClure,                 L. W. Trafton,  
W. W. Bush,                Wm. J. McElroy,                    T. W. Varnon,  
George Carter,             M. E. McKenzie,                   J. L. Waring,  
James S. Chrisman,         J. C. Moorman,                   C. H. Webb,  
William G. Conrad,         John W. Ogilvie,                  Mordecai Williams—44  
Joseph M. Davidson,        Julian N. Phelps,                  Mr. Graves offered the following amendment, viz:

Amend section 3 of article I, in line 18, by inserting after the words "United States bonds," these words: "except the interest arising on said bonds, which shall be liable under the residuary clause of this act."

The question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Griffith, were as follows, viz:
Those who voted in the affirmative, were—

Wm. A. Allen, Clifton Griffith, Julian N. Phelps,
A. C. Armstrong, Thomas M. Johnson, E. A. Robertson,
G. W. Bailey, T. J. Jones, John Rowan,
W. W. Baldwin, G. W. Little, Samuel M. Sanders,
S. C. Bell, Bryan S. McClure, James W. Snyder,
Church H. Blakey, William J. McClure, J. S. Taylor,
Thomas P. Cardwell, M. E. McKenzie, C. W. Threlkeld,
George Carter, J. C. Moorman, J. N. Woods,
C. P. Gray,

Those who voted in the negative, were—

A. S. Arnold, R. D. Cook, Hiram S. Powell,
Alpheus W. Bascom, J. E. Cosson, W. L. Reeves,
W. N. Beckham, Joseph M. Davidson, Frank Sacksteder,
John A. Bell, W. H. Evans, Harry I. Todd,
William Brown, C. D. Foote, L. W. Trafton,
W. W. Bush, E. Polk Johnson, T. W. Varnon,
James S. Chrisman, J. S. Lawson, J. L. Waring,
Josiah H. Combs, J. J. McAfee, Mordecai Williams,

Other amendments were offered by Mr. Graves, which were rejected.

Mr. Cook offered the following amendment, viz: In article 2, in section 15, in line 14, strike out all after the words “fifty cents,” in lines 14, 15, 16, and 17.

The question being taken on the adoption of the amendment proposed by Mr. Cook, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mynhier, and Cook, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, R. D. Cook, Wm. Mynhier,
S. C. Bell, J. E. Cosson, Mat. Nunnan,
Thomas P. Cardwell, Joseph M. Davidson, Hiram S. Powell,
George Carter, W. H. Evans, William Sellers,
James S. Chrisman, G. W. Little, J. S. Taylor,

Those who voted in the negative, were—

Wm. A. Allen, Thomas M. Johnson, John Rowan,
A. S. Arnold, T. J. Jones, Frank Sacksteder,
W. W. Ayers, J. S. Lawson, Samuel M. Sanders,
G. W. Bailey, J. J. McAfee, James W. Snyder,
Alpheus W. Bascom, William J. McClure, C. W. Threlkeld,
John A. Bell, M. E. McKenzie, Harry I. Todd,
Church H. Blakey, J. C. Moorman, T. W. Varnon,
William G. Conrad, John W. Ogilvie, J. L. Waring,
Mr. Little then moved to reconsider the vote by which said amendment was rejected.

And the question being taken on the motion of Mr. Little, it was decided in the affirmative.

The question was then again taken on the adoption of the amendment proposed by Mr. Cook, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Powell and Cook, were as follows, viz:

**Those who voted in the affirmative, were—**

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<th>A. C. Armstrong</th>
<th>W. H. Evans</th>
<th>Samuel M. Sanders</th>
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<td>G. W. Bailey</td>
<td>Clinton Griffith</td>
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<td>S. C. Bell</td>
<td>G. W. Little</td>
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<td>Thomas P. Cardwell</td>
<td>Bryan S. McClure</td>
<td>C. W. Thralkeld</td>
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<td>George Carter</td>
<td>Wm. Mynhier</td>
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<td>James S. Chrisman</td>
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<td>Josiah H. Combs</td>
<td>Julian N. Phelps</td>
<td>Mordecai Williams</td>
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<td>R. D. Cook</td>
<td>Hiram S. Powell</td>
<td>Jonas D. Wilson</td>
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<td>J. E. Coisson</td>
<td>W. L. Reeves</td>
<td>J. N. Woods—29</td>
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<tr>
<td>Joseph M. Davidson</td>
<td>Frank Sacksteder</td>
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**Those who voted in the negative, were—**

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<th>Wm. A. Allen</th>
<th>C. P. Gray</th>
<th>John W. Ogilvie</th>
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<td>A. S. Arnold</td>
<td>E. Polk Johnson</td>
<td>Lewis Potter</td>
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<td>W. W. Baldwin</td>
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<td>Church H. Blakey</td>
<td>J. J. McAfee</td>
<td>L. W. Trafton</td>
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<td>William G. Conrad</td>
<td>William J. McClroy</td>
<td>J. L. Waring</td>
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<td>John W. Dyer</td>
<td>M. E. McKenzie</td>
<td>S. H. Woolfolk</td>
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<td>C. D. Foote</td>
<td>J. C. Moorman</td>
<td>J. M. Wright—28</td>
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<tr>
<td>E. A. Graves</td>
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And so said amendment was adopted.

Mr. McKenzie offered an amendment, which was rejected.

The further consideration of said report was cut off by the arrival of the hour of 2 o'clock, P. M., when, under the rule, the House took a recess until 7½ o'clock, P. M. At 7½ o'clock, P. M., the House again reassembled.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:
By Mr. Cardwell, from the Committee on Ways and Means—
An act for the benefit of C. H. Hanks and Samuel Spradlin, of Wolfe county.
By same—
An act for the benefit of G. T. Strong, sheriff of Breathitt county.
By Mr. Graves, from the same committee—
An act for the benefit of Jno. M. Martin, sheriff of Jefferson county.
By same—
An act for the benefit of Perry Jefferson, sheriff of Mason county.
By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to amend the charter of the Eminence and Fox Run Turnpike Road Company.

Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Gray, from the Committee on Education—
A bill for the benefit of school district No. 17, in Garrard county.
By Mr. Mynhier, from the Committee on County Courts—
A bill to amend the charter of the Bryantsville and Cane Run Turnpike Road Company.

By Mr. Wright, from a select committee—
A bill to give validity to the last will and testament of James J. Andrews, deceased, late of Fleming county.

By Mr. Ogilvie, from the Committee on Internal Improvement—
A bill declaring all that part of Caney Fork of Wolf creek, in Russell county, a navigable stream, that lies between Dick’s Branch and Wolf creek.

By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill fixing the time for the jailers of Cumberland and Clinton counties to enter upon the duties of their offices.

By same—
A bill for the benefit of Nelson Durham, late sheriff of Bell county.
By Mr. Goodloe, from the Committee on the Library—
A bill to incorporate the Spiroza Society, of Fayette county.
By Mr. Davidson, from the Committee on Propositions and Grievances—
A bill to declare the Swinge Cat Fork of Big creek, in Pike county, a navigable stream, for a distance of four miles from its mouth.

By Mr. Bush, from the Committee on the Judiciary—
A bill to amend an act, entitled "An act to incorporate the Simpson County Agricultural and Mechanical Association," approved January 27, 1868.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the Committee on Ways and Means, who were directed to prepare and bring in the same, reported
A bill for the benefit of sundry sheriffs of this Commonwealth.
Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Mr. Jones moved to amend said bill by striking out the words "one hundred and twenty," before the word "days," and inserting in lieu thereof the word "sixty."
Mr. McAfee then moved to lay said bill and proposed amendment on the table.
And the question being taken on the motion of Mr. McAfee, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McAfee and Force, were as follows, viz:

Those who voted in the affirmative, were—
G. W. Bailey, J. E. Casson, W. L. Reeves,
Alpheus W. Bascom, Joseph P. Force, E. A. Robertson,

Those who voted in the negative, were—
Mr. Speaker (McCreary) W. H. Evans, Julian N. Phelps,
Wm. A. Allen, M. Woods Ferguson, Hiram S. Powell,

The question was then taken on the adoption of the amendment proposed by Mr. Jones, and it was decided in the affirmative.

Mr. Davidson offered the following amendment to said bill, viz:

Add to section 2 these words: Provided, That the provisions of this act also apply to the counties of Floyd, Johnson, Lincoln, Whitley, Perry, Harlan, Letcher, Pike, Hancock, Morgan, Elliott, Bourbon, Jackson, Muhlenberg, Todd, Larue, Rockcastle, Pendleton, Bell, Knox, Menifee, Bath, Metcalfe, Rowan, Livingston, Marshall, Green, Breckinridge, Clark, Montgomery, Wolfe, Owsley, Lee, Powell, Webster, Magoffin, Garrard, Nelson, Ohio, Casey, Russell, and Nicholas.

Mr. W. Evans then moved to recommit said bill and proposed amendment to the Committee on Ways and Means.

And the question being taken on the motion of Mr. Evans, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davidson and Foree, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

William G. Conrad,

Wm. A. Allen, M. Woods Ferguson, Frank Sacksteder,
A. C. Armstrong, Wm. Cassius Goodloe, William Sellers,
The amendment proposed by Mr. Davidson was then adopted.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, Mr. Wright moved that it be read a third time this day.

And the question being taken on the motion of Mr. Wright, it was decided in the negative.

The yeas and nays being required thereon by Messrs. S. M. Sanders and Foree, were as follows, viz:

Those who voted in the affirmative, were—


E. A. Graves, G. W. Little, M. E. McKenzie, J. C. Moorman, Wm. Mynhier, Mat. Nunan, John W. Ogilvie, Julian N. Phelps, Hiram S. Powell, J. P. Sacksteder,


Those who voted in the negative, were—


Mr. Wright, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act to amend chapter 102, entitled “Treasury Warrant Claims,” of the Revised Statutes,

Reported the same without amendment.
Amendments were then offered to said bill by Messrs. Davidson and Williams, which were adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Ogilvie, from the Committee on Internal Improvement, to whom was referred a bill from the Senate, entitled

An act to amend and reduce into one the several acts concerning the management of the Wilderness Turnpike Road,

Reported the same with a substitute (by way of amendment) therefore.

On motion of Mr. Cook,

Ordered, That the consideration of said bill and proposed substitute be postponed to, and made special order of the day for, Wednesday, the 16th inst., at 8 o'clock, P. M.

The House then resumed the consideration of an unfinished report of a former day, viz:

A bill to amend an act, entitled "An act to incorporate the Public Library of Kentucky."

The taking of the question on the motion to recommit said bill to the Committee on Revised Statutes being resumed and completed, it was decided in the negative.

The yeas and nays being required thereon, as before stated, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker (M'Cready) W. W. Bush, J. J. McAfee,
Wm. A. Allen, J. Guthrie Coke, Frank Sacksteder,
George W. Anderson, Joseph M. Davidson, J. R. Sanders,
A. S. Arnold, M. Woods Ferguson, Harry I. Todd,
W. W. Baldwin, James B. Fitzpatrick, L. W. Trafton,
Alpheus W. Bascom, Joseph P. Foree, T. W. Varnon,
W. B. M. Brooks, E. Polk Johnson, Mordecai Williams,

Those who voted in the negative, were—
A. C. Armstrong, Wm. Cassius Goodloe, W. L. Reeves,
John A. Bell, E. A. Graves, E. A. Robertson,
S. C. Bell, C. F. Gray, John P. Rowlett,
Church H. Blakey, J. S. Lawson, J. P. Sacksteder,
Thomas P. Cardwell, G. W. Little, Samuel M. Sanders,
John S. Carpenter, Bryan S. McClure, William Sellers,
B. E. Cassilly, William J. McElroy, James W. Snyder,
Mr. Davidson then moved that the further consideration of said bill be postponed to, and made special order of the day for, the 3d day of May, 1873, at 10 o'clock, A. M.

And the question being taken on the motion of Mr. Davidson, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Davidson and Ferguson, were as follows, viz:

Those who voted in the affirmative, were—


W. W. Bush, Those who voted in the negative, were—


Mr. Woolfolk then moved the previous question.

And upon this the yeas and nays were called by Messrs. Davidson and T. M. Johnson.

The yeas and nays were taken, but before the result was announced, Mr. Davidson, being present, asked to be excused from voting thereon.

On the motion of Mr. Davidson to be excused from voting the yeas and nays were called by Messrs. Bush and Wright, but before the call could be completed, the hour of 11 o'clock, P. M., arrived, when, under the rule heretofore adopted, the House adjourned.
TUESDAY, APRIL 15, 1873.

Mr. Nunan presented the petition of sundry citizens of school district No. 29, in Washington county, praying the passage of an act to allow the trustees of said district to draw the amount of the school fund due said district for the year 1873, and to allow the same to be applied to the support of common schools in said district for the year 1874.

Which was received, the reading dispensed with, and referred to the Committee on Education.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend chapter 28 of the Revised Statutes, title "Crimes and Punishments."

An act for the benefit of married women in this Commonwealth.

An act to incorporate the Woolen Manufacturing Company.

An act to authorize Mary Boyd to erect cattle-stops across John's creek, in Pike county.

An act in relation to the fees of officers in certain cases.

An act to amend an act, entitled "An act to empower county courts to take stock in turnpike roads in this Commonwealth," approved March 9, 1808.

An act to incorporate the Ohio and Red River Packet Company.

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Henderson."

An act to incorporate the Grand Division of Sons of Temperance.

An act to incorporate the Christian Church at Warsaw.

An act to incorporate the Oakland Cemetery Company.

An act for the benefit of Browder Institute, in Logan county.

An act to amend the charter of the Farmers' Bank of Kentucky.

An act to amend the charter of, and to authorize the city of, Mayfield, to subscribe and pay for stock in the Cairo and Tennessee River Railroad Company.

That they had concurred in the amendment proposed by the House to a bill, which originated in the Senate, entitled
An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company.

That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to change the county line of Pulaski and Rockcastle counties.

An act to amend an act, entitled "An act to amend the charter of the city of Dayton," approved 1873.

An act to provide for notice before a toll-gate or gates on turnpike roads shall be thrown open.

An act to amend an act, entitled "An act to reduce into one the several acts in regard to the town of Lancaster, and for other purposes," approved March 9, 1867.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Sanford Goin, of Franklin county.

An act to prohibit the sale of spirituous, vinous, or malt liquors in Lincoln county, and to take a vote on the same.

An act for the benefit of A. Portwood, sheriff of Anderson county.

An act for the benefit of Joseph E. Ratliff, sheriff of Pike county for the year 1871.

An act to incorporate Mount Olivet Encampment, No. 55, Independent Order of Odd Fellows, of Greenville.

An act to incorporate a steam ferry company at the head of Island No. 1, on the Mississippi river, in Ballard county.

An act for the protection of property on Tennessee river.

An act resubmitting an act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof, approved February 28, 1872.

An act to prohibit the sale of spirituous or vinous liquors in Nicholas county.

An act to change the boundary line of the town of Clinton, in Hickman county.

An act to amend an act, entitled "An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company."

An act to authorize the county court of Harrison to appropriate money towards building a bridge on the Cynthiana and Ashbrook's Mills Turnpike Road.

An act to incorporate Asher Lodge, No. 531, of Free and Accepted Masons.
An act to amend an act, entitled "An act to regulate the taking up of property found adrift upon certain rivers in this Commonwealth," approved March 22d, 1873.

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

An act to establish and incorporate the town of Stroud City, in Muhlenburg county.

An act for the benefit of common school district No. 3, Franklin county.

An act to authorize the Garrard county court to appropriate money to aid in building a hospital for small-pox patients, and to levy a tax therefor.

An act to pay expenses for certain services rendered by the Sergeant-at-Arms of House of Representatives.

With an amendment to the last named bill.

And that they had passed bills of the following titles, viz:

1. An act to extend the time of signing the bill of exceptions in the case of Carlisle Hunt's heirs against Elisha Long and Elizabeth Gray, in Greenup circuit court.

2. An act to incorporate the Mayslick and Mill Creek Turnpike Road Company, in Mason county.

3. An act to prevent the destruction of fish in Green and Barren rivers.


Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d and 3d to the Committee on Internal Improvement; and the 4th to the Committee on Ways and Means.

Mr. Reeves, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit and relief of persons who have paid tax on income from United States bonds, imposed by an act passed and approved March 8, 1867;

An act for the benefit of R. F. Scott, of Rowan county;
An act to authorize sales and conveyances by trustees under a power;
An act for the benefit of school district No. 30, in Butler county;
An act for the benefit of J. W. Bradburn, of Hardin county, and others;
An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869;
An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company;
An act to charter the Southern Land and Construction Company;
An act to incorporate the Tug River Coal Railroad Company;
An act to pay for the erection of a stable for use of Penitentiary;
An act to amend an act, entitled "An act for the benefit of Wm. H. Miller and others, sureties of Q. C. Shanks, late sheriff of Ohio county," approved February 3, 1870;
An act to incorporate the town of Lynnville, in Graves county;
An act to change the time of holding the Grant county quarterly court;
An act to prevent cattle, horses, sheep, mules, and jennets from running loose on the public highways within a radius of two miles of the Dry Ridge, in Grant county;
An act to incorporate the Henderson Library Association;
An act to provide for the registration of bonds and obligations issued by counties, districts, municipal corporations, and other corporations;
An act to require attachments to be noted of record in the office of the county clerk of Jefferson county;
An act providing for the collection of railroad tax in the county of Montgomery;
An act to amend the charter of the town of Danville;
An act providing compensation for the services of W. R. Bradley, in the defense of the action of the State of Missouri against the State of Kentucky, for the recovery of Wolf Island;
An act to incorporate the Pickett Tobacco Warehouse, of Louisville;
An act exempting the county of Hart from erecting fire-proof vaults in said county;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate Valley Lodge, No. 511, A. Y. M., in Jefferson county;
An act to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district;
An act to incorporate the Falls City Club, of the city of Louisville;
An act to amend an act, entitled "An act to provide for the location and erection of the Third Lunatic Asylum;"
An act to incorporate Clay Lodge, No. 1, Knights of Pythias;
An act to amend an act, entitled "An act to amend and make into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling," approved March 18, 1871, and to repeal chapter 282;
An act to incorporate the American Industrial College;
An act to change the time of holding the circuit courts in the thirteenth judicial district;
An act to incorporate the Oakland Iron Company;
An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871;
An act to incorporate the Immigration Association of Kentucky;
An act to authorize the holding of special chancery courts in the county of Rockcastle;
An act to limit the jurisdiction of the police judge of the town of Dixon, in Webster county;
An act to incorporate the Henderson Water-works Company;
An act for the benefit of common school district No. 1, in the county of Jessamine;
An act for the benefit of Bethel Academy, in the county of Jessamine;
An act to provide for the construction and completion of turnpike roads in Scott county;
An act to exempt certain lands within the corporate limits of the town of Greenup from municipal taxation;
An act for the benefit of Jos. W. Winlock;
An act amending an act, approved January 24th, 1871, entitled "An act to amend and reduce into one the several acts in relation to the road laws in Greenup county;"
An act to amend and reduce into one the several acts relating to Stanford Female College;
An act to incorporate the Columbia Christian College;  
An act for the benefit of turnpike district No. 2, in Henry county;  
An act to empower the county court of Mercer county to make subscription to capital stock in turnpike roads in Mercer county;  
An act for the benefit of school district No. 59, in Hart county;  
An act to authorize any constable of Washington county to execute final process from certain courts;  
And had found the same truly enrolled.  
Whereupon the Speaker affixed his signature thereto.  
Ordered, That Mr. Reeves inform the Senate thereof.  
Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:  
By Mr. Trafton, from the Committee on County Courts—  
A bill to amend the Revised Statutes, chapter 43, article 2, and section 4.  
By same—  
A bill to legalize the action of the Warren county court in borrowing seven thousand dollars for bridge purposes of Warren county.  
By Mr. J. D. Wilson, from the Committee on Internal Improvement—  
An act to amend an act, entitled "An act to incorporate the Eminence and Mulberry Turnpike Road Company."  
Which bills were read the first time and ordered to be read a second time.  
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,  
Ordered, That said bills be engrossed and read a third time.  
The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,  
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.  
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled  
An act repealing an act in regard to common schools in Carrollton, in Carroll county.  
Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:
By Mr. Ogilvie, from the Committee on Internal Improvement—

An act amending an act, approved February 6, 1873, entitled “An act partitioning the Fairfield and Samuels' Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox's Creek Turnpike Road Company, and the Samuels' Depot and Cox's Creek Turnpike Road Company.”

By Mr. Reeves, from the Committee on the Judiciary—

An act for the benefit of Simon Humphrey, late sheriff of Nelson county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McElroy moved to reconsider the votes by which the House passed bills from the Senate, of the following titles, viz:

An act for the benefit of John M. Martin, sheriff of Jefferson county.
An act for the benefit of G. T. Strong, sheriff of Breathitt county.
Leave was given to bring in the following bills, viz:
On motion of Mr. Trafton—
1. A bill to amend an act, entitled “An act to incorporate the South Kentucky Railroad Company.”
On motion of Mr. McClure—
2. A bill for the benefit of Stephen Richardson, of Russell county.
On motion of Mr. Carpenter—
3. A bill for the benefit of the Presbyterian Orphans' Home Society, of Louisville.
On motion of Mr. Anderson—
4. A bill to incorporate the Louisville Locomotive and Car Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Claims the 2d; and the Committee on Corporate Institutions the 3d and 4th.

On motion of Mr. Carter,

Ordered, That a committee, consisting of Messrs. Carter, Brown, and Arnold, be appointed, to act in conjunction with such committee as may be appointed by the Senate, to wait upon the Governor, and request him to return, unsigned, to the Senate, in which it originated,

An act to incorporate the Rockcastle Railway Company.

113-H. R.
On motion of Mr. Cooper,

Ordered, That a message be sent to the Senate, asking leave to withdraw therefrom the announcement of the passage of a bill by the House, which originated in the Senate, entitled

An act to amend the charter of the city of Maysville.

Said message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

Thereupon Mr. Cooper moved to reconsider the vote by which said bill was passed.

And the question being taken thereon, it was decided in the affirmative.

Mr. Cooper then 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. Cooper offered an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Senate, asking leave to withdraw from the House the announcement of their passage of a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky and Southeastern Railway Company.

Which was granted, and said bill delivered to the Senate messenger.

A message was received from the Senate, announcing that they had appointed a committee, to act in conjunction with such committee as may be appointed by the House, to wait upon the Governor, and request him to return, unsigned, to the Senate, chapter 88, title "Public Printing and Binding," of the proposed Revision of the Statutes, and requesting the appointment of such committee on the part of the House.

Said request being agreed to, the Speaker thereupon appointed on said committee Messrs. Clay, Reeves, and Graves.

After a time Mr. Clay, from said committee, reported that the joint committee had discharged the duty assigned them, and had returned said chapter to the Senate.
And thereupon a message was received from the Senate, announcing that they had reconsidered the vote adopting said chapter, and had amended, and then, as amended, readopted the same.

Said chapter was then taken up by the House, the vote by which it was adopted reconsidered, the amendment of the Senate concurred in, and said chapter, as amended, adopted.

Mr. Ogilvie moved to suspend the rules to enable him to offer a joint resolution.

Mr. W. Evans having objected, the yeas and nays were, under the rule, taken on said motion, and resulted as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) John W. Dyer, Lewis Potter,
Wm. A. Allen, Joseph P. Force, Hiram S. Powell,
George W. Anderson, Wm. Cassius Goodloe, W. L. Reeves,
A. C. Armstrong, E. A. Graves, E. A. Robertson,
A. S. Arnold, C. P. Gray, John Rowan,
W. W. Ayers, Clinton Griffith, John P. Rowlett,
Alpheus W. Bascom, Thomas M. Johnson, Frank Sacksteder,
W. N. Beekham, T. J. Jones, Samuel M. Sanders,
John A. Bell, J. S. Lawson, James W. Snyder,
S. C. Bell, G. W. Little, J. S. Taylor,
Wm. F. Bond, Bryan S. McClure, C. W. Threlkeld,
William Brown, William J. McElroy, Harry I. Todd,
Thomas P. Cardwell, M. E. McElroy, L. W. Trafton,
John S. Carpenter, T. J. Megibben, C. H. Webb,
James S. Chrisman, J. C. Moorman, Jonas D. Wilson,
C. M. Clay, jr., Wm. Mynhier, J. N. Woods,
William G. Conrad, J. L. Nall, S. H. Woolfolk,

Those who voted in the negative, were—

Walter Evans,

Having received the requisite number of votes, under the rule, Mr. Ogilvie read and laid on the table the following preamble and joint resolutions, viz:

WHEREAS, The recent Congress of the United States have, by a law, increased the salary of the President to the sum of $50,000, and their own salaries to $7,500, per annum, and against the universal remonstrances of the public press, and against the entreaties of the people of the United States, for retrenchment of expenditures and reform of corruption and official plunder; and believing it to be the duty of the Representatives of the sovereign people of this Commonwealth to rebuke official corruption or mismanagement in whatever department it may exist, therefore, be it
Resolved by the General Assembly of the Commonwealth of Kentucky, That the action of the recent Congress of the United States in increasing the salary of the President to fifty thousand dollars per annum, and increasing their own salaries to seven thousand five hundred dollars per annum, and thereby donating each of themselves five thousand dollars, for which they have rendered no services, is highly reprehensible, and should be disapproved by their tax-ridden constituency.

Resolved, That the people of this Commonwealth highly approve and commend the course of their Representatives in both Houses of said Congress who refused to vote for said law.

Resolved, That such members of the Senate and House of Representatives of the Kentucky delegation as sat silently by and did not cast their votes, are alike the subject of our condemnation.

The rule requiring joint resolutions to lie one day on the table being suspended, said resolutions were taken up.

Mr. W. Evans then offered the following substitute for said preamble and resolutions, by way of amendment thereto, viz:

WHEREAS, In providing for the increase of the salaries of certain officers, the Congress of the United States recently incorporated a clause in the bill for that purpose, providing that the members of the last Congress should also receive the benefit of such increase, thereby feloniously diverting from the Treasury the sum of about five thousand dollars each; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky, That all members of the late Congress who, unless necessarily absent, failed to oppose and vote against said clause, should receive the severest censure of the whole people of this Union, and in our opinion are no longer worthy of the confidence of the people.

Mr. Davidson moved to refer the resolutions and substitute to the Committee on Federal Relations, with instructions to report thereon at 8 o'clock, P.M., this day.

And the question being taken on the motion of Mr. Davidson, it was decided in the negative, not having received the requisite number of votes under the rule.

The yeas and nays being required thereon by Messrs. Brown and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) C. P. Gray,
Wm. A. Allen, Clinton Griffith,
George W. Anderson, Thomas M. Johnson,
W. W. Baldwin, T. J. Jones,
Alpheus W. Bascom, J. S. Lawson,
W. N. Beckham, J. J. McAfee,
John A. Bell, Bryan S. McClure,
S. C. Bell, William J. McElroy,
Wm. F. Bond, M. E. McKenzie,
W. W. Bush, T. J. Megibben,
C. M. Clay, jr., J. C. Moorman,
Lewis Potter,
W. L. Reeves,
E. A. Robertson,
John Rowan,
Frank Sacksteder,
Samuel M. Sanders,
James W. Snyder,
William Tarlton,
J. S. Taylor,
C. W. Threlkeld,
Harry I. Todd.
William G. Conrad, Wm. Mynhier, T. W. Varnon,
Joseph M. Davidson, J. L. Nall, J. L. Waring,
M. Woods Ferguson, John W. Ogilvie, S. H. Woolfolk,
E. A. Graves,

Those who voted in the negative, were—
W. W. Ayers, R. L. Cooper, Mat. Nunan,
G. W. Bailey, J. E. Cosson, Hiram S. Powell,
William Brown, John W. Dyer, William Sellers,
Thomas P. Cardwell, Walter Evans, C. H. Webb,
John S. Carpenter, W. H. Evans, Jonas D. Wilson,
R. D. Cook,

Mr. Cooper then moved to refer said resolutions and proposed amendment to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Force, were as follows, viz:

Those who voted in the affirmative, were—
George W. Anderson, William G. Conrad, W. L. Reeves,
W. W. Baldwin, R. L. Cooper, John Rowan,
Alpheus W. Bascom, John W. Dyer, John P. Rowlett,
W. N. Beckham, M. Woods Ferguson, Frank Sacksteder,
John A. Bell, C. P. Gray, C. W. Threllkel,
Wm. F. Bond, William J. McElroy, Harry I. Todd,
W. W. Bush, T. J. Megibben, T. W. Varnon,
John S. Carpenter, J. C. Moorman, J. L. Waring,
George Carter, Julian N. Phelps, J. M. Wright—29,
James S. Chrisman, Lewis Potter,

Those who voted in the negative, were—
Mr. Speaker (McCreary) W. H. Evans. Mat. Nunan,
Wm. A. Allen, Joseph P. Force, John W. Ogilvie,
A. C. Armstrong, Wm. Cassius Goodloe, E. A. Robertson,
W. W. Ayers, E. A. Graves, Samuel M. Sanders,
G. W. Bailey, Clinton Griffith, William Sellers,
S. C. Bell, Thomas M. Johnson, James W. Snyder,
William Brown, T. J. Jones, J. S. Taylor,
Thomas P. Cardwell, J. S. Lawson, L. W. Trafton,
C. M. Clay, Jr., Bryan S. McClure, C. H. Webb,
R. D. Cook, M. E. McKenzie, Jonas D. Wilson,
J. E. Cosson, Wm. Mynhier, J. N. Woods,
Joseph M. Davidson, J. L. Nall, S. H. Woolfolk—37.
Walter Evans,

Mr. Evans moved the previous question.
And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Bush then moved to reconsider the vote by which the main question was ordered.

And the question being taken on the motion of Mr. Bush, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and W. Evans, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), George Carter, Mr. Speaker (M'Cready), George Carter, J. C. Moorman,
Wm. A. Allen, James S. Chrisman, Wm. Mynhier,
George W. Anderson, William G. Conrad, W. L. Reeves,
A. C. Armstrong, R. L. Cooper, E. A. Robertson,
W. W. Baldwin, Joseph M. Davidson, John Rowan,
Alpheus W. Bascom, John W. Dyer, Frank Sacksteder,
W. N. Beckham, M. Woods Ferguson, J. S. Taylor,
John A. Bell, C. P. Gray, Harry I. Todd,
S. C. Bell, T. J. Jones, L. W. Trafford,
Wm. F. Bond, J. S. Lawson, T. W. Varnon,
W. W. Bush, William J. McElroy, J. L. Waring,

Those who voted in the negative, were—

W. W. Ayers, Wm. Cassius Goodloe, Lewis Potter,
G. W. Bailey, E. A. Graves, Samuel M. Sanders,
William Brown, Bryan S. McClure, William Sellers,
R. D. Cook, J. L. Nall, C. W. Threlkeld,
J. E. Cosson, Mat. Nunan, Jonas D. Wilson,
Walter Evans, John W. Ogilvie, J. N. Woods,

The question was then taken on the adoption of the amendment (substitute) offered by Mr. Brown, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. W. Evans and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Thomas P. Cardwell, Wm. Cassius Goodloe, William Sellers, Jonas D. Wilson,
R. D. Cook, G. W. Little, J. N. Woods,
Walter Evans, Hiram S. Powell,
W. H. Evans,

Those who voted in the negative, were—

Mr. Speaker (M'Cready), James S. Chrisman, J. L. Nall,
Wm. A. Allen, C. M. Clay, Jr., John W. Ogilvie,
George W. Anderson, William G. Conrad, Julian N. Phelps,
A. C. Armstrong, R. L. Cooper, Lewis Potter,
Mr. Bush then offered the following amendment, viz:

Add thereto:

Resolved, In our judgment, that the President of the United States deserves the censure of the people for approving the bill increasing his own salary and the salary of members of Congress.

Mr. W. Evans then moved to refer the resolutions and proposed amendment to the Committee on Appropriations.

And the question being taken on the motion of Mr. Evans, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Evans and Brown, were as follows, viz:

Those who voted in the affirmative, were—

William Brown, Wm. Cassius Goodloe, Jonas D. Wilson,
Walter Evans,

Those who voted in the negative, were—

Mr. Speaker (M'Crey), M. Woods Ferguson, Julian N. Phelps,
Wm. A. Allen, Joseph P. Force, Hiram S. Powell,
George W. Anderson, E. A. Graves, W. L. Reeves,
A. C. Armstrong, C. P. Gray, John Rowan,
W. W. Ayers, Clinton Griffith, J. P. Sacksteder,
G. W. Bailey, Thomas M. Johnson, Frank Sacksteder,
Alpheus W. Bascom, J. S. Lawson, Samuel M. Sanders,
John A. Bell, G. W. Little, James W. Snyder,
S. C. Bell, Bryan S. McClure, J. S. Taylor,
W. W. Bush, William J. McElroy, C. W. Threlkeld,
John S. Carpenter, M. E. McKenzie, Harry I. Todd,
James S. Chrisman, T. J. Megibben, L. W. Trafton,
C. M. Clay, Jr., J. C. Moore, T. W. Varnon,
William G. Conrad, Wm. Mynhier, C. H. Webb,
R. L. Cooper, J. L. Nall, S. H. Woolfolk,
Joseph M. Davidson, John W. Ogilvie, J. M. Wright—49.
John W. Dyer,

The question was then taken on the adoption of the amendment proposed by Mr. Bush, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Bush and Varnon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) William G. Conrad, John W. Ogilvie,
Wm. A. Allen, Thomas H. Corbett, Julian N. Phelps,
George W. Anderson, Joseph M. Davidson, W. L. Reeves,
A. C. Armstrong, John W. Dyer, E. A. Robertson,
A. S. Arnold, E. A. Graves, John Rowan,
W. W. Ayers, C. P. Gray, John P. Rowlett,
G. W. Bailey, Clinton Griffith, Frank Sacksteder,
Alpheus W. Bascom, Thomas M. Johnson, Samuel M. Sanders,
John A. Bell, T. J. Jones, James W. Snyder,
S. C. Bell, J. S. Lawson, J. S. Taylor,
W. W. Bush, Bryan S. McClure, C. W. Threlkeld,
John S. Carpenter, M. E. McKenzie, T. W. Varnon,
George Carter, T. J. Megibben, C. H. Webb,
James S. Chrisman, J. C. Moorman, S. H. Woolfolk—43.
C. M. Clay, Jr., Wm. Mynhier.

Those who voted in the negative, were—

W. N. Beckham, W. H. Evans, Hiram S. Powell,
William Brown, M. Woods Ferguson, Harry I. Todd,
Thomas P. Cardwell, Wm. Cassius Goodloe, Jonas D. Wilson,
R. D. Cook, G. W. Little, J. N. Woods,
Walter Evans, Mat. Nunan.

Mr. Chrisman then offered an amendment, which was adopted.

Said preamble and resolutions, as amended, were again read as follows, viz:

WHEREAS, The recent Congress of the United States have, by a law, increased the salary of the President to the sum of $50,000, and their own salaries to $7,500, per annum, and against the universal remonstrances of the public press, and against the entreaties of the people of the United States for retrenchment of expenditures and reform of corruption and official plunder; and believing it to be the duty of the Representatives of the sovereign people of this Commonwealth to rebuke official corruption or mismanagement in whatever department it may exist; therefore,

1. Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the action of the recent Congress of the United States in increasing the salary of the President to fifty thousand dollars per annum, and increasing their own salaries to seven thousand five hundred dollars per annum, and thereby donating each of themselves five thousand dollars for which they have rendered no services, is highly reprehensible, and should be disapproved by their tax-ridden constituency.

2. Resolved, That the people of this Commonwealth highly approve and commend the course of their Representatives in both Houses of said Congress who voted against said law.

3. Resolved, That such members of the Senate and House of Representatives of the Kentucky delegation as sat silently by, and did not cast their votes, are alike the subject of our condemnation.
Resolved, That, in our judgment, the President of the United States deserves the censure of the people for approving the bill increasing his own salary and the salary of members of Congress.

The question was then taken on the adoption of said preamble and resolutions, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Bush and Varnon, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), James S. Chrisman, J. L. Nall,
Wm. A. Allen, C. M. Clay, Jr., John W. Ogilvie,
George W. Anderson, William G. Conrad, Julian N. Phelps,
A. C. Armstrong, Joseph M. Davidson, W. L. Reeves,
A. S. Arnold, Joseph P. Foree, E. A. Robertson,
W. W. Ayers, E. A. Graves, John Rowan,
G. W. Bailey, C. P. Gray, Frank Sacksteder,
Alpheus W. Bascom, Clinton Griffith, Samuel M. Sanders,
W. N. Beckham, Thomas M. Johnson, James W. Snyder,
John A. Bell, J. S. Lawson, J. S. Taylor,
S. C. Bell, Bryan S. McClure, C. W. Trelfekld,
Wm. F. Bond, William J. McElroy, L. W. Trafton,
W. W. Bush, M. E. McKenzie, C. H. Webb,
Thomas P. Cardwell, T. J. Megibben, J. M. White,
John S. Carpenter, J. C. Moorman, S. H. Woolfolk—47.
George Carter, Wm. Mynhier,

Those who voted in the negative, were—

William Brown, W. H. Evans, Harry I. Todd,
R. D. Cook, M. Woods Ferguson, J. L. Waring,
R. L. Cooper, Wm. Cassius Goodloe, Jonas D. Wilson,
J. E. Cosson, Mat. Nunan, J. N. Woods,
Walter Evans, William Sellers,

And so said preamble and resolutions were adopted.

A message was received from the Senate, announcing that they had appointed a committee, to act in conjunction with such committee as may be appointed by the House, to wait upon the Governor, and request him to return, unsigned, to the House, a bill, which originated in the Senate, entitled

An act to charter Ohio River, Owenton, and Lexington Railway Company,

And requesting the appointment of a committee on the part of the House.
The House having agreed thereto, thereupon the Speaker appointed on said committee Messrs. Threlkeld, Ayers, and Allen.

And after a time, Mr. Threlkeld reported that the committee had discharged the duty assigned them, and returned and laid said bill on the Clerk's table.

On motion of Mr. Threlkeld,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of said bill.

Mr. W. Evans, from a select committee, who were directed to prepare and bring in a bill for the removal of the Seat of Government, made the following report, viz:

To the House of Representatives:

The committee appointed by your honorable body, with instructions to bring in a bill for the removal of the Seat of Government, having given the subject their most careful consideration, offer the following report:

It is believed by your committee that there is a growing demand by the people of the State for a removal of their Capital. The city of Frankfort is inconveniently located, and this inconvenience is more particularly felt, now that railroads and steamboats are the principal means of travel, the great lines of which point to other cities; but, aside from this accidental disadvantage, in the city named as the Seat of Government, and its generally regarded unsuitableness, there is a practical question involved in the fact that the present public buildings here are as disgraceful to our great Commonwealth as they are inadequate to the pressing demands of public business.

The Governor's "Mansion," situated under the shadow of the Penitentiary, in an exceedingly uninviting locality, is old and poorly adapted to the wants of the family of the first officer of the State. No private citizen of affluence and generous taste would consent to reside in that structure, which, with a remarkable abuse of language, we call the "Governor's Mansion," and in which we condemn that functionary to live with his family.

The State House is far too small, and is altogether insufficient. In it are crowded the Public Library, the Register of the Land Office, the Court of Appeals, and the two Houses of the General Assembly, when, if its internal structure were properly regulated, it would not more than afford convenient room and facilities for your honorable body. One of the most important, and indeed indispensable, labors of the members of a legislative assembly, is that performed by committees. The regular Standing Committees of the House of Representatives are twenty-nine in number, many of which meet on a majority of the legislative days of a session. Their work is most important, because, by the very necessity of things, those committees must determine the disposition the House shall make of many of the bills brought before it. Yet there is not a single committee-room in the Capitol, and those important bodies are compelled to meet in the rooms of members, or in corners of the Hall
of the House, or at such other equally inconvenient places as may be found. We believe there is a common sentiment that the public buildings are totally insufficient, and that more commodious and creditable ones should be erected as soon as possible; and that being so, now is the most favorable time to heed the demand we have alluded to for a removal of the Seat of Government, as every one acquainted with the facts knows that those buildings can be erected as cheaply in any other desirable locality as in Frankfort. We might also add, that the present State House is old. It is exceedingly poorly ventilated, and is so moist on the in-door surfaces of its walls, that it is most unwholesome to those who stay in it. The Public Librarian, even in summer, has frequently to build large fires in the library rooms to preserve the books from injury from that moisture.

In any good Capitol of this State, the Court of Appeals ought, besides their court-room, to have rooms or offices for each of the Judges, communicating with the Public Library and the office of the Clerk of the Court. There ought to be a larger, more commodious, and better ventilated Hall for each House of the General Assembly, and such committee-rooms as are necessary, besides all the other public offices. Before proceeding further, we would call especial attention to the fact that the whole real estate of the State in Frankfort is not worth exceeding $300,000, giving to it a most liberal valuation; and all this property the State would still own after removing the Capital. We call attention to this statement, in view of what hereafter follows in this report, in regard to the offer by the city of Louisville of $500,000, as a bonus to the State to induce the removal of the Capital to that city, a proposition which strikes your committee as offering an apparent profit of some $150,000 to the State, though the value of her Frankfort property should be destroyed, after allowing all the expenses likely to attend the mere removal of the archives of the Government to the latter city, although that apparent profit might all be consumed in other incidental expenses — such as the erection of better buildings than we now have.

While your committee did not in any way seek, authorize, invite, or request anything like competitive biddings from any city or locality desiring to secure the location of the Capital in their midst, still, as the city of Louisville, through a large delegation of her most prominent, wealthy, and representative citizens, did offer to donate to the State the sum of one half million dollars, on condition that the Capital should be removed to that city, and extended to your committee an invitation to visit the city, and consider its adaptability to the purpose suggested, we did not feel at liberty to decline doing so.

Your committee visited the city of Louisville in February, and carefully examined the court-house and the new city hall, either of which, we were informed by the citizens alluded to, could be obtained for a term of as many as five years, for the use of the State, so as to give time for the erection of new and ample buildings for the State. We were also shown several very eligible and beautiful sites for the erection of all such buildings, and which could be obtained for the purpose.

While the elegant new city hall is not entirely suitable for even a temporary Capitol, the court-house is, it having been originally designed as such. It is sufficiently large. It is conveniently located. It is a most substantial structure, and its dimensions are fully shown in the accompanying map, which is made a part of this report. It, with some slight
alterations, and the necessary refurnishing and painting, would afford ample and suitable rooms for the whole State Government, and leave the most abundant accommodations for each House of the General Assembly and all their committees, giving a separate room to each of the more important of those committees. It has gas and water throughout, and is easily and most comfortably heated with steam. The heating apparatus is so well arranged that the whole building, in all its various apartments, can be kept entirely comfortable at a cost of not exceeding $800 per year. The building is worth probably $1,500,000. It is almost absolutely fire-proof; and in its ample walls the archives of the State, and all the public property placed therein, would be as entirely safe as human foresight could make it.

Louisville, while not a very large, is a most beautiful and growing city; one that the State feels justly proud of. It is our commercial metropolis. It is that point to which all the most important interests of the State gravitate. It is the city our people visit, and it would be there they could most conveniently transact the business they have with the State officers. The citizen, usually, when he gets there on his way to Frankfort, feels that his journey ought to be complete, and it is like beginning an entirely new and useless one to start to Frankfort; and it is true that the greatest number of the people of the State, in going to their Capital, are compelled to come either through Louisville or to pass within a few miles of it; and, in the opinion of your committee, that city is the one in which the vast majority of the citizens of the State wish the Capital to be located. Louisville, through her city government, has proposed, as before stated, to give the $500,000 alluded to, dependent, of course, upon being authorized to do so by legislative enactment; and of the passage of such a law, as requested by said city government, your committee can entertain no doubt whatever, and we make a part of this report a certified copy of the ordinance of said city government on the subject.

To General Council City of Louisville:

Your committee, to whom was referred the resolution upon the subject of removing the State Capital to this city, submit the following report:

The people of the city of Louisville have, with singular unanimity, expressed an earnest desire that the State Capital should be located at this place. The reasons why this should be done are so manifest, and have been so often presented, that it is not deemed necessary at this time to say more than merely suggest:

1st. The accessibility of our city from all parts of the State.
2d. Its capacity to accommodate all the requirements of a State Capital.
3d. The fact that there is not a county in the State unrepresented here in some branch of business, so that we are doubly bound to every section of the State by ties of blood and commercial intercourse.

For these and many other reasons, your committee unanimously recommend the adoption of the following resolution:

Resolved by the General Council of the City of Louisville, That for the purpose of inducing the removal of the State Capital to the city of Louisville, the Mayor be, and he is hereby, authorized and empowered, for and on behalf of the city of Louisville, to offer to the State of Kentucky the sum of five hundred thousand dollars and the temporary use of the courthouse or city hall; and if the above offer is deemed practicable and reasonable by the General Assembly, we respectfully solicit the passage of such acts as will warrant the city authorities in making the appropriation
of the sums indicated, and as may tend to facilitate and accomplish the location of the Seat of Government at Louisville.

B. F. GUTHRIE,
H. S. MOSS,
W. B. HAMILTON,
J. CLIFFORD,
WM. KAYE,
Joint Finance Committee.

CHAS. B. LONG, P. B. C.
J. M. VAUGHAN, C. B. C.
OLIVER LUCAS, C. B. A.

Approved February 4th, 1873.

CHARLES D. JACOB, Mayor.

The citizens hereinbefore mentioned also expressed the most confident belief that the city of Louisville and the county of Jefferson (the latter of which owns a small interest, perhaps one twentieth, in the court-house and lot), would deed in fee simple the court-house and lot to the State, or else lease it for five years, rent free; and, in addition to the lease, give the $500,000 above named, in order to secure the location of the Seat of Government there, though these last propositions did not come to your committee in such authoritative form as to authorize them to do more than inform the House of them. Under these circumstances, your committee express the most confident conviction that it would be of the greatest importance and benefit to the State to accept such offer of the court-house, either in fee simple or a lease; and the $500,000 in money, if ever authoritatively made, for the removal of the Capital, if made on those terms, besides being desirable in itself, would be a paying business transaction for the State, and she could still sell or use her Frankfort property as she saw fit, and could still maintain and keep her Penitentiary in said last named city.

However, your committee do not think the propositions above alluded to in reference to the Court-house are sufficiently authoritative just now for definite action, and a majority do not think the proposition to give $500,000 alone would make it advisable to remove the Capital, and they therefore ask to be discharged from the further consideration of the order to bring in the bill aforesaid; but three members of the committee, Messrs. Evans, Baldwin, and Carpenter, agreeing to the foregoing report, except as to the last clause thereof, believing that the Capital of the State ought to be removed to the city of Louisville, bonus or no bonus, but believing that the $500,000 ought to be accepted if voluntarily offered, and that the Legislature would certainly authorize the city of Louisville to make the donation, beg leave to offer the accompanying "Act for the removal of the Seat of Government" as their minority report on the subject.

All of which is respectfully submitted.

WALTER EVANS,
JOHN S. CARPENTER,
W. W. BALDWIN,
W. N. BEECHAM,
CLINTON GRIFFITH,
JAMES S. CHRISMAN.
On motion of Mr. Evans,

Ordered, That said report be printed, and placed in the orders of the day.

The House then resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to Revise the Statutes, and took up Chapter 96, title "Revenue and Taxation."

Mr. Wright offered an amendment thereto, which was adopted.

Mr. Griffith offered an amendment to said chapter.

Mr. Arnold offered an amendment to the amendment proposed by Mr. Griffith.

Mr. Webb offered a substitute for the original section reported from the Senate, and for the amendments proposed by Messrs. Griffith and Arnold.

Mr. Todd then offered an amendment to the substitute proposed by Mr. Webb.

Pending the consideration thereof, the hour of 2 o'clock, P. M., arrived, when, under the rule, the House took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again reassembled.

Mr. F. Sacksteder, from the Committee on Banks, to whom was referred a bill from the Senate, entitled An act for the benefit of the incorporated banks of the county of Jefferson, Reported the same without amendment.

Mr. J. P. Sacksteder offered the following amendment to said bill, viz: Strike out the 5th section thereof.

Said section reads as follows, viz: § 5. That no bank or banks shall have the right hereunder, or otherwise, to consolidate with any bank located or situated in a different county; but only those banks located in the same county shall have the right to consolidate. The provisions of this act shall apply only to the county of Jefferson: Provided further, Before any consolidation under this act shall be lawful, each stockholder withholding consent to such consolidation shall be paid the highest market value of his stock at the time of such consolidation.

And the question being taken on the adoption of the amendment proposed by Mr. Sacksteder, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.
Said bill, as amended, was then read a third time 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 it shall and may be lawful for any one or more of the incorporated banking institutions of this State, upon the written consent thereto first had of a majority in interest of the stockholders in such bank or banks, to be converted into a National bank or banks, under the provisions of the act of Congress of the United States, entitled “An act to provide a National currency, secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof,” and the amendments thereto, and other laws of the United States pertinent thereto now existing, or which may be hereafter enacted.

§ 2. It shall be lawful for any two or more of the incorporated banks of this State to consolidate and form one bank, under such name, and on such terms, as may be agreed upon between the contracting parties; the consent of a majority in interest of the stockholders in the banks severally so consolidating being first had thereto in writing.

§ 3. That it shall be lawful for any of the banking institutions of this State, incorporated by the laws thereof, to subscribe for, purchase, and hold capital stock in any of the banking institutions in this State now organized, or which may be hereafter organized under the said National currency act, and known as National Banks; and such stock may be held as an asset, and as part of the capital of such State banks.

§ 4. That nothing herein shall be construed in any way whatever, directly or indirectly, to exempt the capital stock of any bank taking advantage of the provisions of this act from such or any taxation, as they are now liable and bound for; and advantage can be taken of this act upon this express condition only. A failure or refusal to comply with, or an attempt to evade this section, shall forfeit any rights or privileges acquired hereunder.

§ 5. That no bank or banks shall have the right hereunder, or otherwise, to consolidate with any bank located or situated in a different county; but only those banks located in the same county shall have the right to consolidate. The provisions of this act shall apply only to the county of Jefferson: Provided further, Before any consolidation under this act shall be lawful, each stockholder withholding his consent to such consolidation shall be paid the highest market value of his stock at the time of such consolidation.

§ 6. This act shall take effect from its passage, and remain in force for twelve (12) months from the approval hereof by the Governor, and no longer.

The question was then taken on the passage of said bill, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Gray, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, Walter Evans, Hiram S. Powell,  
A. S. Arnold, W. H. Evans, W. L. Reeves,  
John A. Bell, M. Woods Ferguson, J. P. Sacksteder,  
W. B. M. Brooks, Wm. Cassius Goodloe, Frank Sacksteder,  
Thomas P. Cardwell, E. A. Graves, Harry I. Todd,  
John S. Carpenter, E. Polk Johnson, J. L. Waring,
Those who voted in the negative, were—

Mr. Speaker (Mr. McCready) C. P. Gray,
George W. Anderson, Clinton Griffith,
A. C. Armstrong, George M. Jesse,
W. W. Ayers, Thomas M. Johnson,
G. W. Bailey, T. J. Jones,
Alpheus W. Bascom, J. S. Lawson,
S. C. Bell, J. J. McAffee,
Wm. F. Bond, Bryan S. McClure,
Robert M. Carlile, William J. McElroy,
C. M. Clay, jr., M. E. McKenzie,
R. L. Cooper, J. C. Moorman,
John W. Dyer, Wm. Mynhier,

And so said bill was disagreed to.

Mr. E. Polk Johnson, by leave of the House, withdrew the motion made by him to reconsider the vote by which the House passed a bill from the Senate, entitled

An act to amend the charter of the Louisville and Cane Run Road Company.

The Speaker laid before the House the following response of the Auditor to a resolution adopted by the House in relation to the uncollected back taxes of Jefferson county, viz:

STATE OF KENTUCKY,
OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, April 14th, 1873.

HON. JAMES B. MCCREADY, Speaker of House of Representatives:

Sir: I have the honor to submit this, my response, to the following resolution adopted by the House of Representatives:

Resolved, That the Auditor of Public Accounts be directed to report to the House—

1st. The amount of "back taxes" due the State from Jefferson county.

2d. The amount of taxes that will go into the hands of the agent who will be appointed collector of back taxes for Jefferson county, under the act passed at the present session of the General Assembly, entitled "An act to authorize the judge of the Jefferson county court to appoint a collector of back taxes for Jefferson county."

3d. The amount of said agent's commissions for collecting said back taxes—that is, the amount the agent will receive for collecting.

4th. What necessity there is, if any, for the special act for collecting the back taxes in said county in a different mode from that of collecting similar taxes in the other counties of this State; and the necessity, if any, for releasing the interest and damages on the back taxes in said county, and not releasing on similar taxes in other counties of this Commonwealth."
The amount of "back taxes" due the State from Jefferson county from 1835 to 1869, inclusive, is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original taxes</td>
<td>$37,436.23</td>
</tr>
<tr>
<td>Interest at 10 per cent</td>
<td>$35,083.38</td>
</tr>
<tr>
<td>Making</td>
<td>$72,519.61</td>
</tr>
<tr>
<td>Add agent's commissions at 30 per cent</td>
<td>$21,755.88</td>
</tr>
<tr>
<td>Total to be collected</td>
<td>$94,275.49</td>
</tr>
</tbody>
</table>

It is proper that I should state, in this connection, that the tax list from 1835 to 1865 has been repeatedly sent to and listed with the "Agent for the Commonwealth" for Jefferson county, and returned as often with the report that all had been collected that could be collected. It is fair to presume, therefore, that not more than one half due the State will ever be collected, if that much.

I will also remark, that the delinquent lists of 1870 and 1871 are still in the hands of the sheriff of Jefferson county, not having been returned by him; so that I can make no estimate of the amount that will pass into the hands of the newly appointed collector of said county for those years; and in regard to the delinquents of 1872, I have to say, that I presume the list for that year will be very small, if anything, insomuch as the act of March 28, 1872, to amend the revenue laws, prohibits the return of real estate delinquent. The sheriff of Jefferson county not having closed his account for that year, and no delinquents returned, I cannot estimate, with any accuracy, what amount of taxes will be due the State by delinquent tax-payers for 1872.

There is no special reason which I can assign why the "back taxes" due from Jefferson county should be collected differently from those due from other counties, or why the damages imposed by law on delinquent taxpayers in that county should be released, and similar taxes not released in other counties, unless the fact that not less than one half or less than three fifths of the whole amount of the "back taxes" due the State are owing from Jefferson county is a reason for it. My opinion is, that if sound policy, and the best interests of the State, demand that a special collector, of "back taxes" be appointed for Jefferson county, that the law ought to be extended and made applicable to each and every county in the State.

I have long since been deeply impressed with the conviction that the law requiring the Auditor to list and relist for collection, with the sheriffs, the delinquent lists returned by them, did not work to the best interest of the State; and as some evidence of the correctness of this opinion, I will state, that there must be now due the State several hundred thousand dollars of delinquent, or "back taxes," which can never be collected. I have made no accurate calculation of the amount of the uncollectable "back taxes" due the State, but I am satisfied that this estimate of that class of taxes is not exaggerated. The law under which delinquent taxes are required to be listed with sheriffs has been in force almost from the organization of the State Government, and we see the results of its operation by the heavy losses which the State has sustained.

It is a very difficult matter to get sheriffs to take the necessary interest in the collection of taxes owing by delinquents that they have once returned delinquent, to enable them to make the money. Having re-
turned them delinquent once they are very apt to return them delinquent again—there being no increased compensation allowed them for such collecting.

Thus it goes on in regard to delinquent lands until they are declared forfeited, when the law requires the Auditor to list them with an agent, to be appointed by himself, who is instructed to advertise and sell them. I have found it exceedingly difficult to get competent and responsible men to accept the position of agents for the sale of forfeited lands in many counties, and in some counties I have not been able to get agents at all. The compensation allowed agents for their services is so inadequate, and the difficulty in obtaining purchasers for the lands offered for sale, combined, renders the present system of collecting “back taxes” on forfeited lands very difficult, and in many cases utterly impracticable.

I am clearly of the opinion that it is to the interest of not only the State, but delinquent tax-payers, that all delinquent lists should be placed in the hands of special agents, instead of the sheriffs, the compensation for collecting increased, and the damages imposed by law diminished.

In other words, I am satisfied if the act authorizing the appointment of a collector of “back taxes” for Jefferson county were made a general law, it would greatly promote the interests of the Commonwealth, and at the same time redound to the interest of delinquent tax-payers.

Very respectfully,

Your obedient servant,

D. HOWARD SMITH, Auditor.

On motion of Mr. Todd,

Ordered, That the Public Printer print the usual number of said response for the use of the House.

Mr. Chrisman moved to reconsider the vote by which the House adopted joint resolutions, which originated in the House of Representatives, entitled

Resolutions in relation to certain acts of the Congress of the United States.

The House then, according to order, resumed the consideration of a bill, entitled

An act for the benefit of Whitley county.

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:

WHEREAS, It has been made known to this General Assembly that the county of Whitley has a good and safe jail, which requires no guard to prevent the escape of prisoners confined therein; and whereas, it has been further shown, that, during the time John Owens was confined in the jail of said county, charged with the murder of James Lienallen, the county judge of said county had reasons to believe that an attempt would be made to rescue said Owens; and whereas, the county judge aforesaid, in order to prevent said anticipated rescue, ordered a strong guard to be placed over said jail; and whereas, the anticipated rescue of said Owens was actually attempted on the night of the 21st of May, 1870, by a party
of about twenty-eight armed men; and whereas, the rescue of said Owens was only prevented by the services of said guard; and whereas, said court has paid the claims of said guard, amounting in the aggregate to the sum of one thousand and ninety-nine dollars, the payment of which claims was a hardship upon said county, and ought, under the circumstances, to have been a charge upon the State; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, that the sum of $549 50, one half of the above amount, be refunded to the said county court of said county, and that the sheriff of said county is hereby directed to pay the said sum of money to the county court aforesaid out of the revenue due from said county for the year 1872; and the Auditor of Public Accounts is hereby directed to credit said sheriff with the said sum of $549 50, upon his presenting the receipt of the county judge of said county for the amount aforesaid.

§ 2. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, not receiving a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, J. E. Coisson,  
A. C. Armstrong, John W. Dyer,  
A. S. Arnold, Walter Evans,  
Wm. F. Bond, W. H. Evans,  
W. B. M. Brooks, M. Woods Ferguson,  
William Brown, Wm. Cassins Goodloe,  
Thomas P. Cardwell, Harry I. Todd,  
John S. Carpenter, T. W. Varnon,  
C. M. Clay, J. J. McAfee,  
Josiah H. Combs, Wm. Mynhier,  
William G. Conrad, J. L. Nall,  
R. D. Cook, Mat. Nunan,  

Those who voted in the negative, were—

Mr. Speaker (McCreary) R. L. Cooper,  
Wm. A. Allen, Joseph M. Davidson,  
W. W. Ayers, E. A. Graves,  
G. W. Bailey, C. P. Gray,  
W. N. Beckham, George M. Jessie,  
John A. Bell, Thomas M. Johnson,  
S. C. Bell, T. J. Jones,  
W. W. Bush, J. S. Lawson,  
Robert M. Carlisle, Bryan S. McClure,  
George Carter, Wm. J. McElroy,  
James S. Chrisman, M. E. McKenzie,  

And so said bill was rejected.

Mr. Davidson then moved to reconsider the vote by which said bill was rejected.
Leave of absence, indefinitely, was granted Messrs. Flippin and Foote.

Mr. Anderson moved to reconsider the vote by which the House disagreed to a bill from the Senate, entitled

An act for the benefit of the incorporated banks of Jefferson county.

The House then resumed the consideration of an unfinished order of a former day, viz:

A bill to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

Mr. Bascom offered the following amendment to said bill, viz:

§ 22. That the annual tax of twenty cents on each one hundred dollars in value of the property owned or held by all persons of African descent, and the capitation tax of one dollar on each male citizen of African descent between the ages of twenty-one and sixty years, as herein provided for in subsections one and two of section two, shall not be levied or collected until the officers appointed by the county judge of each county shall have opened a poll on the last Saturday in June, 1873, in the various precincts in their respective counties, and taken the sense of the voters of African descent of this Commonwealth upon the propriety and expediency of imposing said capitation tax and said tax of twenty cents on each one hundred dollars in value of the property owned or held by all persons of African descent, and the same shall have been voted for by a majority of the voters who shall vote at said election.

§ 23. That it shall be the duty of the officers conducting said election to propound to each voter the question, "Are you for or against levying a capitation tax of one dollar on each male citizen of African descent between the ages of twenty-one and sixty years, and a tax of twenty cents on each one hundred dollars in value of the property owned by all persons of African descent, to raise a common school fund for their benefit in Kentucky," and the vote shall be recorded in the affirmative or negative, as the case may be.

§ 24. That it shall be the duty of the sheriff and other officers to make out a correct list of the votes taken under this act; and the county judges and clerks of the several counties shall compare and examine said lists of their respective counties, and certify the result to the Secretary of State within sixty days after the date of said election.

§ 25. If it appears that a majority of the votes cast under the provisions of this act are cast in the affirmative, it shall be the duty of the Secretary of State to report the same as soon as practicable to the Governor, who shall thereupon issue his proclamation declaring the result. And annually thereafter the tax provided for in subsections one and two of section two of this act shall be levied and collected by the officers who collect all other taxes in this Commonwealth; and the same shall be used only for the education of persons of African descent.

§ 26. This act shall take effect from its passage.

And the question being taken on the adoption of the amendment proposed by Mr. Bascom, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and W. Evans, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), C. M. Clay, jr., J. L. Nall,
Wm. A. Allen, R. D. Cook, John W. Ogilvie,
George W. Anderson, R. L. Cooper, Julian N. Phelps,
A. S. Arnold, M. Woods Ferguson, Lewis Potter,
W. W. Ayers, Joseph P. Foree, W. L. Reeves,
G. W. Bailey, E. A. Graves, E. A. Robertson,
Alpheus W. Bascom, C. P. Gray, John P. Rowlett,
W. N. Beckham, George M. Jesse, J. P. Sacksteder,
John A. Bell, Thomas M. Johnson, Frank Sacksteder,
S. C. Bell, J. S. Lawson, Samuel M. Sanders,
Church H. Blakey, Bryan S. McClure, J. S. Taylor,
Wm. F. Bond, Wm. J. McElroy, C. W. Threlkeld,
W. B. M. Brooks, M. E. McKenzie, Harry I. Todd,
Robert M. Carlisle, T. J. Megibben, L. W. Trafton,
George Carter, J. C. Moorman, J. N. Woods,

Those who voted in the negative, were—

A. C. Armstrong, William G. Conrad, J. J. McAfee,
William Brown, J. E. Cosson, Mat. Nunan,
John S. Carpenter, Walter Evans, T. W. Varnon,

Mr. W. Evans then offered the following amendment to said bill, viz:

§ 2. The school fund shall be known as the African School Fund, and shall consist of the money arising from the following sources: 1st. All the taxes paid on all assessed property of colored persons in this State for State revenue purposes, and also an additional tax on such assessed property of twenty cents on the one hundred dollars; 2d. A capitation tax of one dollar on each male citizen of African descent, between the ages of twenty and fifty years, which tax shall be assessed against such persons and collected as other taxes; 3d. All taxes levied on dogs owned or kept by any colored person; all fines and forfeitures imposed by and recovered under any existing law, or under any law hereafter enacted, unless otherwise provided in such future law; all of any sum of money that the State may hereafter collect on what is known as the war claim of the State against the United States Government, and one half of any sum of money that the said United States Government may donate to the State of Kentucky for educational purposes, unless otherwise provided for by said Government. All the money paid into the Treasury from the sources above enumerated shall be paid out annually for the benefit of the colored school children, under the same regulations and in the same manner as the school fund for the white children is paid; but the pro rata annual distribution therefrom shall not exceed the pro rata annual distribution to white children under the common school law of this State.

And the question being taken on the adoption of the amendment proposed by Mr. Evans, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and W. Evans, were as follows, viz:
Those who voted in the affirmative, were—

Thomas P. Cardwell, Walter Evans, Mat. Nunn,
John S. Carpenter, W. H. Evans, Hiram S. Powell,
Josiah H. Combs, Wm. Cassius Goodloe, Jonas D. Wilson,
J. E. Cosson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) George Carter,
Wm. A. Allen, James S. Chrisman, John W. Ogilvie,
George W. Anderson, C. M. Clay, Jr., Julian N. Phelps,
A. C. Armstrong, William G. Conrad, Lewis Potter,
A. S. Arnold, R. L. Cooper, W. L. Reeves,
W. W. Ayers, M. Woods Ferguson, E. A. Robertson,
G. W. Bailey, E. A. Graves, John P. Rowlett,
Alpheus W. Bascom, C. P. Gray, Frank Sacksteder,
W. N. Beckham, George M. Jesse, J. R. Sanders,
John A. Bell, Thomas M. Johnson, Samuel M. Sanders,
S. C. Bell, J. S. Lawson, J. S. Taylor,
Church H. Blakey, Bryan S. McClure, C. W. Thréikeld,
Wm. F. Bond, William J. McElroy, Harry I. Todd,
W. B. M. Brooks, T. J. Megibben, L. W. Trafton,
William Brown, J. C. Moorman, T. W. Varnon,
W. W. Bush, Wm. Mynhier, S. H. Woolfolk,

Mr. Armstrong then offered the following amendment to said bill, which was adopted, viz:

Amend by striking out all after the word "Commissioner," in line 8 of section 8.

Mr. Armstrong also offered the following amendment to said bill, which was adopted, viz:

Amend by striking out the word "four," in line 3 of section 18, and inserting in lieu thereof the word "eight."

Ordered, That said bill, as amended, be read a third time.

Said bill, as amended, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be throughout the State of Kentucky a uniform system of common schools for the education of the children of citizens of African descent.

§ 2. The school fund shall be known as the African School Fund, and shall consist of the following provisions, viz:

1. An annual tax of twenty cents on each one hundred dollars in value of the property owned or held by persons of African descent.
2. A capitation of one dollar on each male citizen of African descent between the ages of twenty-one and sixty years.
3. All taxes levied on dogs owned or kept by any colored person.
4. All fines and forfeitures assessed against any colored person by existing laws in aid of the common schools, shall hereafter be paid into the African School Fund.
§ 3. The revenue arising annually from the resources provided by this act shall constitute the sum to be distributed each year by the Superintendent of Public Instruction, as now provided by the common school law.

§ 4. The assessor of each county shall keep a separate column in his book, showing the enlistment of capitation and taxable property of all colored citizens of African descent therein subject to taxation by the provisions of this act.

§ 5. The sheriff of each county shall be allowed five per cent. of the taxes collected and paid into the Treasury by him for the African School Fund.

§ 6. The sheriff shall appropriate the taxes, or any part thereof, collected from any colored citizen, to whatever fund said colored citizen may designate, in all cases where he is not able to pay the entire tax assessed against him for State, county, school, and municipal purposes.

§ 7. The Auditor shall keep a separate account for the African School Fund, which shall constitute a basis for the Superintendent's annual pro rata distribution to the colored children of this Commonwealth.

§ 8. The Superintendent shall, on or before the first day of September, 1873, and on the same day of each year thereafter, ascertain and estimate, as near as may be, the revenue that may accrue from all sources during the school year, the pro rata share thereof each colored pupil will be entitled to according to the whole number of colored children between the ages of six and twenty years in the State, and the proportion thereof each county and each district will be entitled to according to the whole number of such children residing in such county and district respectively, as shown by the returns of the county commissioner.

§ 9. The county commissioner shall be responsible on his official bond for the proper distribution of whatever portion of the African School Fund may come into his possession, and may receive such additional compensation for his services under this act as the court of claims may allow.

§ 10. The commissioner may lay off the county into suitable districts, most convenient to the greatest number of colored children in each county, so that no district shall contain more than one hundred nor less than twenty colored children of pupil age.

§ 11. In counties where there are not a sufficient number of colored children to form various schools, a single school may be organized and taught in the locality in which the greatest number of colored children reside, and all the colored children in the county shall have the privilege of attending said school.

§ 12. Three colored trustees may be elected by the qualified colored voters in each district, where said voters are competent to hold and conduct an election according to the common school law; but in all cases where said voters are not qualified, the commissioner shall appoint three colored trustees.

§ 13. The trustees shall have the power to provide a suitable schoolhouse, employ a teacher, cause a school to be taught in their respective districts for the benefit of the colored children therein, and they shall notify their parents that it is their privilege to send their children to said school free of charge. They shall also report to the commissioner the length of time said school was taught by a qualified teacher, not less than three months in each year, except where there are not more than twenty colored children in a district, then the school may be taught for a less time than three months, with the consent of the commissioner.

§ 14. The county commissioner shall employ a suitable person to take the census of each district at the proper time, and pay said person a rea-
sonable compensation out of the funds that may be appropriated to said district, if the trustees are not competent; he shall also report to the Superintendent the census of each district, and the African schools taught in his county that are entitled to the pro rata amount due each district reported to him.

§ 15. No person shall be deemed qualified to teach an African common school unless such person shall first have obtained a certificate from the commissioner testifying that he is qualified to teach the simple elements of a plain English education.

§ 16. The teacher of each African common school shall teach six hours each day, keep a register of the school, and within ten days after the close of the session shall report to the commissioner the highest, lowest, and average number of pupils in attendance during the session.

§ 17. The colored teachers may organize a Teachers' County Institute or State Association for themselves.

§ 18. No school-house erected for an African school shall be located nearer than one half mile of a school-house erected for white children, except in cities and towns, where it shall not be nearer than eight hundred feet.

§ 19. The State Board of Education shall prescribe a course of study, and adopt rules for the government of the African common schools.

§ 20. The Superintendent shall make a digest of the school laws which may be applicable under the provisions of this act to the government of African common schools, and distribute the same to the commissioners for the use of the trustees.

§ 21. The provisions of any law on the subject of common schools for the white race in this Commonwealth, so far as the same may be compatible and not inconsistent with the purpose of this act, shall be, and the same are hereby, made applicable to the conduct, management, government, and general control of the common schools for the education of the children of African descent.

§ 22. That the annual tax of twenty cents on each one hundred dollars in value of the property owned or held by all persons of African descent, and the capitation tax of one dollar on each male citizen of African descent between the ages of twenty-one and sixty years, as herein provided for in subsections one and two of section two, shall not be levied or collected until the officers appointed by the county judge of each county shall have opened a poll on the last Saturday in June, 1873, in the various precincts in their respective counties, and taken the sense of the voters of African descent of this Commonwealth upon the propriety and expediency of imposing said capitation tax and said tax of twenty cents on each one hundred dollars in value of the property owned or held by all persons of African descent, and the same shall have been voted for by a majority of the voters who shall vote at said election.

§ 23. That it shall be the duty of the officers conducting said election to propound to each voter the question, “Are you for or against levying a capitation tax of one dollar on each male citizen of African descent between the ages of twenty-one and sixty years, and a tax of twenty cents on each one hundred dollars in value of the property owned by all persons of African descent, to raise a common school fund for their benefit in Kentucky?" and the vote shall be recorded in the affirmative or negative, as the case may be.

§ 24. That it shall be the duty of the sheriff and other officers to make out a correct list of the votes taken under this act, and the county judges and clerks of the several counties shall compare and examine said lists of
their respective counties, and certify the result to the Secretary of State within sixty days after the date of said election.

§ 25. If it appears that a majority of the votes cast under the provisions of this act are cast in the affirmative, it shall be the duty of the Secretary of State to report the same as soon as practicable to the Governor, who shall thereupon issue his proclamation declaring the result. And annually thereafter the tax provided for in subsections one and two of section two of this act shall be levied and collected by the officers who collect all other taxes in this Commonwealth; and the same shall be used only for the education of persons of African descent.

§ 26. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. W. Evans and Cook, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Resolved, That the title of said bill be as aforesaid.

Mr. Gray moved to reconsider the vote by which said bill was passed.

Mr. Force moved to lay said motion on the table.

And the question being taken on the motion of Mr. Force, it was decided in the affirmative.
Mr. McElroy moved to suspend the rules to enable him to offer the following resolution, viz:

Resolved, That the rule of the House requiring a seven eighths vote to suspend the regular order of business be, and the same is hereby, rescinded.

And the question being taken on the motion of Mr. McElroy, it was decided in the negative, the requisite number not having voted therefor.

The yeas and nays being taken thereon, under the rule, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

George W. Anderson, J. E. Cosson, Wm. F. Bond, Walter Evans, William Brown, M. Woods Ferguson, Thomas P. Cardwell,


The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, entitled

An act to pay expenses for certain services rendered by the Sergeant-at-Arms of House of Representatives.
An act to amend the charter of the Newport and Dayton Street Railway Company.

An act to amend an act, entitled “An act to establish a system of common schools in the town of Corydon, in Henderson county.”

Said amendments were severally concurred in.

The House took up also the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled
An act for the protection of sheep in Bracken county.
Said amendments were concurred in, and the title of said bill changed so as to read:
An act to impose an additional tax on dogs in Bracken county.
And then the House adjourned.

WEDNESDAY, APRIL 16, 1873.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of Lewis Plummer, jailer of Lewis county.
An act for the benefit of James Hogg, committee of Nancy Frazier, a pauper idiot, now of Rowan county.
An act for the benefit of S. M. Goble, of Carter county.
An act for the benefit of William R. Williams, of Elliott county.
An act to amend an act, entitled "An act for the benefit of Kenton county."
An act to amend section 191 of act revising the charter of the city of Paducah, Kentucky, approved March the 27th, 1872.
An act to amend section 153, title "City Tax Collector," of an act revising the charter of the city of Paducah, Kentucky, approved March the 27th, 1872.
An act for the benefit of A. J. Cocanaugher, late sheriff of Washington county.
An act to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company," approved February 24, 1870.
An act to incorporate the Lancaster Building and Loan Association.
With an amendment to the last named bill.
And that they had passed bills of the following titles, viz:
1. An act to amend an act, entitled "An act to empower county
courts to take stock in turnpike roads in this Commonwealth," approved March 9, 1868.
2. An act to incorporate the Calhoun and Rockport Packet Company.
3. An act for the benefit of school district No. 27, in Ballard county.
4. An act to appropriate money for the payment of a claim due Henry Dressman, of the city of Covington.
5. An act to appropriate money for the payment of a claim of Henry Woods, of the city of Covington.
6. An act to appropriate money for the payment of taxes due from the State to the city of Covington.
7. An act to prohibit the running of logs, wood, or other lumber, loose, down Licking river.
8. An act to incorporate the Falmouth Turnpike Road Company, in Pendleton county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on County Courts; the 2d to the Committee on Corporate Institutions; the 3d to the Committee on Education; the 4th, 5th, and 6th to the Committee on Claims; the 7th to the Committee on the Judiciary; the 8th to the Committee on Internal Improvement; and the 9th to the Committee on Military Affairs.

On motion of Mr. Cardwell, leave was given to bring in a bill, entitled

A bill for the benefit of A. C. Boyd, school commissioner of Wolfe county.

Ordered, That the Committee on Education prepare and bring in said bill.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to prohibit the sale of spirituous, vinous, or malt liquors at Island Station, or within two miles thereof, in McLean county;
An act to amend an act, entitled "An act to incorporate the Princeton, Marion, and Ohio River Railroad Company," approved March 28, 1872;
An act for the benefit of school district No. 1, in Metcalfe county;
An act repealing the charter of the St. Mathews and Goose Creek Turnpike Road Company;
An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company;
An act to amend section 14 of article 5 of the charter of the city of Hopkinsville, passed March 5, 1870;
An act to authorize the United States to condemn land in the city of Covington as a site for its public buildings;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act to prohibit the sale of spirituous and intoxicating liquors in Rockcastle county, approved March the 1st, 1870;
An act to regulate the pay of the members of the court of claims of Todd county;
An act to prohibit the sale of spirituous or intoxicating liquors at Mercer's Station, in Muhlenburg county;
An act to prescribe and regulate the rates of ferriage upon the Ohio river for boats plying to and from the corporate limits of the town of Greenup;
An act in relation to the sheriff of Calloway county;
An act to amend an act, entitled "An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years, to build a school-house in said district," approved March 5th, 1872, and to establish and maintain a public school in the town of Catlettsburg;
An act to amend the charter of the city of Covington;
An act to authorize a vote upon the sale of liquor in Highland, Lincoln county;
An act to amend an act to charter the town of Prestonville, in Carroll county;
An act to incorporate the Forest Hill Building and Loan Association, of West Covington;
An act to amend an act, entitled "An act to incorporate the town of Cairo, in Henderson county;"
An act to incorporate the Crab Orchard Salts Manufacturing Company, at Crab Orchard Springs;
An act for the benefit of the Paducah and Northeastern Railroad Company;
An act to amend an act, entitled "An act for the benefit of school district No. 16, in Logan county;"
An act to amend an act, entitled "An act for the benefit of common schools in Bracken county;"
An act to amend the charter of the city of Bowling Green;
An act for the benefit of John W. Duncan, collector of the revenue due from Wayne county for the years 1863 and 1864;
An act for the benefit of Henry C. Fitzpatrick, collector of the revenue for Floyd county for the year 1870;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
The message, as ordered on yesterday, being delivered to the Senate, a bill from the Senate, entitled
An act to charter Ohio River, Owenton, and Lexington Railway Company,
Was returned and laid upon the table of the Clerk of the House.
And thereupon Mr. Threlkeld moved to reconsider the vote by which said bill was passed.
A message was received from the Senate, announcing that they had adopted chapter — title "To Adopt the General Statutes," of the proposed Revision of the Statutes.
A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled
An act for the benefit of M. T. Lowery, of Jessamine county.
And that they had passed bills of the following titles, viz:
An act to amend an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870.
An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That said bills be referred to the Committee on Corporate Institutions.
A message was received from the Senate, announcing that they had passed a bill, entitled
An act to incorporate the Transylvania Street Railroad Company.
The rule requiring its reference to a committee being suspended, said bill was taken up, read the first time, and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Wright moved the following resolution, viz:
Resolved, That the regular order of business be suspended until the counties have been called once, on which call each member may have one bill, local to his county or city, reported; but this suspension shall not interfere with any special order, or with the revision of the Statutes, as ordered by the House, or the orders of the day.
Which was adopted.
Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled An act for the benefit of the stockholders of the Bath Seminary, in Bath county,
Reported the same without amendment, and with the expression of opinion that said bill ought not to pass.
The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding?" and it was decided in the negative.
And so said bill was disagreed to.
Mr. Robertson, from the Committee on Religion, to whom was recommitted a bill, entitled A bill to amend an act to prohibit the sale of intoxicating liquors in the county of Bullitt, approved March 21, 1871,
Reported the same without amendment.
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. W. Evans, from the Committee on the Judiciary, to whom leave was referred to bring in a bill, entitled
A bill to reduce into one all the acts relating to the city of Owensboro,
Asked to be discharged from the consideration thereof.
And the question being taken thereon, it was decided in the negative.
And thereupon Mr. Evans, from said committee, reported the bill with the title aforesaid.
Which bill was read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,
Ordered, That said bill be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed.
Resolved, That said bill do pass, and that the title thereof be as aforesaid.
Mr. Threlkeld then moved to reconsider the vote by which said bill was passed.
Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:
By Mr. Cooper, from the Committee on Education—
An act for the benefit of the school trustees of Powell county for the school year ending 30th June, 1872.
By Mr. Ayers, from the Committee on Religion—
An act to prohibit the retail of spirituous, vinous, or malt liquors in the towns of Hudsonville, Constantine, and Cross Roads, in Breckinridge county, or in any part of said county, within six miles of either of said towns.
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to authorize the election of police judge and town marshal in the town of Brownsville, in Edmonson county.
By Mr. Ayers, from the Committee on Religion—
An act for the benefit of the Baptist Church of Bedford, in Trimble county.
By Mr. Anderson, from the Committee on Corporate Institutions—
An act to amend an act incorporating the Williamstown Odd Fellows’ Hall Company.
Ordered, That said bills be read a third time.
The rule of the House and constitutional provision as to the third reading of said bills being 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. Blakey—
1. A bill in relation to condemning mill seats.

On motion of Mr. J. R. Sanders—
2. A bill allowing the erection of public warehouses in Carroll county.

On motion of Mr. F. Sacksteder—
3. A bill to encourage foreign immigration in this State.

_Ordered_, That the Committee on the Judiciary prepare and bring in the 1st; a select committee, consisting of Messrs. Jessee, Taylor, and S. M. Sanders, the 2d; and a select committee, consisting of Messrs. F. Sacksteder, Blakey, E. Polk Johnson, Carpenter, and Beckham, the 3d.

Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act to extend the time of signing the bill of exceptions in the case of Carlisle Hunt's heirs against Elisha Long and Elizabeth Gray, in Greenup circuit court,

_Reordered_, That said bill be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

_Resolved_, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the town of Anderson City.

By Mr. Davidson, from the Committee on Claims—
A bill for the benefit of James A. Allen, jailer of Bourbon county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to charter the Lyon Iron Mining Company.

By same—
A bill to amend the charter of the town of Crofton, in Christian county.
By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to repeal an act to amend the charter of the Winchester and
Red River Turnpike Road Company, approved March 20, 1872.
By same—
A bill to amend an act to incorporate the Commonwealth Printing
Company.
By Mr. Davidson, from the Committee on Propositions and Griev-
ances—
A bill for the benefit of Benjamin Stumbough and others, of John-
son county.
Which bills were read the first time and ordered to be read a second
time.
The rule of the House and constitutional provision as to the second
reading of said bills being dispensed with,
Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third
reading of said bills being dispensed with, and the same being en-
grossed,
Resolved, That said bills do pass, and that the titles thereof be as
aforesaid.
The House then resumed the consideration of the report from the
Senate of their action on the report of the joint committee on the
report of the Commissioners to Revise the Statutes.
Chapter 96, title "Revenue and Taxation," being up for consider-
ation, the amendment proposed by Mr. Todd to the substitute offered
by Mr. Webb, was rejected.
Mr. Blakey offered an amendment to the said substitute, which
was adopted.
The substitute for section 8, article 8, proposed by Mr. Webb, as
amended, reads as follows, viz:
§ 8. That the sheriff or collector of the State revenue in each county of
this Commonwealth shall, on the first day of October, and every ninety
days thereafter, under oath, report to the Auditor of Public Accounts the
amount of taxes he has collected, and pay the same over immediately;
and shall account for and pay all taxes for which he is bound into the
State Treasury by the first day of April in each year; and upon his fail-
ure to do so, he and his sureties shall be liable therefor, and shall be pro-
ceeded against at the first term of the Franklin circuit court. Any person
or persons failing to pay their taxes by the first day of April in the year
following the assessment for such taxes, shall pay five per cent. additional
on the tax so due and unpaid. The Auditor in his settlement with the
sheriff shall charge him with the five per cent. accruing under the pro-
visions of this act.
The question was then taken on the adoption of said substitute, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Foree and Waring, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), W. H. Evans, John P. Rowlett,
Wm. A. Allen, M. Woods Ferguson, J. P. Sacksteder,
George W. Anderson, Wm. Cassius Goodloe, Frank Sacksteder,
W. W. Ayers, Clinton Griffith, J. R. Sanders,
G. W. Bailey, E. Polk Johnson, Samuel M. Sanders,
Alpheus W. Bascom, T. J. Jones, James W. Snyder,
W. N. Beckham, J. J. McAfee, J. S. Taylor,
John A. Bell, M. E. McKenzie, C. W. Threlkeld,
S. C. Bell, J. C. Moorman, Harry I. Todd,
Church H. Blakey, Mat. Nunan, L. W. Trafton,
William Brown, John W. Ogilvie, C. H. Webb,
W. W. Bush, Julian N. Phelps, Mordecai Williams,
Thomas P. Cardwell, Lewis Potter, Jonas D. Wilson,
John S. Carpenter, Hiram S. Powell, J. N. Woods,
R. D. Cook, W. L. Reeves, S. H. Woolfolk,

Mr. Clay then offered the following amendment viz:

In article 2, section 8, strike out the word "bull," wherever it appears in said section.

The question was taken on the adoption thereof, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Clay and Powell, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, R. L. Cooper, Wm. Mynhier,
A. S. Arnold, Joseph M. Davidson, T. J. Megibben,
Wm. F. Bond, Joseph P. Foree, Wm. Mynhier,
W. B. M. Brooks, James Garnett, J. L. Nall,
Robert M. Carlisle, C. P. Gray, E. A. Robertson,
James S. Chrisman, Thomas M. Johnson, T. W. Varnon,
C. M. Clay, Jr., J. S. Lawson, J. L. Waring—23.

Thomas P. Cardwell, Bryan S. McClure,
C. M. Clay, jr., J. C. Moorman,

Those who voted in the negative, were—

Wm. A. Allen, Joseph M. Davidson, John W. Ogilvie,
A. C. Armstrong, Walter Evans, John Rowan,
W. W. Ayers, W. H. Evans, Samuel M. Sanders,
W. B. M. Brooks, Thomas M. Johnson, James W. Snyder,
William Brown, T. J. Jones, J. S. Taylor,
W. W. Bush, Bryan S. McClare, C. W. Threlkeld,
Robert M. Carlisle, William J. McElroy, Harry I. Todd,
James S. Chrisman, M. E. McKenzie, C. H. Webb,
William G. Conrad, J. L. Nall, J. N. Woods,
J. E. Cosson,

Mr. Cook offered an amendment to said chapter, which was rejected.

Said chapter, as amended, was then adopted.

The House then took up also chapter 112, title "Fees."

Amendments thereto were offered by Messrs. Gray, Bascom, Blakey, and Cook, which were severally rejected.

Said chapter was then adopted without amendment.

The House then took up

Chapter 113, title "Revenue Agent."
Chapter 114, title "Sinking Fund."

Each of said chapters were adopted without amendment.

The hour of 2 o'clock, P. M., having arrived, the House then, under the rule, took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again assembled.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Trafton, from the Committee on County Courts—
An act for the benefit of H. C. Parish, of Barren county.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to incorporate the Lockport Odd Fellows' and Masonic Building Company.

By Mr. J. A. Bell, from the same committee—
An act to incorporate the town of Norton, in Hopkins county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Reeves, from the Committee on the Judiciary—
A bill to amend an act, entitled "An act to incorporate the Scuffletown Fence Company," approved 21st March, 1872.

By Mr. Lawson, from the Committee on Religion—
A bill to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Campbellsville," approved March 21, 1871.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill to incorporate the town of Haggard, in Perry county.

By Mr. Clay, from the Committee on Agriculture and Manufactures—
A bill to prevent trespass upon inclosed lands in Harrison county.

By Mr. Clay, from the Committee on Railroads—
A bill to amend the charter of the South Kentucky Railroad Company.

By Mr. Johnson, from the Committee on Codes of Practice—
A bill in relation to inquests of lunacy in Jefferson county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to incorporate the Grand Lodge of the American Protestant Association of Kentucky.

By Mr. Trafton, from the Committee on County Courts.
A bill for the benefit of John F. King, sheriff of Knox county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill for the benefit of the Hodgenville and Elizabethtown Turnpike Road Company.

By Mr. W. Evans, from the Committee on the Judiciary—
A bill to establish tram-tracks or railways to navigable streams and railroads in Rockcastle county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to repeal an act to amend the charter of the town of Harrodsburg, approved February 17, 1872.

Said amendment was taken up and concurred in, and the title of said bill changed so as to read:

An act in relation to granting license for the sale of liquors in the town of Harrodsburg.

Leave of absence, indefinitely, was granted Mr. Cosson.

Mr. T. M. Johnson, from the Committee on Charitable Institutions, who were directed to prepare and bring in the same, reported

A bill for the benefit of T. J. Phillips, jailer of Hardin county.

Which bill was read the first time as follows, viz:

WHEREAS, T. J. Phillips, jailer of Hardin county, has been compelled to furnish diet and lodging to three pauper lunatics during the year 1872, making in all three hundred and fifty-eight days; and whereas, the Auditor refused to pay the account presented by said jailer, for the reason that part of the account was created before the passage of the general law authorizing pay at the rate of $200 per year, and for the further reason that no formal inquest was held over two of said pauper lunatics (Green Merrill and Henry Sharp); and whereas, it seems that said two paupers were so wild and ungovernable it was deemed impracticable to hold an inquest, and it appears that the said lunatics were committed by order of the county court of Hardin county; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, that the Auditor of Public Accounts be, and he is directed, to draw his warrant upon the Treasury in favor of said T. J. Phillips for the sum of one hundred and ninety-six dollars and thirty-seven cents, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect and be in force from and after its passage.

Ordered, That said bill be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage thereof, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (McCreary), Joseph M. Davidson, Lewis Potter,
Wm. A. Allen, John W. Dyer, Hiram S. Powell,
George W. Anderson, Walter Evans, W. L. Reeves,
A. C. Armstrong, W. H. Evans, E. A. Robertson,
A. S. Arnold, M. Woods Ferguson, John P. Rowlett,
W. W. Ayers, Wm. Cassius Goodloe, J. P. Sacksteder,
G. W. Bailey, E. A. Graves, Frank Sacksteder,
Alpheus W. Bascom, C. P. Gray, J. R. Sanders,
W. N. Beckham, Clinton Griffith, C. C. Scales,
John A. Bell, E. Polk Johnson, James W. Snyder,
S. C. Bell, Thomas M. Johnson, J. S. Taylor,
Wm. F. Bond, J. S. Lawson, C. W. Threlkeld,
W. B. M. Brooks, G. W. Little, Harry J. Todd,
William Brown, Bryan S. McClure, L. W. Trafton,
Thomas P. Cardwell, William J. McElroy, T. W. Varnon,
John S. Carpenter, M. E. McKenzie, J. L. Waring,
George Carter, T. J. Megibben, J. M. White,
James S. Chrisman, Wm. Mynhier, Mordecai Williams,
C. M. Clay, J. L. Nall, Jonas D. Wilson,
Josiah H. Combs, Mat. Nunan, J. N. Woods,
William G. Conrad, John W. Ogilvie, S. H. Woolfolk,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. W. Evans, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled An act to incorporate the Nicholasville Building and Accumulating Fund Association,

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 and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the House adjourned.
THURSDAY, APRIL 17, 1873.

A message was received from the Senate, announcing that they had concurred in the amendments proposed by the House to bills, which originated in the State, of the following titles, viz:

An act to amend the charter of the city of Maysville.
An act to amend the charter of the Louisville and Cane Run Road Company.
An act to amend an act to authorize the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.
An act to charter the public schools of Falmouth, and district No. 1, in Pendleton county.
An act to amend chapter 102, entitled "Treasury Warrant Claims," of the Revised Statutes.

That they had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of Jesse Clark, of Bath county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of the town of Livermore, in McLean county.
An act to amend an act, entitled "An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson," approved March 28th, 1872.
An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Frankfort, and for other purposes."
An act to prohibit the submission of the question of taxation for railroad purposes in the county of Henry.
An act to legalize the action of the Warren county court in borrowing seven thousand dollars for bridge purposes, of Warren county.
An act to incorporate the Tradewater Navigation and Manufacturing Company.

With an amendment to the last named bill.
And that they had passed bills of the following titles, viz:

1. An act for the benefit of Alexander Cook and Sarah Cook, of Trimble county.
2. An act for the benefit of the five inferior clerks in the Auditor's Office.
3. An act for the protection of the proprietors and lessees of the Newport and Cincinnati Ferry.
4. An act to direct the appropriation of the road tax and labor in school district No. 12, in Kenton county.
5. An act to prohibit the sale of spirituous, vinous, or malt liquors, or the mixture of either, in Jefferson town precinct, in Jefferson county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Claims; the 3d to the Committee on Propositions and Grievances; the 4th to the Committee on County Courts; and the 5th to the Committee on Religion.

On motion of Mr. Armstrong,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled

An act for the benefit of the school trustees of Powell county for the school year ending 30th June, 1872.

The message having been delivered to the Senate, said bill was returned and laid on the Clerk's table of the House.

And thereupon Mr. Armstrong moved to reconsider the vote by which said bill was passed.

Mr. Griffith, from the joint committee of conference on the disagreement between the two Houses in regard to the amendment proposed by the House to chapter 19, title "Common Schools," of the proposed Revision of the Statutes as reported from the Senate, reported that the said joint committee were unable to agree upon a report thereon.

On motion of Mr. Graves, said committee was discharged from further action thereon.
On motion of Mr. Graves,

Ordered, That a committee, on the part of the House, be appointed, to act in conjunction with such committee as may be appointed by the Senate for the same purpose, in regard to the disagreement between the two Houses with respect to the amendments proposed by the House to chapter 19, title "Common Schools," of the proposed Revision of the Statutes, as reported from the Senate.

And thereupon Messrs. Graves, T. M. Johnson, and Garnett were appointed on said committee, who were instructed to inform the Senate of their appointment, and request the appointment of a committee on the part of the Senate for same purpose.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties," approved February 6, 1873.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be referred to the Committee on Ways and Means.

A message was received from the Senate, announcing that, still insisting on their disagreement to the amendments proposed by the House to chapter 19, title "Common Schools," of the proposed Revision of the Statutes, as reported from the Senate, they had appointed a committee of conference thereon, to act with such committee as is appointed by the House, consisting of same Senators as heretofore announced to the House.

On motion of Mr. Davidson,

Ordered, That a message be sent to the Senate, asking to withdraw therefrom the announcement of the passage by the House of a bill, which originated in the Senate, entitled

An act to incorporate the Rockcastle Railway Company.

Said message having been delivered to the Senate, said bill was returned to the House and laid on the Clerk's table.

The House, according to order, resumed the consideration of the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to Revise the Statutes.
Chapter — title "To Adopt the General Statutes,"

Being under consideration, Mr. Varnon offered an amendment, which was rejected.

Amendments were offered thereto by Messrs. Scales, Threlkeld, McElroy, and Graves, which were rejected.

Mr. Garnett proposed the following amendment, viz:

In article 2, section 1, strike out the words "Magna Charta," in 2d and 3d lines, and insert in lieu thereof the words "Declaration of Independence."

Mr. Graves offered the following as a substitute for the amendment proposed by Mr. Garnett, viz:

Add after the words "Magna Charta," the words "and Declaration of Independence."

And the question being taken on the adoption of the substitute proposed by Mr. Graves, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garnett and McClure, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) R. D. Cook,
Wm. A. Allen, Joseph M. Davidson, Lewis Potter,
W. W. Ayers, Walter Evans, Hiram S. Powell,
Alphans W. Bascom, W. H. Evans, E. A. Robertson,
W. N. Beckham, M. Woods Ferguson, John Rowan,
John A. Bell, Wm. Cassius Goodloe, Frank Sacksteder,
Wm. F. Bond, E. A. Graves, James W. Snyder,
W. B. M. Brooks, C. P. Gray, Harry I. Todd,
William Brown, E. Polk Johnson, L. W. Trafton,
W. W. Bush, T. J. Jones, T. W. Varnon,
Thomas P. Cardwell, T. J. Megibben, J. L. Waring,
Robert M. Carlisle, Wm. Mynhier, F. A. Wilson,
John S Carpenter, Mat. Nunan, Jonas D. Wilson,
George Carter, John W. Ogilvie, J. N. Woods,
B. E. Cassilly, Julian N. Phelps, S. H. Woolfolk—46.

Those who voted in the negative, were—

A. C. Armstrong, John W. Dyer, J. C. Moorman,
A. S. Arnold, James Garnett, W. L Reeves,
G. W. Bailey, Clinton Griffith, Samuel M. Sanders,
S. C. Bell, Thomas M. Johnson, C. C. Scales,
Church H. Blakey, J. S. Lawson, J. S. Taylor,
James S. Chrisman, Bryan S. McClure, C. W. Threlkeld,
R. L. Cooper, M. E. McKenzie, Mordecai Williams—24

Mr. Chrisman offered the following amendment, viz:

In section 1 of article 2, line 12, strike out the words "a syllabus."
The question was taken on the adoption thereof, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Varnon and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) R. L. Cooper, C. W. Threlkeld,
Wm. A. Allen, Walter Evans, T. W. Varnon,
Alpheus W. Bascom, James Garnett, C. H. Webb,
James S. Chrisman, J. S. Taylor,

Those who voted in the negative, were—

George W. Anderson, M. Woods Ferguson, Julian N. Phelps,
A. C. Armstrong, Wm. Cassius Goodloe, Lewis Potter,
A. S. Arnold, E. A. Graves, Hiram S. Powell,
W. W. Ayers, C. P. Gray, E. A. Robertson,
W. N. Beckham, Clinton Griffith, John Rowan,
John A. Bell, E. Polk Johnson, J. P. Sacksteder,
W. B. M. Brooks, Thomas M. Johnson, Frank Sacksteder,
William Brown, T. J. Jones, J. R. Sanders,
W. W. Bush, J. S. Lawson, Samuel M. Sanders,
Thomas P. Cardwell, Bryan S. McClure, C. C. Scales,
Robert M. Carlisle, William J. McElroy, James W. Snyder,
John S. Carpenter, M. E. McKenzie, Harry J. Todd,
George Carter, T. J. Megibben, L. W. Tratton,
B. E. Cassilly, J. O. Moorman, J. L. Waring,
C. M. Clay, Jr., Wm. Mynhier, J. M. White,
William G. Conrad, J. L. Nall, Mordecai Williams,
R. D. Cook, Mat. Nunan, J. N. Woods,
John W. Dyer, John W. Ogilvie, S. H. Woolfolk—55.
W. H. Evans,

Mr. Bascom offered the following amendment, viz:

In section 1 of article 2, strike out the name of "William Johnson," and make remainder of section conform thereto.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Ayers, Wm. Cassius Goodloe, Hiram S. Powell,
John W. Dyer,

Those who voted in the negative, were—

Mr. Speaker (McCreary) R. L. Cooper, Julian N. Phelps,
Wm. A. Allen, Joseph M. Davidson, Lewis Potter,
George W. Anderson, Walter Evans, E. A. Robertson,
A. C. Armstrong, W. H. Evans, John Rowan.
Mr. McElroy offered the following amendment, viz:

In section 1, article 2, in the 15th line, strike out the word “ten,” and insert the word “seven.”

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Chrisman, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary)James S. Chrisman, T. J. Megibben,
Wm. A. Allen, R. D. Cook, Wm. Mynhier,
A. C. Armstrong, C. P. Gray, John W. Ogilvie,
W. W. Ayers, Clinton Griffith, Julian N. Phelps,
Alpheus W. Bascom, Thomas M. Johnson, Lewis Potter,
S. C. Bell, T. J. Jones, Hiram S. Powell,
Thomas P. Cardwell, J. S. Lawson, C. C. Scales,
Robert M. Carlisle, Bryan S. McClure, C. W. Threlkeld,
John S. Carpenter, William J. McElroy, Jonas D. Wilson,

Those who voted in the negative, were—

George W. Anderson, John W. Dyer, J. R. Sanders,
A. S. Arnold, W. H. Evans, Samuel M. Sanders,
W. N. Beckham, M. Woods Ferguson, James W. Snyder,
John A. Bell, E. A. Graves, J. S. Taylor,
Wm. F. Bond, E. Polk Johnson, Harry I. Todd,
W. B. M. Brooks, J. C. Moorman, L. W. Trafton,
William Brown, J. L. Nall, T. W. Varnon,
W. W. Bush, Mat. Nunan, J. L. Waring,
B. E. Cassily, W. L. Reeves, J. M. White,
C. M. Clay, jr., E. A. Robertson, F. A. Wilson,
R. L. Cooper,
Mr. Scales offered the following amendment, viz:

In section 2, article 2, in lines 3 and 4, strike out the words “either by private contract or.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Scales and Brown, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker (McCreary), James S. Chrisman, W. L. Reeves, J. P. Sacksteder,
Wm. A. Allen, C. M. Clay, jr., J. P. Sacksteder, Frank Sacksteder,
A. C. Armstrong, William G. Conrad, Samuel M. Sanders,
A. S. Arnold, R. D. Cook, C. C. Scales,
Alpheus W. Bascom, John W. Dyer, J. S. Taylor,
W. N. Beckham, W. H. Evans, C. W. Thralkeld,
Wm. F. Bond, M. Woods Ferguson, L. W. Trafton,
W. B. M. Brooks, Wm. Cassius Goodloe, Harry I. Todd,
William Brown, C. P. Gray, L. W. Trafton,
Thomas P. Cardwell, Bryan S. McClure, C. H. Webb,
Robert M. Carlisle, William J. McElroy, J. M. White,
John S. Carpenter, T. J. Megibben, J. N. Woods,
George Carter, Mat. Nunan, S. H. Woolfolk—41.
B. E. Cassilly, Lewis Potter,

Those who voted in the negative, were:

George W. Anderson, E. A. Graves, Julian N. Phelps,
W. W. Ayers, Clinton Griffith, E. A. Robertson,
John A. Bell, E. Polk Johnson, John Rowan,
S. C. Bell, Thomas M. Johnson, J. R. Sanders,
Church H. Blakey, T. J. Jones, James W. Snyder,
W. W. Bush, J. S. Lawson, T. W. Varnon,
R. L. Cooper, J. C. Moorman, J. L. Waring,
Joseph M. Davidson, J. L. Nall, Mordecai Williams,
James Garnett,

Amendments were offered by Messrs. Scales, F. A. Wilson, and Varnon, which were adopted.

Mr. F. A. Wilson offered the following amendment, viz:

Strike out section 2 of article 2.

And the question being taken on the amendment proposed by Mr. Wilson, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Chrisman and McElroy, were as follows, viz:

Those who voted in the affirmative, were:

Mr. Speaker (McCreary), R. L. Cooper, W. L. Reeves,
George W. Anderson, Joseph M. Davidson, E. A. Robertson,
A. C. Armstrong, John W. Dyer, John Rowan,
A. S. Arnold, Walter Evans, J. P. Sacksteder,

Those who voted in the negative, were—


Mr. Todd offered the following amendment, viz:

Strike out of 6th section of article 2 all after the word "law," in the 2d line.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yea and nays being required thereon by Messrs. Graves and Gray, were as follows, viz:

Those who voted in the affirmative, were—


James S. Chrisman,

Those who voted in the negative, were—

Mr. W. Evans offered an amendment, which was adopted.

Mr. S. M. Sanders then moved to reconsider the vote by which Mr. Evans' amendment was adopted.

And the question being taken thereon, it was decided in the negative.

Mr. Griffith, from the Committee on Claims, who originated the same, reported

A bill to appropriate money.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be printed, and that the same be postponed to, and made special order of the day for, to-morrow, at 8 o'clock, P. M.

The hour of 2 o'clock, P. M., having arrived, the House then, under the rule heretofore adopted, took a recess till 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again assembled.

Mr. Todd moved to suspend the rules, and allow him to offer the following resolution, viz:

Resolved, That the late rule adopted, and known as the seven-eighths rule, be, and the same is hereby, rescinded.

Objections being made thereto, under the rule, the yeas and nays were called, and resulted as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) William G. Conrad, Julian N. Phelps,
Wm. A. Allen, R. D. Cook, Lewis Potter,
George W. Anderson, R. L. Cooper, Hiram S. Powell,
A. C. Armstrong, John W. Dyer, W. L. Reeves,
A. S. Arnold, W. H. Evans, E. A. Robertson,
G. W. Bailey, M. Woods Ferguson, John Rowan,
Alpheus W. Bascom, E. A. Graves, J. R. Sanders,
W. N. Beckham, C. P. Gray, Samuel M. Sanders,
John A. Bell, Clinton Griffith, C. C. Scales,
S. C. Bell, George M. Jessee, William Sellers,
Church H. Blakey, Thomas M. Johnson, James W. Snyder,
W. B. M. Brooks, J. S. Lawson, J. S. Taylor,
William Brown, G. W. Little, C. W. Threlkeld,
W. W. Bush, J. J. McAfee, Harry I. Todd,
Thomas P. Cardwell, Bryan S. McClure, T. W. Varnon,
Those who voted in the negative, were—


Wm. Cassius Goodloe,

The requisite number having voted to suspend the rule, the same

was taken up and read.

Mr. Chrisman offered the following substitute, by way of amend­

ment, to said resolution, viz:

Resolved, That the following rule, viz: “Resolved, That the following

rule shall be a standing rule of this House during the remainder of this

session of the General Assembly: The regular order of business in this

House shall not be suspended or interrupted unless the same shall be

ordered by a vote of seven-eighth of the members voting, and upon such

question the yeas and nays shall be called: Provided, That the yeas and

nays may not be called when the rules are unanimously suspended,” is

hereby rescinded, and the general rules adopted at the beginning of the

regular session for the regulation of business shall be in force for the

remainder of the session.

The question being taken on the adoption of the amendment as

proposed by Mr. Chrisman, it was decided in the affirmative.

The resolution, as amended, was then adopted.

Mr. Chrisman moved to reconsider the vote by which said resolu­

tion, as amended, was adopted.

Mr. Arnold moved to lay the motion of Mr. Chrisman on the table.

And the question being taken on the motion of Mr. Arnold, it was

decided in the affirmative.

The House then, according to order, resumed the consideration of

a bill from the Senate, entitled

An act to amend and reduce into one the several acts concerning

the management of the Wilderness Turnpike Road,

And the amendment (substitute) proposed thereto by the committee.

Mr. Speaker McCrea1·y offered amendments to the amendments

proposed by the committee, which were adopted.

Said substitute, as amended, was then adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third

reading of said bill being dispensed with,

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Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Jessee, the Committee on Charitable Institutions are directed to report to the House at 12 o'clock, M., to-morrow, a bill from the Senate, entitled

An act concerning the various charitable institutions in this Commonwealth.

The House took up the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Tradewater Navigation and Manufacturing Company.

An act to incorporate the Owensboro Building and Loan Association.

An act to authorize the sheriff and master commissioner of Fayette county to advertise sales of real and personal property in said county.

An act in regard to certain streets in the city of Louisville.

An act to incorporate the Lancaster Building and Loan Association.

Said amendments were severally concurred in.

The House then took up the following joint resolution from the Senate, entitled

Resolution in relation to the final adjournment of this General Assembly.

Resolved by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Friday, the 18th day of April, 1873, they will adjourn sine die.

Mr. Arnold moved to amend said resolution by striking out the words "Friday, the 18th day of April, 1873," and inserting in lieu thereof the words "Tuesday, the 22d day of April, 1873, at 12 o'clock, M."

Mr. Davidson offered an amendment to the amendment proposed by Mr. Arnold.

Mr. Carlisle offered a substitute for the Senate resolution and the proposed amendments, which was rejected.

Mr. Davidson, by consent of the House, withdrew his proposed amendment.

The question was then taken on the adoption of the amendment proposed by Mr. Arnold, and it was decided in the affirmative.
The resolution, as amended, reads as follows, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky:
That when they adjourn on Tuesday, the 22d day of April, 1873, at 12 o'clock, M., they will adjourn sine die.

Said resolution, as amended, was then adopted.

Mr. W. Evans moved to reconsider the vote by which said resolution, as amended, was adopted.

Mr. Graves moved to lay the motion of Mr. W. Evans on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Graves and Reeves, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—


John W. Dyer, Hiram S. Powell,

Mr. Davidson moved to reconsider the vote by which the House passed a bill from the Senate, entitled

An act to incorporate the Rockcastle Railway Company.

And the question being taken on the motion of Mr. Davidson, it was decided in the affirmative.

On motion of Mr. Davidson, the vote by which said bill was ordered to be read a third time was also reconsidered.
Mr. Davidson then offered an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. F. Sacksteder, from the Committee on Banks, who were directed to prepare and bring in the same, reported

A bill for the benefit of the Bank of Louisville.

Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on Banks.

Mr. Armstrong, from the Committee on Education, to whom was referred a bill from the Senate, entitled

An act to amend the charter of the city of Louisville,

-Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was then read a third time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That section 88 of an act, entitled "An act establishing a new charter for the city of Louisville," be amended so as to read as follows: Section 88. No person shall be eligible as a trustee of said schools who has not attained the age of 30 years; and is not the owner of real estate or a housekeeper, who is not a citizen of the United States, a competent voter, and a bona fide resident of the ward for which he may be chosen, or who has not been a resident of the Commonwealth of Kentucky for 5 years, and of the city of Louisville 3 years, next preceding his election; and if, after election, any member of said board of trustees should move out of the ward for which he was chosen, or who becomes a candidate for, or accept any office, the holding or discharging of which would render him ineligible, his seat shall thereby be vacated, and the vacancy supplied as hereinbefore provided.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. P. Sacksteder and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, E. A. Graves, J. L. Nall, George W. Anderson, C. P. Gray, Mat. Nunan, A. C. Armstrong, Clinton Griffith, John W. Ogilvie, Alpheus W. Bascom, George M. Jessee, Lewis Potter,
Resolved, That the title of said bill be as aforesaid.

The House then took up the motion heretofore made to reconsider the vote by which the House passed a bill from the Senate, entitled An act to charter the Ohio River, Owenton, and Lexington Railway Company.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

On motion of Mr. Threlkeld, the vote by which said bill was ordered to be read a third time was also reconsidered.

Mr. Threlkeld then offered an amendment to said bill, which was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to incorporate the Falmouth Turnpike Road Company, in Pendleton county.

By Mr. Armstrong, from the Committee on Education—
An act for the benefit of George W. Sewall, common school commissioner of Breathitt county.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to amend an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870.
By same—
An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.

By Mr. McClure, from the Committee on Religion—
An act authorizing druggists to sell spirituous liquors by retail in the town of West Liberty.

By Mr. Ogilvie, from the Committee on Internal Improvement—
An act to incorporate the Mayslick and Mill Creek Turnpike Road Company, in Mason county.

By same—
An act for the benefit of the Tuckahoe Ridge Turnpike Road, in Mason county.

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to incorporate the Southwest Kentucky Immigration and Real Estate Company.

By Mr. Armstrong, from the Committee on Education—
An act for the benefit of school district No. 27, in Ballard county.

By Mr. Trafton, from the Committee on County Courts.
An act for the benefit of William Paul, William Dayton, and Milton Humble, of Robertson county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
An act to amend the charter and laws of the town of Bellevue, in Campbell county.

By Mr. Graves, from the Committee on Ways and Means—
An act to amend an act, entitled "An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties;" approved February 6, 1873.

By Mr. Waring, from the Committee on Railroads—
An act to incorporate the Mountain Railroad, Mining, and Manufacturing Company.

By Mr. Armstrong, from the Committee on Corporate Institutions—
An act to incorporate the Calhoun and Rockport Packet Company.

With amendments to the last two named bills, which were adopted.

Ordered. That said bills, the last two named as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,
Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to incorporate the Louisville Locomotive and Car Company.

By Mr. Brown, from the Committee on County Courts—
A bill for the benefit of Andrew J. McCampbell, late sheriff of Jessamine county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to incorporate the Kentucky Central Park Association, of Boyle county.

By same—
A bill to amend an act, entitled "An act to incorporate the Louisville Orphans' Home Society," approved February 26, 1849.

By Mr. Reeves, from the Committee on the Judiciary—
A bill to amend an act to incorporate the Massie's Mill Turnpike Road Company," approved March 7, 1868.

By same—

By Mr. McKenzie, from the Committee on Propositions and Grievances—
A bill to incorporate the town of Cherry Hill, in Trigg county.

By Mr. Gray, from the Committee on Education—
A bill for the benefit of school district No. 29, in Washington county.

By Mr. Anderson, from the Committee on Corporate Institutions—
A bill to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county."

By same—
A bill to amend an act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.
The rule of the House and constitutional provision as to the third reading of said 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.

FRIDAY, APRIL 18, 1873.

A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a bill, which originated in the State, entitled

An act to incorporate the Nicholasville Building and Accumulating Fund Association.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate and create the office of county treasurer in the counties of Perry and Harlan.

An act for the benefit of W. S. Allen, late sheriff of Breathitt county, and his securities.

An act to legalize a certain survey made in the name of William Day, in Morgan county.

An act to authorize a portion of Jamestown magisterial district, in Campbell county, to purchase the Newport and Dayton Turnpike, and to bridge Taylor's creek.

An act to legalize a certain survey made in the name of D. P. Mosley and J. H. Amyx, in Morgan county.

An act for the benefit of Spencer King, sheriff of Bell county.

An act to repeal an act, entitled "An act for the benefit of common school district No. 31, in Bullitt county," approved March 15, 1871.

An act to regulate official advertisements of sales of sheriffs and master commissioners in the county of Jessamine.
An act for the benefit of school district No. 17, in Garrard county.
An act for the benefit of Nelson Durham, late sheriff of Bell county.
An act to incorporate the Spinoza Society, of Fayette county.
An act to amend an act, entitled "An act to incorporate the Simpson County Agricultural and Mechanical Association," approved January 27, 1863.
An act for the benefit of T. J. Phillips, jailer of Hardin county.
An act for the benefit of the Hodgenville and Elizabethtown Turnpike Road Company.
An act to give validity to the last will and testament of James J. Andrews, deceased, late of Fleming county.
With a substitute, by way of amendment, to the last named bill.
And that they had passed bills of the following titles, viz:
1. An act to incorporate the Wrightson Printing Company.
2. An act for the benefit of common school district No. 1, in Pendleton county.
3. An act for the benefit of school district No. 21, in Carroll county.
4. An act to amend an act, entitled "An act for the benefit of common school district No. 1, in Allen county."
5. An act for the benefit of Silas H. Hammonds, common school commissioner of Powell county.
6. An act to require all corporations, created by or under any law of this Commonwealth, to keep their chief office within its limits.
7. An act to change and fix the times of holding the Estill county quarterly courts.
8. An act for the benefit of Trimble county, in voting subscription of stock to railroads.
9. An act to change the time of holding elections for directors of the Bank of New Castle.
10. An act for the benefit of Wells, Mitchell & Co.
11. An act to provide for the compensation of E. I. Bullock, G. W. Craddock, and J. M. Nesbitt, for services before the joint committee on the Revision of the Statutes.
13. An act to establish an additional justices' district in Bath county.
14. An act for the benefit of T. J. Smith and others.

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15. An act for the benefit of the city of Lexington.
16. An act extending further time to the county of Boyle in which to provide fire-proof vaults for county records.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st and 6th to the Committee on Corporate Institutions, the 2d, 3d, 4th, and 5th to the Committee on Education; the 7th, 13th, and 16th to the Committee on County Courts; the 8th to the Committee on Railroads; the 9th and 10th to the Committee on Banks; the 11th to the Committee on Claims; the 12th to the Committee on Propositions and Grievances; and the 14th and 15th to the Committee on the Judiciary.

A message was received from the Senate, announcing that they had adopted joint resolutions, entitled

Resolutions in regard to the State of Louisiana.

Mr. Beckham, from the committee heretofore raised to report upon the collection of the claims of the State of Kentucky against the United States Government, made the following report, viz:

Your Committee respectfully report, that, acting under a resolution of the House of March 21st, they have made a full investigation of the matters connected with the collection of the "Kentucky War Claims."

They have had submitted to them the sworn statements of a number of witnesses, who possessed peculiar advantages for obtaining such information as the Committee sought.

From the statements of the Board of Commissioners of the Sinking Fund, they find that Gen. Hewitt, Quarter-Master General of the State, was directed by them, under authority of acts of the General Assembly, approved March 10th, 1870, and March 22d, 1871, to proceed to Washington and undertake and prosecute the collection of the claims of the State of Kentucky against the United States Government.

By authority of said acts, before referred to, they directed General Hewitt to secure the services of such persons as might be necessary to expedite and secure said collections.

Your Committee is of opinion, in view of all the difficulties, as shown by the proof, attending the collection of any claim against the Government, however just it may be, that the "kind and character of services rendered by these parties" were such as the exigencies of the cases demanded, and that the money used was wisely and judiciously expended. In this opinion they are strengthened by the happy result which followed.

From the statements of all the witnesses, your Committee is of the opinion, that, in the collection of said claims, the State of Kentucky has been peculiarly fortunate; since the per centage of cost for said collection amounts to but a fraction over seven per centum upon the gross
amount collected, while no other State claim, so far as your Committee
is informed, has been collected for less than ten per centum.

The State of Pennsylvania, for the collection of claims amounting in
the aggregate to over three millions of dollars, paid ten per centum upon
the aggregate amount collected.

Maryland paid (30) thirty per centum on the first ten thousand col-
lected, and contracted to pay (20) twenty per centum on all sums over
that amount which might be collected.

The testimony further shows, that the collection has been made by
Gen. Hewitt at a much lower rate than it would have been made had the
very lowest proposals of other parties offering to collect the same been
accepted.

One of the claims of the State was known as the "Scott and Triplett
Gun Claim," and amounted to the sum of ($146,000) one hundred
and forty-six thousand dollars. It was for guns purchased by the State, to
arm her State forces, for service in the field during the late war: The
agent of the State had made two ineffectual efforts to collect it, but
failed, and had finally withdrawn the claim from the Department at
Washington.

The Sinking Fund Commissioners, thinking the claim against the
Government to be wholly worthless, ordered Gen. Hewitt to sell the
guns for whatever sum he could get.

He offered said guns to various parties at sums ranging from ($15)
fifteen dollars down to ($2 50) two dollars and fifty cents, without being
able to effect a sale. Had he sold them at the lowest sum for which he
offered them, the sum received would have amounted to but ($12,500)
twelve thousand five hundred dollars.

When Gen. Hewitt went to Washington, the lowest offer made by any
one to collect the "Scott and Triplett Gun Claim" was (33½)
thirty-three and one third per centum on the whole amount of that particular
claim collected, and that only upon condition that the remainder of the
claims of the State be placed in the hands of the same party at (15)
fifteen per centum.

No claim agent would take the Scott and Triplett claim at any price,
alone, but only in conjunction with the other claims, as stated above.

The proof shows that Gen. Hewitt collected said claim at the cost of
about (18) eighteen per centum of the whole amount—one hundred and
forty-six thousand dollars—thereby saving to the State (15) fifteen per
cent., the difference between the cost of collection by him and the lowest
offer made by others.

The rate for the collection of the whole amount collected has been
stated in this report at seven per centum; but exclusive of this claim,
which was considered as wholly worthless, and the collection of which
surprised every one familiar with it, the total cost of collection has been
less than five per centum, which amount, in view of the high rates paid
by other States, is remarkably low.

All the witnesses testify to the zeal, energy, and industry of General
Hewitt in overcoming the almost insurmountable difficulties which met
him at every step in the prosecution of these claims. Those difficulties
are so numerous, and the objections of Department officials so often
wholly unexpected, that the most delicate tact and the soundest discrimination in the selection of assistants are necessary to conduct to a successful issue any claim, even though it should not meet with the extraordinary opposition which was encountered in the prosecution of the Kentucky War Claim.

The strongest proof of Gen. Hewitt's fidelity to the State, and of the ability with which he performed the difficult and delicate duties assigned him, is to be found in the substantial fruits of his labors which the State has reaped, in the sum of about eight hundred and fifty thousand dollars collected by him and paid into the Treasury. Your Committee desires to reiterate the opinion, that, in the collection of these claims, the strictest economy has been practiced, and they point to the results achieved as evidence of the fact that the sums paid have been for services which resulted largely to the benefit of the Commonwealth.

It is proper to say, that nearly one half of the amount expended by Gen. Hewitt was expended in the collection of the Scott and Triplett Gun Claim; and to add, that subsequent collections have been made with a constantly diminishing expenditure; and it is the opinion of Gen. Hewitt, that the claims yet pending against the General Government (amounting to more than one half million dollars) can be collected at a less cost than has attended any of the collections already made.

W. N. BECKHAM, Chairman,
CHURCH H. BLAKEY,
E. POLK JOHNSON,
J. M. WRIGHT.

Ordered, That the Public Printer print five hundred copies of said report for the use of the House, and that the consideration of the same be postponed to, and made special order of the day for, 10 o'clock, A.M., to-morrow.

A message was received from the Senate, announcing that they had adopted the report of the special committee of the Senate, to whom was referred the special message of the Governor in relation to the anomalous condition of affairs in the State of Louisiana, which was laid before the House.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the Louisville and Cane Run Turnpike Road Company;

An act to incorporate the Harlan County Mining and Railroad Company;

An act to repeal the fourth section of an act, entitled "An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company;"
An act for the benefit of common school district No. 1, in Lawrence county;
An act to amend chapter 102, entitled "Treasury Warrant Claims," of the Revised Statutes;
An act amending an act, approved February 6, 1873, entitled "An act partitioning the Fairfield and Samuels' Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox's Creek Turnpike Road Company, and the Samuels' Depot and Cox's Creek Turnpike Road Company;"
An act for the benefit of Perry Jefferson, sheriff of Mason county;
An act for the benefit of Simon Humphrey, late sheriff of Nelson county;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz.:
An act for the benefit of Sanford Goin, of Franklin county;
An act for the benefit of Lewis Plummer, jailer of Lewis county;
An act to amend the charter of the town of Livermore, in McLean county;
An act to amend an act, entitled "An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson," approved March 28th, 1872;
An act in relation to persons convicted of penal offenses in Union county;
An act for the benefit of James Hogg, committee of Nancy Frazier, a pauper idiot, now of Rowan county;
An act for the benefit of S. M. Goble, of Carter county;
An act to incorporate the Mt. Sterling Gas-light Company;
An act for the benefit of William R. Williams, of Elliott county;
An act for the benefit of M. T. Lowery, of Jessamine county;
An act to repeal an act to amend the charter of the town of Harrodsburg, approved February 17, 1872;
An act to pay expenses for certain services rendered by the Sergeant-at-Arms of House of Representatives;
An act for the benefit of Thos. H. Curd, Geo. W. Nell, and W. J. Page;
An act to change the boundary line of the town of Clinton, in Hickman county;
An act to repeal an act, entitled "An act to amend the charter of the Danville and Hastonville Turnpike Road Company," approved February 24, 1870;
An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Frankfort, and for other purposes;"

An act to amend an act, entitled "An act for the benefit of Kenton county;"

An act to prohibit the submission of the question of taxation for railroad purposes in the county of Henry;

An act to amend section 191 of act revising the charter of the city of Paducah, Kentucky, approved March the 27th, 1872;

An act to amend section 153, title "City Tax Collector," of an act revising the charter of the city of Paducah, Kentucky, approved March the 27th, 1872;

An act repealing an act preventing the setting of nets, seining, &c., in the streams, or parts of streams, in the counties of Trimble and Carroll;

An act for the benefit of A. J. Cocanaugher, late sheriff of Washington county;

An act to legalize the action of the Warren county court in borrowing seven thousand dollars for bridge purposes, of Warren county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

A message was received from the Governor by Mr. Craddock, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Lynnville, in Graves county.

An act to empower the county court of Mercer county to make subscription to capital stock in turnpike roads in Mercer county.

An act to incorporate the Falls City Club, of the city of Louisville.

An act to authorize any constable of Washington county to execute final process from certain courts.

An act to incorporate Clay Lodge, No. 1, Knights of Pythias.

An act to amend an act, entitled "An act to amend and make into one the several acts relating to the charter and amendments thereto of the town of Mt. Sterling," approved March 18, 1871, and to repeal chapter 262.

An act to incorporate the American Industrial College.

An act to change the time of holding the circuit courts in the thirteenth judicial district.
An act to exempt certain lands within the corporate limits of the town of Greenup from municipal taxation.

An act for the benefit of Jos. W. Winlock.

An act amending an act, approved January 24th, 1871, entitled "An act to amend and reduce into one the several acts in relation to the road laws in Greenup county."

An act to provide for the construction and completion of turnpike roads in Scott county.

An act to amend and reduce into one the several acts relating to Stanford Female College.

An act to incorporate the Immigration Association of Kentucky.

An act for the benefit of school district No. 59, in Hart county.


An act for the benefit of Bethel Academy, in the county of Jessamine.

An act to incorporate the Columbia Christian College.

An act to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district.

An act to incorporate the Oakland Iron Company.

An act to incorporate the Henderson Water-works Company.

An act to amend an act, entitled "An act to provide for the location and erection of the Third Lunatic Asylum."

An act to authorize the holding of special chancery courts in the county of Rockcastle.

An act to limit the jurisdiction of the police judge of the town of Dixon, in Webster county.

An act for the benefit of turnpike district No. 2, in Henry county.

An act in relation to the sheriff of Calloway county.

An act to incorporate the Forest Hill Building and Loan Association, of West Covington.

An act to amend the charter of the city of Bowling Green.

An act to amend an act, entitled "An act for the benefit of school district No. 16, in Larue county."

An act for the benefit of the Paducah and Northeastern Railroad Company.

An act to amend an act, entitled "An act for the benefit of common schools in Bracken county."

An act to prohibit the sale of spirituous or intoxicating liquors at Mercer's Station, in Muhlenburg county.
An act to prescribe and regulate the rates of ferriage upon the Ohio river for boats plying to and from the corporate limits of the town of Greenup.

An act for the benefit of John W. Duncan, collector of the revenue due from Wayne county for the years 1863 and 1864.

An act for the benefit of Henry C. Fitzpatrick, collector of the revenue for Floyd county for the year 1870.

An act to incorporate the Crab Orchard Salts Manufacturing Company, at Crab Orchard Springs.

An act to regulate the pay of the members of the court of claims of Todd county.

An act to amend an act, entitled "An act to incorporate the town of Cairo, in Henderson county."

An act to authorize a vote upon the sale of liquor in Highland, Lincoln county.

An act to amend the charter of the city of Covington.

An act to re-enact an act, entitled "An act to incorporate the Boyd County Navigation, Manufacturing, and Improvement Company," approved February 8th, 1871.

An act to amend an act to charter the town of Prestonville, in Carroll county.

An act to amend an act, entitled "An act giving the trustees of the common school district in Catlettsburg the right to levy a tax for two years, to build a school-house in said district," approved March 5th, 1872, and to establish and maintain a public school in the town of Catlettsburg.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. McAfee, from the Committee on Military Affairs—
An act for the benefit of Wm. T. Moore.

By Mr. Reeves, from the Committee on the Judiciary—
An act for the benefit of Alexander Cook and Sarah Cook, of Trimble county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.
Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Taylor, from a select committee—
A bill allowing the erection of public warehouses in Carroll county.

By Mr. J. A. Bell, from the Committee on Corporate Institutions—
A bill for the benefit of the town of Clinton.

By same—
A bill to incorporate the Cumberland Valley Mining Company.

By Mr. Bascom, from the Committee on the Penitentiary—
A bill in relation to the convicts of the Penitentiary.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Mr. Todd offered an amendment to the last named bill, which was adopted.

Ordered, That said bills, the last named as amended, be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Graves, from the joint committee of conference on the disagreement of the two Houses, with regard to the amendments proposed by the House to chapter 19, title "Common Schools," of the proposed Revision of the Statutes, as reported by the Senate, made a report, which was taken up and adopted.

A message was received from the Senate, announcing that the Senate had also adopted said report.

The House then took up and proceeded to consider still further the report from the Senate of their action on the report of the joint committee on the report of the Commissioners to Revise the Statutes.

Chapter —, title "To Adopt the General Statutes;"

Being up for consideration, Mr. Powell moved to reconsider the vote by which the House, on yesterday, rejected the amendment proposed "to strike out of article 2, section 6, all thereof, beginning at line 3, to the end of said section."

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Mr. Graves moved to lay the motion to reconsider said vote on the table.

And the question being taken on the motion of Mr. Graves, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Graves and McElroy, were as follows, viz:

Those who voted in the affirmative, were—


E. A. Graves, Those who voted in the negative, were—


C. M. Clay, Jr., Hiram S. Powell.

The question was then taken on the motion to reconsider said vote, and it was decided in the affirmative.

The question was then again taken on the adoption of the amendment aforesaid, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Graves, were as follows, viz:

Those who voted in the affirmative, were—

Those who voted in the negative, were—

Mr. Speaker (M'Creary)  Walter Evans,  John Rowan,
Wm. A. Allen,  E. A. Graves,  J. R. Sanders,
A. S. Arnold,  C. P. Gray,  Samuel M. Sanders,
W. W. Ayers,  Clinton Griffith,  James W. Snyder,
G. W. Bailey,  Thomas M. Johnson,  J. S. Taylor,
S. C. Bell,  T. J. Jones,  T. W. Varnon,
Church H. Blakey,  J. S. Lawson,  C. H. Webb,
Wm. F. Bond,  Bryan S. McClure,  Mordecai Williams,
Robert M. Carlisle,  M. E. McKenzie,  F. A. Wilson,
James S. Chrisman,  J. C. Moorman,  J. N. Woods,
Joseph M. Davidson,  John W. Ogilvie,  S. H. Woolfolk—35.
John W. Dyer,  Lewis Potter,  

The question was then taken on the adoption of the chapter as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary)  R. L. Cooper,  W. L. Reeves,
Wm. A. Allen,  Joseph M. Davidson,  E. A. Robertson,
George W. Anderson,  John W. Dyer,  John Rowan,
A. C. Armstrong,  M. Woods Ferguson,  John P. Rowlett,
A. S. Arnold,  Joseph P. Force,  J. P. Sacksteder,
W. W. Ayers,  James Garnett,  Frank Sacksteder,
G. W. Bailey,  E. A. Graves,  J. E. Sanders,
Alpheas W. Bascom,  C. P. Gray,  Samuel M. Sanders,
W. N. Beckham,  Clinton Griffith,  C. C. Scales,
John A. Bell,  E. Polk Johnson,  James W. Snyder,
S. C. Bell,  Thomas M. Johnson,  J. S. Taylor,
Church H. Blakey,  T. J. Jones,  C. W. Threikeld,
Wm. F. Boud,  J. S. Lawson,  Harry I. Todd,
W. B. M. Brooks,  J. J. McAfee,  L. W. Trafton,
W. W. Bush,  Bryan S. McClure,  T. W. Varnon,
Thomas P. Cardwell,  M. E. McKenzie,  J. L. Waring,
Robert M. Carlisle,  T. J. Megibben,  J. M. White,
John S. Carpenter,  J. C. Moorman,  Mordecai Williams,
George Carter,  Wm. Mynhier,  F. A. Wilson,
B. E. Cassilly,  J. L. Nall,  J. N. Woods,
James S. Chrisman,  John W. Ogilvie,  S. H. Woolfolk,
William G. Conrad,  Lewis Potter,  :

Those who voted in the negative, were—

William Brown,  W. H. Evans,  Hiram S. Powell,
Joseph H. Combs,  Wm. Cassius Goodloe,  William Sellers,
R. D. Cook,  Wm. J. McElroy,  C. H. Webb,
Walter Evans,  Mat. Nunan,  Jonas D. Wilson—12.
Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled
An act to prohibit the running of logs, wood, or other lumber, loose, down Licking river,
Reported the same without amendment.
The consideration of said bill was cut off by the arrival of the hour for taking up a special order.
According to order, Mr. W. Evans, from the Committee on Charitable Institutions, to whom was referred a bill from the Senate, entitled
An act concerning the various charitable institutions in this Commonwealth,
Reported the same with a substitute therefor by way of amendment.

Mr. Beckham then moved the previous question.
And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Baker and Brown, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

William Brown, E. Polk Johnson, J. L. Waring,  
Robert M. Carlisle, Thomas M. Johnson, J. N. Woods,  

But before said order could be executed, the hour of 2 o'clock, P. M., arrived, when, under the rule, the House took a recess until 7½ o'clock, P. M.

At 7½ o'clock, P. M., the House again assembled.

On motion, Messrs. Blackburn and White were permitted to record their votes on the resolutions offered by Mr. Ogilvie, in regard to the action of the last Congress of the United States in voting to increase their own and the salaries of other officers. They each voted in the affirmative on the adoption of the resolutions as amended, and the Clerk was directed to insert their votes on the yeas and nays called thereon.

Mr. Blackburn was also permitted to record his vote on the question to adopt chapter  — title “To Adopt the General Statutes,” which he did, in the affirmative.

The House then, according to order, resumed the consideration of a bill from the Senate, entitled

An act concerning the various charitable institutions in this Commonwealth.

By consent of the House, Mr. Varnon was permitted to offer the following amendment to the original bill, viz:

Amend section 1, line 2, by adding the following words: “except the Kentucky Asylum at Danville, for the Tuition of the Deaf and Dumb.”

Amend section 2, by striking out all after the word “Asylum,” in 10th line, down to and including “Dumb,” in the 13th line.

Amend section 11, in line 8, by striking out the words “for the Kentucky Asylum for the Education of the Deaf and Dumb.”

Amend same section, by striking out in line 17 the following words: “and the Steward of the Kentucky Asylum for the Education of the Deaf and Dumb.”

Mr. J. P. Sacksteder moved to reconsider the vote by which the previous question was ordered.

And the question being taken on the motion of Mr. Sacksteder, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and E. Polk Johnson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) R. L. Cooper, W. L. Reeves,
George W. Anderson, Joseph M. Davidson, J. P. Sacksteder,
Those who voted in the negative, were—

Wm. A. Allen, John W. Dyer, Lewis Potter,
A. S. Arnold, Walter Evans, Hiram S. Powell,
W. W. Ayers, W. H. Evans, E. A. Robertson,
Alpheus W. Bascom, E. A. Graves, John Rowan,
W. N. Beckham, C. P. Gray, John P. Rowlett,
S. C. Bell, Clinton Griffith, Samuel M. Sanders,
Church H. Blakey, T. J. Jones, William Sellers,
Wm. F. Bond, J. S. Lawson, James W. Snyder,
W. B. M. Brooks, G. W. Little, J. S. Taylor,
W. W. Busb, J. J. McAfee, Harry I. Todd,
Thomas P. Cardwell, Bryan S. McClure, L. W. Trafton,
Robert M. Carisle, William J. McElroy, T. W. Varnon,
John S. Carpenter, M. E. McKenzie, C. H. Webb,
George Carter, J. C. Moorman, J. M. White,
James S. Chrisman, Wm. Mynhier, F. A. Wilson,
C. M. Clay, jr., J. L. Nall, Jonas D. Wilson,
Josiah H. Combs, Mat. Nunn, J. N. Woods,
R. D. Cook, Julian N. Phelps,

The substitute proposed by the committee for the bill from the Senate reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the State House of Reform for Juvenile Delinquents is hereby reorganized and re-established, and shall be named and styled the Third Lunatic Asylum of Kentucky; by which name it is hereby declared a body-politic and corporate, and by it may sue and be sued, contract and be contracted with; and have and use a common seal, which it may alter at pleasure; and shall have all other rights and privileges incident to corporations necessary to carry out the objects and purposes for which the said asylum is reorganized and re-established.

§ 2. It shall be the duty of the Governor, as soon as may be after the passage of this act, to nominate and appoint, subject to the approval of the Senate, to whom such nominations shall be reported, five discreet business men of the county in which said asylum is located, as a board of commissioners for said asylum, each of whom shall hold office for four years, and until his successor is qualified. Said board of commissioners, and their successors in office, shall ever be trustees of the State to see that the said asylum and all its appurtenances are faithfully used and applied as may be directed by law.
§ 3. The board of commissioners of said asylum, and their successors in office, are hereby authorized and empowered to receive by gift, devise, or otherwise, lands, money, and other property for the benefit of the State, in aid and furtherance of the objects and purposes of said asylum, and the same to retain, use, and apply to the benefit of the said asylum.

§ 4. That all the funds and effects of said asylum shall be under the management and control of said board of commissioners, and their successors in office, as trustees of the State, in aid and for the purposes aforesaid, subject to the rules and conditions herein specified; and as such trustees they are authorized and empowered, from and after the 30th day of April, 1873, to take possession of all lands, buildings, papers, bonds, stocks, improvements, and effects belonging to said House of Reform for Juvenile Delinquents, wherever they may be found, and of whatever they may consist, the title to all of which is now transferred to and vested in them; and they shall so hold, retain, manage, and apply the same as may be best calculated to build up and sustain the interest of said asylum, and secure the objects and purposes to which it is henceforth to be devoted: Provided, however, That the said board of commissioners, and their successors in office, shall be governed in every instance by such restrictions and conditions as may accompany any grant of aid by the Legislature, or a gift or bequest by any person, subject, however, to the control of the General Assembly.

§ 5. That said board of commissioners, and their successors in office, and also the board of managers of each of the Lunatic Asylums of this State, shall keep a true and correct account of all their proceedings and acts as a board, and cause to be kept by their secretary and treasurer a true and complete record of all moneys received and disbursed by them, shewing from whence derived and for what expended, also of bonds or bills receivable or payable, and of all other accounts and proceedings incident to the management of said asylums, all of which shall be open at any time subject to the inspection of the public and of any committee or commissioner appointed by the Legislature for the examination of the same; and it shall be the duty of the board of commissioners, for the time being, of each and every of said asylums, to present to the Governor annually, and he is to lay before the General Assembly, within the first week of their session, a statement of the funds and the receipts and the expenditures and condition of their respective institutions, and of the number of the inmates received and cared for therein during the year immediately preceding, and the parts of the State from whence they came, distinguishing between those who have been supported gratuitously and others.

§ 6. That the boards of commissioners or managers, and their successors in office, of each of said asylums, separately and severally, shall have the power, and such power is hereby vested in them, to appoint one of their own number president or chairman of their respective boards; and they may also appoint such other officers, including steward, matron, treasurer, and assistant physician, not...
otherwise provided for, as they may deem necessary for the efficient and successful management of their respective asylums, and to remove any of them at pleasure, and fill their places with others, and to make such by-laws and such rules and regulations as they may deem necessary for the government and interest of their respective asylums, not inconsistent, however, with the provisions of this act, nor in violation of the Constitution and laws of this State: Provided, That the action of all of said boards of commissioners or managers, and their successors in office, as to the various matters referred to in this section, shall be subject to the control of the General Assembly. The salaries of such officers may be fixed by said commissioners, subject to the limitations of this act.

§ 7. The Superintendent of said Third Lunatic Asylum of Kentucky shall be appointed by the board of commissioners thereof, and shall have the same powers and duties as are now by law conferred and imposed on the Superintendent of the Eastern Lunatic Asylum at Lexington. His salary shall be fixed by the board at not exceeding two thousand dollars per year. No person shall be appointed such Superintendent unless he be a competent physician. He shall, in addition to his pay, be furnished the support and maintenance allowed the Superintendents of the other asylums, and shall reside in the asylum or in a house contiguous thereto.

§ 8. It shall be unlawful for any of the aforesaid boards of commissioners or managers to meet and transact business, unless a majority of such board be present, nor shall the proceedings then be authoritative or binding until they have been found correctly recorded and signed by the president, and countersigned by the secretary; and if any member or members of said boards of commissioners or managers shall die, resign, refuse to act, or remove from the county, and a vacancy shall thereby occur in any of said boards, such vacancy or vacancies shall be filled by the Governor; but no person shall be appointed as a member of any of said boards who is not at the time a resident of the county in which such asylum is located.

§ 9. That each commissioner and manager, and every other officer of any asylum, shall, before entering upon the duties of his or her office, take an oath before some notary public, or other officer authorized to administer oaths, that he or she will well and truly discharge the duties of his or her trust.

§ 10. That the treasurers of each and every of said lunatic asylums, before he shall act as such, and before he receives any money or other means belonging to the asylum of which he may be treasurer, shall execute covenant to the Commonwealth of Kentucky in such sums, and with such sureties as may be required and approved by the Governor and the board of managers or commissioners which appointed him, for the faithful discharge of his duties, and for the safe-keeping of all money and other means which may come to his hands as such treasurer. It shall be his duty to keep all funds coming to him by virtue of his office deposited in some incorporated bank of the State separately from his own money. It shall be unlawful for the treasurer of any of said asylums to appropriate to his own use any portion of such money or other means so coming
to him, or to lend the same to any other person for any purpose whatever, or to pay out or disburse any of said money or other means in liquidation of any bond, bill, promissory note, open account, or any other character of claim against the asylum, in whole or in part, except upon the warrant of the president, countersigned by the secretary; and for any violation of this section by the treasurer, he and his sureties are hereby made liable on his official bond for the full amount of the sum or sums so unlawfully appropriated, loaned, or disbursed, with ten per cent. damages, recoverable by action or information on proper proof shown before any court of competent jurisdiction in this Commonwealth; and in addition to such liability, he may be indicted and punished for embezzlement, or other crime or offense committed in violating the provisions of this section.

§ 11. That the board of commissioners of said Third Lunatic Asylum of Kentucky shall meet at said asylum buildings at least one time in each month, for the transaction of business, and oftener, if the business and interest of the asylum shall require it; and it shall be unlawful for the president of said board of commissioners to issue his warrant on the treasurer for the payment or liquidation, in whole or in part, of any bond, bill, promissory note, open account, or any other character of claim, until the same has been first submitted to the board of commissioners, and approved by said board, and by them directed to be paid by an order on their books, the record of which shall be approved and signed, and countersigned as aforesaid; and when the president of said boards shall issue his warrant on the treasurer for the liquidation or payment of any claim or demand whatever thus ordered to be paid, he shall cause the number, date, and amount of said warrant to be entered by the secretary on a separate book to be kept for that purpose; and whenever said president shall receive any money or other means for the use and benefit of said asylum, he shall cause the same to be entered by the secretary in said separate book, but on a different page, showing the amount of money, the character, and amount of means, and when and from whom received; and when the president shall have caused the entries to be thus made, he shall deposit said money and other means and effects with the treasurer, and take his receipts therefor, and preserve such receipts as vouchers. No money shall be paid out by the treasurer, except upon the warrant of the president, countersigned by the secretary as aforesaid.

§ 12. That from and after the passage of this act, the asylum named in the first section of this act as the Third Lunatic Asylum of Kentucky, shall be, and the same is hereby, set apart and devoted to the reception, care, and treatment of that class of lunatics afflicted with chronic mania or epilepsy, and also colored lunatics, as provided in section 24 of this act; and the Eastern Lunatic Asylum at Lexington, and the Western Lunatic Asylum at Hopkinsville, shall be, and the same are hereby, set apart and devoted to the reception, care, and treatment of that class of lunatics afflicted with acute mania; and the Governor is hereby authorized and empowered to
cause all the lunatics in the State to be located and provided for in conformity with this section, and at as early a day as practicable after the first day of May, 1873.

§ 13. That no treasurer appointed under this act shall be a member of the board of commissioners.

§ 14. That the secretary and treasurer of each of the asylums of this State, shall make to the Governor quarterly a separate report of the financial condition of their asylums.

§ 15. It shall be the duty of the treasurer, under the order of the board of managers or commissioners of each of the asylums of the State, to receive from and receipt to the treasurer of the State for all moneys appropriated to their respective asylums.

§ 16. That all laws so far as they conflict with the provisions of this act, are hereby repealed; but no law not in conflict herewith is to be in any way affected by this act.

§ 17. That the pay of the steward, matron, assistant physician, and treasurer of the Third Lunatic Asylum aforesaid, shall not exceed the pay of similar officers of the Western Lunatic Asylum.

§ 18. The board of commissioners of said Third Lunatic Asylum shall cause to be employed all necessary hands for the labor of said asylum, and to provide for the payment of their wages out of the moneys belonging to said asylum.

§ 19. It shall be the duty of the board of managers or board of commissioners and the Superintendents of each of the Lunatic Asylums of this State, to report quarterly to the Governor and Auditor of Public Accounts a full statement, showing the number of lunatics in their respective asylums, distinguishing the number of pauper and pay patients, and also showing all money received and expended for their respective asylums, for what the same was expended, and to whom paid, and the amounts paid to each creditor of the asylum. Such report shall give each item of such expenditures, what was purchased and paid for, and to whom. Said officers of said asylum shall also in said report make a clear, and as nearly as may be, correct statement of the products of the farm connected with and under the control of said asylum since the last preceding report, and to what use the same was put; and if any part thereof had been sold, state to whom, at what price, and what disposition was made of the money received for the same. Said reports shall be in lieu of the reports now required by law, except the report required by the fifth and thirteenth sections of this act, and shall be filed and preserved in the office of the Auditor for the inspection of the public. All accounts, bills, and notes paid, and all receipts for money paid out on account of said asylums, shall accompany said reports.

§ 20. There is hereby appropriated to the city of Louisville, payable to the mayor of said city, the sum of nine thousand dollars, payable out of any money in the Treasury not otherwise appropriated, that sum being the amount (with three per cent. interest to date), of money donated to the State by said city for the House of Reform for Juvenile Delinquents, in consideration of its being located where it now is, and inasmuch as this General Assembly has changed the objects and purposes of said institution without the consent of
said city, the appropriation aforesaid is made to reimburse the said city the amount expended, and the Auditor is directed to draw his warrant for the sum aforesaid on the demand of the mayor of said city of Louisville.

§21. The act, entitled "An act to provide for the location and erection of the Third Lunatic Asylum, and the enlargement of the Western Lunatic Asylum," approved February 5, 1873, so far as the same provides for the expenditure of the sum of two hundred and fifty thousand dollars for the erection of such Third Asylum, be, and the same is hereby, repealed; but so much of the fifty thousand dollars therein appropriated for the purpose of building accommodations for colored lunatics as may be necessary shall be applied by the board of commissioners of the Third Lunatic Asylum of Kentucky and the building committee of said House of Reform who are now acting as such, to the fitting up and furnishing of one of the houses or buildings already erected near Anchorage, in Jefferson county, for the reception of such lunatics in the State as are of African descent; and so much of said fifty thousand as may be necessary, they shall expend in the fitting up and furnishing of the other buildings, at the location of said House of Reform, for the reception of lunatics, as provided for in the 11th section of this act; and the Auditor is directed to pay to said board of commissioners and building committee such portions of said appropriation for the purposes aforesaid as they may report to him under oath are necessary: Provided, That said building committee may proceed to expend, as now provided by law, the money heretofore appropriated to said House of Reform; but they shall conform to this section in the arrangement of said building: Provided also, That the juvenile delinquents already confined in said House of Reform shall remain there until otherwise provided for by law; but they shall be kept separate from the lunatics: And provided further, That all colored lunatics confined in the asylum at Lexington shall remain there; and nothing in this act shall be construed to prevent the sending of other colored lunatics to that asylum, when there is room for them, under existing laws on that subject.

§22. There is hereby appropriated, for the support of pauper lunatics, and the payment of all expenses and salaries of all officers in the Third Lunatic Asylum of Kentucky, until otherwise regulated by law, the sum of two hundred dollars annually for each lunatic so confined in said asylum, said sum to be paid quarterly out of the Treasury on the warrant of the Auditor of Public Accounts, which warrant shall be drawn on the report of the Superintendent and board of commissioners of said asylum, showing the number of pauper lunatics in said asylum at the same dates as money is now paid to the Western Lunatic Asylum for the same purpose, viz: in the months of January, April, July, and October.

§22. This act shall be in force from and after its passage.

The question was taken on the adoption thereof, and it was decided in the negative.
The yeas and nays being required thereon by Messrs. T. M. Johnson and Ferguson, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Walter Evans, J. P. Sacksteder,
George W. Anderson, M. Woods Ferguson, Frank Sacksteder,
Alpheus W. Bascom, Thomas M. Johnson, J. R. Sanders,
John A. Bell, J. S. Lawson, C. W. Threlkeld,
Robert M. Carlisle, T. J. Megibben, T. W. Varnon,
R. L. Cooper, W. L. Reeves, J. L. Waring—20.

Joseph M. Davidson, E. A. Robertson.

Those who voted in the negative, were—

Wm. A. Allen, R. D. Cook, John W. Ogilvie,
A. C. Armstrong, John W. Dyer, Julian N. Phelps,
W. W. Ayers, W. H. Evans, Lewis Potter,
R. Tarv. Baker, Wm. Cassius Goodloe, Hiram S. Powell,
W. N. Beckham, E. A. Graves, John Rowan,
S. C. Bell, C. P. Gray, John P. Rowlett,
Church H. Blakey, Clinton Griffith, Samuel M. Sanders,
Wm. F. Bond, E. Polk Johnson, C. C. Scales,
W. B. M. Brooks, T. J. Jones, William Sellers,
William Brown, G. W. Little, J. S. Taylor,
Thomas P. Cardwell, J. J. McAfee, Harry I. Todd,
John S. Carpenter, Bryan S. McClure, L. W. Trafton,
George Carter, William J. McElroy, C. H. Webb,
B. E. Cassily, M. E. McKenzie, J. M. White,
James S. Chrisman, J. C. Moorman, F. A. Wilson,
C. M. Clay, Jr., Wm. Mynhier, Jonas D. Wilson,

William G. Conrad, Mat. Numan,

The question was then taken on the amendments proposed by Mr. Varnon to the Senate bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Cooper, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Joseph M. Davidson, John P. Rowlett,
George W. Anderson, Walter Evans, J. P. Sacksteder,
A. C. Armstrong, Joseph P. Foree, Frank Sacksteder,
Alpheus W. Bascom, Wm. Cassius Goodloe, J. R. Sanders,
John A. Bell, Clinton Griffith, C. C. Scales,
W. B. M. Brooks, E. Polk Johnson, James W. Snyder,
William Brown, Thomas M. Johnson, C. W. Threlkeld,
Robert M. Carlisle, J. S. Lawson, L. W. Trafton,
John S. Carpenter, J. J. McAfee, T. W. Varnon,
George Carter, M. E. McKenzie, J. L. Waring,
B. E. Cassily, T. J. Megibben, F. A. Wilson,
C. M. Clay, Jr., E. A. Robertson, J. N. Woods—37.

R. L. Cooper,
Those who voted in the negative, were—

Wm. A. Allen, E. A. Graves, Lewis Potter,
W. W. Ayers, C. P. Gray, Hiram S. Powell,
R. Tarv. Baker, T. J. Jones, W. L. Reeves,
W. N. Beckham, G. W. Little, John Rowan,
S. C. Bell, Bryan S. McClure, Samuel M. Sanders,
Wm. F. Bond, William J. McElroy, William Sellers,
James S. Chrisman, J. C. Moorman, J. S. Taylor,
Josiah H. Comba, Wm. Mynhier, Harry L. Todd,
William G. Conrad, J. L. Nall, C. H. Webb,
R. D. Cook, Mat. Nunan, J. M. White,
John W. Dyer, John W. Ogilvie, Jonas D. Wilson,

And so said amendments were adopted.

The question was then taken on ordering said bill, as amended, to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), John W. Dyer, Lewis Potter,
W. A. Allen, W. H. Evans, Hiram S. Powell,
A. S. Arnold, M. Woods Ferguson, W. L. Reeves,
W. W. Ayers, Joseph P. Forreé, John Rowan,
W. N. Beckham, E. A. Graves, John P. Rowlett,
John A. Bell, C. P. Gray, J. P. Sacksteder,
S. C. Bell, Clinton Griffin, Frank Sacksteder,
Wm. F. Bond, T. J. Jones, Samuel M. Sanders,
W. B. M. Brooks, G. W. Little, William Sellers,
William Brown, J. J. McAfee, James W. Snyder,
Thomas P. Cardwell, Bryan S. McClure, J. S. Taylor,
Robert M. Carlisle, Wm. J. McElroy, C. W. Threlkeld,
John S. Carpenter, M. E. McKenzie, Harry L. Todd,
George Carter, T. J. Megibben, L. W. Trafton,
B. E. Cassilly, J. C. Moorman, J. M. White,
James S. Chrisman, Wm. Mynhier, F. A. Wilson,
C. M. Clay, Jr., J. L. Nall, Jonas D. Wilson,
Josiah H. Combé, Mat. Nunan, J. N. Woods,

Those who voted in the negative, were—

George W. Anderson, Joseph M. Davidson, Thomas M. Johnson,
A. C. Armstrong, Walter Evans, J. S. Lawson,
R. Tarv. Baker, Wm. Cassius Goodloe, E. A. Robertson,
R. L. Cooper,

Said bill, as amended, was then read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the official term of all officers of the several charitable
institutions, except the Kentucky Asylum at Danville for the Tuition of the Deaf and Dumb, including the State House of Reform for Juvenile Delinquents, in this State, shall end on the first day of May, 1873, and the offices therein be vacated by the present incumbents; and, on the passage of this act, the Governor shall proceed to nominate, and by and with the advice and consent of the Senate, appoint some suitable and skillful persons to fill the same, subject to the limitations, restrictions, and qualifications hereinafter named.

§ 2. That said institutions, including the State House of Reform for Juvenile Delinquents, are hereby reorganized and re-established in the manner and words following, to-wit: Hereafter the Lunatic Asylum now known and styled the Eastern Lunatic Asylum, shall be named and styled the First Kentucky Lunatic Asylum; and the Asylum now known and styled the Western Lunatic Asylum, shall be named and styled the Second Kentucky Lunatic Asylum; and the institution now known and styled the Institution for the Education and Training of Feeble-minded Children, shall be named and styled the Third Kentucky Lunatic Asylum; and the institution now known as the State House of Reform for Juvenile Delinquents, shall be named and styled as the Fourth Kentucky Lunatic Asylum; and the institution now named and styled the Kentucky Institution for the Education of the Blind, shall be named and styled the Kentucky Asylum for the Education of the Blind.

§ 3. It shall be the duty of the Governor, as soon as may be after the passage of this act, to nominate, and, by and with the advice and consent of the Senate, appoint nine discreet business men as a Board of Commissioners for each and every of the Asylums named in, and established by, the second section of this act; and said Boards of Commissioners, and their successors in office, when they shall have been appointed, shall be, and they are hereby, separately and severally, constituted and appointed, and declared to be, a Board of Commissioners, and a body-politic and corporate, for the benefit of the State, by the name and style of the Board of Commissioners of the respective Asylums for which they may be appointed; and by such name and style shall have perpetual succession, and may contract and be contracted with, sue and be sued, plead and be impleaded, answer and defend, in all courts and places whatsoever; may have and use a common seal, and the same may break, alter, or renew at pleasure; and shall have all other rights and privileges incident to corporations necessary to carry out the objects and purposes for which their respective Asylums are established.

§ 4. That the Board of Commissioners, and their successors in office, of each and every of said Asylums, are hereby authorized and empowered to receive, by gift, devise, or otherwise, lands, money, and other property, for the benefit of the State, in aid and furtherance of the objects and purposes of said Asylums, and the same to retain, use, and apply to the benefit of the respective Asylums.

§ 5. That all the funds and effects of each and every of said Asylums shall be under the management and control of its Board of Commissioners and their successors in office, as Trustees for the State, in aid and furtherance of the objects of said institution, subject to the rules and conditions herein specified; and as such they are hereby authorized and
empowered, from and after the 30th day of April, 1873, to take possession of all buildings, books, papers, bonds, stocks, lands, improvements, and effects belonging to their respective Asylums, wherever they may be found, or in whatever they may consist, and to hold, retain, and so manage, use, and apply the same as may be best calculated, in their judgment, to build up and sustain the interests of their respective Asylums, and secure the objects for which they were established: Provided, however, That the Board of Commissioners, and their successors in office, of each and every of said Asylums, shall be governed, in every instance, by such restrictions as may accompany any grant of aid by the Legislature: And provided further, That whenever the Board of Commissioners, or their successors in office, of any of said Asylums, shall receive from private individuals any donation or grant, for any specified purpose, the same shall be sacredly set apart and applied to the purpose so specified by the donor or grantor, and to no other—subject, however, to the control of the State over said institutions, its officers, and affairs.

§ 6. That said Board of Commissioners, and their successors in office, of each and every of said Asylums, shall keep a true and complete record of all their proceedings and acts as a board, and cause to be kept by their secretary and treasurer a true and complete record of all moneys received and disbursed, from whence derived, and for what expended, of bonds receivable and bonds payable, and of all other accounts and proceedings incidental to the management of said Asylums, all of which shall be open at any time subject to the inspection of any committee or commissioner appointed by the Legislature for the examination of the same; and it shall be the duty of the Board of Commissioners, for the time being, of each and every of said Asylums, to present to the Governor annually, and he to lay before the General Assembly, within the first week of their session, a statement of the funds, and the receipts and expenditures, and condition of their respective institutions, and of the names and number of the inmates received and cared for therein during the year immediately preceding, and the parts of the State from whence they came, distinguishing between those having been supported gratuitously and others.

§ 7. That the Board of Commissioners, and their successors in office, of each and every of said Asylums, separately and severally, shall have the power, and it is hereby vested in them, to appoint one of their own number president of their respective boards; and may also appoint a secretary, treasurer, and all other inferior officers, not otherwise provided for in this act, as they may deem necessary for the efficient and successful management of their respective institutions, and to remove any of them at pleasure, and fill their places with others; and to make such by-laws, and to adopt such rules and regulations, as they may deem necessary for the government and interests of their respective Asylums, not inconsistent, however, with the provisions of this act, nor in violation of the Constitution and laws of this State: Provided, That the action of all of said Boards of Commissioners, and their successors in office, as to the various matters referred to in this section, shall be subject to the control of the General Assembly of this Commonwealth.

§ 8. That the Board of Commissioners of each and every of said Asylums, at their first meeting, which shall be held at their respective
Asylums on the first day of May, 1873, shall divide, by lot, their respective Boards of Commissioners into three classes; three Commissioners shall be allotted to each class; and the seats of the first class shall be vacated at the expiration of two years, and those of the second class vacated at the expiration of four years, and those of the third class vacated at the expiration of six years from the date of their appointment; and whenever a vacancy shall occur in said Boards of Commissioners, as provided in this section, such vacancy shall be filled by the Governor, with the advice and consent of the Senate.

§ 9. It shall be unlawful for any of the aforesaid Boards of Commissioners, or their successors in office, to meet and transact business, unless a majority of the members of such board be present and concur in the proceedings; nor shall the proceedings then be binding and authoritative until they shall have been first approved and signed by the president, and countersigned by the secretary; and if any member or members of any of said Boards of Commissioners, or of their successors in office, should die, resign, refuse to act, or remove from the State, and a vacancy thereby shall occur in any of said boards, such vacancy or vacancies shall be filled as provided by section eight of this act; but no person shall be appointed as a member of any of said Boards of Commissioners who is not, at the time, a resident of the county in which the Asylum is located.

§ 10. That each commissioner, and every other officer of said Asylum appointed under this act, shall, before entering upon the duties of his or her office, take an oath before some notary public, or other officer authorized to administer oaths, that he or she will well and truly discharge the duties of his or her trust.

§ 11. That hereafter the Governor, by and with the advice and consent of the Senate, shall appoint, for each of the Asylums hereinafter named, the following named officers or agents, to-wit: for the First Kentucky Lunatic Asylum, a Medical Superintendent, a First and Second Assistant Physician, and a Steward; for the Second Kentucky Lunatic Asylum, a skillful Medical Superintendent, one Assistant Physician, and a Steward; for the Third and Fourth Kentucky Lunatic Asylums, each, a skillful Medical Superintendent, one Assistant Physician, and a Steward; and for the Kentucky Asylum for the Education of the Blind, a Superintendent, an attendant Physician, and a Steward; and for the Kentucky Asylum for the Education of the Blind, a Superintendent, an attendant Physician, and a Steward, all of whom shall live in or near the Asylum for which they shall be appointed. There shall also be a Matron at each of said Asylums, appointed by the Board of Commissioners thereof, who, together with all other officers appointed under this act, shall receive for their services, annually, such compensation as now provided by law: Provided, however, That the Stewards of the First and Second Lunatic Asylums, established by this act, shall each receive, annually, the sum of one thousand dollars; and the Stewards of the Third and Fourth Lunatic Asylums, each, the sum of seven hundred dollars, annually; and of the Kentucky Asylum for the Education of the Blind, the sum of five hundred dollars, annually. The salaries of all officers appointed under this act shall be paid out of the annual appropriations by the State for the support and maintenance of said Asylums: Provided further, That the Governor may remove any of said officers,
except the Matrons, at any time, for cause deemed sufficient by him, and, by and with the advice and consent of the Senate, appoint others in stead.

§ 12. That the Treasurer of each and every of said Asylums, before he shall act as such, and before he receives any money or other means belonging to said Asylum, shall execute a covenant to the Commonwealth of Kentucky, in such sum, and with such sureties, as may be required and approved by the Governor and the county judge of his county, for the safe-keeping and disbursement of all money and other means which may be placed in his hands by the Board of Commissioners appointing him, its agents, or other officers, or by the State. It shall be unlawful for the treasurer of any of said Asylums to appropriate any portion of said money or other means to his own use, or to loan the same to any other person, for any purpose whatever, or to pay out or disburse any of said money or other means in liquidation of any bond, bill, promissory note, open account, or any other character of claim against the Asylum, in whole or in part, except upon the warrant of the president, countersigned by the secretary; and for any violation of this provision by the treasurer, he and his sureties are hereby made liable on his official bond for the full amount of the sum or sums so unlawfully appropriated, loaned, or disbursed, with ten per cent. damages, recoverable on proper proof shown, before any court of competent jurisdiction in this Commonwealth.

§ 13. That the several Boards of Commissioners appointed under this act shall meet at their respective Asylum buildings at least once in each month for the transaction of business, and oftener if the interest and business of the Institution shall require it. And it shall be unlawful for the President of any Board of Commissioners appointed under this act to issue his warrant on the treasurer for the payment or liquidation, in whole or in part, of any bond, bill, promissory note, open account, or any other character of claim brought against the Asylum for which he is acting, until the same shall have been first submitted to the Board of Commissioners of which he is president, and adjudged by said Board to be right, and directed to be paid by an order entered upon the books of the secretary, approved and signed by the president, and countersigned by the secretary; and whenever the President of any of said Boards of Commissioners shall issue his warrant on the treasurer for the liquidation of any claim whatever thus ordered to be paid, he shall cause the number, date, and amount of said warrant to be entered by the secretary in a separate book to be kept for that purpose; and whenever said president shall receive any money or other means for the use and benefit of said Asylum, he shall cause the same to be entered by the secretary in said separate book; but on a different page, stating the amount of money, the character and amount of means, and when and from whom received; and when the president shall have caused the entry to be thus made, he shall deposit said money and other means (bonds, bills, promissory notes, or other convertible means) with the treasurer, and take his receipt therefore, and preserve the same as a voucher.

§ 14. It shall be the duty of the stewards to be appointed under this act to purchase and furnish to their respective Asylums all needed and required supplies, of every description. Said supplies shall be bought
where they can be bought cheapest; due regard, however, shall be paid in all cases to the quality as well as the price of said supplies. Said supplies shall be paid for out of the annual appropriations made by the State for the support and maintenance of said Asylums; but it shall not be lawful for said stewards, or any one of them, to check or draw on the treasurer of any of said Asylums to pay for said supplies, in whole or in part; but it shall be the duty of each and every of said stewards, when purchasing any supplies, to cause to be made out by the seller an itemized bill or account of the same against the Asylum represented by said steward, setting forth separately the date of the purchase, and the name and price of each article purchased; and said bill or account, when so made out, in the name of the seller, shall be presented by the steward so purchasing to the Board of Commissioners; and when a majority of the whole number of said board shall adjudge the same to be right, and direct the same to be paid, by an order entered upon the book of the secretary of said board, and signed by the president and countersigned by the secretary, it shall then be the duty of the President of said Board of Commissioners to issue his warrant upon the treasurer for the payment of the same, but not before. The true intent and meaning of this provision is hereby declared to be, that no account or claim, of any character or description whatever, brought against any of the Asylums established by this act, either by the officers thereof or by any other person or persons, shall be paid, in whole or in part, until the same shall have been first submitted to the Board of Commissioners of the Asylum against which the account may be presented or the claim preferred, and declared by a majority of said Board of Commissioners to be just and right, and directed to be paid, by an order entered upon the book of the secretary of said board, signed by the president and countersigned by the secretary. It shall be the duty of said stewards, of each and every of them, whenever the president of their respective boards shall issue a warrant on the treasurer in payment of any supplies purchased by them, or either of them, to carefully enter, in a book to be kept for the purpose, the number, date, and amount of said warrant, and the name of the person to whom the same was issued. The said stewards shall also take possession of the farm and garden attached to their respective Asylums, and superintend and control the cultivation and management of the same. They shall, each and every of them, within the first week after entering upon their duties, take a complete inventory of all the crop, of every description, on hand, of all live stock, cattle, horses, hogs, and other stock, of all farming utensils, wagons, carts, and of all other effects attaching and properly belonging to the farm and garden, and keep, preserve, and account for the same. They shall, each of them, superintend and control the cultivation of the farm and garden attached to their respective Asylums. Each and every of the stewards appointed under this act shall be responsible for all the stock and products of the farm and garden placed in his hands and under his control. Nothing on the farm or garden, or under his control, shall be taken therefrom without his knowledge and consent; but whenever the President of the Board of Commissioners shall apply to the steward to furnish, from the farm or garden, supplies for the Asylum for which such steward may be acting,
it shall be the duty of the steward to do so, taking the receipt of said president for the same, specifying the amount of such supplies, and their market value, which receipt shall be entered upon the books of the secretary and on the books of the steward furnishing the supplies, and filed in his office, and safely kept by him as a voucher. If any stock or produce be sold for cash, by any steward, off the farm or garden placed in his hands or under his care, the same shall be paid over by him to the treasurer, and the treasurer's receipt taken for the same, specifying for what stock or produce said money was received, and to whom sold; and said treasurer's receipt shall be recorded in the books of the secretary of the board, and in the books also of the steward, and filed and safely kept in the office of said steward as a voucher: Provided, however, That it shall not be lawful for any steward appointed under this act to sell any number of the stock, or any portion of the products of the farm or garden, for cash, or on credit, without the advice and consent of the Board of Commissioners. It shall be the duty of the steward of each and every of the Asylums named in, and established by, this act, to keep a full and complete record of all their official acts and proceedings, which shall be open at any time to the inspection of any committee or commissioner appointed by the General Assembly to examine the same. It shall be the duty of each of said stewards to report to the Governor monthly a statement, in writing, of his official acts to date, the condition of the farm and garden, and the number, character, and condition of the stock under his care and control.

§ 15. That from and after the passage of this act, the two Asylums named in, and established by, the second section of this act as the Third Kentucky Lunatic Asylum and the Fourth Kentucky Lunatic Asylum, shall be, and the same are hereby, set apart and devoted to the reception, care, and treatment of that class of lunatics afflicted with chronic mania or epilepsy; and the two Asylums named in, and established by, said second section of this act as the First Kentucky Lunatic Asylum and the Second Kentucky Lunatic Asylum, shall be, and the same are hereby, set apart and devoted to the reception, care, and treatment of that class of lunatics afflicted with acute mania; and the Governor is hereby authorized and empowered to cause all the lunatics in the State to be located and provided for in conformity with this section, and at as early a day as practicable after the first day of May, 1873: Provided, however, That colored lunatics shall remain in the Asylum where they now are, and be provided for as heretofore, and the juvenile delinquents at the House of Reform remain thereat; and any other person or persons hereafter convicted and sentenced to confinement in said House of Reform shall be received in, and remain thereat, until otherwise provided by law: Provided further, That the Institution now known and used as a school for Feeble-minded Children shall not be taken or used as a Lunatic Asylum, as provided by this act, until the Institution now known as the Eastern Lunatic Asylum, Western Lunatic Asylum, and House of Reform for Juvenile Delinquents, shall be filled with their full capacity, and necessity shall arise for more room to accommodate lunatics, which necessity shall be certified to the Governor by a majority of the Superintendents of the several Lunatic Asylums; and the Governor shall
thereupon proceed to carry out the provisions of this act, so far as the same applies to the said Feeble-minded Institute.

§ 16. That no secretary or treasurer appointed under this act shall be a member of the Board of Commissioners.

§ 17. That the secretary and treasurer of each and every of the Asylums established by this act shall make to the Governor, quarterly, a separate report of the financial condition of their Asylums.

§ 18. It shall be the duty of the treasurer, under the order of the Board of Commissioners of each and every of said Asylums, to receive from, and receipt to, the treasurer of the State for all moneys appropriated to the use of their respective Asylums.

§ 19. That the terms of all officers provided for in this act, other than the Commissioners, shall be four years.

§ 20. That from and after the first day of May, 1873, the children in the Institution now styled the Kentucky Institution for the Education and Training of Feeble-minded Children, shall be returned to their parents, if living and suitable to take charge of them; if not, to their guardians or committees, at the expense of the State; such as have neither parent, guardian, nor committee, shall, unless some suitable relative apply for them, be returned to the county from which they were sent to said Institution; and the county court shall appoint a committee for such feeble-minded child or person, giving preference to the next of kin, if a suitable person; and said committee shall procure a suitable home for such feeble-minded child or person.

§ 21. That the parent, guardian, or committee, as the case may be, shall be allowed for each pauper feeble-minded child or person the sum of seventy-five dollars per annum, to be paid in equal semi-annual installments out of the State Treasury for the support of each of said pauper feeble-minded children or persons, upon the order of the Circuit Court, certified to the Auditor of Public Accounts, as now provided by law in case of idiot claims, which sum shall be paid by the parent, guardian, or committee to the person taking care of and supporting the feeble-minded child or person.

§ 22. It shall be the duty of the county court to see that the money drawn under the provisions of this act is faithfully applied to the support and comfort of said feeble-minded children or persons, and to remove the guardian or committee for a failure to discharge his duty, and to change the custody of such children or persons, if not properly cared for.

§ 23. That the Governor is requested, as soon after the passage of this act as may be convenient, to cause copies of the same to be mailed to each county judge of the counties to which any feeble-minded child is to be returned.

§ 24. That an act, entitled “An act to provide for the location and erection of the Third Lunatic Asylum, and the enlargement of the Western Lunatic Asylum,” approved February 5th, 1873, be, and the same is hereby, repealed.

§ 25. That all acts or parts of acts in conflict with the provisions of this act, be, and the same are hereby, repealed.

§ 26. This act shall take effect and be in force from and after its passage.
April 18.]

HOUSE OF REPRESENTATIVES.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, R. D. Cook, Hiram S. Powell,
A. C. Armstrong, R. L. Cooper, John Rowan,
A. S. Arnold, John W. Dyer, John P. Rowllett,
W. W. Ayers, W. H. Evans, J. P. Sacksteder,
W. N. Beckham, M. Woods Ferguson, Samuel M. Sanders,
S. C. Bell, E. A. Graves, C. G. Scales,
Church H. Blakey, C. P. Gray, William Sellers,
Wm. F. Bond, Clinton Griffith, James W. Snyder,
W. B. M. Brooks, T. J. Jones, J. S. Taylor,
W. W. Bush, G. W. Little, C. W. Threlkeld,
Thomas P. Cardwell, Bryan S. McClure, Harry I. Todd,
Robert M. Carlisle, William J. Elclroy, L. W. Trafton,
John S. Carpenter, M. E. McKenzie, T. W. Varnum,
George Carter, J. C. Moorman, C. H. Webb,
B. E. Cassilly, Wm. Mynhier, J. M. White,
James S. Chrisman, J. L. Nall, F. A. Wilson,
C. M. Clay, Jr., Mat. Numan, Jonas D. Wilson,
Josiah H. Combs, John W. Ogilvie, J. N. Woods,

Those who voted in the negative, were—

George W. Anderson, Joseph M. Davidson, T. J. Megibben,
R. Tarv. Baker, Walter Evans, W. L. Reeves,
Alpheus W. Bascom, Wm. Cassius Goodloe, E. A. Reeves,
John A. Bell, E. Polk Johnson, Frank Sacksteder,
J. C. S. Blackburn, Thomas M. Johnson, J. R. Sanders,

R. L. Cooper, J. J. McAfee,

Resolved, That the title of said bill be as aforesaid.

Mr. Beckham moved to reconsider the vote by which said bill was passed.

Mr. Chrisman moved to lay the motion of Mr. Beckham on the table.

And the question being taken on the motion of Mr. Chrisman, it was decided in the affirmative.

The House then, according to order, took up for consideration a bill, entitled

A bill to appropriate money.

Mr. Blackburn moved to strike out the fifth section of said bill.

And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative.

And pending the further consideration of said bill, the House adjourned.
A message was received from the Senate, announcing that they had concurred in the amendment proposed by the House to a resolution, which originated in the Senate, entitled

Resolution in relation to the final adjournment of this General Assembly.

That they had concurred in the amendments proposed by the House to a bill, which originated in the Senate, entitled

An act concerning the various charitable institutions in this Commonwealth.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the town of Danville.

An act to change the time of holding the Grant county quarterly court.

An act for the benefit of R. G. Scott, of Rowan county.

An act to prevent cattle, horses, sheep, mules, and jennets from running loose on the public highways within a radius of two miles of the Dry Ridge, in Grant county.

An act providing for the collection of railroad tax in the county of Montgomery.

An act to charter the Southern Land and Construction Company.

An act to provide for the registration of bonds and obligations issued by counties, districts, municipal corporations, and other corporations.

An act for the benefit of J. W. Bradburn, of Hardin county, and others.

An act for the benefit of school district No. 30, in Butler county.

An act to incorporate the Henderson Library Association.

An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company.

An act to require attachments to be noted of record in the office of the county clerk of Jefferson county.
An act providing compensation for the services of W. R. Bradley, in the defense of the action of the State of Missouri against the State of Kentucky, for the recovery of Wolf Island.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869.

An act exempting the county of Hart from erecting fire-proof vaults in said county.

An act to incorporate the Tug River Coal Railroad Company.

An act to pay for the erection of a stable for use of Penitentiary.

An act to prohibit the sale of spirituous, vinous, or malt liquors at Island Station, or within two miles thereof, in McLean county.

An act to amend section 14 of article 5 of the charter of the city of Hopkinsville, passed March 5, 1870.

An act to authorize the United States to condemn land in the city of Covington as a site for its public buildings.

An act repealing the charter of the St. Mathews and Goose Creek Turnpike Road Company.

An act to amend the charter of the Shelbyville and Louisville Turnpike Road Company.

An act for the benefit of school district No. 1, in Metcalfe county.

An act for the benefit and relief of persons who have paid tax on income from United States bonds, imposed by an act passed and approved March 8, 1867.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of James A. Allen, jailer of Bourbon county.

An act to charter the Lyon Iron Mining Company.

An act to repeal an act to amend the charter of the Winchester and Red River Turnpike Road Company, approved March 20th, 1872.

An act for the benefit of Benjamin Stumbough and others, of Johnson county.

An act to amend an act to incorporate the Commonwealth Printing Company.

An act to prevent trespass upon inclosed lands in Harrison county.

An act in relation to inquests of lunacy in Jefferson county.

An act to establish tram-tracks or rail-ways to navigable streams and railroads in Rockcastle county.

An act to incorporate the Louisville Locomotive and Car Company.
An act to incorporate the Kentucky Central Park Association, of Boyle county.

An act to amend an act to incorporate the Massie's Mill Turnpike Road Company, approved March 7th, 1868.


An act to amend an act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same.

An act for the benefit of Andrew J. McCampbell, late sheriff of Jessamine county.

An act to amend an act to prohibit the sale of intoxicating liquors in the county of Bullitt, approved March 21st, 1871.

An act to incorporate the South and West Banking Company.

An act for the benefit of school district No. 7, in Marion county.

An act to establish schools for the education of children of citizens of African descent, in McCracken county.

An act to amend an act, entitled "An act to incorporate the Clayville Male and Female Academy."

An act for the organization of public schools in the town of Clayville, in Webster county.

An act to prohibit the sale of liquors in the town of Eminence, Henry county.

An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts."

An act to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.

An act to declare the lower Long Branch of Grassy creek, in Morgan county, a navigable stream, from its mouth to opposite the school-house on the lands of Jackson Goodpasture.

An act to declare the State Road Fork of Licking river, in Magoffin county, a navigable stream, from its mouth to John Q. O'Baley's mill.

An act defining the boundary line between the counties of Clay and Bell.

An act to amend the charter of the Bryantsville and Cane Run Turnpike Road Company.

An act fixing the time for the jailers of Cumberland and Clinton counties to enter upon the duties of their offices.
An act to declare Swinge Cat Fork of Big creek, in Pike county, a navigable stream for a distance of four miles from its mouth.
An act declaring all that part of Caney Fork of Wolf creek, in Russell county, a navigable stream, that lies between Dick's Branch and Wolf creek.
An act to amend an act, entitled "An act to incorporate the Eminence and Mulberry Turnpike Road Company."
An act to incorporate the town of Anderson City.
An act to amend an act, entitled "An act to incorporate the Scuffletown Fence Company," approved 21st March, 1872.
An act to incorporate the Cumberland Valley Mining Company.
An act to allow the erection of public warehouses in Carroll county.
An act for the benefit of common school district No 34, in Bracken county.
An act to amend the charter of the South Kentucky Railroad Company.
An act to pay military claims audited by the Quarter-Master General.
An act for the benefit of John F. King, sheriff of Knox county.
An act to amend the Revised Statutes, chapter 43, article 2, section 4.
An act to amend the charter of Russellville.
With amendments to the last five named bills.
That they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:
An act to incorporate the town of Haggard, in Perry county.
An act to establish and maintain a public school in district No. 1, in Pulaski county.
And that they had passed bills of the following titles, viz:
1. An act to amend the charter of the city of Ludlow.
2. An act to amend the charter of the Lenni Mining Company.
3. An act to incorporate the Lambert Mining Company.
4. An act for the benefit of John J. Macklin, late sheriff of Kenton county.
5. An act to authorize the clerk of the Jefferson county court to make an index and cross-index of said county.
6. An act to protect graveyards and cemeteries.
7. An act for the benefit of the judge of the Warren court of common pleas.
123-H. H.
8. An act to incorporate the Good Templars Aid Society, of Franklin county.

9. An act to repeal an act, entitled "An act authorizing E. H. Smith and others to close an alley in Williamstown, Grant county."

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st, 2d, 3d, and 8th to the Committee on Corporate Institutions; the 4th to the Committee on Ways and Means; the 5th to the Committee on County Courts; the 6th to the Committee on Religion; the 7th to the Committee on the Judiciary; and the 9th to the Committee on County Courts.

On motion of Mr. Anderson, leave was given to bring in a bill, entitled

A bill in regard to certain streets in A. L. Campbell's western extension of Louisville.

Ordered, That the Committee on Corporate Institutions prepare and bring in the same.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Armstrong, from the Committee on Education—
An act for the benefit of common schools in Perry county.

By Mr. Mynhier, from the Committee on County Courts—
An act to establish an additional justices' district in Bath county.

By Mr. Ayers, from the Committee on Religion—
An act to prohibit the sale of spirituous, vinous, or malt liquors, or the mixture of either, in Jeffersonstown precinct, in Jefferson county.

By Mr. Mynhier, from the Committee on Corporate Institutions—
An act to incorporate Confederate City, in Rowan county.

By Mr. Baseom, from the Committee on Banks—
An act for the benefit of Wells, Mitchell & Co.

By Mr. Trafton, from the Committee on County Courts—
An act to change and fix the time of holding the Estill county quarterly courts.

By same—

An act to exempt the counties of Estill and Lee from the provisions of section 14, chapter 67, of the Civil Code of Practice.
By Mr. Blackburn, from the Committee on Railroads—

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave of absence, indefinitely, was granted Mr. Carter.

The House took up the motion to reconsider the vote by which the House passed a bill from the Senate, entitled

An act for the benefit of the school trustees of Powell county for the school year ending June 30th, 1872.

And the question being taken on said motion, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) R. L. Cooper, W. L. Reeves,
Wm. A. Allen, Joseph M. Davidson, E. A. Robertson,
A. C. Armstrong, John W. Dyer, John P. Rowlett,
A. S. Arnold, Walter Evans, J. P. Sacksteder,
R. Tarv. Baker, W. H. Evans, Frank Sacksteder,
Alpheus W. Bascom, M. Woods Ferguson, J. R. Sanders,
W. N. Beckham, C. D. Foote, Samuel M. Sanders,
John A. Bell, Wm. Cassius Goodloe, C. C. Scales,
S. C. Bell, Clinton Griffith, William Sellers,
Wm. F. Bond, E. Polk Johnson, James W. Snyder,
W. B. M. Brooks, Thomas M. Johnson, J. S. Taylor,
William Brown, J. S. Lawson, C. W. Threlkeld,
Thomas E. Cardwell, Bryan S. McClure, Harry I. Todd,
Robert M. Carlisle, William J. McElroy, L. W. Traxton,
John S. Carpenter, J. C. Moorman, Joseph T. Tucker,
B. E. Cassily, Wm. Mynhier, T. W. Varnon,
James S. Chrisman, J. L. Nall, J. L. Waring,
C. M. Clay, jr., Mat. Nunan, J. M. White,
Josiah H. Combs, Julian N. Phelps, Jonas D. Wilson,
R. D. Cook, Hiram S. Powell,

In the negative—none.

Resolved, That the title of said bill be as aforesaid.
A message was received from the Senate, announcing that they had passed bills of the following titles, viz:

An act to authorize sureties for costs to obtain a release from further liability.

An act to incorporate the Danville Gas-light Company.

The rule requiring their reference to a committee being suspended, said bills were taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills were reported by the Committee on Codes of Practice, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. P. Sacksteder—

By Mr. Varnon—
An act to amend section 519 of the Civil Code of Practice.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act to fix and determine the boundary line between the States of Indiana and Kentucky, above and near Evansville.
The rule requiring the reference thereof to a committee being suspended, said bill was taken up, read the first time, and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Difficulty has arisen between the owners of land in Indiana and Kentucky in regard to the boundary line between said States, and said difficulty involves the title to large tracts of land at or near the line between Green River Island and the State of Indiana; therefore,

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor of the State be, and he is hereby, empowered and directed to select a commissioner, who shall be a resident of Kentucky, and a practical surveyor, who shall act with a similar person selected by the Governor of the State of Indiana, and such persons so selected shall make a survey of the line dividing said States, beginning at the head of the island known as Green River Island, opposite, or nearly so, from the mouth of Green river; running thence in a direction down the Ohio river to the lower end of said island, upon a line dividing said island and the State of Kentucky from the State of Indiana. Said commissioners shall consult the surveys originally made by the United States Government, if there be more than one, and they be not inconsistent with each other, and said commissioners shall be governed in running said line by such survey or surveys made by the Government of the United States. Within ten days after such survey, said commissioners shall reduce said survey to writing, causing the metes and bounds and landmarks to be particularly described, and sign the same and acknowledge the same before any officer authorized to take acknowledgments of deeds, and duplicates of such written statement of survey, signed and acknowledged by the commissioners, shall be filed in the office of the clerk of the Henderson county court, in the auditor's office of Vanderburgh and Warrick counties, Indiana; and such written statement, or a copy duly certified by the clerk of the said Henderson county court, shall be conclusive evidence of the said line dividing said island, so called, from said State of Indiana, in any of the courts of this State.

§ 2. The commissioner to be appointed under this act shall report to the Governor, in writing, the result of the survey, together with a plat of the same. When said survey shall have been completed, the commissioner shall file his account with the Governor, and when the same shall be examined and approved by him, the Auditor of Public Accounts is hereby authorized to draw his warrant on the Treasury for said amount in favor of the commissioner appointed: Provided, however, Said amount shall not exceed the sum of two hundred and fifty dollars.

§ 3. This act shall take effect and be in force from its passage.
The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) R. L. Cooper, 
Wm. A. Allen, Joseph M. Davidson, Julian N. Phelps, 
A. C. Armstrong, John W. Dyer, Lewis Potter, 
W. W. Ayers, Walter Evans, Hiram S. Powell, 
Alpheus W. Bascom, C. D. Foote, John Rowan, 
W. N. Beckham, Joseph P. Foree, Frank Sacksteder, 
John A. Bell, Wm. Cassius Goodloe, J. R. Sanders, 
S. C. Bell, Clinton Griffith, 
Church H. Blakey, E. Polk Johnson, J. S. Taylor, 
W. B. M. Brooks, Thomas M. Johnson, Harry I. Todd, 
William Brown, J. S. Lawson, L. W. Trafton, 
Thomas P. Cardwell, Bryan S. McClure, T. W. Varron, 
Robert M. Carlisle, J. C. Moorman, J. L. Waring, 
John S. Carpenter, Wm. Mynhter, J. M. White, 
R. E. Cassilly, J. L. Nall, J. N. Woods, 
C. M. Clay, Jr., Mat. Nunan, S. H. Woolfolk, 
J. Guthrie Coke, John W. Ogilvie, J. M. Wright—55.

In the negative, J. J. McAfee—1.

Resolved, That the title of said bill be as aforesaid.

The House took up the amendment proposed by the Senate to a bill, which originated in the House, entitled

An act to amend the charter of Russellville.

Said amendment was concurred in.

A message was received from the Senate, announcing that they had concurred in the adoption of the 1st and 4th, and disagreed to the 2d, 3d, and 5th amendments proposed by the House to chapter —, title “To adopt the General Statutes,” of the proposed Revision of the Statutes.

Mr. Trafton, by consent of the House, withdrew the motion heretofore entered by him to reconsider the vote by which the House passed a bill from the Senate, entitled

An act for the relief of the stockholders of the Evansville, Henderson, and Nashville Railroad Company.

And the Clerk was directed to report said bill to the Senate as passed by the House.

A message was received from the Senate, announcing that they had disagreed to the third, and had concurred in the 1st, 2d, and 4th
amendments proposed by the House to the report from the Senate of their action on chapter 96, title "Revenue and Taxation," of the proposed Revision of the Statutes, with an amendment to the said 4th amendment.

The House then took up said message.

On motion of Mr. Davidson, the House receded from its said 3d proposed amendment, and concurred in the amendment proposed by the Senate to the said 4th amendment as proposed by the House.

Mr. Chrisman, with the consent of the House, withdrew the motion heretofore made by him to reconsider the vote by which the House adopted joint resolutions, entitled Resolutions in relation to certain acts of the Congress of the United States.

The House then took up the report from the Senate of their disagreement to the 2d, 3d, and 5th amendments proposed by the House to chapter —, title "To Adopt the General Statutes," of the proposed Revision of the Statutes, as reported from the Senate.

Mr. McElroy moved that the House do recede from its said proposed amendments.

And the question being taken on the motion of Mr. McElroy, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Graves, were as follows, viz:

Those who voted in the affirmative, were—


Those who voted in the negative, were—

Mr. Blackburn then moved that the House do insist upon its said proposed amendments.

And the question being taken on the motion of Mr. Blackburn, it was decided in the affirmative.

On motion of Mr. Blackburn,

Ordered, That a committee of conference be appointed on the disagreement of the two Houses in regard to the 2d, 3d, and 5th amendments proposed by the House to chapter —, title "To Adopt the General Statutes."

And thereupon the Speaker appointed on said committee Messrs. Blackburn, Reeves, and Threlkeld, who were directed to inform the Senate of their appointment, and to request the Senate to appoint a similar committee on their part.

Mr. Foree offered the following resolution, viz:

Resolved, That the thanks of this House are due, and are hereby tendered, to the member from the 5th district of Louisville, Hon. J. M. Wright, for the unusually arduous duties voluntarily performed by him on the joint committee on the Revision of the Statutes.

Which was adopted.

The House then resumed the further consideration of a bill, entitled

A bill to appropriate money.

Mr. Waring moved to reconsider the vote by which the House struck out the 5th section of said bill.

The 5th section thereof reads as follows, viz:

§ 5. To such members of the Senate and House of Representatives as have acted as Speakers pro tem., each, five dollars per day, in addition to their per diem pay as members, for the time they have acted as such Speaker pro tem., respectively, the time to be certified to the Auditor by the respective Chief Clerks of the Senate and House of Representatives.

And the question being taken on the motion of Mr. Waring, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mynhier and Gray, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready) Josiah B. Combs, Julian N. Phelps, George W. Anderson, William G. Conrad, Hiram S. Powell,
Those who voted in the affirmative, were—

A. C. Armstrong,    Thomas M. Johnson,    J. P. Sacksteder,    Samuel M. Sanders,    James W. Snyder,
S. C. Bell,         J. J. McAfee,        James W. Snyder,    J. S. Taylor,        Jonas D. Wilson,
James S. Chrisman,  J. C. Moorman,      E. A. Graves,       W. L. Reeves,
E. A. Graves,       Lewis Potter,       C. P. Gray,         W. L. Reeves,
C. P. Gray,         W. L. Reeves,       Wm. A. Allen,       William G. Conrad,  Mat. Nunan,
S. C. Bell,         Thomas M. Johnson,  R. L. Cooper,       John W. Ogilvie,  John W. Ogilvie,
J. C. S. Blackburn,  J. J. McAfee,      Joseph M. Davidson, J. P. Sacksteder,  John Rowan,
William Brown,      Bryan S. McClure,   John W. Dyer,       Julian N. Phelps,  John Rowan,
James S. Chrisman,  William J. McElroy, J. C. Moorman,    Hiram S. Powell,  Hiram S. Powell,
E. A. Graves,       Lewis Potter,       Wm. A. Allen,       John Rowan,       John Rowan,
C. P. Gray,         W. L. Reeves,       George W. Anderson, Joseph M. Davidson,  John P. Rowlett,
A. S. Arnold,       R. L. Cooper,       Walter Evans,       John W. Dyer,      J. P. Sacksteder,
W. W. Ayers,       John W. Dyer,       Walter Evans,       Frank Sacksteder,  Frank Sacksteder,
Alpheus W. Bascom,  Walter Evans,       C. D. Foote,        Joseph P. Force,   John Rowan,
W. N. Beckham,      Walter Evans,       Joseph P. Force,   Clinton Griffith,  John Rowan,
John A. Bell,       Joseph P. Force,   E. Polk Johnson,    E. Polk Johnson,  John Rowan,
Wm. F. Bond,        Clinton Griffith,  T. J. Jones,       T. J. Jones,      John Rowan,
W. B. M. Brooks,    Clinton Griffith,  T. J. Jones,       T. J. Jones,      John Rowan,
Thomas P. Caruwell, Clinton Griffith,  T. J. Jones,       T. J. Jones,      John Rowan,
Robert M. Carlisle, Clinton Griffith,  T. J. Jones,       T. J. Jones,      John Rowan,
John S. Carpenter,  T. J. Jones,       T. J. Jones,       T. J. Jones,      John Rowan,
J. Guthrie Coke,    T. J. Jones,       T. J. Jones,       T. J. Jones,      John Rowan,
R. L. Cooper,       T. J. Jones,       T. J. Jones,       T. J. Jones,      John Rowan,
Joseph M. Davidson, Thomas M. Johnson,  J. P. Sacksteder,  Samuel M. Sanders,  James W. Snyder,
John W. Dyer,       J. J. McAfee,      J. S. Taylor,       James W. Snyder,  J. S. Taylor,
Walter Evans,       William J. McElroy,  Jonas D. Wilson,  James W. Snyder,  Jonas D. Wilson,
T. J. Jones,        T. J. Jones,       William G. Conrad,  T. J. Jones,       William G. Conrad,
J. S. Lawson,       T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
M. E. McKenzie,     T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
E. A. Robertson,    T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
John Rowan,        T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
John P. Rowlett,    T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
J. P. Sacksteder,   T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
Frank Sacksteder,   T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
J. R. Sanders,     T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
C. W. Threlkeld,    T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
Harry I. Todd,      T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
L. W. Trafton,      T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
T. W. Varon,        T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
J. L. Waring,       T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
J. M. White,       T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
S. H. Woolfolk—46.  T. J. Jones,       R. L. Cooper,       T. J. Jones,       R. L. Cooper,
Amendments were offered by Messrs. Armstrong, W. Evans, Davidson, and Cooper, which were adopted.

Amendments were offered by Messrs. McElroy, Waring, Todd, Mynhier, and Sellers, which were rejected.

Mr. McElroy moved to strike out the 11th section of said bill.

Said section reads as follows, viz:

§ 11. To D. D. Sublett, two dollars per day during the present session (in addition to his regular per diem pay as Sergeant-at-Arms of the Senate), for his extra services performed in waiting on the Committee on the Revision of the Statutes.

And the question being taken on the motion of Mr. McElroy, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McElroy and Brown, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, Wm. Mynhier, J. M. White,
W. N. Beckham, Bryan S. McClure, J. S. Taylor,
S. C. Bell, William J. McElroy, C. H. Webb,
William Brown, Mat. Nunnan, J. M. White,
Robert M. Carlisle, John W. Ogilvie, Jonas D. Wilson,
B. E. Cassilly, Hiram S. Powell, J. N. Woods,
R. D. Cook, W. L. Reeves, S. H. Woolfolk—23,
Joseph P. Force, Samuel M. Sanders,

Those who voted in the negative, were—

Wm. A. Allen, R. L. Cooper, J. C. Moorman,
A. S. Arnold, Joseph M. Davidson, Wm. Mynhier,
R. Tarv. Baker, John W. Dyer, J. L. Nall,
Alpheus W. Bascom, Walter Evans, Julian N. Phelps,
John A. Bell, M. Woods Ferguson, Lewis Potter,
J. C. S. Blackburn, C. D. Foote, E. A. Robertson,
Wm. F. Bond, Wm. Cassius Goodloe, J. R. Sanders,
W. B. M. Brooks, Clinton Griffith, C. C. Scales,
Thomas P. Cardwell, E. Polk Johnson, Harry I. Todd,
John S. Carpenter, T. J. Jones, L. W. Traf ton,
James S. Chrisman, J. S. Lawson, T. W. Varnon,
C. M. Clay, jr., J. J. McAffee, J. L. Waring,

Ordered, That said bill be engrossed and read a third time.

Said bill being engrossed, was then read a third time as follows, viz:
§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the following sums of money are hereby appropriated to the following named persons, to be paid by the Treasurer, out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor, viz:

§ 2. To the Speakers of the Senate and House of Representatives, each, ten dollars per day during the present adjourned session.

§ 3. To the principal Clerks of the Senate and House of Representatives, each, ten dollars per day during the present adjourned session, and the same for such time as may be necessary, not exceeding ten days after the adjournment, for preparing the acts for publication.

§ 4. To the First Assistant Clerks of the Senate and House of Representatives, ten dollars, each, per day, during the present adjourned session.

§ 5. To such members of the Senate and House of Representatives as have acted as Speakers pro tem., each, five dollars per day, in addition to their per diem pay as members, for the time they have acted as such Speakers pro tem., respectively; the time to be certified to the Auditor by the respective Chief Clerks of the Senate and House of Representatives.

§ 6. To R. G. Burton and William T. Marshall, Clerks of the Committee on Enrollments, eight dollars, each, per day, during the present adjourned session.

§ 7. To William H. Miller, Second Assistant Clerk of the House of Representatives, eight dollars per day from the 15th day of January, 1873, to the 16th day of April, 1873, inclusive.

§ 8. To the Sergeant-at-Arms of the Senate and House of Representatives, each, eight dollars per day during the present adjourned session.

§ 9. To the Door-keepers of the Senate and House of Representatives, each, eight dollars per day during the present adjourned session.

§ 10. To Isaac Wingate, jr., ten dollars per day, for his services as Clerk of the Joint Committee on the Revision of the Statutes, the number of days to be certified to the Auditor by the chairman of said committee.

§ 11. To D. D. Sublett, two dollars per day during the present session (in addition to his regular per diem pay as Sergeant-at-Arms of the Senate), for his extra services performed in waiting on the Committee on the Revision of the Statutes.

§ 12. To the Ministers of the Gospel of Frankfort who have opened the Senate and House of Representatives with prayer during the present adjourned session, three hundred dollars, to be drawn and distributed among them by R. A. Thomson, Sergeant-at-Arms of the House of Representatives.

§ 13. To D. D. Sublett, for the benefit of J. W. Conley, three dollars per day; and for the benefit of Lewis Harris, three dollars per day, during the present adjourned session, for their services as porters of the Senate.

§ 14. To R. A. Thomson, for the benefit of John Walsh, three dollars per day; for the benefit of Alexander Burns, three dollars per day; and for the benefit of Robert Duval, three dollars per day, each, during the present adjourned session; and to Lewis Halleck, twenty-five dollars for preserving and supplying to members of the General Assembly copies of bills and documents printed by its order.

§ 15. To the Pages of the Senate and House of Representatives, three dollars per day, each, during the time they have respectively acted during the present adjourned session.

§ 16. To G. B. Crittenden, for the benefit of Robert Loomis, three dollars per day during the present adjourned session, for waiting on the "back capitol" and three dollars per day for the benefit of John Henry Morton,
during the present adjourned session, for his services in sawing and wheeling wood.

§ 17. To Reading & Dehoney, ninety dollars and fifteen cents, for articles furnished General Assembly.

§ 18. To S. C. Bull, nineteen dollars and forty cents, for articles furnished House of Representatives.

§ 19. To Gray & Rodman, twenty-eight dollars and ninety-five cents, for articles furnished Senate.

§ 20. To Rodman & Bro., fifty-two dollars and fifty cents, for articles furnished the General Assembly.


§ 22. To William Selbert, ten dollars, for repairing clock Senate and House of Representatives.

§ 23. To G. W. Miller, twelve dollars and eighty-five cents, for articles furnished General Assembly.

§ 24. To L. Tobin, twenty-seven dollars and fifteen cents, for articles furnished House of Representatives.

§ 25. To L. B. Marshall, twenty-three dollars and five cents, for articles furnished General Assembly.

§ 26. To L. Hermann, four dollars and eighty-five cents, for articles furnished House of Representatives.

§ 27. To J. W. South, twenty-nine dollars and twenty-five cents, for articles furnished General Assembly.

§ 28. To A. B. Reed, one hundred and fifty dollars, for articles furnished and carpenter work done for the Senate and House of Representatives during the present adjourned session.

§ 29. To William R. Watson, Assistant Librarian, three dollars per day during the present adjourned session, for extra services in the Library.

§ 30. To Wm. H. Stanley, seven hundred and ninety-one dollars and twenty cents, for papers furnished the Senate and House of Representatives during the present adjourned session.

§ 31. To the Louisville Courier-Journal Printing Company, four hundred and eighty-seven dollars and forty-four cents, for papers furnished Senate and House of Representatives during the present session.

§ 32. To the Louisville Ledger Printing Company, two hundred and seventy-two dollars, for Ledgers furnished General Assembly during the present session.

§ 33. To Major & Johnston, five hundred and fifty dollars, for Daily Yeoman furnished General Assembly during the present session.

§ 34. To publishers Carlisle Mercury, four dollars, for four copies of Mercury furnished General Assembly present adjourned session; and four dollars for four copies of said papers to General Assembly at last session.

§ 35. To publishers Maysville Bulletin, four dollars and fifty cents, for papers furnished General Assembly present adjourned session.

§ 36. To Nancy Morton, seven dollars, for washing towels for House of Representatives during present adjourned session.

§ 37. To Letitia Harris, five dollars, for washing towels for Senate during present adjourned session.

§ 38. To A. G. Talbott, sixteen dollars, for expenses to visiting Blind Asylum and committee.

§ 39. To John L. Moore, three dollars, for carpet furnished Senate.

§ 40. To publishers Paducah Tobacco Plant, ten dollars, for papers furnished General Assembly present session.
§ 41. To publisher Mayfield Democrat, eight dollars, for papers furnished General Assembly.
§ 42. To the publishers Hickman Courier, eight dollars, for papers furnished General Assembly.
§ 43. To the publishers Columbus Dispatch, eight dollars, for papers furnished General Assembly.
§ 44. To the publishers Paducah Kentuckian, twelve dollars, for papers furnished General Assembly.
§ 45. To John Griffin, sixteen dollars, for repairs done to gas-pipes for Senate Chamber and House of Representatives.
§ 46. To Sanford Goin, eighty dollars, for ice furnished Senate and House of Representatives during present session.
§ 47. To publishers Owensboro Monitor, ten dollars, for papers furnished Senate and House of Representatives.
§ 48. To publishers Owensboro Shield, five dollars, for papers furnished General Assembly.
§ 49. To publishers Bowling Green Democrat, four dollars and fifty cents, for papers furnished during present General Assembly.
§ 50. To publishers Green River Pantagraph, four dollars and fifty cents, for papers furnished General Assembly during present session.
§ 51. To Graham Hughes, three dollars per day during the present adjourned session, for his services as Clerk of Enrollments and assistance to the Clerks of the House of Representatives.
§ 52. To Major & Johnston, three dollars and fifty cents, for printing done for Electoral College, 1872.
§ 53. To the principal Clerks of the Senate and House of Representatives, such sums as they may each certify to the Auditor as paid by them for enrolling bills and resolutions at the present adjourned session.
§ 54. To J. G. Hatchett, postmaster, seven dollars and fifty-five cents, for postage during session.
§ 55. To the publishers Murray Gazette, two dollars, for papers furnished present session.
§ 56. To the publishers of the Big Sandy Herald, ten dollars and fifty cents, for papers furnished General Assembly.
§ 57. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Resolved. That the title of said bill be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of H. C. Parish, of Barren county;
An act to amend an act, approved March 28, 1872, authorizing sheriffs to sell real estate to pay revenue tax;
An act to amend the charter of the city of Louisville;
An act to authorize the election of police judge and town marshal in the town of Brownsville, in Edmonson county;
An act to repeal an act, entitled “An act to authorize the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes;”
An act for the benefit of C. M. Hanks and Samuel Spradlin, of Wolfe county;
An act to amend the charter of the city of Maysville;
An act to incorporate the Dry Ridge, Knoxville, and DeMossville Turnpike Road Company;
An act for the benefit of the Baptist Church of Bedford, in Trimble county;
An act to charter the public schools of Falmouth, and district No. 1, in Pendleton county;
An act to amend an act incorporating the Williamstown Odd Fellows' Hall Company;
An act to incorporate the Nicholasville Building and Accumulating Fund Association;
An act to incorporate the Henderson Building and Loan Association;
An act to incorporate the Central Club;
An act to incorporate the Lockport Odd Fellows' and Masonic Building Company;
An act to incorporate the town of Norton, in Hopkins county;
An act to prohibit the retail of spirituous, vinous, or malt liquors in the towns of Hudsonville, Constantine, and Cross Roads, in Breckinridge county, or in any part of said county, within six miles of either of said towns;
An act to extend the time of signing the bill of exceptions in the case of Carlisle Hunt's heirs against Elisha Long and Elizabeth Gray, in Greenup circuit court;
An act to incorporate the Transylvania Street Railroad Company;
An act for the relief of the stockholders of the Evansville, Henderson, and Nashville Railroad Company;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to prohibit the sale of spirituous, vinous, or malt liquors in Lincoln county, and to take a vote on the same;
An act for the benefit of A. Portwood, sheriff of Anderson county;
An act for the benefit of Joseph T. Ratliffe, sheriff of Pike county, for the year 1871;
An act to charter the Dozier Mountain Coal Company;
An act to incorporate the Mt. Olive Encampment, No. 55, Independent Order of Odd Fellows, at Greenville;
An act to incorporate a Steam Ferry Company at the head of Island No. 1, on the Mississippi river, in Ballard county;
An act to amend the charter of the Newport and Dayton Street Railway Company;
An act to impose an additional tax on dogs in Bracken county;
An act for the protection of property on Tennessee river;
An act to amend an act, entitled "An act to establish and maintain a system of public schools in the town of Corydon, in Henderson county;"
An act to resubmit an act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof, approved February 28th, 1872;
An act to prohibit the sale of spirituous or vinous liquors in Nicholas county;
An act to amend an act, entitled "An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company;"
An act to authorize the county court of Harrison county to appropriate money towards building a bridge on the Cynthiana and Ashbrook's Mills Turnpike Road;

An act to amend an act, entitled "An act to regulate the taking up of property found adrift upon certain rivers in this Commonwealth," approved March 22d, 1873;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Madisonville," approved February 13th, 1873;

An act to incorporate Asher Lodge, No. 531, of Free and Accepted Masons;

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association;"

An act to establish and incorporate the town of Stroud City, in Muhlenburg county;

An act repealing an act in regard to common schools in Carrollton, in Carroll county;

An act for the benefit of school district No. 3, in Franklin county;

An act to authorize the Garrard county court to appropriate money to aid in building a hospital for small-pox patients, and to levy a tax therefor;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

Mr. Graves read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Quarter-Master General be, and is hereby, instructed to prepare such forms and blanks as may be necessary for the preparation of military claims, and furnish the same to citizens of Kentucky who may apply to him with the purpose of putting in proper form any claim they may have against the United States Government for property taken or used during the war of the rebellion; that it shall be the duty of the Quarter-Master General to give such advice and instruction as may be necessary to the perfecting of such claims, and when the same shall have been filed with him, he shall, so far as he can without interference with his duties in connection with the war claim, file said claims on behalf of the claimants in the proper departments at Washington, and press their settlement.

Pending the consideration thereof, the House adjourned.
A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act relating to school district No. 14, in Simpson county."

An act to regulate official sales of real and personal property, and of settlement of estates in the counties of Pendleton, Lewis, Bracken, and Hickman.

An act for the benefit of Merrill Hardin, of Garrard county.

An act to regulate the jurisdiction of the circuit court and court of common pleas of Union and Henderson counties.

An act for the benefit of Mary Carter, a minor, of Lyon county.

An act to add Graves county to the common pleas district in the first judicial district, and to provide for chancery terms of said common pleas court in said county.

An act to amend the charter of the town of Crofton, in Christian county.

That they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Mount Sterling and Carter County Mining and Manufacturing Company.

An act for the benefit of J. J. Wood, late sheriff of Clinton county.

An act for the benefit of Henry H. Moody, of Green county.

An act to amend an act, entitled "An act to amend the charter of the town of Lancaster."

An act to repeal an act, entitled "An act to declare certain lakes and creeks in Ballard county navigable."

An act to declare Rock House Fork of Licking river a navigable stream.

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Campbellsville," approved March 21st, 1871.

An act to incorporate the Grand Lodge of the American Protestant Association of Kentucky.

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An act to amend an act, entitled "An act to incorporate the Louisville Orphans' Home Society," approved February 20th, 1859.
An act for the benefit of school district No. 29, in Washington county.
An act to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county."
An act for the benefit of the town of Clinton.
An act for the benefit of John Gibbs, of Wolfe county.
An act in relation to the convicts of the Penitentiary.
An act to incorporate the Minott Orphan Asylum of the city of Louisville.
And that they had passed bills of the following titles, viz:
1. An act to prevent collecting officers from gambling.
2. An act concerning the town of Burksville.
3. An act to amend the charter of the city of Covington.
4. An act to amend the charter of the city of Covington.
Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,
Ordered, That they be referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Religion, and the 3d and 4th to the Committee on Corporate Institutions.
Mr. Carlisle offered the following resolutions, viz:
Resolved, That the Clerk do now proceed to call the several counties and legislative districts in their regular order, and that each member be permitted to call up for passage two bills, local to his county, city, or legislative district; and if any bill so called up shall meet with opposition and elicit discussion, the same shall be passed into the orders of the day, and the member who called up the same shall have the right to take up another local bill in lieu thereof.
Resolved, That after the call of the counties and legislative districts is completed, the House will not consider any other bills, but will receive and act upon reports from conference committees, and amendments proposed by the Senate to bills already passed by the House.
Resolved, That if reports from conference committees, or amendments from the Senate, shall be received during the call of the counties, the call shall be suspended for the purpose of considering such reports and amendments, and messages from the Governor, and reports and resolutions from the Senate.
Which were adopted.
Leave was given to bring in the following bills, viz:

On motion of Mr. Blackburn—

1. A bill for the benefit of the city of Lexington.

On motion of Mr. Sellers—


Ordered, That the Committee on Education prepare and bring in the 1st, and the Committee on Propositions and Grievances the 2d.

Mr. Blackburn, from the committee on conference, to whom was referred the disagreement of the two Houses on chapter —, of the proposed Revision of the Statutes, entitled "To adopt the General Statutes," presented the following report, viz:

The undersigned, appointed a committee of conference by the two Houses on the disagreement of the two Houses on chapter —, by Revision, entitled "To Adopt the General Statutes," recommend that the Senate recede from its disagreement to the amendment proposed by the House, No. 5, and recede also from its disagreement to amendment No. 2, striking out section 2 of article 2, and in lieu of section 5 of article 11, original bill, report the following as a substitute:

The Public Printer is directed to print in one volume, ready for distribution by September 1st, 1873, four thousand copies of the General Statutes, at the rate of printing now established by law, not however, to exceed one dollar per volume of one thousand pages; which shall be received by the Secretary of State, and by him held and distributed as follows: To each person or officer entitled to one under the provisions of the chapter on laws, to the Asylum of Deaf and Dumb, to each Lunatic Asylum, Asylum for the Blind, the Feeble-minded Institute, the House of Reform, one copy each; the Secretary of the Department of State of the United States, the Executive of each State and Territory within the United States, three copies each; to the Public Library at Louisville, two copies; to the Law School at Louisville, two copies.

We propose the following additional section to said chapter, viz:

§ 10. The Public Binder shall bind in good law sheep each volume of the General Statutes as it comes from the Printer; and he shall receive as compensation therefor at the rates now fixed by law, not exceeding, however, the sum of sixty cents per volume.

JO. C. S. BLACKBURN,
C. W. THRELKELD,
W. L. REEVES,
K. F. PRICHARD,
JAMES F. CLAY,
THOS. F. HARGIS.

The question was taken upon the adoption of said report, and it was decided in the affirmative.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:
By Mr. Baker, from the Committee on Circuit Courts—
An act to provide for the transfer of certain causes from the Graves circuit court to the McCracken court of common pleas.

By same—
An act to authorize the clerk of the Allen circuit court to make a cross-index to suits and causes on file in said office.

By Mr. Cooper, from the Committee on Education—
An act to amend an act, entitled “An act for the benefit of common school district No. 1, in Allen county.”

By Mr. Trafton, from the Committee on County Courts.
An act extending further time to the county of Boyle in which to provide fire-proof vaults for county records.

By same—
An act for the benefit of Thomas P. Cardwell and Wm. Spencer, of Breathitt county.

By Mr. Mynhier, from the Committee on County Courts—
An act for the benefit of C. M. Hanks, jailer of Wolfe county.

By Mr. Ayers, from the Committee on Religion—
An act to protect graveyards and cemeteries.

By Mr. Cooper, from the Committee on Education—
An act for the benefit of school district No. 21, in Carroll county.

By Mr. Blackburn, from the Committee on Railroads—
An act for the benefit of Trimble county in voting subscription of stock to railroads.

By Mr. Blakey, from the Committee on Corporate Institutions—
An act to incorporate the Frankfort True Friend Society.

By same—
An act to incorporate Mayfield Lodge, No. 151, I. O. O. F.

By Mr. F. A. Wilson, from the Committee on County Courts—
An act to repeal an act, entitled “An act authorizing E. H. Smith and others to close an alley in Williamstown, Grant county.”

By Mr. Mynhier, from the Committee on Corporate Institutions—
An act to incorporate the Elizabethtown Building and Loan Association.

By Mr. Waring, from the Committee on Railroads—
An act to amend an act, entitled “An act to amend the charter of the Elizabethtown and Paducah Railroad Company,” approved February 28th, 1873.

By Mr. Mynhier, from the Committee on Corporate Institutions—
An act to incorporate the Lambert Mining Company.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bascom, from the Committee on Banks, to whom was recommitted a bill, entitled

A bill for the benefit of the Bank of Louisville,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills were reported by the several committees who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. Garnett, from the Committee on the Judiciary—

A bill to amend an act to incorporate the town of Glenville, in Adair county.

By Mr. Griffith, from the Committee on Claims—

A bill to pay Clinton county for keeping Louisa Eldridge, a pauper lunatic of this Commonwealth.

By Mr. Davidson, from the Committee on Propositions and Grievances—

A bill for the benefit of J. N. Culton, late sheriff of Jackson county.

By Mr. Carpenter, from the Committee on Education—

A bill to provide for the education of colored children in Garrard county.

By Mr. Waring, from the Committee on Propositions and Grievances—

A bill to legalize the action of the Greenup county court of levy and claims.

By Mr. Armstrong, from the Committee on Education—

A bill for the benefit of school district No. 35, in Henry county.
Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. W. Evans moved to reconsider the vote by which a bill this day passed the House, entitled

A bill to amend an act to incorporate the town of Glenville, in Adair county.

The House took up the following bills, which were amended in the Senate, viz:

An act authorizing the county court of claims of Fleming county to carry into effect the bequest of J. J. Andrews, deceased, to the poor of Fleming county.

An act to amend the charter of the South Kentucky Railway Company.

The question was taken on the adoption of said amendments, and they were concurred in.

The House took up the motion to reconsider the vote by which a bill was rejected, entitled

An act for the benefit of John Haly.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

A. C. Armstrong, R. D. Cook, M. E. McKenzie,
A. S. Arnold, R. L. Cooper, J. L. Nall,
R. Tarv. Baker, John W. Dyer, Hiram S. Powell,
Alpheus W. Bascom, Walter Evans, J. P. Sacksteder,
W. N. Beckham, M. Woods Ferguson, Frank Sacksteder,
J. C. S. Blackburn, Joseph P. Foree, J. R. Sanders,
W. B. M. Brooks, James Garnett, Samuel M. Sanders,
William Brown, Wm. Cassius Goodloe, C. W. Threlkeld,
Thomas P. Cardwell, C. P. Gray, Harry J. Todd,
John S. Carpenter, Clinton Griffith, L. W. Trafton,
B. E. Cassilly, E. Polk Johnson, J. L. Waring,
MR. BAKER, FROM THE COMMITTEE ON CIRCUIT COURTS, TO WHOM WAS REFERRED A BILL FROM THE SENATE, ENTITLED

AN ACT TO AMEND AN ACT, ENTITLED "AN ACT TO CHANGE THE TIME FOR HOLDING THE CIRCUIT COURTS IN THE FIFTH JUDICIAL DISTRICT," APPROVED JANUARY 13, 1872,

REPORTED THE SAME WITH A SUBSTITUTE, BY WAY OF AMENDMENT, WHICH WAS ADOPTED.

ORDERED, THAT SAID BILL, AS AMENDED, BE READ A THIRD TIME.

THE RULE OF THE HOUSE AND CONSTITUTIONAL PROVISION AS TO THE THIRD READING OF SAID BILL BEING DISPENSED WITH,

RESOLVED, THAT SAID BILL DO PASS, AND THAT THE TITLE THEREOF BE AS AFORESAID.

MR. DAVIDSON, FROM THE COMMITTEE ON PROPOSITIONS AND GRIEVANCES, TO WHOM WAS REFERRED LEAVE, REPORTED

A BILL FOR THE BENEFIT OF H. B. WISEMAN, FORMER SHERIFF OF ESTILL COUNTY.

WHICH BILL WAS READ THE FIRST TIME AND ORDERED TO BE READ A SECOND TIME.

THE RULE OF THE HOUSE AND CONSTITUTIONAL PROVISION AS TO THE SECOND READING OF SAID BILL BEING DISPENSED WITH,

ORDERED, THAT SAID BILL BE ENGROSSED AND READ A THIRD TIME.

THE RULE OF THE HOUSE AND CONSTITUTIONAL PROVISION AS TO THE THIRD READING OF SAID BILL BEING DISPENSED WITH, AND THE SAME BEING ENGROSSED.

RESOLVED, THAT SAID BILL DO PASS, AND THAT THE TITLE THEREOF BE AS AFORESAID.

THE YEAS AND NAYS BEING REQUIRED THEREON IN PURSUITANCE TO A PROVISION OF THE CONSTITUTION, WERE AS FOLLOWS, VIZ:

THOSE WHO VOTED IN THE AFFIRMATIVE, WERE—

MR. SPEAKER (M'CREARY) R. L. COOPER, LEWIS POTTER,
WM. A. ALLEN, JOSEPH M. DAVIDSON, HIRAM S. POWELL,
A. C. Armstrong, John W. Dyer, W. L. Reeves, 
A. S. Arnold, Walter Evans, E. A. Robertson, 
W. W. Ayers, W. H. Evans, John Rowan, 
G. W. Bailey, M. Woods Ferguson, J. P. Sacksteder, 
R. Tarv. Baker, Joseph P. Foree, Frank Sacksteder, 
Alpheus W. Bascom, James Garnett, J. R. Sanders, 
W. N. Beckham, Wm. Cassius Goodloe, William Sellers, 
S. C. Bell, C. P. Gray, James W. Snyder, 
J. C. S. Blackburn, Clinton Griffith, J. S. Taylor, 
W. B. M. Brooks, E. Polk Johnson, C. W. Threlkeld, 
William Brown, Thomas M. Johnson, Harry I. Todd, 
Thomas P. Cardwell, J. S. Lawson, L. W. Trafton, 
Robert M. Carlisle, Bryan S. McClure, J. L. Waring, 
John S. Carpenter, William J. McElroy, C. H. Webb, 
B. E. Cassilly, M. E. McKenzie, J. M. White, 
James S. Chrisman, T. J. Megibben, F. A. Wilson, 
C. M. Clay, jr., J. C. Moorman, Jonas D. Wilson, 
J. Guthrie Coke, Wm. Mynhier, J. N. Woods, 
Josiah H. Combs, J. L. Nall, S. H. Woolfolk, 
R. D. Cook, Julian N. Phelps, 

In the negative, none.

Said bill reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That further time, until the next court of claims of Estill coun-
ty, be, and the same is hereby, allowed H. B. Wiseman, former sheriff
of Estill county, to make out and return an additional delinquent
list of revenue and county levy for the year 1872; and the Auditor
of Public Accounts is hereby directed to draw his warrant in favor
of said Wiseman for the amount of delinquent revenue property
certified to him by the Estill county court, to be paid out of any
money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

A message was received from the Senate by Messrs. Talbott and
Burton, asking leave to withdraw from the Governor a bill, which
originated in the House of Representatives, entitled

An act to repeal an act, entitled “An act to amend the charter of
the Danville and Hustonville Turnpike Road Company,” approved
February 24, 1870.

Which was granted.

The Chair appointed Messrs. Waring, Samuel M. Sanders, and
Frank Sacksteder a committee to withdraw the same.

The same committee, Messrs. Talbott and Burton, asked, obtained
leave, and withdrew from the House a bill, which originated in the
House of Representatives, entitled
An act to incorporate the Mt. Sterling and Carter County Mining and Manufacturing Company.

A message was received from the Governor by Mr. Craddock, Secretary of State, which was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,
Frankfort, April 19, 1873.

Gentlemen of the House of Representatives:

I herewith respectfully return to you a bill, which originated in your honorable body, entitled "An act to suppress the selling or giving to minors spirituous, vinous, or malt liquors in the city of Covington," with the reasons for withholding my approval.

The first section of the bill entirely repeals, so far as applicable to the city of Covington, the general laws on the subject. The succeeding sections provide a special legislation for the city of Covington, which greatly, and I think most unwisely, remits and relaxes the wholesome restraints and penalties by which the general law seeks to protect the youth of our State against the snares and enticements of a wide-spread and most calamitous vice—a vice so prevalent and so baneful to society as to justify stringent laws for its suppression in the interests of public morals. The general law provides that "no person shall sell, give, loan, procure for, or furnish to any minor, any spirituous, vinous, or malt liquors, or any mixture of either, without the written consent of the father of such person, if living, or of the mother or guardian, if the father be dead."

The scope and force of this prohibition are greatly lessened in the bill under consideration, which only forbids selling or giving to minors in the city of Covington, leaving it lawful of course to procure for, loan, or furnish it to them. It also changes and lessens the penalty to be inflicted upon the offender. In lieu of a fine of fifty dollars and costs, including an attorney's fee of twenty dollars for each offense, it prescribes a fine of five dollars and costs, including an attorney's fee of five dollars for the first offense, and only the same penalty each for any number of offenses as against all persons, except the vendor or his servant; and as either of those may be convicted of a second or third offense in selling or giving to the same youth, the penalty is increased; but the shrewd salesman may sell or give to any number of children his liquors again and again without incurring any greater fine, provided that he does not sell or give to any one for selling or giving to whom he has been before convicted.

Moreover, by the general law the parents, guardian, or any one entitled to the services of the minor who has been supplied with liquor contrary to the statute, shall be entitled by civil action on the bond of any licensed vendor, to recover against him and his securities one hundred dollars in damages and costs, including an attorney's fee of twenty-five dollars; and such may be the recovery for each separate offense. The justice of this provision is manifest, and tends much to the repression of a great wrong, and affords some compensation to those who have been deprived of the services of a minor
by a violation of law, as well as inflicting a just punishment on those who have debauched him. No such provisions are in the bill under consideration. Why shall the liquor dealers of Covington, above all others in the State, be exempt from such restraints and penalties? The State has quite as much interest in the welfare of the youth of Covington as of any other city or county within its territory, and owes to them an equal duty of protection. I think it unwise to grant special and exclusive legislation to any particular locality, giving to it privileges not shared by the whole Commonwealth. Very exceptional and urgent circumstances and reasons must exist to justify such enactments. I know of no reason, and none is even alleged in the bill, why the law of the State on this subject should not be uniform, or why its provisions should be relaxed or repealed in the present case. On the contrary, should the present bill become a law, the Legislature will probably be applied to by other cities and towns claiming similar or even entire exemption from the operations of a law, the restrictions of which are perhaps peculiarly needed in those very localities.

The existing law on this subject is eminently wise and just, and believing it contains no provision which is not wholesome and beneficent to the community, and proper to be universally enforced, I am constrained to withhold approval, and most respectfully return the bill.

P. H. LESLIE.

The bill returned reads as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the act, entitled "An act to suppress the selling, giving, or furnishing spirituous, vinous, or malt liquors to minors," approved March 22d, 1871, be, and the same is hereby, repealed, so far as it applied to the city of Covington, also the acts therein referred to.

§ 2. That thereafter it shall be unlawful for any person, the keeper, or servant of said keeper, of any saloon, coffee-house, or other place where spirituous, vinous, or malt liquors, or a mixture thereof, is kept for sale by any licensed vendor thereof, or any other person, to sell or give to any minor any of the foregoing liquids, or a mixture thereof, without the consent of their parent, or if he or they be dead, without the consent of their guardian. It shall also be unlawful for any minor over the age of eighteen years to purchase or receive any of said liquids, or a mixture thereof; and any person over the age of eighteen years who shall violate any or all of the provisions of this act shall be guilty of a misdemeanor, and subject to such fines and penalties as are hereinafter set forth.

§ 3. That for the first offense any persons violating any of the provisions of this act, upon conviction thereof by any competent tribunal, he or she shall be fined five dollars, together with the costs thereof, including an attorney's fee of five dollars.

§ 4. That for the second offense by the vendor thereof, or his or their servants, after having been convicted of the first offense with the same minor, he or she shall be fined and imprisoned, in discretion of the court, either one or both, the fine not to exceed fifty dol-
Far and the imprisonment not to exceed thirty days in the county jail, together with the costs and an attorney's fee of ten dollars.

§ 5. That for the third offense by the vendor thereof, or his or their servants, with the same minor, after having been convicted of the first and second offense, he or she shall be fined, not exceeding one hundred dollars, or imprisoned in the county jail, not to exceed sixty days, or both, in discretion of the court, together with the costs and an attorney's fee of twenty dollars, and shall be deprived of his or her license, and any license thereafter issued to him or her shall be void: Provided, That nothing herein shall make void any bond given by said vendor.

§ 6. That for the violation of section three of this act, any court having the jurisdiction of a justice of the peace shall have jurisdiction to try the same.

§ 7. That the vendors shall be liable under this act for any violation thereof by any person in his employ, or acting for him or her by his or her knowledge and consent, and the person so employed or acting shall also be liable to the same fines and penalties, and may be prosecuted in the same manner and modes: Provided, That the provisions of this act shall only apply to the city of Covington.

§ 8. This act shall take effect from and after its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

M. Woods Ferguson, C. D. Foote, Frank Sacksteder,

Those who voted in the negative, were—

Mr. Speaker (McCreary), John W. Dyer, Walter Evans,
Wm. A. Allen, Joseph P. Force, Wm. Cassius Goodloe, John Rowan,
A. C. Armstrong, C. P. Gray, J. P. Sacksteder,
A. S. Arnold, E. Polk Johnson, Samuel M. Sanders,
W. W. Ayers, Thomas M. Johnson, James W. Snyder,
Alpheus W. Bascom, T. J. Jones, J. S. Taylor,
W. N. Beckham, Bryan S. McClure, C. W. Threlkeld,
S. C. Bell, E. Polk Johnson, Harry I. Todd,
J. C. S. Blackburn, Thomas M. Johnson, C. H. Webb,
Church H. Blakey, T. J. Jones, J. M. White,
W. B. M. Brooks, Bryan S. McClure, F. A. Wilson,
Robert M. Carlisle, M. E. McKenzie, Jonas D. Wilson,
James S. Chrisman, J. C. Moerman, J. N. Woods,
J. Guthrie Coke, Wm. Mynnier, S. H. Woolfolk—49,
William G. Conrad, John W. Ogilvie, Julian N. Phelps,
R. D. Cook, Mat. Nunan,
R. L. Cooper,
A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the North Kentucky Bridge Connecting Railway and Construction Company.

An act to incorporate the Transit Railway Company.

An act to establish in this Commonwealth a uniform system of common schools for the education of children of African descent.

An act to appropriate money.

With amendments to the last two named bills.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act to repeal an act, entitled “An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company,” approved April 16th, 1873.

2. An act to amend an act, entitled “An act to amend the charter of the Jefferson and Brownsboro Turnpike Road Company”

3. An act for the benefit of the Fourth Kentucky Lunitic Asylum.

4. An act to regulate the sale of spirituous, vinous, and malt liquors in Marshall county.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with, the 3d bill was referred to the Committee on Charitable Institutions, and the 4th was referred to the Committee on Religion.

The rule of the House and constitutional provision as to the third reading of the 1st and 2d bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The resolutions adopted by the Senate are of the following titles, viz:

1. Resolution to print synopsis of acts.


The question was taken on the concurrence of the first resolution, and it was decided in the affirmative.

Mr. Walter Evans offered the following amendment to the second resolution, viz:
Resolved, That no part of the General Statutes shall be printed in said pamphlet.
Which was adopted.
The resolution, as amended, was concurred in.
The House then took up the amendments of the Senate to the bill, which originated in the House, entitled
An act to appropriate money.
The question being taken thereon, the first, second, third, and sixth were concurred in, and the fourth and fifth were disagreed to.
The yeas and nays being required by Messrs. Brown and Chrisman on the sixth amendment, viz: on striking out $272, and inserting $367.50, pay to Louisville Ledger for papers furnished members, it was decided in the affirmative.

Those who voted in the affirmative, were—


Those who voted in the negative, were—


Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled
An act to provide for the compensation of E. I. Bullock, G. W. Craddock, and J. M. Nesbitt, for services before the Joint Committee on the Revision of the Statutes,

Reported the same without amendment.

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 Auditor of Public Accounts is authorized and directed
to draw his warrant on the Treasurer in favor of E. I. Bullock, G. W. Craddock, and James M. Nesbitt, Commissioners to Revise the Statutes, for ten dollars per day, each, for the number of days they were actually in attendance before the joint committee of the two Houses during the sitting of said committee at the present session of the General Assembly.

§ 2. Before either of the Commissioners mentioned in the foregoing section shall be entitled to the warrant provided for in said section, he shall file an affidavit with the Auditor, stating the number of days he was actually in attendance before the said joint committee.

§ 3. This act shall take effect on its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) B. L. Cooper, John W. Ogilvie,
A. C. Armstrong, Joseph M. Davidson, Lewis Potter,
A. S. Arnold, Walter Evans, E. A. Robertson,
W. W. Ayers, M. Woods Ferguson, John Rowan,
R. Tarv. Baker, C. D. Foote, John P. Rowlett,
Alphonsus W. Bascom, Joseph P. Force, J. P. Sacksteder,
W. N. Beckham, Wm. Cassius Goodloe, Frank Sacksteder,
S. C. Bell, C. P. Gray, J. R. Sanders,
J. C. S. Blackburn, Clinton Griffith, Samuel M. Sanders,
Church H. Blakey, E. Polk Johnson, James W. Snyder,
W. B. M. Brooks, Thomas M. Johnson, J. S. Taylor,
William Brown, J. S. Lawson, C. W. Threlkeld,
Thomas P. Cardwell, William J. McElroy, Harry I. Todd,
Robert M. Carlisle, M. E. McKenzie, L. W. Trafton,
John S. Carpenter, T. J. Megibben, J. L. Waring,
B. E. Cassily, J. C. Moorman, F. A. Wilson,
J. Guthrie Coke, Wm. Mynhier, S. H. Woolfolk,

Those who voted in the negative, were—

Wm. A. Allen, Bryan S. McClure, William Sellers,
R. D. Cook, Mat. Nunan, J. M. White,

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had refused to recede from their amendments to the bill from the House, entitled

An act to appropriate, money.

On motion, the Chair appointed Messrs. Chrisman, Ferguson, and Baker a committee of conference, to act in conjunction with a simi-
lar committee on the part of the Senate, in relation to their disagree-
ment to said appropriation bill.

Mr. Chrisman, from the committee of conference, made the follow-
ing report, viz:

The joint committee of conference recommend the adoption of the
following resolution in relation to the general appropriation bill, viz:

Resolved, That the Senate amendment to section 13 be adopted by
inserting fifty dollars instead of one hundred dollars, and amendment
to section 14 be adopted by inserting twelve dollars and fifty cents
instead of twenty-five dollars.

J. S. CHRISMAN,
R. A. BURTON.

Which was adopted.

A message was received from the Senate, announcing that they
had concurred in the reports of the committees of conference on the
following bills, viz:

An act to adopt the General Statutes.
An act to appropriate money.

And had passed a resolution in relation to adjournment of the
General Assembly, passed 21st April, 1873.

That they had passed a bill, entitled
An act to adopt the General Statutes.
The House then took up the bill from the Senate, entitled
An act to adopt the General Statutes.
Which bill was read the first time and ordered to be read a second
time.

The rule of the House and constitutional provision as to the second
reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as
aforesaid.

Said bill reads as follows, viz:

ARTICLE I.

Of the General Statutes and their effect.

§ 1. Be it enacted by the General Assembly of the Commonwealth of Ken-
tucky, That this and the following chapters, from chapter 1 to chapter
—, inclusive, shall constitute and be known as the General Statutes
of the Commonwealth of Kentucky, and shall be designated and
cited by the words "The General Statutes," adding the number of
the chapter and section when necessary, and as such are adopted,
and shall become the law of the land, to take effect on the first day of December, 1873, except such parts thereof as to which a different provision is expressly made therein.

§ 2. That all statutes of a general nature in force when the General Statutes take effect, and which are repugnant thereto, are hereby repealed, except as follows, viz:

1. All statutes of Virginia or of this Commonwealth in relation to former appropriation of the vacant lands of this Commonwealth.

2. All statutes of a merely local relation to any county, city, or town, or relating to the powers, privileges, and franchises of any corporation; all statutes in relation to the Institution for the Education of the Blind, at Louisville, the American Printing House for the Blind, Banks, the Internal Improvement System, Insurance, and the Insurance Bureau.

3. All statutes in relation to any court, and the proceedings therein, in the city of Louisville and county of Jefferson, or of any city, town, or police court, and the officers thereof, and all statutes regulating the terms thereof.

4. The provisions of the Codes of Practice in civil and criminal cases, so far as the same are consistent with the General Statutes.

§ 3. The adoption of the General Statutes and the repeal of existing laws therein provided for shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any right established, accrued, or accruing, before the General Statutes take effect, or any proceeding or act confirmed, or any suit or proceeding in any civil action, before the repeal takes effect; but the proceedings therein shall thereafter conform as far as practicable to the provisions of the General Statutes; but when a punishment, penalty, or forfeiture is mitigated by the provisions of the General Statutes, such provisions may be extended and applied to any sentence or judgment pronounced after said repeal, nor shall such repeal affect any suit or prosecution pending at the time it takes effect for an offense committed or the recovery of a penalty or forfeiture incurred under any of the provisions of a law repealed, except that the proceedings therein shall, when necessary, conform to the provisions of the General Statutes.

§ 4. When a limitation, or period of time, prescribed in any of the acts repealed for acquiring a right or barring a remedy, or for any other purpose, has begun to run, and the same, or a similar limitation, is prescribed in the General Statutes, the time of limitation shall continue to run, and shall have the like effect as if the whole period had begun and ended under the operations of the General Statutes.

§ 5. The provisions of the General Statutes, so far as they are the same as those of existing laws, shall be construed as a continuation of such laws, and not as new enactments.

§ 6. The enrolled chapters of the General Statutes shall be deposited, and forever kept, in the office of the Secretary of State, which shall be an authentic record of such laws.
April 21.]

House of Representatives.

Article II.

Editing and Publication.

§ 1. Edward I. Bullock, of the county of Hickman, and William Johnson, of the county of Nelson, are hereby appointed Commissioners, who shall edit and superintend the publication of the General Statutes of the Commonwealth of Kentucky, as also an accurate copy of Magna Charta, the Constitution of the United States, the Acts of Congress upon the subject of removal of suits from the State Courts to the Courts of the United States, and upon the subject of naturalization; the act of Virginia concerning the erection of the district of Kentucky into a State, known as "The Compact with Virginia;" the first, the second, and the present Constitution of Kentucky; and all the Public Acts of the present session of the General Assembly. They shall also prepare suitable head notes to the several chapters, and marginal notes to the several sections, with marginal references to previous legislation as revised and compiled in the General Statutes, and a syllabus to the Decisions of the Court of Appeals construing such statutes, and shall also prepare a full and accurate index to the whole, pointing to the several sections therein. The Commissioners shall be allowed ten dollars per day for their services. The compensation of the Commissioners shall be for the time only in which they are actually employed, and upon their certificate the Auditor shall draw his warrant upon the Treasurer. If the Commissioners, or either of them, shall refuse to act, or a vacancy shall occur, the Governor shall appoint another or others in his or their place.

§ 2. Before any paper shall be used in the publication of the book, a sample thereof shall be submitted to the Secretary of State and the Commissioners, and by them approved. The work of binding shall, in point of execution and material, be at least equal to the binding of Stanton's Revised Statutes.

§ 3. As often as any form of the General Statutes shall be put in type, a proof-sheet thereof shall be furnished to the Commissioners, who shall carefully examine and compare the same with the original rolls and acts, and make all necessary corrections therein; and when such comparison and corrections are fully made, and said statutes printed, the Secretary of State and the Commissioners shall certify that the same have been examined and compared with the original rolls and acts, and that the same are true and correct copies thereof, and shall deposit a copy of said General Statutes so printed and certified in the Secretary's office, which shall be conclusive evidence of the verity thereof. Such certificate shall be printed in each copy of the General Statutes, which shall entitle the book to be read in evidence.

§ 4. The Public Printer is directed to print, in one volume, ready for distribution by September the 1st, 1873, four thousand copies of the General Statutes, at the rate of printing now established by law, not, however, to exceed one dollar per volume of one thousand pages, which shall be received by the Secretary of State, and by him...
held and distributed as follows: To each person or officer entitled to one under the provisions of the chapter on Laws; to the Asylum of the Deaf and Dumb, to each Lunatic Asylum, Asylum for the Blind, the Feeble-minded Institute, the House of Reform, one copy each; the Secretary of the Department of State of the United States, the Executive of each State and Territory within the United States, three copies each; to the Public Library of Louisville, two copies; to the Law School at Louisville, two copies: Provided, That in the event the Public Printer or Binder does not agree to print and bind the General Statutes at the prices herein stated, then the Secretary of State is hereby directed to have either the printing or binding, or both, done by the lowest bidder. The Public Binder shall bind, in good law sheep, each volume of the General Statutes, as it comes from the printer, and he shall receive as compensation therefor at the rates now fixed by law, not exceeding, however, the sum of sixty cents per volume.

§ 5. Those copies remaining shall be retained by the Secretary of State to supply such deficiency as may occur, or be distributed as hereafter directed by law: Provided, however, That the Secretary of State is authorized to sell copies of the General Statutes, at not less than cost price, to such persons as may wish to purchase. The money arising from such sale shall be paid quarterly into the Public Treasury.

§ 6. The acts of the present General Assembly, so far as they may be inconsistent with, or repugnant to, any provision of the General Statutes, shall be considered the law of the land.

§ 7. The Librarian shall, if not provided for in the contract, procure and furnish all paper and stationery required for the editing and publishing the General Statutes.

§ 8. No person shall copyright the General Statutes adopted by this chapter unless by consent of the General Assembly.


The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCready): William G. Conrad, Hiram S. Powell,
Wm. A. Allen, R. L. Cooper, W. L. Reeves,
A. C. Armstrong, Joseph M. Davidson, E. A. Robertson,
A. S. Arnold, John W. Dyer, John Rowan,
W. W. Ayers, M. Woods Ferguson, John P. Rowlett,
R. Tarv. Baker, Joseph P. Force, J. P. Sacksteder,
Alpheus W. Bascom, James Garnett, Frank Sacksteder,
W. N. Beckham, C. P. Gray, J. R. Sanders,
John A. Bell, Clinton Griffith, Samuel M. Sanders,
S. C. Bell, George M. Jesse, C. C. Scales,
J. C. S. Blackburn, * Thomas M. Johnson, James W. Snyder,
Church H. Blakey, J. S. Lawson, J. S. Taylor,
Wm. F. Bond, Bryan S. McClure, C. W. Threlkeld,
W. B. M. Brooks, Wm. J. McElroy, Harry I. Todd,
Those who voted in the negative, were—

William Brown, W. H. Evans, William Sellers,

Walter Evans,

Mr. Blackburn moved to reconsider the vote by which the report was adopted from the committee of conference on the bill, entitled An act to adopt the General Statutes.

And the question being taken thereon, it was decided in the affirmative.

Mr. Blackburn moved to add the following addition to the fourth section of the conference report, viz: Provided, That in the event the Public Printer or Binder does not agree to print and bind the General Statutes at the price herein stated, then the Secretary of State is hereby directed to have either the printing or binding, or both, done by the lowest bidder.

Which was adopted.

The House then took up the motion to reconsider the vote by which the bill from the Senate was rejected, entitled An act to pay the expenses of D. R. Haggard, State agent, sent to Missouri after Cutter and Taylor, charged with forgery.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

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, directed to draw his warrant upon the Treasury for two hundred and eighty-three dollars, in favor of D. R. Haggard, for money expended by him in the pursuit of Norman Cutter and John M. Taylor, of Missouri, charged with the crime of forgery.

§ 2. This act to take effect from its passage.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Cready) Walter Evans, E. A. Robertson,
Wm. A. Allen, W. H. Evans, John Rowan,
A. C. Armstrong, M. Woods Ferguson, J. P. Sacksteder,
R. Tarv. Baker, C. D. Foote, Frank Sacksteder,
Alpheus W. Bascom, Wm. Cassius Goodloe, J. R. Sanders,
W. N. Beckham, C. P. Gray, Samuel M. Sanders,
S. C. Bell, Clinton Griffith, C. C. Scales,
J. C. S. Blackburn, E. Polk Johnson, William Sellers,
Church H. Blakey, Thomas M. Johnson, James W. Snyder,
W. B. M. Brooks, T. J. Jones, J. S. Taylor,
William Brown, J. S. Lawson, C. W. Threlkeld,
Thomas P. Cardwell, Bryan S. McClure, Harry I. Todd,
Robert M. Cardisle, M. E. McKenzie, L. W. Trafton,
John S. Carpenter, J. C. Moorman, J. L. Waring,
B. E. Cassilly, J. L. Nall, J. M. White,
James S. Chrisman, Mat. Nunner, F. A. Wilson,
J. Guthrie Coke, John W. Ogilvie, Jonas D. Wilson,
William G. Conrad, Julian N. Phelps, J. N. Woods,
R. D. Cook, Lewis Potter, S. H. Woolfolk,
Joseph M. Davidson, W. L. Reeves,

In the negative—none.

The House then took up the Senate amendments to bills which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John F. King, sheriff of Knox county.
An act to amend section 519 of the Civil Code of Practice.
Which were concurred in.

Bills were reported by the several committees, who were directed to prepare and bring in the same, of the following titles, viz:

By Mr. J. P. Sacksteder, from the Committee on Codes of Practice—
A bill to amend section 101 of the Civil Code of Practice.

By Mr. Trafton, from the Committee on County Courts—
A bill to amend an act, entitled “An act to change the time of holding the circuit, chancery, and criminal courts in the 12th judicial district,” approved April —, 1873.

By same—
A bill for the benefit of William Tinsley, late sheriff of Knox county.

By same—
A bill to authorize the town marshal of New Liberty to appoint a deputy.
By same—
A bill to prevent the sale of spirituous, vinous, or malt liquors in
the first magisterial district, in Todd county.

By same—
A bill for the benefit of the police judge of the town of Leesburg,
in Harrison county.

By Mr. Mynhier, from the same committee—
A bill to authorize the county court of Breathitt to submit to
the voters of said county the question of voting a tax for the pur­
pose of having a survey made through said county for a railroad.

By Mr. McKenzie, from the Committee on Propositions and Griev­
ances—
A bill declaring certain portions of Round Stone creek, in Rock­
castle county, a navigable stream.

By Mr. Garnett, from the Committee on the Judiciary—
A bill to increase the jurisdiction of justices of the peace of
Logan county.

By Mr. Reeves, from the same committee—
A bill for the benefit of E. M. Flack, late sheriff of Todd county.

By Mr. Davidson, from the Committee on Propositions and Griev­
ances—
A bill to amend an act, entitled “An act to create and regulate
the office of county treasurer of Floyd county,” approved March
21st, 1871.

By same—
A bill to amend an act, entitled “An act to incorporate the Pre­
tonsburg Academy and Normal School Building Joint Stock Com­
pany;” approved March 29th, 1873.

By Mr. Cooper, from the Committee on Education—
A bill to regulate the manufacturing, storing, keeping, and trans­
porting nitro-glycerin, in Mason county.

By Mr. Griffith, from a select committee—
A bill to incorporate the Mercer County Medical Society, in Mercer
county.

By Mr. Scales, from the Committee on Corporate Institutions—
A bill to amend an act, entitled “An act to amend and reduce
into one the several acts concerning the town of Versailles,” ap­
proved March 6, 1868.

By Mr. McKenzie, from the same committee—
A bill for the benefit of R. F. Scott, sheriff of Garrard county.
By Mr. Clay, from the Committee on Agriculture and Manufactures—
A bill to repeal an act, entitled "An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the center thereof."

By Mr. Rowlett, from the Committee on Banks—
A bill to amend an act to incorporate the Louisville Stock and Bond Board.

Which bills were read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Mynhier, from the Committee on Corporate Institutions—
An act to amend the charter of the city of Ludlow.

By same—
An act to incorporate the Good Templars Aid Society, of Franklin county.

By Mr. Coke, from the Committee on the Judiciary—
An act to exempt secretaries, assistant secretaries, superintendents, assistant superintendents, and depot agents of railroads, from jury service.

By Mr. Potter, from the Committee on Agriculture and Manufactures—
An act to amend an act, entitled "An act to incorporate the Marion County Agricultural and Mechanical and Stock Association," approved January 16th, 1868.

By Mr. Megibben, from the Committee on Ways and Means—
An act for the benefit of C. B. Wickliffe, sheriff of Muhlenburg county.
By Mr. Cooper, from the Committee on Education—
An act for the benefit of common school district No. 1, in Pendleton county.

By Mr. Trafton, from the Committee on County Courts—
An act to incorporate the Falmouth Turnpike Road Company, in Pendleton county.

By Mr. Reeves, from the Committee on the Judiciary—
An act for the benefit of T. J. Smith and others.

By Mr. Rowlett, from the Committee on Banks—
An act to amend an act, entitled "An act to incorporate the Greensburg Deposit Bank," approved March 18, 1872.

By Mr. Brown, from the Committee on Circuit Courts—
An act to authorize the clerk of the Jefferson county court to make an index and cross-index of said county.

By Mr. Davidson, from the Committee on Propositions and Grievances—
An act to amend section 4 of an act, entitled "An act to authorize M. B. Goble to erect a boom across Blain creek, in Lawrence county," approved March 18th, 1870.

By Mr. Scales, from the same committee—
An act to amend the charter of the city of Covington.

By same—
An act to amend the charter of the city of Covington.

By Mr. Mynhier, from the Committee on County Courts—
An act for the benefit of Joseph Durban, of Lee county.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the Senate, of the following titles, were reported with amendments, by the several committees to whom they had been referred, viz:

By Mr. W. Evans, from the Committee on the Judiciary—
An act to authorize the making of an abstract book for the counties of Kenton, Campbell, and Boone.

By Mr. Waring, from the Committee on Railroads—
An act to incorporate the Louisville, Winchester, and Iron and Coal Region Railway Company.
The question was taken on the adoption of said amendments, and it was decided in the affirmative.

Ordered, That said bills, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McKenzie, from the Committee on Ways and Means, to whom was referred Senate bill, entitled

An act for the benefit of John J. Macklin, late sheriff of Kenton county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be instructed to draw his warrant on the Treasurer for two hundred and twenty-one dollars and ten cents, in favor of John J. Macklin, former sheriff of Kenton county, the said amount being for five per cent. penalties on taxes collected on or before the first day of April, 1872, and paid into the State Treasury by said Macklin, no portion of which was collected by said Macklin from tax-payers.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Wm. A. Allen, Joseph M. Davidson, Lewis Potter,
A. C. Armstrong, John W. Dyer, Hiram S. Powell,
R. Tarv. Baker, Walter Evans, E. A. Robertson,
Alpheus W. Bascom, W. H. Evans, John Rowan,
W. N. Beckham, M. Woods Ferguson, John P. Rowlett,
S. C. Bell, James Garnett, J. P. Sacksteder,
Church H. Blakey, Wm. Cassius Goodloe, Frank Sacksteder,
W. B. M. Brooks, C. P. Gray, J. R. Sanders,
William Browa, Clinton Griffith, C. C. Scales,
Thomas P. Cardwell, Thomas M. Johnson, William Sellers,
Robert M. Carlisle, J. S. Lawson, J. S. Taylor,
John S. Carpenter, Bryan S. McClure, C. W. Threlkeld,
B. E. Caselly, William J. McElroy, Harry I. Todd,
James S. Chrisman, M. E. McKenzie, L. W. Trafton,
C. M. Clay, jr., T. J. Megibben, J. L. Waring,
J. Guthrie Coke, J. C. Moorman, C. H. Webb,
Josiah H. Combs, J. L. Nali, F. A. Wilson,
Mr. Trafton, from the Committee on County Courts, to whom was referred leave, reported
A bill for the benefit of H. W. Scott, late sheriff of Daviess county, Which bill was read the first time and ordered to be read a second time.

The rule of the House and constitutional provision as to the second reading of said bill being dispensed with,

Ordered. That said bill be engrossed and 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 H. W. Scott, late sheriff of Daviess county, be allowed ninety days from the 31st day of March, 1873, to return to the Auditor of Public Accounts his delinquent list and exonerations; and the Auditor is directed to refund to said Scott such amount as may be found due him when said list and exonerations are returned as hereinafter provided.

§ 2. This act shall be in force and effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) Walter Evans, W. L. Reeves,
Wm. A. Allen, W. H. Evans, E. A. Robertson,
R. Tarv. Baker, M. Woods Ferguson, John Rowan,
Alpheus W. Bascom, James Garnett, John P. Rowlett,
W. N. Beckham, Wm. Cassius Goodloe, J. P. Sacksteder,
S. C. Beil, C. P. Gray, Frank Sacksteder,
W. B. M. Brooks, Clinton Griffith, J. R. Sanders,
William Brown, Thomas M. Johnson, C. G. scales,
Robert M. Carlisle, J. S. Lawson, William Sellers,
John S. Carpenter, Bryan S. McClure, James W. Snyder,
B. E. Cassilly, William J. McElroy, J. S. Taylor,
James S. Chrisman, M. E. McKenzie, C. W. Threlkeld,
C. M. Clay, J. T. Megibbon, Harry I. Todd,
jr., J. C. Moorman, L. W. Trafton,
J. Guthrie Coke, J. L. Nall, J. L. Waring,
Josiah H. Combs, Maj. Nunan, F. A. Wilson,
William G. Conrad, Julian N. Phelps, Jonas D. Wilson,
R. D. Cock, Lewis Potter, J. N. Woods—56.
Joseph M. Davidson, Hiram S. Powell,
John W. Dyer,
In the negative—none.
Resolved, That the title of said bill be as aforesaid.

Mr. Reeves, from the Committee on the Judiciary, to whom was referred a bill from the Senate, entitled

An act for the benefit of the judge of the Warren court of common pleas,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[For bill—see Acts present session.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Todd and Reeves, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary), M. Woods Ferguson, W. L. Reeves,
Wm. A. Allen, Joseph P. Foree, E. A. Robertson,
R. Tarv. Baker, Wm. Cassius Goodloe, John P. Rowlett,
W. N. Beckham, Clinton Griffith, J. P. Sacksteder,
J. C. S. Blackburn, E. Polk Johnson, Frank Sackstede,
Thomas P. Cardwell, J. S. Lawson, J. R. Sanders,
Robert M. Carlisle, Wm. J. McElroy, C. C. Scales,
B. E. Cassilly, M. E. McKenzie, J. S. Taylor,
C. M. Clay, Jr., T. J. Megibben, C. W. Threlkeld,
J. Guthrie Coke, J. C. Moorman, L. W. Trafton,
R. D. Cook, Wm. Mynhier, F. A. Wilson,

John W. Dyer, Lewis Potter,

Those who voted in the negative, were—

A. C. Armstrong, E. A. Graves, William Sellers,
Alpheus W. Bascom, C. P. Gray, Harry L. Todd,
S. C. Bell, Thomas M. Johnson, J. L. Waring,
Joseph M. Davidson, Hiram S. Powell,

Mr. McKenzie, from the Committee on Ways and Means, to whom was referred a bill from the Senate, entitled

An act for the benefit of the Louisville Board of Trade,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

[For bill—see Acts present session.]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Todd and Baker, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (McCready) R. L. Cooper, W. L. Reeves,
A. C. Armstrong, Joseph M. Davidson, E. A. Robertson,
R. Tary. Baker, John W. Dyer, John Rowan,
W. N. Beckham, W. H. Evans, John P. Rowlett,
J. C. S. Blackburn, M. Woods Ferguson, J. P. Sacksteder,
W. B. M. Brooks, Wm. Cassius Goodloe, Frank Sacksteder,
William Brown, Clinton Griffith, J. R. Sanders,
Thomas P. Cardwell, J. S. Lawson, C. C. Scales,
John S. Carpenter, M. E. McKenzie, William Sellers,
B. E. Cassilly, T. J. Megibben, James W. Snyder,
C. M. Clay, Jr., J. C. Moorman, C. W. Threlkeld,
J. Guthrie Coke, J. L. Nall, L. W. Trafton,
Josiah H. Combs, Mat. Nunan, C. H. Webb,
William G. Conrad, Julian N. Phelps, Jones D. Wilson,
R. D. Cook, Hiram S. Powell, J. N. Woods—45.

Those who voted in the negative, were—

Wm. A. Allen, Joseph P. Force, William J. McElroy,
Alpheus W. Bascom, C. P. Gray, Lewis Potter,
S. C. Bell, Thomas M. Johnson, Harry I. Todd,

Resolved, That the title of said bill be as aforesaid.

A message was received from the Senate, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act to amend section 101 of the Civil Code of Practice.

With an amendment thereto, which was concurred in.

Mr. Griffith, from the Committee on Claims, to whom was referred a bill from the Senate, entitled

An act to appropriate money for the payment of a claim due Henry Dressman, of the city of Covington,

Reported the same, amending title by striking out “Covington,” and inserting “Kenton county.”

Which amendment was adopted.

Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill, as amended, do pass, and that the title thereof be as amended.

Mr. Griffith, from the Committee on Claims, reported Senate bill, entitled

An act directing the Auditor to pay certain guard claims in Powell county,

With an amendment, which was adopted.
Ordered, That said bill, as amended, be read a third time.

The rule of the House and constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion, Mr. James S. Chrisman obtained leave of absence for the remainder of the session.

A message was received from the Governor by Mr. Craddock, Secretary of State, which was taken up and read as follows, viz:

**STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, FRANKFORT, April 22, 1873.**

Gentlemen of the Senate and House of Representatives:

I herewith, at the request of the Governor of the Commonwealth of Virginia, lay before you a communication from him, transmitting a copy of joint resolutions adopted by the General Assembly of Virginia, expressing their concurrence in the Governor's recommendation of the assumption of the debts of the several States by the Federal Government, together with the message of the Governor making such recommendation, to which your attention is respectfully invited.

P. H. LESLIE.

**COMMONWEALTH OF VIRGINIA, EXECUTIVE CHAMBERS, RICHMOND, April 7th, 1873.**

Sir: I have the honor to transmit herewith a copy of the joint resolutions adopted by the General Assembly of Virginia on the 26th day of March, 1873, together with a copy of the message referred to, with the request that you communicate the same to the Legislature of your State, whose concurrence in said resolutions is respectfully solicited in compliance therewith.

I have the honor to be your Excellency's obedient servant,

G. C. WALKER,
Governor of Virginia.

His Excellency Preston H. Leslie, Governor of Kentucky.

**JOINT RESOLUTIONS expressing the concurrence of the General Assembly of Virginia in the Governor's recommendation of the assumption of the debts of the several States by the Federal Government. (Agreed to March 26, 1873.)**

WHEREAS, The Governor of Virginia has transmitted to the General Assembly his special message, recommending the assumption and pay-pay of the existing debts of all the States by the United States Government; therefore,

1. Resolved by the General Assembly of Virginia, That it concurs in the said recommendation of the Governor as wise, just, and expedient.

2. Resolved, That the Governor be requested to transmit copies of these resolutions, together with the message, to the General Assembly of each of the States, and request their concurrence therein, and that our Sena-
tors and Representatives in Congress be requested to give this matter
their earnest attention.

A copy:

J. BELL BIGGER,

EXECUTIVE CHAMBERS, RICHMOND, February 17, 1873.

Gentlemen of the Senate and House of Delegates:

The unsettled condition of our own State finances and the want of cer-
tain statistical information deterred me from laying before you, in my
last annual message, some suggestions upon a subject of the highest im-
portance to the whole country, and especially to the people of Virginia.
And while the causes for that delay have not been entirely removed, yet
the magnitude of the questions involved, and the growing necessity for
their early solution, render a longer postponement of their considera-
both unwise and impolitic.

The present condition of the country and of public sentiment justifies
the opinion that the opportune moment has arrived when the real merits
of the subject to which I refer may be candidly and impartially discussed,
and wise and patriotic conclusions reached.

This subject embodies two propositions, distinct in character, but har-
monious in the results sought to be obtained. They are, first, the assump-
tion and payment by the United States Government of all the present
legal indebtedness of the several States; and second, to prevent the recur-
rence of a necessity for similar action hereafter, the solemn agreement by
and between the States to abstain from contracting any debts in the
future except such as may be found necessary to the legitimate and effect-
ive execution of their governmental functions, or as may be required by
sudden and great emergencies.

The former of these propositions must be accomplished by an act of
Congress, while the latter can be achieved only through an amendment
to the Federal Constitution, which will require the concurrence of three
fourths of all the States. I am aware that grave objections may be urged
to both of these propositions; but the immense advantages which would
accrue from their adoption appear to me to far outweigh them in import-
ance. They may be opposed because of the great inequality in the
amount of the debts of the several States, and the consequent unequal
distribution of benefits and burthens which might flow from their adop-
tion. But this difference is more apparent than real, especially if the
present market value of State securities be taken as the basis of compu-
tation. And further, while some of the States owe large debts and others
comparatively little or nothing, yet, when the amount which each State
contributes to the Federal revenues, and the great impetus which relief
from a large proportion of State taxation would give to commerce, manu-
factures, and production of all kinds, and everywhere throughout the coun-
try, are taken into consideration, it will be found that this objection
dwindles to little importance. And these considerations, to some extent,
apply to another and more potent objection which may be raised, viz: the
increase of the national debt which the assumption of the State debt
would cause, and the deleterious effect upon our national credit which
might be thereby produced.

Let us examine this objection carefully, and ascertain if it has any sub-
stantial foundation. The debts of the several States reckoned at par at
the beginning of the present year, and the amount of the Sinking Fund
or assets available for the reduction of the principal, as ascertained from their Executives or chief financial officers, were as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Total Debt</th>
<th>Amount of Sinking Fund and Assets</th>
<th>Contingent Liability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$8,478,018 00</td>
<td></td>
<td>8,480,000 00</td>
</tr>
<tr>
<td>Arkansas</td>
<td>5,545,000 00</td>
<td></td>
<td>6,900,090 00</td>
</tr>
<tr>
<td>California</td>
<td>3,372,500 00</td>
<td></td>
<td>1,900,660 00</td>
</tr>
<tr>
<td>Connecticut</td>
<td>5,459,000 00</td>
<td></td>
<td>352,000 00</td>
</tr>
<tr>
<td>Delaware</td>
<td>1,110,000 00</td>
<td></td>
<td>322,000 00</td>
</tr>
<tr>
<td>*Florida</td>
<td>1,288,917 00</td>
<td></td>
<td>Not known.</td>
</tr>
<tr>
<td>Georgia</td>
<td>8,186,500 00</td>
<td></td>
<td>3,200,000 00</td>
</tr>
<tr>
<td>Illinois</td>
<td>1,783,487 00</td>
<td></td>
<td>858,317 51</td>
</tr>
<tr>
<td>Indiana</td>
<td>4,650,330 37</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iowa</td>
<td>300,000 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kansas</td>
<td>1,336,675 00</td>
<td>135,527 34</td>
<td></td>
</tr>
<tr>
<td>Kentucky</td>
<td>Sinking fund exceeds amount of State debt.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>24,083,407 99</td>
<td></td>
<td>5,483,922 47</td>
</tr>
<tr>
<td>Maine</td>
<td>9,325,699 40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>10,931,678 75</td>
<td>2,920,247 64</td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>27,992,704 00</td>
<td>10,454,274 68</td>
<td>315,990 00</td>
</tr>
<tr>
<td>Michigan</td>
<td>1,763,292 78</td>
<td>419,773 23</td>
<td>2,276,000 00</td>
</tr>
<tr>
<td>Minnesota</td>
<td>260,000 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td>2,407,618 68</td>
<td>100,000 00</td>
<td></td>
</tr>
<tr>
<td>Missouri</td>
<td>18,747,000 00</td>
<td>231,000 00</td>
<td></td>
</tr>
<tr>
<td>*Nebraska</td>
<td>247,300 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nevada</td>
<td>660,000 00</td>
<td>35,779 83</td>
<td>35,843 27</td>
</tr>
<tr>
<td>*N. Hampshire</td>
<td>438,369 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>2,696,300 00</td>
<td>1,260,644 33</td>
<td>100,000 00</td>
</tr>
<tr>
<td>New York</td>
<td>36,574,206 10</td>
<td>11,187,466 56</td>
<td>100,000 00</td>
</tr>
<tr>
<td>*North Carolina</td>
<td>36,574,206 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>12,547,571 40</td>
<td>200,000 00</td>
<td></td>
</tr>
<tr>
<td>*Oregon</td>
<td>108,583 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>27,227,830 00</td>
<td>18,502,228 46</td>
<td></td>
</tr>
<tr>
<td>Rhode Island</td>
<td>7,627,506 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Sth Carolina</td>
<td>7,395,900 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>31,955,322 46</td>
<td>10,612,929 89</td>
<td>100,000 00</td>
</tr>
<tr>
<td>*Texas</td>
<td>2,389,716 87</td>
<td>253,315 69</td>
<td>100,000 00</td>
</tr>
<tr>
<td>Vermont</td>
<td>498,500 00</td>
<td>167,351 00</td>
<td>100,000 00</td>
</tr>
<tr>
<td>Virginia</td>
<td>44,000,000 00</td>
<td>Sinking fund &amp; assets deducted.</td>
<td></td>
</tr>
<tr>
<td>West Virginia</td>
<td>2,252,057 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wisconsin</td>
<td>44,000,000 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$345,092,109 96</td>
<td>$52,786,959 51</td>
<td>$322,508,763 31</td>
</tr>
</tbody>
</table>

[Note.—Early in January last I addressed a circular note to the Governor of each State, requesting a statement of the exact amount of its debt, the amount of its Sinking Fund applicable to the reduction of the debt, together with the amount and character of its contingent liability. The above statement is made up from the responses which have been received from most of the States, and the others, marked with an * or †, from the Census of 1870 and other public documents. As to these latter States, changes may have occurred in the amounts since 1870, but it is more than probable that the actual amounts will be found to be considerably less than those given above. The contingent liabilities generally consist of indentures of railroad bonds which are safe and secure, and hence do not properly enter into any estimate of the actual indebtedness of the States. All educational funds invested in State bonds are included in the actual debts. The debt of Virginia and West Virginia is the amount of the principal of the debt and interest to January 1st, 1873, after deducting assets and funds properly applicable to its reduction, the same never having been apportioned between the two States. North Carolina has assets of the nominal value (with interest) of $20,555,600, and the amount of her debt, as given above, includes her old and new debt and unpaid interest. As to whether the State debts shall be paid at their par or
market value, as well as the ascertainment of the exact and proper amounts thereof after the deduction of assets, are matters of practical detail to be provided for by act of Congress.

From this statement it appears that the total indebtedness of all the States, after deducting the assets which should be applied to their liquidation, amounts to the sum of $292,295,150.5. And this sum would be further reduced by several millions if that portion of the debt of North Carolina and some other States, claimed to have been fraudulently contracted, be thrown out of the calculation. But to be entirely safe, take as a round sum $300,000,000 (counting all bonds, fraudulent as well as the unquestioned, at par, for I propose to answer this objection even in its most questionable form) as the total of State indebtedness, and we have the utmost possible increase of the national debt which the assumption of the State debts by the General Government would cause. This sum, at five per cent interest, the rate at which the Government is now funding its public debt, would annually require $15,000,000 to meet the accruing interest thereon, and to this extent, and no more, would the burthens of the Federal Treasury be increased.

But could this comparatively small sum cause any embarrassment or necessitate any increase of Federal taxation, or affect prejudicially our national credit? Why the present revenues of the General Government are sufficient to meet all its current expenses, including the interest upon the public debt, and leave a balance of nearly $100,000,000 to be applied to the payment of the principal of the public debt, and that, too, in advance of its maturity.

Without stopping here to discuss the wisdom of a financial policy which taxes the depressed and disordered energies and industries of a people just commencing to recover from the disastrous effects of a gigantic civil war, to anticipate the payment of the debt which it necessitated before it is required by the terms of the bond, it is sufficient, for our present purpose, to note that the only change which the payment of the interest upon the total debt of the States would necessitate in the present financial policy of the Federal Government, would be simply the decrease for a brief period by the sum of $15,000,000 of the amount of the national debt which might otherwise be annually paid. In other words, instead of annually paying as now $100,000,000 of the principal of the public debt, we should pay but $85,000,000, the balance of $15,000,000 being applied to the payment of the interest upon the debt of the States assumed. The assumption and payment of the debts of the States by the Federal Government would not, therefore, necessitate any increase of national taxation beyond what is now imposed, nor any increase of the revenues of the Government. If the tax-payers of the nation would not be adversely affected, could the public credit suffer? I think not. The fact that we should be able, without any increase of taxation, not only to pay the current expenses of the Government, together with the interest upon the whole debt thus increased, as well as to annually set aside, for a sinking fund, the amount required by law, but also, in addition to all this, to have left a surplus of $85,000,000 to be applied to the reduction of the principal of the public debt, would fully sustain our national credit at its present high standard. Public credit is based upon the ability and disposition of the State or nation to meet its obligations, and both of these we have already conclusively established to the entire satisfaction of the financial world. During the last seven years we have not only promptly met all
our obligations matured and maturing, but we have also paid more than $500,000,000 of the principal of the national debt. And these astonishing results have been achieved during a period when a depreciated paper currency unsettled values and discouraged business generally, while the devastation and destruction of the late war, and the consequent poverty and suffering prevailed over one third of the Union, and from which we have but recently begun to substantially recover. And our astonishment and admiration is increased when we remember another important fact, that during all this time we have been gradually reducing taxation until today our internal taxation is less than one third of the amount collected seven years ago. If, during such a period, we have accomplished results like these, surely the confidence of our public creditors could not be shaken by our assumption of so comparatively small an annual liability as $15,000,000. Not only could no harm come to our national credit from the assumption of the State debts by the Federal Government, but no injury could result therefrom to the tax-payers, the people of the United States.

Another objection which will be urged to the second proposition is, that the adoption of the constitutional amendment proposed will be another step towards centralization, another movement for the concentration of all power in the General Government. But it may be successfully answered that this amendment would confer no new or additional power upon the Federal Government. That it would be an encroachment, pro tanto, upon State sovereignty cannot be denied, but it must be remembered that it would be the voluntary surrender of a power by the States, the exercise of which has heretofore in most instances resulted disastrously. Its exercise has bankrupted some States, dishonored others, and in few, if any, have the benefits conferred been at all commensurate with the evils entailed. Pennsylvania and Mississippi, Maryland and Illinois, in the past, and Minnesota, together with many of the Southern States, in the present, are prominent witnesses of the unwise exercise of this power. If ever useful or essential, the day for its exercise in the way of “State aid to public improvement” has passed. Whenever a State steps beyond the sphere of its legitimate governmental duties and enters the domain of private enterprise, substantial failure has been the almost unvarying result. So uniformly has this been the experience of the past that late the tide of public sentiment has been setting strongly in the opposite direction, and we find incorporated in many of the recently formed State Constitutions an absolute prohibition from the contraction of any debt “except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war.” Such is the wise provision of our State Constitution, and this is about the scope of the proposed amendment to the Federal Constitution. Had a like clause been incorporated in the fundamental law of every Southern State much of the wrong and disgrace which has transpired in some of them would never have occurred, and in none of them would the blighting curse of even partial repudiation obtained any countenance. If, then, the experience of both the past and the present unite in the condemnation of the unlimited exercise of this power, why not curtail it, especially if any substantial good can be accomplished thereby?

If States have found it necessary and wise to make such a law unto themselves, why not extend the sphere of its beneficence, and by the united voluntary action of all the States make it the public, the fundamental law of the nation? I confess to an implicit faith in the doctrine of “States’ rights,” as I understand it, but I fail to discover anything det
rimental to the true interests or sovereign rights of the States in the voluntary entailment of their power to harm themselves. If the adoption of the amendment proposed tended to aggrandize the powers of the Federal Government, it might be objectionable, for if the prevailing latitudinarian construction of these powers be correct, then they are too great already. But it would not.

It would surrender no useful or necessary power of the States, and confer no additional authority upon the Federal Government. In its full scope and meaning it amounts simply to a guarantee that if the States are relieved from their present burdens no more unnecessary debts will be contracted in the future; and this guarantee ought to be given as a protection not only to the General Government, but to the States themselves. If all the States voluntarily unite for the purpose of liquidating all their indebtedness through the agency of the Federal Government, then that government, as well as that of each State, should have the highest assurance that no condition of affairs could again arise which might render such action necessary.

I have thus briefly noticed the chief objections which can be urged to the adoption of the two propositions mentioned, and I trust have demonstrated that they are not only not insuperable, but are rather of little serious importance when carefully and dispassionately examined.

Let us now briefly consider some of the advantages which would accrue from their adoption. The enhancement of American credit would be one of the most obvious as well as most important results. Every State bondholder would probably become a national creditor, and the diffusion of the ownership of the public debt among the people would enhance its popularity and increase its security and value; and the day would not be far distant when our national debt would be owned by American citizens, just as the debt of England is owned by Englishmen.

Why is it that we are paying upon our national debt a rate of interest fully two per centum higher than English Consols bear? It is not because our debt is larger or our resources less, for the truth is our debt is but little more than half, while our resources are superior to those of England. Besides, England has reached her maturity, while America is yet in the full vigor of youth, annually developing her strength in wealth and population with a rapidity never before equalled in the world's history. As I have shown, we demonstrated our ability to successfully cope with our debt before the nation had begun to recuperate from the exhaustion of the most gigantic and destructive war of modern times, and that, too, when that debt was larger than the addition of the total indebtedness of the States would now make it.

With these incontestible facts before the world, why is it that our national credit does not command a higher value than any other? It is because (among other reasons) of the competition it everywhere meets with American State credit, and because State credit has suffered and been tarnished by the unwise and suicidal course of many States in failing to protect it. The dishonor of American State credit must, of necessity, exercise a depressing influence upon American national credit. The people of the States constitute the nation; and when, if ever, they become demoralized and dishonest, these elements inevitably stamp themselves upon the national character. When the fountain becomes impure the stream will be foul. Who can estimate the unfavorable effects upon American credit, State and National, produced by the failure of Mississippi and others to protect theirs? Why, it is more than probable that, measured by the depression and consequent discount upon our securities,
caused thereby, we have paid several times over the dishonored debts of those States. It is true, and be it said to their honor, that all of these States, except Mississippi, taught by experience that “honesty is the best policy,” long since removed, as far as possible, the stain of repudiation, by redeeming their dishonored obligations; but the shock which American credit received has never been forgotten, and never will be while the power remains to repeat it. In fact, its repetition is being enacted in other States to-day, and who can foresee its extent or limitation? The alarming attitude of a portion of the people of several of the States upon the subject of State indebtedness should awaken the gravest apprehensions of every patriot and statesman. The disease which afflicts a portion of the body-politic is contagious, and may extend its ravages to the whole. If the solemn obligations of States can be repudiated, why cannot those of the nation in like manner, and for like causes, be set aside? There is danger ahead, unless an effective remedy be applied. The adoption of the two propositions above named would prove a most effectual means to the accomplishment of the end desired. It would at once secure the withdrawal of all State credits from the money markets, both foreign and domestic, and would leave our national securities to free untrammeled competition with those of other nations. The only American public securities which would be known upon the market would be our national bonds, and this alone would largely enhance their position and strength. The constitutional prohibition upon the States from again incurring extravagant expenditures, in aid of what are popularly styled “public improvements,” would be a guarantee not only to the people, but to capitalists, that the disastrous consequences to public credit thereby caused in the past as well as the present would not again occur. Again, as the people are relieved from State taxation, in a corresponding degree will their ability to respond to national requirements increase. And this is true even should there be no increase of prosperity. But who can doubt that the permanent removal of all the burthens of State indebtedness from the people would stimulate and enhance their prosperity in an increased and increasing ratio? Not only would the burthens of national taxation diminish as prosperity increased, but national credit would rise and strengthen as its basis was broadened and fortified by the universal thrift of the people. But not alone in these respects would our national credit be benefited. The extinction of State indebtedness and its interdiction for the future, would place our national credit upon so firm and enduring a basis, that in a few years our whole debt might be funded into new bonds, bearing no higher rate of interest than the public debt of England. The annual interest which might thus be saved would soon extinguish the entire State indebtedness assumed by the government. The reduction of the rate of interest upon our public debt, is “a consummation devoutly to be wished,” not only because it would secure a corresponding reduction in tariffs and taxation, but for the more potent reason, that until that shall be accomplished, high rates of interest must prevail upon all other credits. So long as the government is a borrower in the market at a high rate of interest, so long will money command a higher rate of interest upon all other securities. You may fill your statute books with the most rigid usury laws, you may solemnly decree it a capital offense to take more than a given rate of interest for the loan of money, yet so long as the government is a borrower at a higher rate, that, and not your statutory rate, will control. The price of money, like that of every other commodity, is controlled by a higher than statute law—the great law of supply and demand. When the supply exceeds the demand, money will be cheap;
but when the demand exceeds the supply, high rates of interest will obtain. When the demands of the government are so much in excess of the supply as to compel it to pay a high rate of interest, all other demands will be supplied, if supplied at all, at just so much higher rates as the securities offered are considered inferior or less desirable than those of the government. The rates of interest upon all securities, both public and private, are too high in this country. They ought to be, and must be reduced, or financial disaster will sooner or later inevitably overtake us. But the true, if not the only feasible mode of compassing this end, is to begin with our public securities. Reduce the rate of interest upon them, and all others will follow in their wake. How this commencement may be successfully made, and how the end desired can be the most surely and speedily attained, I have, I trust, partially, at least, if not fully and successfully, demonstrated.

In discussing the advantages to our national credit, which would accrue from the action proposed, I have necessarily anticipated some of the benefits which would result therefrom to the people of the States. A high national credit is a great blessing of itself, and one participated in by all of the people. So likewise are low taxes, tariffs, and rates of interest, all of which may be approximated through the instrumentalities mentioned. But one of the principal, as well as more immediate advantages which relief from the great incubus of State debt will secure to the people, will be found in the almost universal revival and increase of the productive industries of the country. The entire body-politic will be reinvigorated and imbued with new life and new energy, and our industrial and financial interests will gravitate towards a sounder and healthier basis. The wealth of the country will be employed in the development of its resources rather than in speculating upon its necessities, and mining, manufacturing, and commercial enterprises, will be successfully inaugurated everywhere. Freedom from heavy local taxation and protection against it in the future will prove one of the highest inducements for immigration and the influx of capital. Especially will these results be realized in the Southern States. The losses in values to the people of these States by the late war were probably equal to, if not greater than, the present total amount of the national debt, and they emerged from the fearful ordeal stripped of nearly all their possessions save their desolated lands. But their debts remained, and have since been largely added to, both by unpaid interest and the creation of new debt, until to-day some of them are forced into a condition of dishonor in consequence of their inability to meet all their liabilities. And while they have partially recovered from the social difficulties, political embarrassments, and corrupt and demoralizing influences which compassed them about and still further sapped their substance and paralyzed their efforts, they have not regained their prosperity, and debt and taxation still weigh heavily upon them. But, notwithstanding their depressed and impoverished condition, they are compelled to contribute their full quota to the national revenue in due proportion with the prosperous North, and that, too, without realizing in a corresponding degree the advantages of large governmental disbursements in their midst. The State of Virginia alone annually pays into the Federal Treasury a sum more than three times larger than the amount of both the interest upon her public debt and the entire disbursements of the government within her borders.

When all these facts and figures are carefully considered, some reasonable estimate can be formed of the wisdom, the necessity, and the justice of the action proposed, as well as the immediate and almost inestimable
advantages which would accrue to these States in particular, and to a
large extent to the whole country, by their prompt relief from the oppressive
burdens of State debts. While the revival of prosperity throughout
the South would be of more immediate consequence to her citizens, its
beneficial effects would be shared in by the people of the whole country.
No one section of our country can retrograde or advance without its
influence for good or ill being felt by all of the others. It is true that the
States owing the larger debts would at first be the greater beneficiaries,
yet each succeeding year would lessen the differences and tend to equalize
the advantages, and all, at all times, would realize the good effects of
assured credit, reduced taxation, low rates of interest, renewed and rein-
vigorated industry and prosperity, and universal advancement and develop-
ment. I know of no measure which could be devised of more general
advantage to the people, or more beneficial to their interests and well
being, nor one which would tend in an equal degree to unite and harmonize
the whole country, and obliterate the last vestiges of sectional differences and
antagonisms. To the people of our own State it would afford especial
and additional relief. It would lessen the burdens of our State taxation
by at least two thirds in amount, and with proper legislation the real
estate of the Commonwealth might, in a brief period, be relieved from the
remainder. It would banish from our legislative halls, and from our
local politics that troublesome, if not dangerous subject, the "State debt,"
and confer upon us all the benefits which the most favored could realize.

If the General Assembly should concur with me in these propositions,
I would respectfully recommend that prompt action be taken to invite the
coopération of our sister States in their support, and that our Representa-
tives in both Houses of Congress be requested to use their best efforts to
secure the necessary action on the part of the National Legislature.

It is proper, perhaps, that I should add, that since this paper has been
in course of preparation, some discussion has occurred upon a proposition
that the United States Government, and not the State of Virginia, in
reality owes our debt contracted prior to 1861, for the reason that the
disruption of the State, and the destruction of values by the war, was the
act of that government, and because of the magnificent domain which
Virginia, at an early day, ceded to the Federal Government. While there
may be some equity in the latter reason, as to the former, it is sufficient
to say that, even if it ever possessed any force, it is now too late to ques-
tion our liability for that debt, after the same has been recognized by four
different Legislatures, affirmed by our Supreme Court of Appeals, and
sanctioned by the people themselves, in the adoption of our present Con-
stitution, all of which has occurred since the war. I have also within a
few days observed some newspaper paragraphs indicating that an attempt
was to be made to induce the Federal Government to assume and pay the
ante bellum debts of the Southern States; but every reason which can be
urged in favor of such a plan, applies with far greater force to the propo-
sitions above suggested, while the many additional reasons which may
be urged in favor of the latter do not apply to the former, and more ob-
jections exist to the former than can be urged to the latter.

GILBERT C. WALKER.

Ordered, That said message and accompanying documents be re-
f erred to the Committee on Federal Relations.

A message was received from the Governor by Mr. Craddock,
Secretary of State, announcing that he had signed bills, which origin-
ated in the House of Representatives, of the following titles, viz:
An act to amend an act, entitled "An act for the benefit of Kenton county."

An act to amend section 191 of act revising the charter of the city of Paducah, Kentucky, approved March 27th, 1872.

An act to legalize the action of the Warren county court in borrowing seven thousand dollars for bridge purposes of Warren county.

An act for the benefit of S. M. Goble, of Carter county.

An act for the benefit of James Hogg, committee of Nancy Frazer, a pauper idiot, now of Rowan county.

An act for the benefit of Wm. R. Williams, of Elliott county.

An act to amend section 158, title "City Tax Collector," of an act revising the charter of the city of Paducah, Kentucky, approved March 27th, 1872.

An act to amend an act, entitled "An act to prevent deer-driving in the counties of Estill, Jackson, Perry, Harlan, Butler, Grayson, and Edmonson," approved March 28th, 1872.

An act to amend the charter of the town of Livermore, in McLean county.

An act repealing an act in regard to common schools in Carrollton, in Carroll county.

An act to amend the charter of the Newport and Dayton Street Railway Company.

An act for the benefit of school district No. 3, in Franklin county.

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

An act to amend an act to prohibit the sale of spirituous and intoxicating liquors in Rockcastle county, approved March 1st, 1870.

An act to amend the charter of Lewis Plummer, jailer of Lewis county.

An act for the benefit of A. J. Cocanaugher, late sheriff of Washington county.

An act in relation to granting license for the sale of liquors in the town of Harrodsburg.

An act to prohibit the sale of spirituous or vinous liquors in Nicholas county.

An act to resubmit an act to prohibit the sale of spirituous, vinous, or malt liquors in Morgantown, or within one half mile of the corporate limits thereof, approved February 28th, 1872.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Madisonville," approved February 13th, 1873.
An act for the protection of property on Tennessee river.
An act to impose an additional tax on dogs in Bracken county.
An act to amend an act, entitled "An act to establish and maintain a system of public schools in the town of Corydon, in Henderson county."
An act to amend an act, entitled "An act to incorporate the Paducah, Blandville, and Columbus Gravel Road Company."
An act to authorize the county court of Harrison county to appropriate money towards building a bridge on the Cynthiana and Ashbrook's Mills Turnpike Road.
An act to incorporate Asher Lodge, No. 531, of Free and Accepted Masons.
An act to incorporate a Steam Ferry Company at the head of Island No. 1, on the Mississippi river, in Ballard county.
An act to prohibit the sale of spirituous, vinous, or malt liquors in Lincoln county, and to take a vote on the same.
An act to incorporate the Mt. Olive Encampment, No. 55, Independent Order of Odd Fellows, at Greenville.
An act to authorize the Garrard county court to appropriate money to aid in building a hospital for small-pox patients, and to levy a tax therefor.
An act for the benefit of Joseph T. Ratliffe, sheriff of Pike county, for the year 1871.
An act for the benefit of A. Portwood, sheriff of Anderson county.
An act to amend an act, entitled "An act to regulate the taking up of property found adrift upon certain rivers in this Commonwealth," approved March 22d, 1873.
An act to establish and incorporate the town of Stroud City, in Muhlenburg county.
An act to incorporate the Mount Sterling Gas-light Company.
An act repealing an act preventing the setting of nets, seining, &c., in the streams, or parts of streams, in the counties of Trimble and Carroll.
An act to change the boundary line of the town of Clinton, in Hickman county.
An act in relation to persons convicted of penal offenses in Union county.
An act to pay expenses for certain services rendered by the Sergeant-at-Arms of the House of Representatives.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the city of Frankfort, and for other purposes."

An act to prohibit the submission of the question of taxation for railroad purposes in the county of Henry.

An act for the benefit of Sanford Goin, of Franklin county.

An act to charter the Dozier Mountain Coal Company.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to charter Ohio River, Owenton, and Lexington Railway Company;

An act to amend the charter and laws of the town of Bellevue, in Campbell county;

An act for the benefit of the school trustees of Powell county for the school year ending 30th June, 1872;

An act concerning the various charitable institutions in this Commonwealth;

An act to amend the charter of the Eminence and Fox Run Turnpike Road Company;

An act for the benefit of George W. Sewall, common school commissioner of Breathitt county.

An act to incorporate the Rockcastle Railway Company;

An act for the benefit of William Paul, William Dayton, and Milton Humble, of Robertson county;

An act authorizing druggists to sell spirituous liquors by retail in the town of West Liberty;

An act to amend and reduce into one the several acts concerning the management of the Wilderness Turnpike Road;

An act to incorporate the Mountain Railroad, Mining, and Manufacturing Company;

An act to incorporate the Southwest Kentucky Immigration and Real Estate Company;

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Henderson;"

An act for the benefit of Thomas P. Cardwell and Wm. Spencer, of Breathitt county;
An act to incorporate the Mayslick and Mill Creek Turnpike Road Company, in Mason county;
An act to incorporate the Calhoun and Rockport Packet Company;
An act for the benefit of school district No. 27, in Ballard county;
An act to incorporate the Falmouth Turnpike Road Company, in Pendleton county;
An act for the benefit of Alexander Cook and Sarah Cook, of Trimble county;
An act for the benefit of Wm. T. Moore;
An act to amend an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3, 1870;
An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870;
An act to establish an additional justices' district in Bath county;
An act to amend an act, entitled "An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties," approved February 6, 1873;
An act to fix and determine the boundary line between the States of Indiana and Kentucky, above and near Evansville;
An act to protect graveyards and cemeteries;
An act to adopt the General Statutes;
Resolution in relation to the final adjournment of this General Assembly;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act to prohibit the sale of intoxicating liquors in the county of Bullitt, approved March 21st, 1871;
An act to incorporate the Tradewater Navigation, Mining, and Manufacturing Company;
An act to regulate and create the office of county treasurer in the counties of Perry and Harlan;
An act to incorporate the Owensboro Building and Loan Association;
An act for the benefit of school district No. 7, in Marion county;
An act to establish schools for the education of children of citizens of African descent, in McCracken county;
An act to amend an act, entitled "An act to incorporate the Clayville Male and Female Academy;"
An act in regard to certain streets in the city of Louisville;
An act to amend an act, entitled "An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts;"
An act to authorize the sheriff and master commissioner of Fayette county to advertise sales of real and personal property in said county;
An act to amend the charter of Russellville;
An act for the benefit of W. S. Allen, late sheriff of Breathitt county, and his securities;
An act to legalize a certain survey made in the name of William Day, in Morgan county;
An act to authorize a portion of Jamestown magisterial district, in Campbell county, to purchase the Newport and Dayton Turnpike, and to bridge Taylor's creek;
An act to legalize a certain survey made in the name of D. P. Mosley and J. H. Amyx, in Morgan county;
An act to regulate official advertisements of sales of sheriffs and master commissioners in the county of Jessamine;
An act to incorporate the Lancaster Building and Loan Association;
An act for the benefit of Spencer King, sheriff of Bell county;
An act for the benefit of common school district No. 34, in Bracken county;
An act to repeal an act, entitled "An act for the benefit of common school district No. 31, in Bullitt county," approved March 15, 1871;
An act to declare the lower Long Branch of Grassy creek, in Morgan county, a navigable stream, from its mouth to oppose the school-house on the lands of Jackson Goodpasture;
An act to declare the State Road Fork of Licking river, in Magoffin county, a navigable stream, from its mouth to John Q. A. Baley's mill;
An act defining the boundary line between the counties of Clay and Bell;
An act for the benefit of school district No. 17, in Garrard county;
An act to amend the charter of the Bryantsville and Cane Run Turnpike Road Company;
An act declaring all that part of Caney Fork of Wolf creek, in Russell county, a navigable stream, that lies between Dick's Branch and Wolf creek;
An act fixing the time for the jailers of Cumberland and Clinton counties to enter upon the duties of their offices;

An act for the benefit of Nelson Durham, late sheriff of Bell county;
An act to incorporate the Spinoza Society, of Fayette county;
An act to declare Swinge Cat Fork of Big creek, in Pike county, a navigable stream for a distance of four miles from its mouth;
An act to amend an act, entitled “An act to incorporate the Simpson County Agricultural and Mechanical Association,” approved January 27, 1868;
An act to amend an act, entitled “An act to incorporate the Eminence and Mulberry Turnpike Road Company;”
An act for the benefit of James A. Allen, jailer of Bourbon county;
An act to repeal an act to amend the charter of the Winchester and Red River Turnpike Road Company, approved March 20th, 1872;
An act to amend an act to incorporate the Commonwealth Printing Company;
An act for the benefit of T. J. Phillips, jailer of Hardin county;
An act in relation to inquests of lunacy in Jefferson county;
An act for the benefit of Andrew J. McCampbell, late sheriff of Jessamine county;
An act to amend an act to incorporate the Massie’s Mill Turnpike Road Company, approved March 7th, 1868;
An act for the benefit of Gobrias Terry, Ben. T. Perkins, sr., and S. H. Perkins;
An act to amend an act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same;
An act to allow the erection of public warehouses in Carroll county;
An act to incorporate the Cumberland Valley Mining Company;
An act to incorporate the South and West Banking Company;
An act to incorporate the Minett Orphan Asylum of the city of Louisville;
An act for the benefit of J. J. Wood, late sheriff of Clinton county;
An act for the benefit of Henry H. Moody, of Green county;
An act for the organization of public schools in the town of Clayville, in Webster county;
An act to amend an act, entitled “An act to amend the charter of the town of Lancaster;”
An act to prohibit the sale of liquors in the town of Eminence, Henry county:

An act to declare Rock House Fork of Licking river a navigable stream;

An act to establish tram-tracks or rail-ways to navigable streams and railroads in Rockcastle county;

An act to prevent trespass upon inclosed lands in Harrison county;

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Campbellsville," approved March 21st, 1871;

An act to incorporate the Louisville Locomotive and Car Company;

An act to incorporate the Kentucky Central Park Association, of Boyle county;

An act to amend an act, entitled "An act to incorporate the Louisville Orphans' Home Society," approved February 26th, 1859;

An act for the benefit of school district No. 29, in Washington county;

And had found the same truly enrolled.

Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

And then the House adjourned.

TUESDAY, APRIL 22, 1873.

The House took up the resolution from the Senate in relation to extending the session of the present General Assembly.

Mr. Wright moved to strike out "Thursday," and insert in lieu thereof "seven o'clock, A. M., on Wednesday, 23d instant."

Mr. Blackburn moved to amend by inserting "seven o'clock, A. M., Thursday, 24th instant."

The question was then taken upon Mr. Blackburn's amendment, and it was decided in the negative.
The question was then taken upon Mr. Wright's amendment, and it was decided in the negative.

Mr. Bascom moved to lay the resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Scales, were as follows, viz:

Those who voted in the affirmative, were—

J. C. S. Blackburn, B. E. Cassilly, C. W. Threlkeld,
Church H. Blakey, J. P. Sacksteder, J. L. Waring—8,
Thomas P. Cardwell, J. S. Taylor,

Those who voted in the negative, were—

Mr. Speaker (M'Creary) R. L. Cooper, Lewis Potter,
Wm. A. Allen, Walter Evans, Hiram S. Powell,
George W. Anderson, W. H. Evans, E. A. Robertson,
A. S. Arnold, James Garnett, John F. Rowlett,
W. W. Ayers, Wm. Cassius Goodloe, Frank Sacksteder,
R. Tarv. Baker, C. P. Gray, J. R. Sanders,
W. N. Beckham, George M. Jessup, C. O. Scales,
John A. Bell, E. Polk Johnson, William Sellers,
S. C. Bell, Thomas M. Johnson, James W. Snyder,
Wm. F. Bond, Bryan S. McClure, Harry I. Todd,
W. B. M. Brooks, William J. McClroy, C. H. Webb,
William Brown, T. J. Megibben, F. A. Wilson,
C. M. Clay, jr, J. C. Moorman, J. N. Woods,
William G. Conrad, J. L. Nall, J. M. Wright—45,
R. D. Cook, Julian N. Phelps,

Mr. Blackburn moved to reconsider the vote in relation to the final adjournment of this General Assembly.

Mr. E. Polk Johnson moved to lay the motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Bascom moved to suspend the rule of the House to take up Senate bill, entitled

An act to prohibit the running of logs, wood, or other lumber, loose, down Licking river.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Bascom and Evans, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Creary) Clinton Griffith, Frank Sacksteder,
Wm. A. Allen, George M. Jessup, J. R. Sanders,
W. W. Ayers, J. S. Lawson, William Sellers,
Alphonso W. Bascom, Bryan S. McClure, C. W. Threlkeld,
John S. Carpenter, M. E. McKenzie, Harry I. Todd,
Josiah H. Combs, Wm. Mynhier, J. L. Waring,
R. D. Cook, J. L. Nail, J. M. White,
R. L. Cooper, E. A. Robertson, F. A. Wilson,
Joseph P. Force,

Those who voted in the negative, were—
George W. Anderson, J. Guthrie Coke, Mat. Nunan,
A. C. Armstrong, William G. Conrad, Julian N. Phelps,
A. S. Arnold, John W. Dyer, Lewis Potter,
R. Tarv. Baker, Walter Evans, W. L. Reeves,
W. N. Beckham, W. H. Evans, John Rowan,
John A. Bell, James Garnett, John P. Rowlett,
S. C. Bell, Wm. Cassius Goodloe, Samuel M. Sanders,
J. C. S. Blackburn, C. P. Gray, C. C. Scales,
Wm. F. Bond, E. Polk Johnson, James W. Snyder,
W. B. M. Brooks, Thomas M. Johnson, J. S. Taylor,
William Brown, William J. McElroy, Jonas D. Wilson,
Robert M. Carlisle, T. J. Megibben, J. N. Woods,
C. M. Clay, jr.,

The House took up a bill from the Senate, entitled
An act to amend the charter of the town of Lockport, in Henry
county.

Ordered, That said bill be read a third time.

The rule of the House and constitutional provision as to the third
reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as
aforesaid.

Mr. Brown offered the following resolution, viz:

Resolved, That it shall be a standing rule of this House, from now
until the final adjournment of the General Assembly, to meet each
morning at 10 o'clock, and adjourn at 12 o'clock, meridian, and that
night sessions shall be dispensed with for the remainder of the ses-
sion.

The rule of the House being suspended, said resolution was then
adopted.

The yeas and nays being required thereon by Messrs. Blackburn
and Bascom, were as follows, viz:

Those who voted in the affirmative, were—
Mr. Speaker (McCreary) William G. Conrad, T. J. Megibben,
Wm. A. Allen, R. D. Cook, J. C. Moorman,
George W. Anderson, Walter Evans, Lewis Potter,
R. Tarv. Baker, W. H. Evans, W. L. Reeves,
John A. Bell, Wm. Cassius Goodloe, Frank Sacksteder,
Mr. W. Evans asked and obtained leave to withdraw his motion to reconsider the vote by which the House passed a bill, entitled

An act to amend an act to incorporate the town of Glenville, in Adair county.

Mr. Dyer moved for a committee on the part of the House, to ask leave to withdraw from the Senate the resolutions adopted by the House, entitled

Resolutions in relation to the action of members of Congress in voting for an increase of the salary of the President of the United States and of their own pay.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Brown and Bascom, were as follows, viz:

Those who voted in the affirmative, were—

W. N. Beckham, T. J. Megibben, C. C. Scales,
J. C. S. Blackburn, J. C. Moorman, C. W. Threlkeld,
W. B. M. Brooks, Julian N. Phelps, Harry I. Todd,
B. E. Cassilly, Lewis Potter, J. L. Waring,
J. Guthrie Coke, Hiram S. Powell, Jonas D. Wilson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) R. B. Cook, Bryan S. McClure,
Wm. A. Allen, Walter Evans, Wm. Mynhier,
George W. Anderson, W. H. Evans, Mat. Nunan,
A. C. Armstrong, M. Woods Ferguson, W. L. Reeves,
R. Tarv. Baker, Joseph P. Force, E. A. Robertson,
Alpheus W. Bascom, Wm. Cassius Goodloe, Frank Sacksteder,
John A. Bell, Clinton Griffith, J. S. Taylor,
A message was received from the Senate, announcing that they had disagreed to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the magistrates of Hardin county.

An act to establish an additional justices' district in Shelby county.

An act to incorporate the town of Cherry Hill, in Trigg county.

That they had passed bills and adopted a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of R. B. Lovel, late sheriff of Lewis county.

An act for the benefit of Mrs. Margaret Decker.

An act for the benefit of John J. Macklin, late sheriff of Kenton county.

An act for the benefit of J. N. Culton, late sheriff of Jackson county.

An act for the benefit of the Bank of Louisville.


An act to provide for the education of colored children in Garrard county.

An act for the benefit of H. B. Wiseman, former sheriff of Estill county.

An act to legalize the actions of the Greenup county court of levy and claims.

An act for the benefit of school district No. 35, in Henry county.

An act to amend section 101 of the Civil Code of Practice.

Resolution appropriating money for the making out certain maps connected with the Geological Survey.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to protect graveyards and cemeteries.

An act to incorporate the Minett Orphan Asylum, of the city of Louisville.

An act concerning the various charitable institutions in this Commonwealth.
An act to incorporate the Calhoun and Rockport Packet Company.
An act to incorporate the Southwest Kentucky Immigration and Real Estate Company.
An act to incorporate the Falmouth Turnpike Road Company, in Pendleton county.
An act to amend the charter and laws of the town of Bellevue, in Campbell county.
An act to establish an additional justices' district in Bath county.
An act to fix and determine the boundary line between the States of Indiana and Kentucky, above and near Evansville.
An act for the benefit of Wm. T. Moore.
An act for the benefit of Alexander Cook and Sarah Cook, of Trimble county.
An act for the benefit of Thomas P. Cardwell and William Spencer, of Breathitt county.
An act to amend the charter of the Eminence and Fox Run Turnpike Road Company.
An act for the benefit of George W. Sewall, common school commissioner of Breathitt county.
An act for the benefit of school district No. 27, in Ballard county.
An act to incorporate the Mayslick and Mill Creek Turnpike Road Company, in Mason county.
An act for the benefit of William Paull, Wm. Dayton, and Milton Humble, of Robertson county.
An act for the benefit of the Tuckahoe Ridge Turnpike Road Company, in Mason county.
An act to amend an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3d, 1870.
An act to amend an act, entitled "An act establishing a new charter for the city of Louisville," approved the 3d day of March, 1870.
An act to amend an act, entitled "An act for the benefit of W. E. Duncan, late sheriff of Warren county, and his sureties," approved February 6th, 1873.
An act to amend and reduce into one the several acts concerning the management of the Wilderness Turnpike Road.
An act to charter the Ohio River, Owenton, and Lexington Railway Company.
An act to incorporate the Mountain Railroad, Mining, and Manufacturing Company.
An act to incorporate the Rockcastle Railway Company.
An act for the benefit of the school trustees of Powell county for the school year ending June 30th, 1872.

An act to adopt the General Statutes.

An act to charter the public schools of Falmouth and district No. 1, in Pendleton county.

An act to incorporate the Dry Ridge, Knoxville, and Demoiselle Turnpike Road Company.

Resolution in relation to the final adjournment of this General Assembly.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to pay the expenses of D. R. Haggard, State agent, sent to Missouri after Cutter and Taylor, charged with forgery;

An act to exempt the counties of Estill and Lee from the provisions of section 14, chapter 67, of the Civil Code of Practice;

An act for the benefit of common schools in Perry county;

An act to authorize the clerk of the Allen circuit court to make a cross-index to suits and causes on file in said office;

An act to amend an act, entitled "An act to amend the charter of the Clarksville and Princeton Railroad Company," approved March 25th, 1872;

An act directing the Auditor to pay certain guard claims in Powell county;

An act to incorporate the Elizabethtown Building and Loan Association;

An act for the benefit of the Louisville Board of Trade;

An act to amend an act, entitled "An act to change the time for holding the circuit courts in the fifth judicial district," approved January 13, 1872;

An act for the benefit of C. M. Hanks, jailer of Wolfe county;

An act to amend an act, entitled "An act to amend the charter of the Elizabethtown and Paducah Railroad Company," approved February 28th, 1873;

An act to prohibit the sale of spirituous, vinous, or malt liquors, or the mixture of either, in Jeffersontown precinct, in Jefferson county;

An act for the benefit of school district No. 21, in Carroll county;

An act to amend an act, entitled "An act for the benefit of common school district No. 1, in Allen county;"
An act to change and fix the time of holding the Estill county quarterly courts;
An act for the benefit of Trimble county in voting subscription of stock to railroads;
An act for the benefit of Wells, Mitchell & Co;
An act to provide for the compensation of E. I. Bullock, G. W. Craddock, and J. M. Nesbitt, for services before the Joint Committee on the Revision of the Statutes;
An act extending further time to the county of Boyle in which to provide fire-proof vaults for county records;
An act to authorize sureties for costs to obtain a release from further liability;
An act to repeal an act, entitled "An act authorizing E. H. Smith and others to close an alley in Williamstown, Grant county;"
An act to incorporate the Danville Gas-light Company;
An act to amend the charter of the city of Covington;
An act to repeal an act, entitled "An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company," approved April 16th, 1873;
Resolution to print synopsis of acts;
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act to appropriate money;
An act to incorporate the Mount Sterling and Carter County Mining and Manufacturing Company;
An act to incorporate the North Kentucky Bridge Connecting Railroad and Construction Company;
An act to incorporate the Transit Railway Company;
An act for the benefit of John Gibbs, of Wolfe county;
An act authorizing the county court of claims of Fleming county to carry into effect the bequest of J. J. Andrews, deceased, to the poor of Fleming county;
An act to amend the charter of the South Kentucky Railroad Company;
An act to incorporate the Grand Lodge of the American Protestant Association of Kentucky;
An act for the benefit of John F. King, sheriff of Knox county;
An act to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county;"
An act for the benefit of the town of Clinton;
An act in relation to the convicts of the Penitentiary;
An act to amend section 519 of the Civil Code of Practice;
An act to amend section 101 of the Civil Code of Practice;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.

Ordered, That Mr. Rowlett inform the Senate thereof.

A message was received from the Governor by Mr. Craddock, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous, or malt liquors in Campbellsville," approved March 21st, 1871;
An act to declare Rock House Fork of Licking river a navigable stream.
An act to amend an act, entitled "An act to amend the charter of the town of Lancaster."
An act to prevent trespass upon inclosed lands in Harrison county.
An act to charter the Lyon Iron Mining Company.
An act to establish tram-tracks or rail-ways to navigable streams and railroads in Rockcastle county.
An act to prohibit the sale of liquors in the town of Eminence, Henry county.
An act for the benefit of Benjamin Stumbough and others, of Johnson county.
An act to authorize a portion of Jamestown magisterial district, in Campbell county, to purchase the Newport and Dayton Turnpike, and to bridge Taylor's creek.
An act to incorporate the Spinoza Society, of Fayette county.
An act to regulate and create the office of county treasurer in the counties of Perry and Harlan.
An act to incorporate the Lancaster Building and Loan Association.
An act to amend the charter of Russellville.
An act to amend an act, entitled "An act to incorporate the Eminence and Mulberry Turnpike Road Company."
An act defining the boundary line between the counties of Clay and Bell.
An act to amend the charter of the Bryantsville and Cane Run Turnpike Road Company.
An act fixing the time for the jailers of Cumberland and Clinton counties to enter upon the duties of their offices.

An act to declare Swinge Cat Fork of Big creek, in Pike county, a navigable stream for a distance of four miles from its mouth.

An act to declare the State Road Fork of Licking river, in Magoffin county, a navigable stream, from its mouth to John Q. A. Baley's mill.

An act declaring all that part of Caney Fork of Wolf creek, in Russell county, a navigable stream, that lies between Dick's Branch and Wolf creek.

An act to amend the charter of the Nicholasville and Jessamine County Turnpike Road Company.

An act to declare the lower Long Branch of Grassy creek, in Morgan county, a navigable stream, from its mouth to opposite the school-house on the lands of Jackson Goodpasture.

An act to authorize the sheriff and master commissioner of Fayette county to advertise sales of real and personal property in said county.

An act for the benefit of Andrew J. McCampbell, late sheriff of Jessamine county.

An act to amend an act, entitled "An act to incorporate the Clayville Male and Female Academy."

An act to incorporate the Kentucky Central Park Association, of Boyle county.

An act in regard to certain streets in the city of Louisville.

An act to incorporate the town of Anderson City.

An act to incorporate the Owensboro Building and Loan Association.

An act for the benefit of school district No. 29, in Washington county.

An act to amend an act, entitled "An act to incorporate the Louisville Orphans' Home Society," approved February 26th, 1859.

An act to repeal an act, entitled "An act to declare certain lakes and creeks in Ballard county navigable."

An act to legalize a certain survey made in the name of D. P. Mosley and J. H. Amyx, in Morgan county.

An act to legalize a certain survey made in the name of William Day, in Morgan county.

An act for the benefit of W. S. Allen, late sheriff of Breathitt county, and his securities.
An act for the benefit of T. J. Phillips, jailer of Hardin county.
An act for the benefit of school district No. 17, in Garrard county.
An act to amend an act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same.
An act to allow the erection of public warehouses in Carroll county.
An act to amend an act to prohibit the sale of intoxicating liquors in the county of Bullitt, approved March 21st, 1871.
An act for the benefit of school district No. 7, in Marion county.
An act in relation to inquests of lunacy in Jefferson county.
An act to amend an act to incorporate the Massie’s Mill Turnpike Road Company, approved March 7th, 1868.
An act to amend an act to incorporate the Commonwealth Printing Company.
An act for the benefit of common school district No. 34, in Bracken county.
An act to repeal an act to amend the charter of the Winchester and Red River Turnpike Road Company, approved March 20th, 1872.
An act to incorporate the Louisville Locomotive and Car Company.
An act for the organization of public schools in the town of Clayville, in Webster county.
An act to establish schools for the education of children of citizens of African descent, in McCracken county.
An act for the benefit of James A. Allen, jailer of Bourbon county.
An act to amend an act, entitled “An act to cause good school-houses to be erected in the Eighth and Ninth Congressional Districts.”
An act to incorporate the Cumberland Valley Mining Company.
An act for the benefit of Spencer King, sheriff of Bell county.
An act to repeal an act, entitled “An act for the benefit of common school district No. 31, in Bullitt county,” approved March 15, 1871.
An act to regulate official advertisements of sales of sheriffs and master commissioners in the county of Jessamine.
An act for the benefit of the Hodgenville and Elizabethtown Turnpike Road Company.
An act to amend an act, entitled "An act to incorporate the Simpson County Agricultural and Mechanical Association," approved January 27, 1868.

An act for the benefit of Nelson Durham, late sheriff of Bell county.

An act for the benefit of J. J. Wood, late sheriff of Clinton county.

An act to incorporate the Tradewater Navigation, Mining, and Manufacturing Company.

An act to adopt the General Statutes.

An act to incorporate the South and West Banking Company.

An act for the benefit of common school district No. 1, in the county of Jessamine.

An act to incorporate the Eastern Kentucky Coal, Iron, Lumber, Land, and Manufacturing Company.

An act to appropriate money.

And then the House adjourned.

WEDNESDAY, APRIL 23, 1873.

A message was received from the Senate, announcing that they had passed bills and concurred in the adoption of a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to pay Clinton county for keeping Louisa Eldridge, a pauper lunatic of this Commonwealth.

An act to amend an act to incorporate the town of Glenville, in Adair county.

An act to amend an act, entitled "An act to change the time of holding the circuit, chancery, and criminal courts in the 12th judicial district," approved April —, 1873.

An act for the benefit of William Tinsley, late sheriff of Knox county.

An act declaring certain portions of Round Stone creek, in Rockcastle county, a navigable stream.
An act to amend an act, entitled "An act to create and regulate the office of county treasurer of Floyd county," approved March 21st, 1871.

An act to amend an act, entitled "An act to incorporate the Prestonburg Academy and Normal School Building Joint Stock Company," approved March 29th, 1873.

An act to regulate the manufacturing, storing, keeping, and transporting nitro-glycerin, in Mason county.

An act to incorporate the Mercer County Medical Society, in Mercer county.

An act for the benefit of E. M. Flack, late sheriff of Todd county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Versailles," approved March 6, 1868.

An act to amend an act to incorporate the Louisville Stock and Bond Board.

An act for the benefit of R. F. Scott, sheriff of Garrard county.

An act to repeal an act, entitled "An act to prohibit the selling, giving, or loaning intoxicating liquors in the village of Aaron's Run, or within a radius of two miles from the center thereof."

An act to prevent the sale of spirituous, vinous, or malt liquors in the first magisterial district, in Todd county.

An act for the benefit of the police judge of the town of Leesburg, in Harrison county.

An act to authorize the county court of Breathitt to submit to the voters of said county the question of voting a tax for the purpose of having a survey made through said county for a railroad.

Resolution providing for the removal of the remains of General C. H. Fry, Col. Theodore O'Hara, and Adjutant George N. Cardwell.

And that they had passed bills of the following titles, viz:

1. An act to repeal an act, entitled "An act to amend the charter of the New Castle and Eminence Turnpike Road," approved March 9, 1872.

2. An act for the benefit of Wash Johnson, assessor of Laurel county.

3. An act for the benefit of Wm. Lovelace & Co., of Laurel county.

Which bills were read the first time and ordered to be read a second time.
The rule of the House and constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That they be referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on County Courts, and the 3d to the Committee on Circuit Courts.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Joseph Durban, of Lee county;
An act to incorporate Mayfield Lodge, No. 151, I. O. O. F.;
An act to amend an act, entitled “An act to incorporate the Greensburg Deposit Bank,” approved March 18, 1872;
An act to amend an act, entitled “An act to incorporate the Marion County Agricultural and Mechanical and Stock Association,” approved January 16th, 1883;
An act to incorporate the Frankfort True Friend Society;
An act to exempt secretaries, assistant secretaries, superintendents, assistant superintendents, and depot agents of railroads, from jury service;
An act to provide for the transfer of certain causes from the Graves circuit court to the McCracken court of common pleas;
An act to authorize the making of an abstract book for the counties of Kenton, Campbell, and Boone;
An act to appropriate money for the payment of a claim due Henry Dressman, of the city of Covington;
An act to amend an act, entitled “An act to empower county courts to take stock in turnpike roads in this Commonwealth,” approved March 9th, 1868;
An act to amend the charter of the town of Lockport, in Henry county;
An act for the benefit of common school district No. 1, in Pendleton county;
An act to amend section 2 of an act, entitled “An act to authorize M. B. Goble to erect a boom across Blain creek, in Lawrence county,” approved March 18th, 1870;
An act for the benefit of T. J. Smith and others;
An act to amend the charter of the city of Ludlow;
An act to incorporate the Lambert Mining Company;
An act for the benefit of John J. Macklin, former sheriff of Kenton county;
An act for the benefit of the judge of the Warren court of common pleas;
An act to incorporate the Good Templars Aid Society, of Franklin county;
An act to authorize the clerk of the Jefferson county court to make an index and cross-index of said county;
An act to amend the charter of the city of Covington;
An act to amend the charter of the city of Covington;
An act to amend an act, entitled "An act to amend the charter of the Jefferson and Brownsboro Turnpike Road Company;"
And also enrolled bills, which originated in the House of Representatives, of the following titles, viz:
An act for the benefit of R. B. Lovel, late sheriff of Lewis county;
An act for the benefit of Mrs. Margaret Decker;
An act for the benefit of the Bank of Louisville;
An act to further amend an act, entitled "An act for the benefit of the estate of Thomas H. Crawford, deceased," approved January 13th, 1872;
An act for the benefit of J. N. Culton, late sheriff of Jackson county;
An act to provide for the education of colored children in Garrard county;
An act for the benefit of H. B. Wiseman, former sheriff of Estill county;
An act to legalize the action of the Greenup county court of levy and claims;
An act for the benefit of school district No. 35, in Henry county;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
Mr. Bascom moved to dispense with the rule, in order to take up a bill from the Senate, entitled
An act to prohibit the running of logs, wood, and other lumber, loose, down Licking river.
And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Bascom and Clay, were as follows, viz:
Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), E. Polk Johnson, J. R. Sanders,
Wm. A. Allen, Thomas M. Johnson, William Sellers,
A. C. Armstrong, J. S. Lawson, James W. Snyder,
Alpheus W. Bascom, Bryan S. McClure, J. S. Taylor,
W. N. Beckham, William J. McElroy, George M. Thomas,
S. C. Bell, William M. McKenzie, C. W. Thralkeld,
William Brown, Wm. Mynher, Harry I. Todd,
B. E. Cassilly, J. L. Nall, L. W. Trafton,
R. D. Cook, Hiram S. Powell, J. L. Waring,
Joseph P. Forree, E. A. Robertson, J. M. White,
James Garnett, J. P. Sacksteder, F. A. Wilson,
Clinton Griffith, Frank Sacksteder, S. H. Woolfolk—37.

Those who voted in the negative, were—

George W. Anderson, William G. Conrad, Julian N. Phelps,
R. Tarv. Baker, Walter Evans, Lewis Potter,
John A. Bell, Wm. Cassius Goodloe, W. L. Reeves,
J. C. S. Blackburn, C. P. Gray, John P. Rowlett,
Robert M. Carlisle, T. J. Megibben, C. C. Scales,
C. M. Clay, Jr., J. C. Moorman, J. N. Woods,

Mr. McElroy moved to suspend the rule, to take up a bill from the
Senate, entitled

An act for the benefit of the Fourth Kentucky Lunatic Asylum.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a pro-
vision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M'Cready), Joseph P. Forree, Julian N. Phelps,
Wm. A. Allen, James Garnett, Lewis Potter,
A. C. Armstrong, C. P. Gray, E. A. Robertson,
Alpheus W. Bascom, Clinton Griffith, J. P. Sacksteder,
W. N. Beckham, George M. Jesse, William Sellers,
John A. Bell, E. Polk Johnson, James W. Snyder,
S. C. Bell, Bryan S. McClure, J. S. Taylor,
J. C. S. Blackburn, William J. McElroy, George M. Thomas,
Robert M. Carlisle, M. E. McKenzie, C. W. Thralkeld,
B. E. Cassilly, T. J. Megibben, Harry I. Todd,
C. M. Clay, jr., J. C. Moorman, J. L. Nall,
R. D. Cook, Wm. Mynher, J. N. Woods,

Those who voted in the negative, were—

George W. Anderson, Walter Evans, J. S. Lawson,
R. Tarv. Baker, Wm. Cassius Goodloe, Frank Sacksteder,
Thereupon Mr. Robertson, from the Committee on Charitable Institutions, reported a bill from the Senate, entitled

An act for the benefit of the Fourth Kentucky Lunatic Asylum.

Said bill was read a third time as follows, viz:

§ 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of fifteen thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the use and benefit of the Fourth Kentucky Lunatic Asylum, to be applied by the Commissioners of said Asylum in procuring and erecting a suitable apparatus for heating said Asylum building, and preparing the rooms therein for the reception of the inmates.

§ 2. The inmates of said Asylum shall receive the same annual allowance as is made to the lunatics in the First and Second Lunatic Asylums.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, not having received a constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (M’Creary) George M. Jesse, J. P. Sacksteder,
Wm. A. Allen, E. Polk Johnson, Frank Sacksteder,
A. B. Armstrong, J. S. Lawson, J. R. Sanders,
Alpheus W. Basson, Bryan S. McClure, C. C. Scales,
John A. Bell, William J. McElroy, William Sellers,
S. H. Beall, M. E. McKenzie, J. S. Taylor,
J. C. Blackburn, T. J. Megibben, George M. Thomas,
Robert M. Carlisle, J. C. Moorman, C. W. Threlkeld,
B. E. Cassilly, Wm. Mynih, Harry I. Todd,
C. M. Clay, J. L. Nall, L. W. Trafton,
R. D. Cook, Mat. Nunn, J. L. Waring,
John W. Dyer, Julian N. Phelps, J. M. White,
W. H. Evans, Lewis Potter, F. A. Wilson,
M. Woods Ferguson, Hiram S. Powell, J. N. Woods,
James Garnett, John P. Rowlett,
C. P. Gray.

Those who voted in the negative, were—

George W. Anderson, Wm. Cassius Goodloe,
W. N. Beckham, Walter Evans,

Mr. Beckham thereupon moved to reconsider the vote by which said bill was rejected.
At half-past 11 o'clock, A. M., Mr. W. Evans moved to adjourn.

After the roll was called, and the names of Messrs. W. Evans, Coke, and Brown having been passed on, each asking to be excused:

The question was taken on excusing Walter Evans from voting on the adjournment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Thomas M. Johnson and Coke, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, M. Woods Ferguson, Hiram S. Powell,
Alpheus W. Bascom, Joseph P. Forre, C. C. Scales,
William Brown, J. S. Lawson, James W. Snyder,
J. Guthrie Coke, J. L. Nall, C. W. Threlkeld,
John W. Dyer, Lewis Potter,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Clinton Griffith, J. R. Sanders,
Wm. A. Allen, George M. Jessee, William Sellers,
W. W. Baldwin, Thomas M. Johnson, J. S. Taylor,
W. N. Beckham, Bryan S. McClure, George M. Thomas,
John A. Bell, William J. McElroy, Harry I. Todd,
S. C. Bell, M. E. McKenzie, L. W. Trafton,
J. C. S. Blackburn, J. C. Moorman, J. L. Waring,
C. M. Clay, jr., Wm. Mynhier, J. M. White,
W. H. Evans, Mat. Nunan, F. A. Wilson,
James Garnett, E. A. Robertson, J. N. Woods,
Wm. Cassius Goodloe, Frank Sacksteder, S. H. Woolfolk—34.
C. P. Gray,

The name of Mr. Evans was then recorded in the list of yeas.

The question was then taken on excusing Mr. Coke from voting on the adjournment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Evans and Brown, were as follows, viz:

Those who voted in the affirmative, were—

Mr. Speaker (McCreary) Clinton Griffith, John P. Rowlett,
George W. Anderson, J. S. Lawson, Frank Sacksteder,
Alpheus W. Bascom, M. E. McKenzie, J. R. Sanders,
John A. Bell, J. C. Moorman, C. C. Scales,
J. C. S. Blackburn, J. L. Nall, James W. Snyder,
C. M. Clay, jr., Mat. Nunan, J. S. Taylor,
R. D. Cook, Julian N. Phelps, L. W. Trafton,
M. Woods Ferguson, Lewis Potter, J. N. Woods,
James Garnett,

Those who voted in the negative, were—

Wm. A. Allen, C. P. Gray, William Sellers,
A. C. Armstrong, Bryan S. McClure, George M. Thomas,
Mr. Coke was excused from voting on the adjournment.

The question was then taken on excusing Mr. Brown from voting on the adjournment, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Evans and Baker, were as follows, viz:

Those who voted in the affirmative, were—

George W. Anderson, R. D. Cook, T. J. Megibben,
Alpheus W. Bascom, Walter Evans, James W. Snyder,
S. C. Bell, C. P. Gray, J. S. Taylor,
J. C. S. Blackburn, Clinton Griffith, F. A. Wilson,
B. E. Cassilly, E. Polk Johnson, J. M. Wright—18.
J. Guthrie Coke, J. S. Lawson,

Those who voted in the negative, were—

Mr. Speaker (McCreary) Bryan S. McClure, E. A. Robertson,
Wm. A. Allen, William J. McElroy, John P. Rowlett,
R. Tarv. Baker, M. E. McKenzie, William Sellers,
John A. Bell, J. C. Moorman, George M. Thomas,
John W. Dyer, Wm. Mynhier, C. W. Threlkeld,
W. H. Evans, J. L. Nall, Harry I. Todd,
M. Woods Ferguson, Mat. Nunan, L. W. Trafton,
Joseph P. Force, Lewis Potter, J. L. Waring,
James Garnett, Hiram S. Powell, J. M. White,
Thomas M. Johnson,

Mr. Brown then voted in the affirmative.

The hour of 12 o'clock, M., being the hour fixed by a resolution of the House for regular adjournment, the House adjourned.
THURSDAY, APRIL 24, 1873.

A message was received from the Senate, announcing that they had passed a bill, entitled

An act for the benefit of the incorporated banks in Jefferson county.

The Speaker having retired from, and Mr. Garnett being called to the Chair, thereupon Mr. E. P. Johnson offered the following resolution, which was unanimously adopted, viz:

Resolved, That the heartfelt thanks of this House are due, and are hereby tendered, to Hon. James B. McCreary, our Speaker, for the manly, just, and upright discharge of his onerous duties in that capacity, and that we will ever cherish the remembrance of his uniform courtesy to each of us, both in his social and official capacity.

Bills from the Senate, of the following titles, were reported without amendment, by the several committees to whom they had been referred, viz:

By Mr. Anderson, from the Committee on Corporate Institutions—
An act to repeal an act, entitled "An act to amend the charter of the New Castle and Eminence Turnpike Road," approved March 9, 1872.

By Mr. Bond, from the Committee on Ways and Means—
An act for the benefit of Wash Johnson, assessor of Laurel county.

By Mr. Ferguson, from the Committee on Internal Improvement—
An act for the benefit of Wm. Lovelace & Co., of Laurel county.

By Mr. Griffith, from the Committee on Claims—
An act to appropriate money for the payment of a claim due Thos. Woods, of the city of Covington.

By same—
An act to appropriate money for the payment of taxes due from the State to the city of Covington.

Ordered, That said bills be read a third time.

The rule of the House and constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Rowlett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:
An act to incorporate the Louisville, Winchester, Iron and Coal Region Railway Company;
An act for the benefit of C. B. Wickliffe, sheriff of Muhlenburg county;
An act for the benefit of Wash Johnson, assessor of Laurel county;
An act for the benefit of William Lovelace & Co., of Laurel county;
An act to repeal an act, entitled "An act to amend the charter of the New Castle and Eminence Turnpike Road," approved March 9, 1872;
An act to appropriate money for the payment of a claim due Thos. Woods, of the city of Covington;
An act to appropriate money for the payment of taxes due from the State to the city of Covington;
Resolution to print and distribute pamphlet edition of Public Acts;
And also enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act to incorporate the town of Glenville, in Adair county;
An act to pay Clinton county for keeping Louisa Eldridge, a pauper lunatic of this Commonwealth;
An act to amend an act, entitled "An act to change the time of holding the circuit, chancery, and criminal courts in the 12th judicial district," approved April —, 1873;
An act for the benefit of William Tinsley, late sheriff of Knox county;
An act declaring certain portions of Roundstone creek, in Rockcastle county, a navigable stream;
An act to amend an act, entitled "An act to create and regulate the office of county treasurer of Floyd county," approved March 21, 1871;
An act to amend an act, entitled "An act to incorporate the Prestonsburg Academy and Normal School Building Joint Stock Company," approved March 29, 1873;
An act to regulate the manufacturing, storing, keeping, and transporting nitro-glycerin, in Mason county;
An act to incorporate the Mercer County Medical Society, in Mercer county;
An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Versailles," approved March 6th, 1868;
An act for the benefit of E. M. Flack, late sheriff of Todd county;
An act to amend an act to incorporate the Louisville Stock and
Bond-Board;
An act for the benefit of R. F. Scott, sheriff of Garrard county;
An act to repeal an act, entitled "An act to prohibit the selling,
giving, or loaning intoxicating liquors in the village of Aaron’s Run,
or within a radius of two miles from the center thereof;
An act to prevent the sale of spirituous, vinous, or malt liquors in
the first magisterial district, of Todd county;
An act for the benefit of the police judge of the town of Leesburg,
in Harrison county;
An act to authorize the county court of Breathitt to submit to the
voters of said county the question of voting a tax for the purpose
of having a survey made through said county for a railroad;
Resolution providing for the removal of the remains of General
C. H. Fry, Colonel Theodore O’Hara, and Adjutant George N. Card-
well;
And had found the same truly enrolled.
Whereupon the Speaker affixed his signature thereto.
Ordered, That Mr. Rowlett inform the Senate thereof.
On motion of Mr. Coke, the following is inserted in the Journal of
the House, viz:
A preamble and resolution were introduced into the Senate yester-
day, reciting that a member of the Judiciary Committee of this House
had suppressed a bill, entitled "An act for the registration of voters
in certain towns in this Commonwealth," in contravention of the
action of the committee, and declaring it to be the sense of the Gen-
eral Assembly that said member should be required to report said
bill.
In view of said preamble and resolution, the Judiciary Committee
of this House, waiving any expression of opinion as to the utter
want of taste in the said preamble and resolution, do hereby declare
in the most positive and emphatic manner that the charge in said
preamble is entirely unfounded, and unjust to every member of the
committee, several of whom have, at different times, had said bill in
their possession.

JAMES GARNETT,
J. GUTHRIE COKE,
W. L. REEVES,
R. TARVIN BAKER,
WALTER EVANS,
JOHN P. SACKSTEDER.

April 21st, 1873.
Mr. Threlkeld offered the following resolution, which was unanimously adopted, viz:

Resolved, That the thanks of this House are hereby tendered to the Clerk and assistant Clerks, as also the Sergeant-at-Arms, Doorkeeper, and pages, and other officers and employees thereof, for their efficient and faithful services in the discharge of their respective duties.

Mr. Garnett moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That Isaac Wingate, Clerk of the Revision Committee on the Revision of the Statutes, be directed to deposit with the Assistant Secretary of State the Journals of said committee, and that said Secretary be directed to preserve the same as part of the archives of the State.

Which was taken up and adopted.

Said resolution being communicated to the Senate, a message was received therefrom, announcing that they had concurred in the adoption thereof.

Mr. Scales moved the following resolution, viz:

Resolved, That the thanks of this House are tendered to W. T. Marshall, for the faithful and efficient performance of his duties as Enrolling Clerk.

Which was adopted.

Mr. Todd moved the following resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury in favor of W. H. Stanley, for the sum of fifteen dollars, payable out of any money in the Treasury not otherwise appropriated, for papers furnished General Assembly since the making up of the general appropriation bill for present session. This resolution shall take effect from its passage.

Which was taken up and adopted.

Said resolution having been communicated to the Senate, a message was received therefrom, announcing that they had concurred in the adoption thereof.

A message was received from the Senate, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to authorize the election of police judge and town marshal in the town of Brownsville, in Edmonson county.
An act for the benefit of C. M. Hanks and Samuel Spradlin, of Wolfe county.
An act to amend the charter of the city of Maysville.
An act to incorporate the town of Norton, in Hopkins county.

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An act to incorporate the Transylvania Street Railroad Company.
An act to incorporate the Harlan County Mining and Railroad Company.
An act for the relief of the stockholders of the Evansville, Henderson, and Nashville Railroad Company.
An act amending an act, approved February 6, 1873, entitled “An act partitioning the Fairfield and Samuels’ Depot Turnpike Road, and out of the same incorporating the Fairfield and Cox’s Creek Turnpike Road Company, and the Samuels’ Depot and Cox’s Creek Turnpike Road Company.”
An act for the benefit of common school district No. 1, in Lawrence county.
An act to repeal the fourth section of an act, entitled “An act to incorporate the Lee County Lumbering, Mining, and Manufacturing Company.”
An act to amend chapter 102, entitled “Treasury Warrant Claims,” of the Revised Statutes.
An act to amend the charter of the Eminence and Fox Run Turnpike Road Company.
An act to amend the charter of the Louisville and Cane Run Turnpike Road Company.
An act for the benefit of Simon Humphrey, late sheriff of Nelson county.
An act for the benefit of Perry Jefferson, sheriff of Mason county.
An act to amend an act, entitled “An act for the benefit of Wm. H. Miller and others, sureties of Q. C. Shanks, late sheriff of Ohio county,” approved February 3, 1870.
An act to amend an act, entitled “An act to incorporate the Princeton, Marion, and Ohio River Railroad Company,” approved March 28, 1872.
An act to extend the time of signing the bill of exceptions in the case of Carlisle Hunt’s heirs against Elisha Long and Elizabeth Gray, in Greenup circuit court.
An act to incorporate the Nicholasville Building and Accumulating Fund Association.
An act to repeal an act, entitled “An act to authorize the trustees of school district No. 2, in Hickman county, to levy and collect a tax for school purposes.”
An act to incorporate the Central Club.
An act to prohibit the retail of spirituous, vinous, or malt liquors
in the towns of Hudsonville, Constantine, and Cross Roads, in Breckinridge county, or in any part of said county, within six miles of either of said towns.

An act to incorporate the Lockport Odd Fellows' and Masonic Building Company.

An act to amend the charter of the city of Louisville.

An act for the benefit of the Baptist Church of Bedford, in Trimble county.

An act to amend an act incorporating the Williamstown Odd Fellows' Hall Company.

An act for the benefit of H. C. Parish, of Barren county.

An act to amend an act, approved March 28, 1872, authorizing sheriffs to sell real estate to pay revenue tax.


An act to repeal an act, entitled "An act authorizing E. H. Smith and others to close an alley in Williamstown, Grant county."

An act extending further time to the county of Boyle in which to provide fire-proof vaults for county records.

An act for the benefit of Trimble county in voting subscription of stock to railroads.

An act to pay the expenses of D. R. Haggard, State agent, sent to Missouri after Cutter and Taylor, charged with forgery.

An act to amend an act, entitled "An act to amend the charter of the Elizabethtown and Paducah Railroad Company," approved February 28th, 1873.

An act for the benefit of school district No. 21, in Carroll county.

An act to incorporate Confederate City, in Rowan county.

An act to authorize sureties for costs to obtain a release from further liability.

An act to exempt the counties of Estill and Lee from the provisions of section 14, chapter 67, of the Civil Code of Practice.

An act to change and fix the time of holding the Estill county quarterly courts.

An act to prohibit the sale of spirituous, vinous, or malt liquors, or the mixture of either, in Jeffersontown precinct, in Jefferson county.

An act to amend an act, entitled "An act for the benefit of common school district No. 1, in Allen county."

An act to incorporate the Danville Gas-light Company.
An act directing the Auditor to pay certain guard claims in Powell county.

An act to incorporate the Elizabethtown Building and Loan Association.

An act to authorize the clerk of the Allen circuit court to make a cross-index to suits and causes on file in said office.

An act for the benefit of C. M. Hanks, jailer of Wolfe county.

An act to provide for the compensation of E. I. Bullock, G. W. Craddock, and J. M. Nesbitt, for services before the Joint Committee on the Revision of the Statutes.

An act to repeal an act, entitled “An act to legalize the proceedings of the president and directors of the Danville and Hustonville Turnpike Road Company,” approved April 16th, 1873.

An act to exempt secretaries, assistant secretaries, superintendents, assistant superintendents, and depot agents of railroads, from jury service.

An act to amend an act, entitled “An act to incorporate the Marion County Agricultural and Mechanical and Stock Association,” approved January 16th, 1868.

An act for the benefit of Joseph Durban, of Lee county.

An act for the benefit of the judge of the Warren court of common pleas.

An act to amend an act, entitled “An act to incorporate the Greensburg Deposit Bank,” approved March 18, 1872.

An act for the benefit of common school district No. 1, in Pendleton county.

An act to amend an act, entitled “An act to empower county courts to take stock in turnpike roads in this Commonwealth,” approved March 9th, 1868.

An act to appropriate money for the payment of a claim due Henry Dressman, of the city of Covington.

An act to authorize the making of an abstract book for the counties of Kenton, Campbell, and Boone.

An act to incorporate the Frankfort True Friend Society.

An act to provide for the transfer of certain causes from the Graves circuit court to the McCracken court of common pleas.

An act to amend the charter of the city of Covington.

An act to incorporate Mayfield Lodge, No. 151, I. O. O. F.

An act to amend an act, entitled “An act to amend the charter of the Jefferson and Brownsboro Turnpike Road Company.”

An act to amend the charter of the city of Covington.
An act to incorporate the Lambert Mining Company.
An act to amend section 4 of an act, entitled "An act to authorize M. B. Goble to erect a boom across Blain creek, in Lawrence county," approved March 18th, 1870.
An act to authorize the clerk of the Jefferson circuit court to make an index and cross-index of said county.
An act to incorporate the Good Templars Aid Society, of Franklin county.
An act to amend the charter of the town of Lockport, in Henry county.
An act to amend the charter of the city of Ludlow.
An act to amend an act, entitled "An act to change the time for holding the circuit courts in the fifth judicial district," approved January 13, 1872.
An act for the benefit of the Louisville Board of Trade.
Resolution to print synopsis of acts.
A message was received from the Governor by Mr. Craddock, Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz:
An act to amend an act, entitled "An act to incorporate the town of Williamsburg, in Whitley county."
An act to amend the charter of the South Kentucky Railway Company.
An act to incorporate the Grand Lodge of the American Protestant Association of Kentucky.
An act for the benefit of the town of Clinton.
An act for the benefit of John Gibbs, of Wolfe county.
An act in relation to the convicts of the Penitentiary.
An act to amend section 519 of the Civil Code of Practice.
An act to amend section 101 of the Civil Code of Practice.
An act for the benefit of John F. King, sheriff of Knox county.
An act to provide for the education of colored children in Garrard county.
An act for the benefit of R. B. Lovel, late sheriff of Lewis county.
An act for the benefit of school district No. 38, in Henry county.
An act for the benefit of Mrs. Margaret Decker.
An act for the benefit of H. H. Wiseman, former sheriff of Estill county.
An act for the benefit of J. N. Culiton, late sheriff of Jackson county.
An act for the benefit of the Bank of Louisville.

An act for the benefit of J. J. Macklin, late sheriff of Kenton county.

An act authorizing the county court of claims of Fleming county to carry into effect the bequest of J. J. Andrews, deceased, to the poor of Fleming county.

An act to incorporate the Mount Sterling and Carter County Mining and Manufacturing Company.

An act to legalize the actions of the Greenup county court of levy and claims.

An act for the benefit of C. B. Wickliffe, sheriff of Muhlenburg county.

An act to authorize sales and conveyances by trustee under a power.

An act to incorporate the Henderson Building and Loan Association.

An act for the benefit of Wash Johnson, assessor of Laurel county.

An act to repeal an act, entitled "An act to amend the charter of the New Castle and Eminence Turnpike Road," approved March 9, 1872.

An act to appropriate money for the payment of taxes due from the State to the city of Covington.

An act to appropriate money for the payment of a claim of Thos. Woods, of the city of Covington.

An act to regulate the manufacturing, storing, keeping, and transporting nitro-glycerin, in Mason county.

An act to amend an act, entitled "An act to create and regulate the office of county treasurer of Floyd county," approved March 21st, 1871.

An act to amend an act, entitled "An act to incorporate the Prestonsburg Academy and Normal School Building Joint Stock Company," approved March 29th, 1873.

An act to amend an act to incorporate the Louisville Stock and Bond Board.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Versailles," approved March 6, 1868.

An act to authorize the county court of Breathitt to submit to the voters of said county the question of voting a tax for the purpose of having a survey made through said county for a railroad.

An act for the benefit of R. F. Scott, sheriff of Garrard county.

An act to repeal an act, entitled "An act to prohibit the selling,
An act to pay Clinton county for keeping Louisa Eldridge, a pauper lunatic of this Commonwealth.

An act for the benefit of the police judge of the town of Leesburg, in Harrison county.

An act for the benefit of E. M. Flack, late sheriff of Todd county.

An act to incorporate the Mercer County Medical Society, in Mercer county.

An act to prevent the sale of spirituous, vinous, or malt liquors in the first magisterial district, in Todd county.

An act to amend an act, entitled "An act to change the time of holding the circuit, chancery, and criminal courts in the 12th judicial district," approved April 24, 1873.

An act for the benefit of Wm. Tinsley, late sheriff of Knox county.

An act declaring certain portions of Round Stone creek, in Rockcastle county, a navigable stream.

An act to incorporate the Transit Railway Company.

An act to incorporate the North Kentucky Bridge Connecting Railway and Construction Company.

Resolution to print and distribute pamphlet edition of Public Acts.

Resolution for the benefit of Wm. H. Stanley.

Resolution providing for the removal of the remains of General C. H. Fry, Col. Theodore O'Hara, and Adjutant George N. Cardwell.

On motion of Mr. Blackburn, a committee, consisting of Messrs. Blackburn, Baker, and E. Polk Johnson, were appointed to wait upon the Governor, and inform him that this General Assembly was now ready to adjourn, and asking if he had any further communication which he desired to make to this General Assembly; and that they be directed to inform the Senate of their appointment, and request the appointment of a similar committee on their part.

Having communicated this message to the Senate, and a similar committee having been appointed on their part, after a time, Mr. Johnson reported that they had discharged the duty assigned them, and were informed by the Governor that he had no further communication to make to either House.

In the Journal of March 13, 1873, it was entered that Mr. Speaker McCreary moved to reconsider the vote by which this House passed "A bill for the benefit of the Silver Creek and Walnut Meadow Turnpike Road Company." The Journal is corrected, so far as to state that the motion to reconsider was made by Mr. Griffith.
On motion of Mr. Gray,

Ordered, That a committee, consisting of Messrs. Gray, Evans, and T. M. Johnson, be appointed to wait upon the Senate, and inform them that this House, having completed the business before them, were now ready, under the joint resolution heretofore adopted, to adjourn without day.

This message being communicated to the Senate, a message was received therefrom that they were also ready to adjourn sine die.

And thereupon Mr. Speaker McCready delivered the following address, viz.:

Gentlemen of the House of Representatives:

Our work is done. We separate, many of us, today, forever. Henceforth the pleasures, toils, and associations of this session live alone in memory, and your deeds as Representatives become a part of Kentucky's history. From the people you come, and back to the people you now go, to answer for your acts in the councils of the State.

The parting hour is a sad one, no matter whether it be upon the battle-field or in legislative halls, or amid the quiet avocations of civil life; yet the sadness of this separation is gilded by the prospect of a reunion with our loved ones at home, and consoled, I trust, also, with the consciousness that, no matter what may have been your avocations heretofore—no matter from what section each of you may have come, or to what political party each may have belonged—you have with harmony, friendship, and energy, labored to promote the prosperity, maintain the dignity, and preserve the liberty of the people you represent.

I believe the Commonwealth has been benefited by your legislation. Day and night you have, with unwavering fidelity and zeal, performed the arduous duties of this session. You have made ample provisions for the comfort and maintenance of all unfortunate persons who are properly objects of charity, and you have authorized a geological survey that will be of inestimable value towards developing our mineral resources, and thereby adding materially to the wealth of this State; and you have made such appropriations as you deemed wise and just. Yet your economy has been strict and rigid, and the Journals will show that you have appropriated less money out of the Treasury than any similar body for many years.

In addition to the usual routine of legislation, you have, by the Revision of the Statutes of Kentucky, accomplished a work much needed, and placed in easy reach of every citizen a copy of the laws that regulate his life, liberty, and property; and in my opinion, when these statutes are examined and understood, they will constitute a monument to your credit, upon which you may faithfully rely for a good verdict from the people. Though you have enacted many local laws, this is not your fault, but the fault of the Constitution that allows such acts; and when called upon by your constituents for
local legislation, you would have been faithless representatives if you had not complied with their requests.

The grandeur and greatness of every State depends chiefly on its financial, educational, and internal improvement interests; and I am gratified to be able to state that the financial interests of our State are in as good condition as those of any other State in the Union; and that you have shown your appreciation of the wants of a people who have voluntarily imposed upon themselves a tax for educational purposes, that annually yields nearly one million of dollars, by adopting a common school law that, it is believed, will redound to the good of the whole country, and inaugurate an educational era in which the principles of civil and religious liberty will be more deeply riveted in the hearts of a free, intelligent, and virtuous people.

To the internal improvement interests of the State you have paid special attention. Railroads are constructed, or are being projected, through almost every section, and the music of whizzing trains, laden with rich products, minerals, and manufactures, will long mingle everywhere with the glad acclamations of our thrifty, industrious, and progressive citizens. We part in the midst of times that are ominous of great changes and grand events. The most thoughtful student of history cannot tell what is to be the end or the effect of the great innovations now going on all over the world. Old systems are being broken up; dynasties are falling; the empire of yesterday is the republic of to-day, and new ideas and new landmarks are springing up on every side; no one can foretell the fate of our State or our Nation; but as Vergniaud, when condemned to death, in the very hour of his exit poured his last libation to liberty, and exclaimed, "if this wine was my blood I would quaff it to the republic;" so I hope that, no matter what may be your future, each of you will ever be found upholding with your intellect, energy, and life, if necessary, the freedom of the people, their constitutional rights, and the welfare of the republic.

On this occasion I again thank you for your uniform courtesy and kindness to me, and for the support and approval with which you have always sustained and encouraged me during my entire administration as your presiding officer. Throughout my life I will cherish the friendship and preserve the memories so inseparably connected with you all; and no matter what my destiny or yours may be—no matter if life's revolving years roll on until the allurements and blandishments of the world lose their charm, and ambition, with its hopes and fears and uncertainties, grows dim and dull—no matter how confused are life's contests or peaceful its pursuits—I will always rejoice in your success and happiness, and love to remember that throughout all my varied responsibilities and duties, no Representative has ever felt sufficiently aggrieved to appeal from my decision. And now, with my whole heart wishing you a safe and speedy return to your families and constituents, and trusting that the

Divinity that shapes our ends,
Rough hew them as we will,

will bless you and yours forever, I pronounce the House of Representatives of Kentucky adjourned sine die.
## LIST OF MEMBERS AND OFFICERS

Of the House of Representatives, giving Name, County Represented, Post-office Address, and Occupation.

<table>
<thead>
<tr>
<th>Names</th>
<th>County</th>
<th>Post-office</th>
<th>Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Speaker (J. B. McCreary)</td>
<td>Madison</td>
<td>Richmond</td>
<td>Lawyer.</td>
</tr>
<tr>
<td>William A. Allen</td>
<td>Meade</td>
<td>Union Star</td>
<td>Farmer.</td>
</tr>
<tr>
<td>George W. Anderson</td>
<td>Jefferson</td>
<td>Louisville</td>
<td>Farmer.</td>
</tr>
<tr>
<td>A. C. Armstrong</td>
<td>Bracken</td>
<td>Augusta</td>
<td>Farmer.</td>
</tr>
<tr>
<td>A. S. Arnold</td>
<td>Hickman</td>
<td>Clinton</td>
<td>Farmer.</td>
</tr>
<tr>
<td>W. W. Ayers</td>
<td>Calloway</td>
<td>Murray</td>
<td>Farmer.</td>
</tr>
<tr>
<td>G. W. Bailey</td>
<td>Webster</td>
<td>Shelby City</td>
<td>Lawyer.</td>
</tr>
<tr>
<td>W. W. Baldwin</td>
<td>Mason</td>
<td>Maysville</td>
<td>Farmer.</td>
</tr>
<tr>
<td>Alpheus W. Bascom</td>
<td>Bath</td>
<td>Owingsville</td>
<td>Farmer.</td>
</tr>
<tr>
<td>W. R. Bates</td>
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TO THE

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