JOURNAL OF THE SENATE.

AT a General Assembly begun and held, for the State of Kentucky, at the Capitol in the Town of Frankfort, on Monday the seventh day of November, in the year of our Lord One thousand eight hundred and thirty one, in the fortieth year of the Commonwealth.

It being the day appointed by the proclamation of the Governor pursuant to the provisions of the constitution, for the meeting of the General assembly, John Breathitt, Lieutenant Governor, appeared and took the Chair, and the following members appeared and took their seats, to wit:

From the Counties of Adair, Casey and Russell, Benjamin Selby; from the Counties of Cumberland and Monroe, William Wood; from the Counties of Allen and Warren, William C. Payne; from the Counties of Logan and Simpson, John B. Bibb; from the Counties of Butler, Grayson and Muhlenburg William Cunningham; from the Counties of Hopkins, Henderson and Union, Samuel Casey; from the Counties of Christian, Trigg and Todd, James Gholson; from the Counties of Daviess, Ohio, Breckenridge and Hancock, William R. Griffith; from the Counties of Green and Hart, James Allen; from the Counties of Hardin and Mead, John C. Ray; from the Counties of Jefferson and Bullitt, James Guthrie; from the Counties of Henry and Oldham, John Rodman; from the County of Shelby, William G. Boyd; from the County of Washington, Christopher A. Rudd; from the County of Mercer, John B. Thompson; from the County of Garrard, John Faulkner; from the Counties of Lincoln, Rockcastle and Laurel, Henry Owsey; from the Counties of Knox, Clay, Perry, Harlan, and Whitley, Robert George; from the Counties of Nelson and Spencer, Benjamin Hardin; from the Counties of Boone and Campbell, Leonard Stephens; from the Counties of Grant, Pendleton and Gallatin, Robert S. Dougherty; from the Counties of Franklin, Owen, and Anderson, Cyrus Wingate; from the County of Harrison, John O. Beaseman; from the County of Bourbon, John R. Thornton; from the County of Mason, Robert Taylor; from the County of Fleming, William P. Fleming; from the Counties of Montgomery and Estill, Samuel Williams; from the County of Clark, James Clark; from the Counties of Woodford and Jessamine, George I. Brown; from the County of Scott, John Payne; from the County of Madison, James Dejarnett; from the Counties of Barren and Edmonson, Robert D. Maupin; from the Counties of Nicholas and Bracken, James Parks, and from the County of Fayette, Robert Wickliffe;
The said James Clark, William P. Fleming, James Gholson, William R. Griffith, James Guthrie, Benjamin Hardin, John Rodman and Robert Taylor, severally produced certificates of their having been duly elected, and took the several Oaths required by the constitution of the United States, and the constitution and laws of this State.

James Stonestreet and Micajah Harrison were nominated as proper persons to fill the office of Clerk of the Senate during the present Session; and upon taking the vote it appeared that James Stonestreet had received a majority of all the votes given, and he was declared to be duly elected; whereupon he took the oaths of office.

Anthony Crockett was elected Sergeant at arms of the Senate, Littleberry Bachelor Door keeper and Benjamin R. Pollard assistant Clerk, during the present Session; whereupon they severally took the oaths of office.

Ordered, that a message be sent to the House of Representatives informing that body that the Senate having met, formed a quorum, and elected its officers, is now ready to proceed to legislative business; and that Mr. Beaseman carry said message.

A message was received from the House of Representatives, by Mr. Chambers, informing the Senate that the House having met, formed a quorum, elected its officers, is now ready to proceed to legislative business; and that a committee has been appointed, on its part, to wait on the Governor, and inform him that the General assembly has convened, and is now ready to receive any communication he may think proper to make.

Whereupon Messrs. Wickliffe, Clark, and Allen, were appointed a Committee on the part of the Senate.

Ordered, that Mr. Wickliffe inform the House of Representatives thereof.

The Committee on the part of the Senate then retired, and after a short time returned, when Mr. Wickliffe reported that the committee had discharged the duty assigned them, and were informed by the Governor, that he would make a communication in writing, by way of message, to each branch of the General assembly, in their respective chambers, tomorrow at twelve o'clock.

On motion,

Ordered, that the rules of the last Session be adopted as the rules of the present Session; and that the public Printer, print one hundred and fifty copies thereof, for the use of the General assembly.

Ordered, that a committee for Courts of Justice be appointed, and a committee was appointed, consisting of Messrs. Wickliffe, Selby, Fleming, Guthrie, Campbell, Casey, Wingate, Thornton and Conner, who are to take under consideration all matters relating to Courts of Justice, and such other matters as may be from time to
Ordered, that a committee of propositions and Grievances be appointed, and a committee was appointed, consisting of Messrs. Clark, Griffin, Harris, Williams, W. C. Payne, Parks, Conner, Beaseman and Griffith.

Together with such other members as may from time to time, choose to attend, who are to take under consideration all propositions and grievances that may be referred to them, and report their proceedings together with their opinion thereupon to the Senate.

Ordered, that a committee of privileges and election be appointed; and a committee was appointed, consisting of Messrs. Faulkner, Cunningham, Rodman, Ray, George, Brown and Gholson, who are to take under consideration, and examine all returns of the elections of Senators, to serve in the general assembly, and compare the same with the forms prescribed by law, and take into consideration all questions concerning elections, and such other matters as shall from time to time be referred to them, and to report their proceedings, together with their opinion thereupon to the Senate.

Ordered, That a committee of religion be appointed; and a committee was appointed, consisting of Messrs. Wood, Owesley, Parks, Boyd, Dejarnett, Dougherty and John Payne; who are to take under consideration, all matters and things relating to religion and morality, and such other things as may from time to time be referred to them, and to report their proceedings, together with their opinion thereupon to the Senate.

Ordered, That a committee of internal improvement and domestic manufactures be appointed; and a committee was appointed, consisting of Messrs. Allen, Taylor, Maupin, Campbell, Thompson, Rudd, Stephens, Brown, Harris, Bibb and Guthrie; who are to take into consideration, all matters concerning the public highways and navigable streams, and relating to the condition and improvement of the manufactures of the country, and such other matters and things, as may from time to time, be referred to them, and report their proceedings, together with their opinion thereupon, to the Senate.

Ordered, That a committee of finance be appointed, and a committee was appointed, consisting of Messrs. Hardin, Selby, Taylor, Ray and Thompson; who are to take under consideration, all matters and things relating to, or connected with the revenue and fiscal concerns of this commonwealth, and such other matters
and things, as may, from time to time, be referred to them, and to report their proceedings, together with their opinion thereupon to the Senate.

Ordered, That a committee on education be appointed; and a committee was appointed, consisting of Messrs. Thompson, W. C. Payne, Fleming, Stephens, Owsey, Bibb and Casey; who are to take into consideration all matters concerning education, and such other matters and things as may be from time to time referred to them, and to report their proceedings, together with their opinion thereupon to the Senate.

Ordered, That a committee on the penitentiary be appointed; and a committee was appointed, consisting of Messrs. Brown, Rodman, Gholson, Harris, Dougherty, Wickliffe and Wingate; who are to take into consideration all matters and things relating to the penitentiary, and such other matters as may be from time to time referred to them, and to report their proceedings together with their opinion thereon to the Senate.

And each of said committees are to meet and adjourn from day to day, and shall have power to send for persons, papers and records for their information.

Ordered, That a committee of enrollments, on the part of the Senate, be appointed; and a committee was appointed, consisting of Messrs. Wingate, Conner, Dougherty, W. C. Payne and Rudd.

Ordered, That Mr. Wingate inform the House of Representatives thereof.

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

On the motion of Mr. Hardin—1. A bill to fix the ratio, and apportion the representation for the ensuing four years.

On the motion of Mr. Rodman—2. A bill allowing an additional term to the county court of Henry county.

On the motion of Mr. Wickliffe—3. A bill to amend the laws against gaming; and

4. A bill to repeal in part the law incorporating the city of Louisville, and for other purposes.

On the motion of Mr. Rodman—5. A bill to add an additional constable to the county of Henry.

On the motion of Mr. Beaseman—6. A bill to amend the militia laws; and

On the motion of Mr. Guthrie—7. A bill to incorporate a company to build a bridge across the Ohio river, at the falls.

Messrs. Hardin, Campbell, Bibb, Selby, Rudd, Ray, Clark, Dejarnatt, Conner, Taylor, Dougherty and Stephens, were appointed a committee to prepare and bring in the first; Messrs. Rodman, Dougherty and Boyd, the second; Messrs. Wickliffe, Guthrie and Casey, the third and fourth; Messrs. Rodman, Wood and Owsey, the fifth; Messrs. Beaseman, J. Payne and Wingate, the sixth; and Messrs. Guthrie, Bibb and Parks, the seventh.

Mr. Rodman, from the committee appointed for that purpose,
THE SENATE

reported a bill allowing an additional term to the county court of Henry county.
Which was read the first time, and ordered to be read a second time.
The rule of the Senate, Constitutional provision, and second and third readings of the said bill, having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
And then the Senate adjourned.

TUESDAY NOVEMBER 8, 1830.

The Senate assembled.
Mr. John Griffin, a member of the Senate, from the counties of Pulaski and Wayne; Mr. William Conner, a member from the counties of Greenup, Lewis and Lawrence; and Mr. David K. Harris, a member, from the counties of Bath, Morgan, Floyd and Pike, appeared and took their seats; Mr. Harris produced a certificate of his election, and of his having taken the several oaths prescribed by the constitution of the United States, and the constitution and laws of this state.
On motion—Ordered, That Mr. Guthrie be added to the committee appointed to prepare and bring in a bill to fix the rates and apportion the representation for the ensuing four years.
Mr. Bibb presented the petition of Thomas Anderson, praying that a law may pass, authorizing him to sell and convey a tract of land in Green county, belonging to his infant children, and to vest the proceeds in other lands.
Mr. Selby presented the petition of George W. Damron, praying that a law may pass ratifying a sale made by him, as guardian of Ann Elizabeth Squires, of two old negro slaves.
And Mr. Guthrie presented the petition of the Louisville and Portland canal company, praying that an act may be passed granting them the right to sell as many shares of stock at one hundred dollars each, as will pay the debts due by them. Which petitions were severally received, read, and referred to the committee of courts of justice.
Mr. Guthrie, from the committee appointed for that purpose, reported a bill to incorporate a company to build a bridge across the Ohio river at the falls.
The rule of the Senate, constitutional provision, and the first and second readings of the said bill having been dispensed with, it was referred to the committee of internal improvements.
Ordered, That the public printer, print one hundred and fifty copies of the said bill for the use of the General Assembly.
On the motion of Mr. Thompson, 

Resolved, That the committee on courts of justice be instructed to enquire into the necessity and expediency of providing by law, penalties for receiving stolen Bank notes, and other writings obligatory, knowing them to be stolen.

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

On the motion of Mr. George—1. A bill to prevent the people of the county of Harlan from burning the woods.

On the motion of Mr. Rodman—2. A bill to sell the Baptist meeting house, in the town of New Castle, in the county of Henry.

On the motion of Mr. Guthrie—3. A bill to incorporate an insurance company under the style of the Louisville Merchant's Insurance Company.

And on the motion of Mr. Maupin—4. A bill to amend the execution laws of this commonwealth.

Messrs. George, Harris and Faulkner, were appointed a committee to prepare and bring in the first; Messrs. Rodman, Wood and Maupin, the second; Messrs. Guthrie Hardin and Boyd, the third; and Messrs. Maupin, Rudd and Casey, the fourth.

A message in writing was received from the governor, by Mr. Crittenden, Secretary of State.

The rule of the Senate requiring the said message to lie on the table one day, having been dispensed with, was taken up, and read as follows, viz:

Gentlemen of the Senate, 
and of the House of Representatives:

In the exercise of a power confided by the constitution to executive discretion, I have considered it my duty to convene the Legislature at an earlier period than that which had been designated by law.

A failure on the part of the last Legislature to elect a Senator to Congress, occasioned a vacancy in that highly important office, which could not in due time be filled, except by executive appointment, or by calling together the immediate representatives of the people, to enable them to perform that very responsible duty. The latter alternative was resorted to without hesitation, under a conviction, that such a step would best comport with the genius of our institutions, and consequently the most satisfactory to our constituents.

At all times, and under every political vicissitude, it is due to the State, that she should be fully represented in the councils of the nation; and at no former period in the history of this republic, has it in my opinion, been a matter of greater importance than at present. By the step thus taken, many of you may pos-
sibly have been subjected to some inconvenience, but I rely with confidence upon your disinterested patriotism, to make any reasonable sacrifice demanded by the exigencies of the country. Constituting, as you do, a co-ordinate branch of the government, and coming but recently from the bosoms of your respective constituents, allow me to felicitate myself upon the knowledge, which you will be enabled to impart to each other and to me, of the various interests, the feelings and wants of those from whom we hold our delegated authority.

The past season has brought upon our country no unusual affliction; upon our crops no withering blight. Our fellow citizens have enjoyed the blessings of health; of the fruits of the earth our hands teem with abundance; and by a system of judicious legislation, we may rely on the author of all good, to advance the general prosperity.

Since the adjournment of the last legislature, the full amount of stock authorized by law on the part of the State, has been subscribed to the several Turnpike Road Companies therein designated. The road from Louisville is under contract, and will soon be completed to Shelbyville. There remains, as I understand, a space of some miles of the road from Maysville to Lexington, not yet contracted for, owing to the inadequacy of the funds of the company for its construction. The speedy accomplishment of this road to Lexington, and from that point to Louisville, is unquestionably a matter of the first importance to our country, and will doubtless engage the particular attention of the legislature. Besides the paramount advantages which we are confident of deriving, in a social and commercial point of view, from this great national highway when completed, we are admonished even on the score of pecuniary gain, to accomplish the work as soon as practicable. The amount of toll hitherto charged at the toll gate near Maysville, is less by nearly one half than the amount specified by law, and notwithstanding this diminution of the rates of toll, the stockholders have received a dividend at the rate of thirteen per cent. per annum. This gate is fixed on a part of the road too, the construction of which has exceeded by about fifty per cent. what will be the average cost of an equal length of the residue of the road?

Believing that the time has arrived, when it is no longer possible for the Legislature, with a due regard to the interests of the State, to hesitate in commencing a system of Internal Improvements, I submit the following views of that interesting subject to your candid consideration. In addition to the roads now in progress, under the patronage of the State, there are several others, the commencement of which should not, as I conceive, be longer postponed.

The continuation of the great National Road from Lexington.
as surveyed by the United States Engineer; the road from Louisville in a direction to Nashville; the old wilderness turnpike, and roads leading from various important points along the Ohio River, into the interior of the State, appear to me, imperatively to demand the attention of the Legislature. It will be, however, for the representatives of the people to designate the most appropriate routes for commencing the work.

The general face of our country, and condition of its waters, may forbid the hope of success in any enlarged attempt to make canals; but the navigation of some of our rivers may be greatly and advantageously improved. Steam Boats of considerable burden, have in some instances ascended the Green and Barren Rivers as high as Bowling-Green, a distance by water of nearly two hundred miles. The practicability, therefore, of navigating these rivers by steam power, may be considered as settled. The falls at Vienna are supposed to constitute the chief obstacle; but with proper improvements, which it is believed can be accomplished at no great expense, this obstruction can be removed. The citizens of Warren county, have, during the past summer and present fall, by voluntary contributions of money and labor, evincing an ardent patriotism, and a correct view of their best interests, removed various obstructions to the navigation of Barren river. Thus a new field of enterprise is opened to the Southern section of the State. If suitable aid is afforded by the Legislature, in securing a passage through the falls at Vienna, at ordinary stages of the water, a rapid increase of population and wealth must necessarily be the consequence in that part of the State.

I regret that I have no specific data to present to your consideration, respecting the prospect of removing obstructions to the navigation of the Kentucky and Licking Rivers. No report on that subject has yet been received by the Board of Internal Improvement, from the engineers who were appointed for that purpose. It is understood, however, that the report concerning these rivers will be less favorable, than that which relates to the Green river. But whether it will be of a character, so discouraging as to deter the Legislature from any attempt at improvement, is yet to be ascertained.

You are aware of the commencement recently, of the Lexington and Ohio Rail Road, by the company incorporated for that purpose. It is an interesting, and a noble work. It has been commenced under the most favorable auspices. The sagacity, energy and patriotism of its enterprising patrons, command our unqualified admiration, and justly entitle them to the thanks, and to the patronage of the State.

I acknowledge the propriety of great caution on the part of the Legislature, in lending its aid to works of this description.
generally. But excessive timidity retards, and may forever defeat the best and dearest interests of society. Individual enterprise may, in most cases of this character, be trusted to pioneer the way. It is cool, calculating, and keen sighted; and when its energies are directed by intelligence, as in this instance, the State has but little to risk, by uniting a portion of its funds, with a still greater portion of the funds of individuals.

Kentucky has ample resources. She has great latent wealth. She has good credit, and she calls upon you to exert it in her behalf. Like a fond mother weeping over her lost children, she bewails that portion of her industrious population, who are daily leaving her for the recesses of the wilderness, or elsewhere, in search of employment, and she calls upon you to check the growing evil. Canals you cannot make, but your roads and rivers may be improved.

It is believed to be a sound maxim in political economy, that national wealth consists in the most enlarged and varied capacity to acquire the necessaries and comforts of life. The ancient, but fugitive theory, by which the minds of many had been bewildered, that national wealth consisted in accumulations, over and above the annual consumption has long since been exploded. All practical statesmen now admit that hoarded accumulations, without a market, or the means of transportation, to market, are valueless and will soon perish.

Whatever saves labor, or time, is admitted to be productive of wealth. Whatever facilitates and cheapens the process of exchanging one commodity for another, increases the capacity to produce; enriches the nation; adds to her offensive or defensive strength; diffuses happiness, comfort and joy amongst her own citizens; increases their love of home; affords them leisure for the cultivation of the mind; enables them to mingle, without defined limit, in the affairs of active practical life; exalts their character and that of the State, to the loftiest summit of human elevation.

It is in your power to put in motion, and to render active, the heretofore dormant energies of the State in the great cause of improving its own condition, and thereby do much and lasting good to that integral part of this mighty and growing nation to which your Legislative jurisdiction extends.

Can it be said that Kentucky is destitute of resources to enable her to open her navigable channels, and to make her roads? How are other States enabled to perform works of this description, and of such vast magnitude? Our citizens are not less enterprising than the citizens of other States. They know that every dollar of revenue judiciously applied to the improvement of the country, will soon be returned to them many fold. They know how to discriminate between a revenue applied to purposes
of this character, and a revenue, the object of which is to carry on wars of succession or of conquest, for purposes of royal aggrandizement, or to gratify political ambition.

Remove the obstructions to your commerce; improve the arts of civil life; give a right direction to the intercourse of your citizens with each other, and with those of the other States, and you will sacrifice upon the altar of an expanded patriotism, the unsocial, if not unworthy doctrine of nullification, a patriotism which derides every pretended limit, and rejects all boundaries not commensurate with the Union.

If the Legislature will but authorize it, no doubt whatever, need be entertained, that a loan can be obtained, for twenty, thirty, or forty years, by providing for the payment of a moderate interest thereupon, annually. Will Kentucky proceed at once to the good work? Or will she sink down by supineness and inactivity, until she becomes a bye-word and a reproach to her sister States, a mere nuisance in the way of the intercourse of all enterprising citizens, her territory for a considerable part of the year, inaccessible to those who may have the temerity to approach her borders, and a prison house to those who at that season may happen to be in her interior, from which it is difficult to escape.

According to the estimate of the Auditor of Public Accounts, the amount of expenditures of the government, for the year ending on the 10th of October, 1832, will be one hundred and eighty-four thousand, eight hundred and nine dollars, and fifty cents.

The amount expected to be received into the Treasury up to that period, is one hundred and forty-one thousand four hundred and fifty-nine dollars—thus leaving a balance against the government, at the end of the present fiscal year, of one hundred and forty-three thousand, three hundred and fifty dollars and fifty-eight cents.

The question arises whether it is not due to our constituents, that provision be made without delay to meet the Treasury deficit?

At this time an inconsiderable increase will effect gradually that desirable object. But if the Legislative action is postponed from year to year, an extravagant tax must, in the end, be the consequence.

Our revenue laws are defective. The aggregate amount of revenue may be increased some thousands of dollars, without increasing the rates now imposed. For the mode of performing this operation I refer you to the report of the Attorney General and Secretary of State, made by them to the last legislature, after a careful and deliberate examination of the books of the Auditor and Treasurer.

In addition to the amendments recommended by the report mentioned, it is deemed worthy of consideration whether so much
of an act approved, January 31st, 1814, as exempts from taxation all that part of the mercantile capital of the county which is employed in the purchase of "goods, wares, and merchandize, manufactured in the United States," ought not to be repealed. A repeal of this clause will increase the aggregate amount of the revenue considerably. This law as now enforced, is not sound in principle—it contains an exception without good reason, to the salutary mode of equalizing taxation; and it involves the merchant who wishes to discriminate correctly, the capital which he employs in the purchase of goods, wares, and merchandize manufactured in the United States, from that which is otherwise employed, in great difficulty.

If he is subjected to the payment of taxes upon the whole capital employed in his business he will have no difficulty in giving in the true amount to the commissioner. By the amendment suggested, it is believed that the revenue from that particular source will be increased from four to five fold.

It is also respectfully submitted, whether this law is not obnoxious to another objection? Whether the exemption which it contains, does not operate as a bounty to the mechanics and manufacturers of other states, to the prejudice of those of our own? It may be right by congressional enactments, to protect the arts and industry of the citizens of the United States against foreign competition: and yet it may not be right for the state to pass a law, the effect of which is to drive our own artists from the fair field of competition with those of the other states of this Union. It is believed that a similar provision is not to be found in the statutes of any other state. Owing to the low rate of our revenue tax at present, the effect of this law is but little felt—but in principle it cannot be right, and when the revenue is increased, the effect will be felt more sensibly.

By an examination of the books of the Auditor, it will be found that the amount of stock belonging to the state, is as follows:—

In the Bank of Kentucky, one hundred and forty-nine thousand, one hundred and seventy-five dollars.

In the Bank of the Commonwealth, five hundred and eighty-seven thousand, three hundred and eleven dollars and thirteen cents. Of stock in the last mentioned bank, forty-four thousand, one hundred and fifty-two dollars and fifty cents. The aggregate amount of the bank stock, a considerable portion of which is in Commonwealth's paper, is seven hundred and eighty-one thousand, two hundred and thirty-eight dollars and sixty-three cents. The amount of stock belonging to the State in turnpike roads, is forty-five thousand five hundred and forty-three dollars, and thirty-three cents. In bridge stock, five hundred and seventy-one dollars. The question is now presented to the consideration of the Legislature, whether the proper period has not
arrived for making a final and decisive movement in relation to the bank stock belonging to the State? Is it not due to our constituents, that we should at once ascertain as nearly as we can how much of this stock can be realized? A knowledge of this fact appears to me to be indispensable to a correct decision of the question respecting our revenue. For my own part, I am not without apprehensions, that whenever the business of the banks shall be closed, the deficiency will greatly exceed the amount now so generally anticipated.

Possibly my apprehensions may be groundless; but after what had occurred in the management of those offices my want of confidence is at least excusable. It is true that at present, the whole business of the Banks is concentrated here under the control of a few gentlemen in whose integrity, all who know them have the utmost confidence. That a selection of individuals more faithful or capable, could be made in the State no one will or can pretend; but how far it will be in their power to restore chaos to order, or what sum they will in the end be enabled to realize, is a point upon which I cannot even hazard a conjecture.

Is it not desirable that we should know the whole truth respecting this fund? Why not at once, put the business into the hands of the Treasurer, that he may proceed to realize the available amount within a reasonable time? If he needs assistance to perform the duties required, provision can be made accordingly and certainly at much less expense to the State than it incurs at present—If it is objected that the interest of the debtors would not be sufficiently consulted, I assure the legislature that I am as much disposed to consult the interest of that class as any one else, who at the same time duly regards the interest of the commonwealth: for I hold it to be sound policy under existing circumstances, to surrender a part of the interest, or even of the principal itself, to those who will come forward and discharge their notes, rather than to continue the business as at present conducted. The diminution of expenses to the state, would if applied to the benefit of the debtors, assist considerably in their alleviation. That such a step may be taken advantageously even to the debtor class and so as to meet their approbation generally, is in my opinion, quite rational to suppose.

But what are the advantages likely to result to the State? The people will then know what they have to rely upon from this doubtful and uncertain source.

The legislator will soon be furnished with certain data to enable him to form a correct view of the true interests of his Constituents. He can then move on, not in the dark, but with his eyes on the plain track that leads to the greatest prosperity. The state will then be rid of a depreciated and dishonored cur-
ency—restored to its former healthful and vigorous action—to high and commanding credit—and the experience which she has had respecting a local irredeemable and dishonored currency will probably not be lost upon her sons for many generations.

It is now well understood that no state can by its legislation, act in violation of the moral law, with any reasonable or fair prospect of impunity—that an unworthy example set by the State will be followed to her own injury and consequent degradation.

In saying thus much of the past, I have to regret my inability to claim entire exemption from all participation in the measures last alluded to. It is therefore evidently not intended to pass any ungenerous censure upon those who, like myself, failed to resist such measures originally, nor yet upon those by whom they were pushed to still greater extremes. No imputation whatever is intended can be cast, except upon the fallibility of our nature, respecting those to which I cannot be mistaken—for no one feels it more sensibly than myself, or need in a greater degree the charitable indulgence of his fellow men.

On the subject of education, it is only necessary for me to reiterate the views heretofore urged upon the attention of preceding Legislatures. It is a subject that rises in magnitude and moral grandeur, far above every other within the range of Legislative action.

Power itself is but the offspring of enlightened reason, before the shrine of which, barbarian legions are destined ingloriously to fall, or gloriously to worship.

What language then, can I employ to impress upon my con temporaries the vast importance of this interesting and hallowed subject—I, who have experienced all the disadvantages resulting from a neglected education, and am, therefore, doomed to feel what I cannot express.

The genius of the age is now in advance, and beckons the votaries of education and improvement to follow on with increased alacrity. To educate, is to improve the morals as well as the physical condition of society, may more, it is to ensure the blessings of liberty, peace, and civilization, with all their bright train of endearing enjoyments, not only to our descendants through successive generations, but as we fondly hope and believe, to the whole human family, many of whom are at this time writhing beneath the rod of their relentless oppressors. Such are the benefactions now and hereafter to flow from enlightened example. How sacred then, is the trust committed to the representatives of the people!

We have at this time many living amongst us, whose honored years have more than doubled the years of our young, but glo-
rious republic; and yet we have the pleasure to behold in every quarter of the civilized world in which Christianity has shed its light, the active tendency of the human mind to imitate our bright example of free government. Let this light go out, and the enemies of liberty everywhere, will deride our republican principles and scoff at its votaries, while they rivet anew the fetters which are now falling to the ground.

But if our citizens are enlightened, their morals invigorated and physical condition improved; if we remain true to the principle, that a majority shall rule, and continue to rally around and sustain the republic, it requires no prophetic ken to foretell the overthrow of superstition, bigotry and tyranny in every land.

After having devoted many years of my life to the public service, the day is at hand, when I shall retire from a station of high responsibility, to which I have been called by the un bought suffrages of my countrymen. But I go to occupy the lofty and commanding eminence of a free citizen, and, as I fondly hope, during the remnant of my days, to enjoy the blessings of a free government. To witness in my retirement, the animating spectacle of my country's prosperity, and to be sensible that while I remained a servant of the public, I had, by my humble efforts, been in some degree instrumental in giving an impulse to the measures in which that prosperity originated, would be to me a source of high and enduring gratification—a reward for all my humble services worthy of my most ambitious aspirations. Believing sincerely, that, beneath the smiles of approving heaven, it is in the power of the Legislature greatly to advance the prosperity and happiness of our intelligent constituents, I can only promise my ready co-operation in the adoption of the measures herein recommended, and in every other for the attainment of that object, that the legislative wisdom may devise.

THOMAS METCALFE.

November 8, 1831.

Ordered, That the public printer print fifteen hundred copies of the said message, for the use of the Senate.

A message was received from the House of Representatives by Mr. Prince, announcing the appointment of a committee of enrollments on their part.

Mr. Hardin read and laid on the table the following resolu tion, viz:

Resolved, By the Senate and House of Representatives, that on the tenth day of this month, they will proceed to the election of a Senator, to serve in the Senate of the United States, for six years, commencing from the third of last March, to fill the vacancy occasioned by the term of John Rowan, Esq. having expired on the third day of last March.
Mr. Hardin moved that the rule of the Senate, requiring the said resolution to lie on the table one day, be dispensed with; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required by Messrs. Beaseman and Maupin, were as follows, viz:


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

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


And then the Senate adjourned.

WEDNESDAY NOVEMBER 9, 1831.

The Senate assembled.

Mr. Guthrie from the committee appointed for that purpose, reported a bill to incorporate an insurance company, under the style of the Louisville Merchant's Insurance Company.

The rule of the Senate, constitutional provision, and first and second readings of the said bill were dispensed with, and it was referred to the committee of courts of justice.

On the motion of Mr. Hardin, leave was given to bring in a bill to change the name of Elizabeth Boyd to that of Elizabeth Foreman; and Messrs. Hardin, Casey and Thornton were appointed a committee to prepare and bring in the same. After a short time Mr. Hardin from the said committee reported the said bill, which was read the first time and ordered to be read a second time. The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with and the same being engrossed.

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

A message was received from the House of Representatives B
announcing the passage of bills by that body, of the following titles, viz:

An act to authorise the publishing of advertisements in the Mountsterling Herald, and Lancaster Journal, and an act to allow additional terms to the Grant County Court.

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

The rule of the Senate, constitutional provision and second and third readings of the said bills having been dispensed with;

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

Mr. Wingate from the joint committee of enrollments reported that the committee had examined an enrolled bill entitled, an act to allow additional terms to the Grant County Court, and had found the same truly enrolled, and that the said bill had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be laid before the Governor for his approbation and signature.

A message was received from the House of Representatives, announcing the passage of a bill which originated in the Senate, entitled, an act allowing an additional term to the county court of Henry county; and the adoption of a resolution from the Senate, fixing a day for the election of a Senator in Congress.

The Speaker laid before the Senate, a letter from the Auditor of public accounts, together with his annual report.

Which letter and report are as follows, viz:

AUDITOR'S OFFICE, KY.

Frankfort, 9th Nov. 1831.

Sir—You will please lay before the Senate, the accompanying statements, comprising the Auditor's Report for 1830-31.

Respectfully Yours,


JOHN BREATHITT, Esq. Lieut. Gov. and President of the Senate.

No. 1.

A Statement of money received and paid at the Treasury, for the year ending on and including the 19th day of October, 1831, to-wit:

Bank Stock Fund—

Received for lands granted under the acts of 1795-6 and 1800, (denominated headrights,) $142 38

Ditto, under the acts of 1815, '20 and '25, (denominated land warrants,) 2,674 90—$2,817 28
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-residents' Lands—</td>
<td>2,658.08</td>
</tr>
<tr>
<td>For tax on non-residents' lands</td>
<td></td>
</tr>
<tr>
<td>Sale of Warrants—</td>
<td>78.90</td>
</tr>
<tr>
<td>For warrants to be laid on forfeited lands</td>
<td></td>
</tr>
<tr>
<td>Ditto, to be laid west of Cumberland river, (state of Tennessee,)</td>
<td>142.60</td>
</tr>
<tr>
<td>For revenue collected by Clerks, &amp;c.—</td>
<td></td>
</tr>
<tr>
<td>From Clerks, for taxes received on law process, deeds, seals, &amp;c.</td>
<td>$10,651.65</td>
</tr>
<tr>
<td>Ditto, from the Register of the land office for fees received in his office</td>
<td>832.11—11,463.76</td>
</tr>
<tr>
<td>Bank of the Commonwealth of Kentucky—</td>
<td></td>
</tr>
<tr>
<td>For the nett profits of said institution from the 10th day of October, 1829, to the 30th day of November, 1830,</td>
<td>43,941.65</td>
</tr>
<tr>
<td>Lands West of Tennessee River—</td>
<td></td>
</tr>
<tr>
<td>For the sale of lands by Edmund Curd, receiver of public moneys</td>
<td>32,116.10</td>
</tr>
<tr>
<td>Miscellaneous Receipts—</td>
<td>68.06</td>
</tr>
<tr>
<td>For taxes received on residents' land, &amp;c.</td>
<td></td>
</tr>
<tr>
<td>Loans to the Penitentiary—</td>
<td>7,999</td>
</tr>
<tr>
<td>For collections made by William Holeman, agent</td>
<td></td>
</tr>
<tr>
<td>Revenue collected by Sheriffs—</td>
<td></td>
</tr>
<tr>
<td>From the Sheriffs, for the collection of the revenue of 1823</td>
<td>$227.23</td>
</tr>
<tr>
<td>Ditto, 1824</td>
<td>85.00</td>
</tr>
<tr>
<td>Ditto, 1828</td>
<td>75.69</td>
</tr>
<tr>
<td>Ditto, 1829</td>
<td>61,033.04</td>
</tr>
<tr>
<td>Ditto, 1830</td>
<td>930.46—62,351.44</td>
</tr>
<tr>
<td>From the Bank of Kentucky—</td>
<td></td>
</tr>
<tr>
<td>For the distribution of Stock; in Commonwealth paper</td>
<td>29,835.00</td>
</tr>
<tr>
<td>Ditto, in Specie</td>
<td>29,835.00</td>
</tr>
<tr>
<td>For purchasers of non-residents' lands—</td>
<td></td>
</tr>
<tr>
<td>Redemption of lands sold for taxes,</td>
<td>7.64</td>
</tr>
<tr>
<td>Total amount received by the Treasurer, from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive,</td>
<td>$215,415.50</td>
</tr>
<tr>
<td>Description</td>
<td>Amount</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Total amount received in Specie</td>
<td>$29,835 00</td>
</tr>
<tr>
<td>Commonwealth's Paper—</td>
<td></td>
</tr>
<tr>
<td>Warrants reported to have been paid by the Treasurer, from the 11th day of</td>
<td>$165,837 61</td>
</tr>
<tr>
<td>October, 1830, to the 10th day of October, 1831, inclusive,</td>
<td></td>
</tr>
<tr>
<td>Stock subscribed in the Bank of the Commonwealth of Kentucky, same time,</td>
<td>$29,835 00</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Whole amount paid,</td>
<td>$195,672 61</td>
</tr>
<tr>
<td>Balance due from government, on the 10th day of October, 1830,</td>
<td>$83,422 06</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Making the whole debit,</td>
<td>$279,094 67</td>
</tr>
<tr>
<td>From which deduct the amount received as enumerated above,</td>
<td>$185,580 50</td>
</tr>
<tr>
<td>Also, Illinois money exchanged for Commonwealth's paper,</td>
<td></td>
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<tr>
<td></td>
<td>$20 00-185,600 50</td>
</tr>
<tr>
<td>Balance due from government on the 10th day of October, 1831,</td>
<td>$93,494 17</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Specie,</td>
<td></td>
</tr>
<tr>
<td>Stock subscribed in the Bank of the Commonwealth of Kentucky, from the 11th</td>
<td>$29,835 00</td>
</tr>
<tr>
<td>day of October, 1830, to the 10th day of October, 1831,</td>
<td></td>
</tr>
<tr>
<td>Warrants reported to have been paid by the Treasurer, same time,</td>
<td>$18,035 14</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Making,</td>
<td>$47,870 14</td>
</tr>
<tr>
<td>From which deduct the amount received as enumerated above,</td>
<td>$29,835 00</td>
</tr>
<tr>
<td>Balance due from government on the 10th day of October, 1831,</td>
<td>$18,035 41</td>
</tr>
</tbody>
</table>
A Statement of Warrants drawn by the Auditor of Public Accounts, on the Treasurer, from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive, showing the amount drawn for each source of expenditure; and, also, the amount of Warrants paid and unpaid during same period, viz:

Jailors—
For committing and releasing criminals, $164 67
Dieting criminals, 4,222 22
Attendance on courts, furnishing fuel, &c. 2,610 87
Ironing criminals, 5 50
For guard hire, 5 25—7,008 53

Executive Offices.
Stationary, fuel, &c. furnished Auditor's Office, 704 51
Treasurer's office, 261 67
Land office, 962 65
Secretary's office, 692 48—2,621 32

Public Printers—
For advertising non-residents lands, 46 76

Distributing Acts and Journals December Session, 1830—
First district, $79 00
Second or middle district, 92 50
Third district, 100 00—271 50

Public Communications; In Commonwealth's paper—
By the Governor and Secretary, 106 57
Auditor Public Accounts, 71 93
Adjutant General, 133 24—311 74

Public Communications; In Specie—
By the Auditor of Public Accounts, 204 84
Governor and Secretary, 70 17—275 01

Contingent Expenses—
For repairs done to the Public Square, 666 53
For the attendance of the Sergeant Court of Appeals and Tipstaff, on the Court of Appeals and General Court, and for furnishing fuel, &c. for said Courts, 522 34
For the services of the committee appointed to examine the Auditor's and Treasurer's offices, 174 00
For repairs done to the Public Buildings, 346 31
For binding extra acts of Assembly for the public Library, 15 50
For the services of the commissioners appointed to examine the receiver’s office west of the Tennessee river, 36 00
The salary and commission of Edmund Curd, receiver of public money’s west of Tennessee river, 215 37
For blanks, &c. for the Quarter-Master General, 142 25—2,118 30

Attorneys—
For the annual salaries of the Commonwealth’s Attorneys, 4,675 19

Criminal Prosecutions—
For the attendance of witnesses in criminal cases, §2,646 97
Ditto, of veniremen, 3,148 50
To constables for summoning witnesses for the Commonwealth, in criminal cases, 316 92
To constables for apprehending criminals, 1,468 00
To constables, for whipping by order of court, 85 52
To sheriffs, for summoning juries in cases of idiocy, 112 48
To sheriffs, for summoning witnesses for Commonwealth, in criminal cases, 518 83
To sheriffs, for summoning venires, 381 04
To guards, for their services in guarding criminals to Jail, in Jail and to the Penitentiary, 2,680 27
To sheriffs, for apprehending criminals, 372 00
To sheriffs for executing process of contempt in Commonwealth’s cases, when the contempt is cleared, 93 50
To sheriffs, for conveying criminals to the Penitentiary, horse hire, ferriage, &c. 1,012 35
To constables for conveying criminals to jail, horse hire, &c. 248 13
To sheriffs, for executing criminals condemned to be hung, 52 10
To coroners, for summoning venires, 15 00
To sheriffs, for conveying criminals to jail, horse hire, &c. 334 77
To constables, for ironing criminals, 2 00
To sheriffs, for whipping by order of court, 9 64—13,498 02
Salaries—
For the annual salaries of the judiciary officers, 19,711 08
Do. Executive Officers, 7,222 42—26,933 50

Military Expenditures—
For the pay of Brigade Inspectors, 280 00
Do. of Judge Advocate, 24 00
Do. of Provost Marshals, 3 00
For storage and freight paid on public arms, for cleaning and repairing same, and for repairing the arsenal, 181 14—488 14

Lunatics—
For the support of Idiots, 11,746 65

Decisions Court of Appeals—
In advance of Marshall, 1st volume, 350 00
Do. 2d. do, 350 00
Do. 3d. do. 350 00—1,050 00

Appropriations, December Session, 1829—
Richard Taylor, Sergeant at Arms, $ 164 50
Cumberland Hospital, 750 00
Ann Foster, 25 00—939 50

Clerks Services—
For record books furnished the Court of Appeals, General Court, Circuit and County court offices, 2,057 65
For the ex-officio services of General and Circuit court clerks, 3,750 00
To clerks of county courts, for copying commissioners' books, 2,712 66
For presses furnished the several clerks' offices, 497 99
For office rent of the clerk of the court of appeals, 50 00—9,093 30

Appropriations December Session, 1830—
To James Honaker, 14 00
Luke Munsell, 566 70
William Wood, 743 14
Henry Wingate, 176 87
Jacob H. Holeman, 1,200 00
Adam C. Keenon, 432 25
A. Woodley, 43 00
William Hardin, 91 00
<table>
<thead>
<tr>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Batchelor,</td>
<td>162 00</td>
</tr>
<tr>
<td>John Breathitt,</td>
<td>136 60</td>
</tr>
<tr>
<td>John Gilfillen,</td>
<td>12 00</td>
</tr>
<tr>
<td>G. Brown,</td>
<td>12 66</td>
</tr>
<tr>
<td>The Lunatic Asylum</td>
<td>7,000 00</td>
</tr>
<tr>
<td>Jno. P. Gains and others</td>
<td>66 00</td>
</tr>
<tr>
<td>Thomas S. Page,</td>
<td>120 00</td>
</tr>
<tr>
<td>Stout and Mayhall</td>
<td>13 00</td>
</tr>
<tr>
<td>S. M'Afee,</td>
<td>10 00</td>
</tr>
<tr>
<td>A. W. Dudley,</td>
<td>249 12</td>
</tr>
<tr>
<td>Joel Scott,</td>
<td>79 56</td>
</tr>
<tr>
<td>John Goodman,</td>
<td>9 00</td>
</tr>
<tr>
<td>Samuel Blain,</td>
<td>17 25</td>
</tr>
<tr>
<td>Bacon and Johnson and others</td>
<td>10 30</td>
</tr>
<tr>
<td>Robert S. Todd,</td>
<td>400 00</td>
</tr>
<tr>
<td>James Kelly,</td>
<td>88 00</td>
</tr>
<tr>
<td>Jephthah Dudley,</td>
<td>18 85</td>
</tr>
<tr>
<td>Board of Internal Improvements</td>
<td>395 68</td>
</tr>
<tr>
<td>John Rodman,</td>
<td>744 00</td>
</tr>
<tr>
<td>Joseph Gray,</td>
<td>126 00</td>
</tr>
<tr>
<td>James Stonestreet,</td>
<td>400 00</td>
</tr>
<tr>
<td>Tilman,</td>
<td>19 40</td>
</tr>
<tr>
<td>Benjamin Hensley,</td>
<td>19 43</td>
</tr>
<tr>
<td>Harrison Blanton,</td>
<td>147 49</td>
</tr>
<tr>
<td>John Cammack,</td>
<td>81 14</td>
</tr>
<tr>
<td>J. C. Coleman,</td>
<td>35 00</td>
</tr>
<tr>
<td>G. J. Johnson,</td>
<td>180 00</td>
</tr>
<tr>
<td>Trustees Baptist Church</td>
<td>20 00</td>
</tr>
<tr>
<td>A. S. Parker,</td>
<td>25 08</td>
</tr>
<tr>
<td>Evans and Blanton</td>
<td>41 71</td>
</tr>
<tr>
<td>John Woods,</td>
<td>8 75</td>
</tr>
<tr>
<td>Commissioners of the State House</td>
<td>8,000 00</td>
</tr>
<tr>
<td>Benjamin R. Pollard,</td>
<td>180 00</td>
</tr>
<tr>
<td>W. Crook</td>
<td>13 12</td>
</tr>
<tr>
<td>Dana and Hodges,</td>
<td>2,142 72</td>
</tr>
<tr>
<td>Anthony Crockett,</td>
<td>290 00</td>
</tr>
<tr>
<td>Dick,</td>
<td>10 00</td>
</tr>
<tr>
<td>P. K. Stout,</td>
<td>29 65</td>
</tr>
<tr>
<td>John J. Crittenden,</td>
<td>164 00</td>
</tr>
<tr>
<td>James W. Taylor,</td>
<td>1,147 43</td>
</tr>
<tr>
<td>James Davidson,</td>
<td>132 16</td>
</tr>
<tr>
<td></td>
<td>$26,004 31</td>
</tr>
</tbody>
</table>
### Internal Improvements

**Appropriations December Session, 1829.**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>To the improvement of Trade-Water river</td>
<td>$300.00</td>
</tr>
<tr>
<td>Ditto, to Rough creek and Pond river</td>
<td>$600.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$900.00</strong></td>
</tr>
</tbody>
</table>

### Kentucky Institution for the tuition of the Deaf and Dumb

For the support of indigent pupils, 3,198 85

### Public Roads

Pay of Commissioners, 22 87

### Slaves Executed

For the value of slaves hung by order of court, 3,187 00

### Money Refunded

For taxes twice paid, $37

For fees paid into the Treasury for the clerk of the General Court in Commonwealth's cases against delinquent officers, 148 35

Ditto for the Attorney General ditto, 195

Ditto for the clerk of the Court of Appeals ditto, 40 78

For the price of a runaway negro, sold by the sheriff of Hart county, in the year 1823, and paid into the Treasury for the owner, 562 42—933 55

### Turnpike Roads; (in Com'ths. paper.)

The States subscription, in part to the Shelby county turnpike road, $18,053 77

Ditto to the Maysville, Washington, Paris and Lexington turnpike road, 11,428 56—29,482 33

### Turnpike Roads; (in Specie.)

The States subscription in part to the Maysville, Washington, Paris and Lexington turnpike road, 12,500 00

### Sheriffs for Revenue of 1828

For amount of Revenue overpaid, 81 53

### Sheriffs for Revenue of 1829

For amount of Revenue overpaid, 217 29
Sheriffs Comparing Polls—
For the Senate, $73.01
   Congressmen, 14.60—$87.61

Legislature, December Session, 1830—
For the pay of members, 12,760.75

Commissioners of Tax—
For taking in lists of taxable property, 7,714.93

Taylorville Bridge—
In part of the State's subscription, 571.42

Bridges—(in Specie.)
Appropriation to the bridges across Rockcastle river, $5,000.00
Pay of Commissioners, 51.00—5,051.00

Littell's Laws of Kentucky—
Furnished for the Boone circuit court, 25.00

Total amount of warrants issued, from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive, $183,871.47

Total warrants issued in Specie, $17,826.01
Commonwealth paper, 166,045.46

Commonwealth's Paper—
Warrants issued from 11th day of October, 1830, to the 10th day of October, 1831, inclusive, $166,045.46
Warrants unpaid on the 10th day of October, 1830, 2,751.92—168,797.38
From which deduct warrants reported to have been paid by the Treasurer, from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive, as in statement No. 1, 165,837.61

Leaving Warrants unpaid on the 10th day of October, 1831, $2,959.77

Specie—
Warrants issued from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive, $17,826.01
Warrants unpaid on the 10th day of October, 1830, 209.40—18,035.41
From which deduct warrants reported to have been paid by the Treasurer, from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive, as in statement No. 1, $18,035 41

No. 3.

A Statement of debts due to government on the 10th day of October, 1831, to wit:

Of the Revenue collectable by Sheriffs—

<table>
<thead>
<tr>
<th>Year</th>
<th>Debts receivable</th>
<th>Tax on bank stock</th>
<th>Clerks for taxes</th>
<th>Loans to the Penitentiary</th>
<th>Treasurer town of Columbus</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1793</td>
<td>$104 06</td>
<td></td>
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<tr>
<td>1794</td>
<td>138 61</td>
<td></td>
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<tr>
<td>1795</td>
<td>1,805 36</td>
<td></td>
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<tr>
<td>1796</td>
<td>101 36</td>
<td></td>
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<tr>
<td>1797</td>
<td>217 25</td>
<td></td>
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<tr>
<td>1798</td>
<td>172 26</td>
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<tr>
<td>1799</td>
<td>31 26</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1800</td>
<td>1,662 21</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>1801</td>
<td>613 26</td>
<td></td>
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<tr>
<td>1802</td>
<td>279 48</td>
<td></td>
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<tr>
<td>1803</td>
<td>48 44</td>
<td></td>
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<tr>
<td>1804</td>
<td>10 26</td>
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<td>1805</td>
<td>754 54</td>
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<tr>
<td>1806</td>
<td>942 86</td>
<td></td>
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<tr>
<td>1807</td>
<td>472 30</td>
<td></td>
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<tr>
<td>1808</td>
<td>2,044 02</td>
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<tr>
<td>1809</td>
<td>374 16</td>
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<td></td>
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<tr>
<td>1810</td>
<td>514 86</td>
<td></td>
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</tr>
<tr>
<td>1811</td>
<td>1,010 53</td>
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<tr>
<td>1812</td>
<td>25 53</td>
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<tr>
<td>1813</td>
<td>16 54</td>
<td></td>
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</tr>
<tr>
<td>1814</td>
<td>334 70</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Debts receivable, $11,727 16
Tax on bank stock, 7,127 34
Clerks for taxes, 1,105 06
Loans to the Penitentiary, 6,669 93
Treasurer town of Columbus, 58,503 58

Total amount of debts due to government on the 10th day of October, 1831, $86,697 42

Stock belonging to the State—
In the Bank of Kentucky, $149,175 00
In the Bank of the Commonwealth of Kentucky, in Commonwealth's paper, 587,311 13
In Specie, 44,752 50
In the Shelby county turnpike road, in Commonwealth paper, $18,757.63
In the Maysville, Washington, Paris and Lexington turnpike road, in Commonwealth paper, $14,285.70
Ditto in Specie, $12,500.00
In the Taylorsville bridge, $371.42

Total amount of stock, owned by the State, on the 10th day of October, 1831, $627,353.38

No. 4.
A Statement of debts due from government on the 10th day of October, 1831, and for which the Treasury is bound for the payment, viz:

Sheriffs for Revenue—
Revenue for 1813, overpaid, $832.32
Ditto 1822, ditto, 102.02
Ditto 1826, ditto, 7.80
Town of Columbus, 2,052.84
Purchasers of non-residents' lands, 258.18
Warrants unpaid, 2,959.77
Attorneys for salaries due, 1,711.15
Salaries due to the Judiciary and Executive officers, 5,990.43
Treasurer town of Waidsboro', 0.05

Total amount of debts due from government, on the 10th day of October, 1831, $12,989.56

No. 5.
A Statement showing the debits and credits of the Revenue account, for 1829, due from Sheriffs during the year ending on the 10th day of October, 1831, to-wit:

DEBITS.
Balance due the Commonwealth on the 10th day of October, 1830, $72,045.99
Additional lists charged as certified by Clerks, 212.11
Costs of motions, 17.00
Warrants issued for accounts overpaid, 217.89
Total, $72,492.99
Nov. 9J \hspace{1cm} THE SENATE

**CREDITS.**

By amount paid the Treasurer, \$61,050 31
Delinquents, exonerations, forfeited lands and errors corrected, 4,479 58
Commissions for collecting, 5,230 40
Wolves killed, 1,398 00

---

\$72,158 23

Balance due government on the 10th day of October, 1831, as per statement No. 3, \$334 70

**No. 6.**

A Statement showing the debits and credits of the accounts of Clerks for the collection of law process, deeds, seals, &c. accounted for during the year ending on and including the 10th day of October, 1831, to-wit:

**DEBITS.**

Balance due the Commonwealth on the 10th day of October, 1830, \$6,419 78
Accounts rendered, 11,396 58
Costs charged, 74 82

---

Total, 17,891 16

**CREDITS.**

By amount paid the Treasurer, \$10,651 65
Commission for collecting, 569 60

---

Total, 11,221 25

Balance due the government on the 10th day of October, 1831, as per statement No. 3, \$6,669 93

**No. 7.**

A Statement showing the probable amount of the expenditures of government, for the year ending on and including the 10th day of October, 1832, to-wit:

Jailors, \$8,000 00
Executive offices, 2,500 00
Distributing Acts and Journals, November and December session, 1831, 300 00
Public communications, 700 00
Criminal prosecutions, 15,000 00
Contingent expenses, 2,500 00
Salaries of the Executive and Judiciary officers, 30,000 00
Military expenditures, 500 00
Lunatics, 12,000 00
Decisions Court of Appeals, 3,500 00
Clerks services, 9,000 00  
Deaf and Dumb Asylum, 3,000 00  
Money refunded, 600 00  
Lunatic Asylum, 8,000 00  
Sheriffs comparing polls, 800 00  
Legislature, November called session and December session, 1831, and all expenses incident thereto, supposing the same to sit seven weeks, 36,000 00  
For the execution of slaves, 2,500 00  
Commissioners of tax, 8,000 00  
Sheriffs for revenue overpaid, 300 00  
Public roads, 50 00  
Turnpike roads, 30,000 00  
Public Printers, 30 00  

Total amount expected to be expended during the year ending the 10th day of October, 1832, $173,280 00

No. 8.

A Statement of the amount of moneys which is expected to be paid into the Treasury during the year ending on and including the 10th day of October, 1832, subject to the expenses of government, to wit:

The gross amount of the revenue collectable by Sheriffs, for the year 1830, and made payable on the first Monday in December next, is $77,994 79

The loss on the collection of the same, including credits for commissions, exonerations, delinquents and compensation for killing wolves, is presumed will be about 16 per cent. amounting to 12,479 16

Leaving, $65,515 63

Of which is collected and paid into the Treasury, previous to the 10th day of October, 1831, as in statement No. 1, $930 48

The delinquent sheriffs will be about 500 00—1,430 48

Which leaves a sum that may be expected to be paid into the Treasury during the ensuing year of 64,065 15

Of the revenue collectable by Clerks, Register of the Land office and Secretary of State, 10,000 00

Miscellaneous receipts, 50 00

For taxes on non-residents' lands, 2,600 00

From the Bank of the Commonwealth of Kentucky, 25,000 00

From Bank Stock Fund, to wit:—

Vacant and headright lands, 3,000 00
A Statement exhibiting the Amount of Revenue on the 10th day of October, 1831; the Amount of Expenditures; also, the number of White Stud Horses. 

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
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<td>Nelson</td>
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<tr>
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<td>72</td>
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<td>Owen</td>
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<td>Perry</td>
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<td>Scott</td>
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<td>95</td>
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<td>Spencer</td>
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<td>Trigg</td>
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<td>Todd</td>
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<td>Union</td>
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<td>55334</td>
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*Those counties marked with a star, the clerks having failed to forward returns are complete, an additional return inco.

Auditor's Office, Kentucky, Frankfort.
<table>
<thead>
<tr>
<th>COUNTIES</th>
<th>No.</th>
<th>Tax</th>
<th>No. Tax</th>
<th>Tax in Property</th>
<th>Total Tax</th>
<th>Additional Tax</th>
<th>Total Tax of Communicated Revenues</th>
<th>Total Tax of Other Sources</th>
<th>Amount of Total Tax</th>
<th>Expenditure No. and in Which County, Year.</th>
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<td>Arizona</td>
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<td>203796</td>
<td>213</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

*These counties marked with a star, the white males over 21 years old, are taken from the commissioners' books for the year 1830, the clerk having failed to forward certificates to this office before the required period. The Auditor, in the state of the year, as near as the documents complete, an additional report shall be made on this subject.
For the sale of lands east and west of Cumberland river, $150 00
For the sale of lands west of Tennessee river, $30,000 00
For warrants to be laid on forfeited lands, and warrants to confirm titles to forfeited lands, $100 00
Of the balances due government as in statement No. 3, will be collected of the revenue due by sheriffs, $1,500 00
Ditto, by clerks, $3,000 00
From loans to the Penitentiary, $500 00
From the Treasurer of the town of Columbus, $1,473 85
Of the other balances it is not supposed that any thing can be collected.

Total amount expected to be received during the year ending on and including the 10th day of October, 1832, $141,459 00

Balance due from government, as in statement No. 1 in Commonwealth's paper, $593,494 17
Ditto, ditto, in Specie, 18,035 41
Amount of statement No. 7, the supposed expenditures for 1832, $173,280 00

Making a sum which is expected will be expended during the year ending on the 10th day of October, 1832, of $284,809 58
From which deduct the expected receipts, as in the foregoing statement No. 8, $141,459 00

Leaving a supposed balance due from government on the 10th day of October, 1832, of $143,350 58

Ordered, That the said report be referred to the committee of finance.

And then the Senate adjourned.

THURSDAY NOVEMBER 10, 1831.

The Senate assembled,
The Speaker laid before the Senate a letter from the Treasurer, enclosing his annual report, which letter and report are as follows, viz:

FRANKFORT, NOVEMBER 10, 1831.

Sir—You will please lay before the honorable House over which you preside, the enclosed statement, which gives a concise
view of the situation of the Treasury Department, from the 11th day of October 1830, to the 10th day of October, 1831, inclusive.

I have the honor to be, very respectfully,

Your obedient servant,

JAMES DAVIDSON, Treasurer.

HON. JOHN BREATHITT, Lieut. Gov. and Speaker of the Senate.

No. 1.

A statement showing the amount of monies received by the Treasurer, (under their appropriate heads) from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Bank stock fund—</td>
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<tr>
<td>From Head-right lands</td>
<td>142 38</td>
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<tr>
<td>Land warrants</td>
<td>2,674 90</td>
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<tr>
<td>Non-resident’s lands</td>
<td>2,665 72</td>
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<tr>
<td>Lands west of Cumberland river</td>
<td>142 60</td>
</tr>
<tr>
<td>Lands west of Tennessee river</td>
<td>32,116 10</td>
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<tr>
<td>Clerks for taxes</td>
<td>10,651 65</td>
</tr>
<tr>
<td>Register of the land office</td>
<td>833 11 —11,483 76</td>
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<tr>
<td>Sheriffs for revenue</td>
<td>62,351 44</td>
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<tr>
<td>Loans to the penitentiary</td>
<td>79 99</td>
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<tr>
<td>Warrants to be laid on forfeited lands</td>
<td>78 90</td>
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<tr>
<td>Miscellaneous receipts</td>
<td>58 06</td>
</tr>
<tr>
<td>Amount of Illinois money exchanged for</td>
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<tr>
<td>Commonwealth’s paper</td>
<td>20 00</td>
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<tr>
<td>Bank of the Commonwealth (net profits,)</td>
<td>43,941 65</td>
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<tr>
<td>Distribution of stock from the Bank of</td>
<td>29,835 00</td>
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<tr>
<td>Kentucky, in Commonwealth’s paper</td>
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<tr>
<td>Distribution of stock from the Bank of</td>
<td>29,835 00</td>
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<tr>
<td>Kentucky, for specie</td>
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<td>Total amount received during the year</td>
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<tr>
<td>ending the 10th day of October, 1831</td>
<td>215,435 50</td>
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<td>Total amount received in specie</td>
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<td>Commonwealth’s paper</td>
<td>185,600 50</td>
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</table>

No. 2.

A statement showing the amount of warrants paid by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1830, to the 10th day of October, 1831, inclusive.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
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<td>On criminal prosecutions</td>
<td>13,748 62</td>
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<tr>
<td>Lunatics</td>
<td>11,696 65</td>
</tr>
<tr>
<td>Jailors</td>
<td>6,925 98</td>
</tr>
<tr>
<td>Clerks services</td>
<td>3,693 38</td>
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<tr>
<td>Sheriffs for revenue</td>
<td>303 34</td>
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</table>
Salaries of the Executive and Judicial departments,
Executive offices, 27,051 50
Contingent expenses, 2,582 36
Commissioners of tax, 2,044 36
Money refunded, 7,493 93
Military expenses, 983 65
Turnpike Roads, 29,482 33
Distributing the acts and journals, 507 53
Internal improvement, 271 50
Slaves executed, 900 00
Sheriffs comparing polls, 3,187 00
Appropriation, December session, 1829, 58 19
Appropriation, December session, 1830, 939 50
Legislature, December session, 1830, 19,005 31
Littell's laws of Kentucky, 12,760 75
Public roads, 25 00
Public printer, 22 87
Decisions of the Court of Appeals, 4,675 18
Lunatic Asylum, 3,193 95
Public communications, 760 00
Taylorsville bridge, 311 74
Attorneys for the Commonwealth, 571 42
Kentucky institution for the tuition of the deaf and dumb, 4,675 18
Bridges, in specie, 3,193 95
Turnpike roads, in specie, 5,260 40
Public communications, 12,500 00

Total amount of warrants paid from the 11th October, 1830, to the 10th day of October, 1831, 183,873 02

Total amount of warrants paid, in specie, 18,035 41
do. do. in Commonwealth's paper, 165,837 61

$183,873 02

Stock subscribed during the same time, 165,837 61

Making the sum paid 195,672 61

Balance due from Government on the 10th day of October, 1830, 83,423 00

279,094 67
From which deduct the amount of receipts, as in
statement No. 1.

Leaving a balance due from Government on the 10th
day of October, 1831, of

Specie.

Total amount of warrants paid from the 11th Octo-
ber, 1830, to the 10th day of October, 1831;

Stock subscribed in the Bank of the Commonwealth
during the same time,

Making the sum of

From which deduct the amount received, as in state-
ment No. 1:

Leaving a balance due from Government, on the
10th day of October, 1831, of

JAMES DAVIDSON, Treasurer.

State of Kentucky, Treasurer's Office, Frankfort, 10th Oct. 1831.

Ordered, That the said report be referred to the committee of
Finance.

The Speaker laid before the Senate the annual report of the
Keeper of the Penitentiary, which was read as follows, viz:

To the Honorable,
The Legislature of Kentucky.

In compliance with the act of the Legislature appointing
me the Keeper of the Penitentiary, it now becomes my duty to
report to you its present condition, a duty which is discharged
with pleasure.

There are now confined in the Penitentiary ninety-four con-
vincs, all in good health; and I am happy to say that they have
enjoyed good health during the last year. Neither a death nor an
escape has occurred since my last report. The concerns of the
Institution have been prosperous and profitable; the manufactur-
ed articles have been in demand, sales have been brisk; and it is
due to the prisoners to say, that they have displayed industry and
willingness in aiding me to meet the demand for manufactured
articles.

I have usually employed sixteen blacksmiths; twelve waggon
makers; five chair makers; fifteen bagging spinners; four bagging
weavers; four weavers of woolens, such as broad cloth, blankets
jeans and carpeting; six shoe makers; four quillers; two cooper;
six hatters; five stone cutters; seven hands employed in carding
and spinning wool and dressing cloth; one engineer; one fireman;
one miller; one sley-maker; one brush-maker, and three cooks.
Since my last Report, thirty-five persons have been received, and twenty-nine have been discharged, ten of whom were pardoned, of whom four had served nearly all their sentences.

The internal management and discipline of the Penitentiary can be best ascertained by a visiting committee, and by private visits, with which I desire you will favor me as frequently and as early in the session as may be convenient.

It will afford me pleasure at any time to give you any further information in my power, which you may desire.

All of which is respectfully submitted by

Your obedient servant,

JOEL SCOTT.

Keeper of Ky. Pty.

Frankfort, November, 1831.

Ordered, That the said report be referred to the committee on the Penitentiary.

Mr. Rodman from the committee appointed for that purpose, reported a bill to add a constable to the county of Henry.

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

The rule of the Senate, Constitutional provision, and second and third readings of the said bill, having been dispensed with, and the same being engrossed.

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

A message was received from the House of Representatives, announcing the passage of bills which originated in that house of the following titles, viz:


An act to add a part of the land of Richard Forrest to the town of Lebanon. And,

An act to provide for the appointment of trustees to the Stanford and Rockcastle Seminaries, and for other purposes.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with.

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

Mr. Fleming moved that a message be sent to the House of Representatives, informing that body that the Senate is now ready to proceed to the election of a Senator in Congress, and the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Maupin and Ray, were as follows, viz:


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

On the motion of Mr. Thompson—1. A bill to amend the laws concerning the turnpike and wilderness road.

On the motion of Mr. Conner—2. A bill to allow an additional justice of the peace for Greenup County.

On the motion of Mr. Guthrie—3. A bill more effectually to secure shipwrights and others in their claims against steam boats and other vessels. And,

4. A bill for the benefit of the mechanics of the city of Louisville.

On the motion of Mr. Ray—5. A bill to amend the law in relation to working the streets in the town of Brandenburg in Mead County; and

6.—A bill to appropriate money out of the public Treasury to assist the County of Hardin to build a Bridge across Nolin where the State road crosses the same, leading from Elizabethtown to Nashville. And,

On the motion of Mr. Griffith—7. A bill to extend the limits of the town of Owensborough in the County of Daviess.

Messrs. Thompson, Owlsley, George and Faulkner, were appointed a committee to prepare and bring in the first; Messrs. Conner, Harris and Fleming the 2d; Messrs. Guthrie, Dougherty, Stevens and Fleming, the 3d; Messrs. Guthrie, Griffith and Stevens, the 4th; Messrs. Ray, Parks and Boyd, the 5th; Messrs. Ray, Guthrie, Maupin, W. C. Payne and Allen, the 6th; and Messrs. Griffith, Cunningham and Casey, the 7th.

Mr. Wingate from the committee of enrollments reported that the committee had examined enrolled bills and a resolution of the following titles, viz:

An act authorising the publishing of advertisements in the Mountsterling Herald, and Lancaster Journal.

An act allowing an additional term to the County Court of Henry County. And, a resolution fixing a day for the election of a Senator in Congress; and had found the same truly enrolled, and that they had been signed by the Speaker of the House of Representatives; whereupon the Speaker of the Senate affixed his signature thereto.

And the said bills and resolutions were delivered to the com
committee to be presented to the Governor for his approbation and signature.

After a short time Mr. Wingate reported that the committee had performed that duty.

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

Resolved, By the Senate and House of Representatives, that owing to the absence of one of the members of the Senate that the election of Senator to the United States' Senate be postponed to Saturday the 12th instant.

Mr. Guthrie moved that the rules of the Senate be dispensed with, requiring the said resolution to lie on the table one day, and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required by Messrs. Maupin and Rudd were as follows, viz:


The question was then taken on adopting the said resolution and it was decided in the affirmative.

The yeas and nays being required by Messrs. Hardin and Maupin were as follows, viz:


A message was received from the Governor by Mr. Crittenden Secretary of State, informing the Senate that the Governor had approved and signed a resolution fixing a day for the election of a Senator in Congress.

Mr. Guthrie presented the memorial of Henry Pirtle proposing to furnish the State with as many copies of a digest of the decisions of the Court of appeals which he is about to publish, as the Legislature may deem it proper to take, and at as small a price as may be practicable; which was received, read and referred to the committee of courts of justice.

A message was received from the House of Representatives, by Mr. Owsley, announcing that they were now ready to proceed
to the election of a Senator in Congress, pursuant to the resolution of both Houses.

A message was received from the House of Representatives by Mr. Chambers announcing that they have disagreed to the resolution from the Senate to postpone the election of a Senator in Congress.

On motion,

Ordered, That Mr. Guthrie inform the House of Representatives that the Senate will be ready to proceed to the election of a Senator in Congress on this day, at two o'clock P. M.

On the motion of Mr. Allen, leave was given to bring in a bill for the benefit of Paskill D. Craddock, and Messrs. Allen, Selby and Griffin were appointed a committee to prepare and bring in the same.

Mr. James Campbell, a member of the Senate from the Counties of Calloway, Hickman, Graves, McCracken, Livingston and Caldwell, appeared and took his seat.

At 20 minutes past 2 o'clock a message was sent to the House of Representatives by Mr. Maupin informing them that the Senate is now ready to proceed to the election of a Senator in Congress.

After interchanging nominations both Houses proceeded to the said election.

The vote of the Senate is as follows, viz:


For Worden Pope—Mr. Casey—1.

Mr. Pope was not in nomination.

Messrs. Hardin, Faulkner and Guthrie, were appointed a committee on the part of the Senate to compare the joint vote, and report the result.

After a short time Mr. Hardin from the said committee reported that the joint vote stood thus:

For Henry Clay—73.
For Richard M. Johnson—64.
And for Worden Pope—1.

Whereupon Henry Clay having received a majority of all the votes was declared duly elected a member of the Senate of the United States for six years from the First day of March last.

And then the Senate adjourned.
The Senate assembled.

Mr. Bibb presented the petition of sundry citizens of Logan and Butler counties, praying an appropriation of money to improve the navigation of Muddy river.

Mr. Clark presented the petition of David B. Hays, praying that a law may pass authorizing him to erect gates across Martin's mill road in Clarke county, where the same passes through his land. And,

Mr. Gholson presented the petition of Reuben Rowland, agent of the Princeton bank district, praying to be discharged from the duty of receiving and transmitting to Frankfort, the money arising from the sale of lands west of the Tennessee river.

Which petitions were severally received, read, and referred; the first and third to the committee of Finance; and the second to the committee of Propositions and Grievances.

A message was received from the House of Representatives, announcing the passage of a bill, which originated in that house, entitled, an act to regulate the town of Westport, in Oldham county.

The said bill was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with;

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

On the motion of Mr. Thornton, leave was given to bring in a bill for the benefit of Radford McCargo. And,

Messrs. Thornton, Parks, Casey and Thompson, were appointed a committee to prepare and bring in the same.

On the motion of Mr. Harris,

Resolved, That so much of the Governor's message, as relates to the removal of the obstructions in Green river, at the Vienna falls, be submitted to the committee on Internal Improvements.

On the motion of Mr. Griffith,

Resolved, That the committee on Internal Improvements, be instructed to enquire into the expediency and propriety of improving the road from the mouth of Big Sandy, by way of Owensville, Mountsterling and Winchester to Lexington.

And then the Senate adjourned.
The Senate assembled.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

An act to repeal an act entitled "an act to amend the law concerning the Trustees of the town of Glasgow, and for other purposes," approved January 15th, 1831.

An act to continue in force "an act for the benefit of the Headright and Tellico settlers, and for other purposes."

An act to protect the actual settlers west of the Tennessee river.

An act to establish an election precinct in the county of Pike, and for other purposes.

An act to incorporate the Russellville Female Academy. And,

An act to organize a Fire company in the town of Nicholasville. And,

That they had passed a bill which originated in the Senate, entitled an act to change the name of Elizabeth Boyd to that of Elizabeth Foreman.

1. Mr. Taylor presented the petition of Robert Poage, representing that the State of Virginia delivered to Gen. George Rogers Clarke, a number of land warrants, for the purpose of raising funds, to enable him to carry on an expedition against the hostile Indians, and that said Clarke caused to be located west of the Tennessee river, some of those warrants to the amount of 101,920 acres, in the name and for the benefit of the State of Virginia; that Joseph Lindsay, (who intermarried with the petitioner's mother,) being the commissary to the army commanded by said Clarke, upon the faith and with the understanding, that he was to be paid out of said 101,920 acres of land, agreed with General Clarke, and accordingly did furnish supplies to the troops, and was in a short time thereafter killed at the battle of the Blue Licks, without ever having received any compensation for his services, or return of advances of money made by him, to obtain those supplies. That the said Lindsay devised to his wife Ann Lindsay, the claim aforesaid, among other things, who transferred one half to Oswald Thomas, and the other half to the petitioner, to whom the claim of said Thomas has been regularly assigned. That the papers of said Lindsay after his death were delivered to General Clarke, with a view to a settlement of said Lindsay's accounts, and have ever since been missing; and praying that a law may pass, granting to him the said 101,920 acres of land, or such proportion thereof, as he may be found entitled to.

2. Mr. Owsley presented the petition of sundry citizens of
Washington county, praying the passage of a law for the division of said county.

3. Mr. Rudd presented a petition counter thereto. And,

4. Mr. Parks presented the petition of Mary Lawler, praying the passage of a law, rendering null and void a bond executed by John Doughty, as committee for her husband Robert Lawler, who has been found to be a Lunatic; and authorizing her to take charge of the money and property of said Robert, to be vested in lands in some one of the western states, where land can be obtained on moderate terms.

Which petitions were severally received, read and referred: the first with the accompanying documents to the committee for Courts of Justice; the second and third to the committee of Propositions and Grievances; and the fourth to the committee for Courts of Justice.

On motion of Mr. Wickliffe,

Ordered, That Messrs. Clark and Griffith be added to the committee for Courts of Justice.

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

On motion of Mr. Campbell—1. A bill to regulate the time of holding certain circuit and county courts, in the 16th Judicial district.


On motion of Mr. Thompson—3. A bill to alter the time of holding the Mercer county and circuit courts. And,

On motion of Mr. Wickliffe—4. A bill to repeal, in part, the laws relating to the trial and conviction of slaves, and for other purposes.

Messrs. Campbell, Gholson and Casey were appointed a committee to prepare and bring in the first; Messrs. W. C. Payne, Bibb and Selby the second; Messrs. Thompson, Rudd, Owsley and Faulkner the third; and the committee of Courts of Justice the fourth.

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

Whereas it is represented to this General Assembly, that the opening a great highway from the river Ohio, opposite Portsmouth, to the state of South Carolina, by way of Prestonburg, Kentucky, and Jonesborough, Tennessee, will be of great public utility; and will be well calculated to unite a portion of the Northern states with the Southern and Atlantic states, and will give to those states, an extensive advantage in their interchange of commerce: Therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators in Congress be instructed, and our Representatives be requested to use their influence to get aid
from the General Government to open said road in the most practical way.

Mr. Guthrie presented the annual report of the Shelbyville and Louisville turnpike road company, which report is as follows, viz:

**ANNUAL REPORT,**

Of the Shelbyville and Louisville Turnpike Road Company, to the honorable the Legislature of Kentucky, showing the amount received on account of tolls, and the amount expended for extending and repairing said road, for the year ending on the 1st day of October, 1831. All of which is most respectfully submitted:

This amount in the treasury on the 1st of October, 1831,  

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>$1,053 94</td>
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Amount received from the first gate, from 1st October 1830, to 1st October 1831, 2,941 00

Amount received from the second gate, for the same time, 1,753 37

Amount received from the third gate, for same time, 1,316 16

Amount received from the fourth gate, from 13th December, 1830, to 1st October, 1831, 1,051 31

Amount received of individuals, on stated toll account from the 1st October, 1830, to 1st October, 1831, 392 50—7,954 34

Amount received from delinquent stockholders, 100 00

Amount from the office Bank of the United States, 3,917 33

$13,025 61

By amount paid on Presidents orders from 1st of October, 1830, to 1st October, 1831—principally for extending and repairing the road, 12,406 27

This amount in the treasury on the 1st of Oct. 1831, 619 34

$13,025 61

I, George C. Gwathmey, treasurer of the Shelbyville and Louisville Turnpike road company, do certify that the above account exhibits a true situation of said company to the time mentioned.

GEO. C. GWATHMEY, Treas.

Mr. Wickliffe from the committee of Courts of Justice, to whom was referred the memorial of Henry Pirle, reported that
the proposition contained in the said memorial is reasonable, which report was concurred in.

Ordered, That the committee of Courts of Justice prepare and bring in a bill pursuant thereto.

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

By Mr. Wickliff—1. A bill to amend the several acts against unlawful gaming.

By Mr. Allen—2. A bill for the benefit of Paskil D. Craddock.

By Mr. Thompson—3. A bill to amend the laws concerning the turnpike and wilderness road.

By Mr. Conner—4. A bill to allow an additional justice of the peace to Greenup county.

By Mr. Guthrie—5. A bill more effectually to secure shipwrights and others, in their claims against steam boats and other vessels.

By Mr. George—6. A bill to prevent the people of Harlan county from burning the woods.

By Mr. Guthrie—7. A bill for the benefit of the mechanics of the City of Louisville.

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

The rule of the Senate, constitutional provision, and second reading of the first, second, fourth, fifth, sixth and seventh bills, having been dispensed with, they were committed; the first, second, fifth and seventh, to the committee of Courts of Justice; the fourth to a committee of Messrs. Hardin, Conner, Stephens, Harris and Maupin; and the sixth to a committee of Messrs. Faulkner, George, Conner, Selby and Ray.

Ordered, That the Public Printer, print one hundred and fifty copies of the first, fifth and seventh bills, for the use of the General Assembly.

Mr. Campbell presented the annual report of the trustees of the Cumberland Hospital, which is as follows, viz:

REPORT

Of the Trustees of Cumberland Hospital.

To the General Assembly,

of the Commonwealth of Kentucky.

By Cash remaining on hand unexpended on the 9th day of December, 1830, as per report of that date, $236 02

Cash of sundry persons who died, 20 00

$256 02
JOURNAL OF

Dr.

To John Byrnes, keeper of the Hospital, for boarding and attending on the sick 169 weeks at $3.00 per week,
" Same for washing 65 dozen at 50 cents,
" Same for digging graves and burying five persons at $2.50,
" Same for hawling one corpse to grave,
" Same for spirits furnished the Hospital,
" Same for repairing Hospital Windows,
" Dr. D. B. Sanders for his services up to this date, as attending physician,
" George Wilson, for making five coffins, and hawling four to grave yard,

Deduct credits,

Which leaves a balance due to the institution, of four hundred and twenty nine dollars, and fifty and one half cents, which sum is to be distributed in the following manner:

To John Byrnes,
" Dr. D. B. Sanders,
" George Wilson,

There has been received into the Cumberland Hospital, since the last report, 33 patients, 5 of whom have died, and 7 are still remaining in the Hospital; they were distributed as follows, to wit:

From Kentucky, 8
" Tennessee, 9
" Pennsylvania, 2
" New York, 2
" Indiana, 2
" Maryland, 2
" S. Carolina, 1
" Virginia, 1
" Connecticut, 1
" Massachusetts, 1
" Ireland, 3
" Scotland, 1

In all, 33

Although the trustees made out their report on the 9th day of December, 1830, shortly after the convening of the Legislature,
from some cause or other, they failed to send it on for several
days thereafter, which caused the session to have advanced con­
siderably before it reached there; that, together with the shortness
of the session, we have been assured, was the cause that no
appropriation was made for the present year. The trustees thought
their duty to keep the institution in operation, believing that
to be the wish of the Legislature, having no idea, that after pur­
chasing ground and erecting most of the necessary buildings—
supplying it with furniture, medicine, &c. that the Legislature will
let it fall through for the want of the small appropriations
that will be necessary to continue its usefulness. About one
cent a piece for the voters of the State, will come very near de­
fraying its expenses, if paid annually, which would only amount
to 70 or 80 cents upon a man's estate, even should he live to a
good old age. The appropriation of the four hundred and twen­
ty-nine dollars, and fifty cents, for the debts already contracted,
we hope will be made at an early period of the session, as the
keeper to whom the largest amount is due, is poor, and unable,
without injury, to be long without what is due to him. In addi­
tion to this small amount, (if the institution is kept in operation,
of which we can have no doubt,) an additional appropriation of at
least one thousand dollars will be necessary to be made at the
present session of the Legislature, to sustain the Hospital for the
year 1832. We would further take the liberty of suggesting to
your honorable body, that a bath house ought to be erected in
addition to the buildings now on the Hospital ground; the attend­
ing physician says it would be of great utility. The stock of med­
icines, that was first procured for carrying the Hospital into op­
eration, have been pretty much exhausted; that about fifty dol­
ars worth of such medicines as have given out, will be required
before the commencement of the next sickly season.

All of which is respectfully submitted.

WM GORDON,
RICHARD OLIVER,
JOSEPH HAYDOCK,
THOMAS McCORMICK.
Trustees of Cumberland Hospital.

Smithland, Ky. Nov. 1, 1831.

Ordered, That the said report be referred to the committee of
Finance.

On the motion of Mr. Clark,
Resolved, That the committee of Propositions and Grievances,
enquire into the expediency of allowing Jesse Cunningham to
erect gates across the road called, Cunningham's mill road, in
Clarke county, where the same passes through his land.

On the motion of Mr. Wingate,
Resolved, That the committee of Courts of Justice, be instructed to enquire into the propriety and necessity of amending the laws in relation to the trial of the right of property.

On the motion of Mr. Harris,

Resolved, That the committee of Courts of Justice, be instructed to enquire into the propriety of surrendering to the occupant, or actual settler, the States interest in all the forfeited and relinquished lands belonging to the State, to the extent of the claim of such occupant, or actual settler: Provided, they are under record title.

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

Resolved by the Senate and House of Representatives, That the Secretary of State, be requested to furnish the Public Printer with a copy of all the militia law in this State in force, at the end of the present session of the General Assembly. And that the Public Printer be, and he is hereby directed to print three thousand copies of said laws for the use of the Militia Officers of the commonwealth; and that they be delivered in the different counties, to the county court clerk's in the same manner that the acts and journals are.

A bill from the House of Representatives, entitled an act to continue in force, an act for the benefit of the Head Right and Tellico settlers, and for other purposes, was read the first time, and ordered to be read a second time.

Bills from the House of Representatives, of the following titles, viz:

1. An act to repeal an act, entitled, an act to amend the law concerning the trustees of the town of Glasgow, and for other purposes, approved, January 15, 1831.
2. An act to protect the actual settlers west of the Tennessee river.
3. An act to establish an election precinct in Pike county, and for other purposes. And,
4. An act to organize a fire company in the town of Nicholasville.

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

The rule of the Senate, constitutional provision, and second reading of the said bills, having been dispensed with, they were committed.

The first to a select committee of Messrs. Maupin, W. C. Payne, Selby and Griffin; the second to the committee of Finance; the third to a select committee of Messrs. Harris, Dejarnett and Hardin, and the fourth to the committee of Courts of Justice.
A bill from the House of Representatives, entitled, an act to incorporate the Russellville female academy, was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill, having been dispensed with, and the same being amended,

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

And then the Senate adjourned.

MONDAY NOVEMBER 14, 1831.

The Senate assembled.

Mr. Thompson from the committee appointed for that purpose, reported a bill to alter the time of holding the Mercer circuit and county courts; which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

The resolution read and laid on the table by Mr. Harris, on Saturday, was taken up and referred to the committee of Internal Improvements.

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

On the motion of Mr. Thompson—1. A bill for the relief of Reuben Drysdale.

On the motion of Mr. Conner—2. A bill for the benefit of the Little Sandy Turnpike road. And,

On the motion of Mr. Casey—3. A bill to amend the laws concerning usury.

Messrs. Thompson, Brown and Faulkner were appointed a committee to prepare and bring in the first; and Messrs. Conner, Harris, Parks, Fleming, Beaseman and Williams the second.

Ordered, That the committee of Courts of Justice prepare and bring in the third.

On the motion of Mr. Fleming,

Resolved, That the committee of Propositions and Grievances be instructed to inquire into the expediency and propriety of permitting Aqualia Jones of Fleming county, to erect gates upon his land, across the road leading to James Andrews' mill.

Mr. Faulkner from the committee appointed for that purpose, reported a bill for the relief of Reuben Drysdale, which was read the first time and ordered to be read a second time.
The rule of the Senate, constitutional provision and second reading of the said bill having been dispensed with, it was committed to the committee of Religion.

Mr. W. C. Payne from the committee appointed for that purpose, reported a bill to authorize a Fire company, in the town of Bowlinggreen, and for other purposes, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

Mr. Maupin from the committee appointed for that purpose, reported a bill to amend the execution laws of this Commonwealth, which was read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision and second reading of the said bill having been dispensed with, it was laid on the table.

Ordered, That the public printer print one hundred and fifty copies of the said bill, for the use of the General Assembly.

On the motion of Mr. Wingate,

Resolved, That a message be sent to the House of Representatives, requesting the appointment of a committee of conference on their part, to meet a committee of three members on the part of the Senate, for the purpose of taking into consideration the expediency and propriety of adopting some mode different from the one now practised, in taking the joint vote of the two branches of the legislature, and that the committee thus raised, report their opinion thereon to both branches of the General Assembly.

Ordered, That Mr. Wingate carry the said message.

A bill to amend the laws concerning the Turnpike and Wilderness road, was read a second time, and committed to the committee of Internal Improvements.

A bill from the House of Representatives, entitled an act to continue in force an act for the benefit of the Head right and Tellico settlers, and for other purposes, was read the second time, and ordered to be read a third time.

A message was received from the House of Representatives, announcing the passage of bills which originated in that house, of the following titles, viz:

1. An act to amend the law in relation to Idiots.
2. An act to amend the law in relation to summoning guards to conduct convicts to the Penitentiary.
3. An act to incorporate the city of Lexington.
4. An act to amend the several laws concerning the opening and changing public roads.
5. An act for the benefit of Joseph B. Crockett, and others.
6. An act to authorize the county courts of Montgomery, Bath, Morgan, Floyd and Pike to change the state road in their respective counties, leading from Mountsterling to the Virginia state line, through Prestonsburg. And,
7. An act for the benefit of Richard Apperson and Andrew Trumbo, Jr.

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

The rule of the Senate, constitutional provision and second reading of the third, fifth, sixth and seventh bills having been dispensed with, they were committed; the third to the committee of Courts of Justice; the fifth and seventh to the committee of Finance; and the sixth to the committee of Internal Improvements.

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

On the motion of Mr. Fleming—a bill to amend an act entitled an act for the benefit of the devisees of John Donaldson, George Stockton and James Lewis, approved January 15th, 1831.

And on the motion of Mr. Ray—a bill to appropriate the fines and forfeitures of Hardin county towards lessening her county levy.

Messrs. Fleming, Clarke and Williams were appointed a committee to prepare and bring in the former, and Messrs. Ray, Bibb and Fleming the latter bill.

And then the Senate adjourned.

TUESDAY, NOVEMBER 15, 1831.

The Senate assembled.

Mr. Casey presented the petition of Nathaniel and Pamela Ashby, administrator and administratrix of the estate of Stephen Ashby, deceased, praying that a law may pass authorizing the sale of fifty acres of land in Hopkins county, of which the said Stephen died seized, for the purpose of paying his debts.

Which petition was received and referred to the committee of Courts of Justice.

Mr. Wickliffe from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled an act to incorporate the city of Lexington, reported the same without amendment, the said bill was amended, and ordered to be read a third time.

The rule of the Senate, and constitutional provision having been dispensed with, the said bill was read the third time,

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

F.
Mr. Wingate from the joint committee of enrollments, reported, that the committee had examined enrolled bills of the following titles, viz:

- An act to provide for the appointment of trustees to the Stanford and Rockcastle Seminaries, and for other purposes.
- An act authorizing the insertion of advertisements in the Farmers Record, Maysville Monitor, Lexington Observer and Louisville Price Current, and Commercial Register.
- An act to regulate the town of Westport, in Oldham county.
- An act to add a part of the land of Richard Forrest to the town of Lebanon.
- An act to change the name of Elizabeth Boyd to that of Elizabeth Foreman.

And had found the same truly enrolled, that the said bills had been signed by the speaker of the House of Representatives; whereupon the speaker of the Senate affixed his signature thereunto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time Mr. Wingate reported that the committee had performed that duty.

A message in writing was received from the Governor by Mr. Crittenden Secretary of state, which is as follows, viz:

Gentlemen of the Senate—Since the adjournment of the Legislature, in January, 1831, the following officers have been commissioned until the end of your present session. I therefore nominate them for your advice and consent, to be commissioned to fill the offices respectively annexed to their names, viz:

1. William Bradley, to be sheriff of Hopkins county vice William Wilson who refused to accept a commission for the same.
2. Thomas Lambert, to be sheriff of Henderson county, the court of said county having failed to nominate according to law.
3. Rezin Davidge, to be judge of the 16th judicial district established at the last session of the legislature.
4. Robert A. Patterson, to be commonwealth's attorney for the 16th judicial district established at the last session of the General Assembly of Kentucky.
5. Barnett Wells, to be sheriff of Calloway county vice John A. Martin resigned.
6. John C. Bucklin, to be mayor of the city of Louisville.
7. Chassteen T. Dunavan, to be sheriff of Warren county vice Thomas Street resigned.
8. Thomas Lockhard, to be sheriff of Clay county vice Messenger Lewis who refused to accept.
10. Samuel Murrell, to be sheriff of Barren county vice W. T. Bush failed to give bond.
12. Richard H. Manifee, to be commonwealth’s attorney for the 11th judicial district vice James Trimble resigned.
13. Joseph Clarke, to be sheriff of Franklin county vice Matthew Clarke, deceased.
14. Waller Bullock, to be sheriff of Fayette county vice James True, deceased.
15. James W. Ewing, to be commonwealth’s attorney for the 7th judicial district vice James Breathitt, resigned.
16. Franklin Bullinger, to be commonwealth’s attorney for the 15th judicial district vice E. Smith, resigned.
17. James Harlan, to be commonwealth’s attorney for the 9th judicial district vice James Harlan, resigned.
18. Francis T. Hord, to be quarter master of the 7th division.
19. Pleasant Sandridge, to be major general of the 9th division vice E. M. Covington, resigned.
20. Joshua F. Breeds, to be inspector of the 9th division.
22. Chittenden Lyon, to be quarter master of the 14th division vice R. Rowland, removed.
23. Edmund G. Howell to be quarter master of the 1st brigade vice Benjamin Doone, resigned.
24. John W. Redd to be quarter master of the 3d brigade vice S. Buford, removed.
25. John M. Emmerson, to be brigadier general of the 10th brigade vice P. Sandridge, if promoted.
26. Samuel B. Emmerson, to be quarter master of the 10th brigade vice.
27. Jesse Mosely, to be brigadier general of the 12th brigade vice William Newton, resigned.
28. Charles J. Walker to be quarter master of the 13th brigade vice Archibald Woods, resigned.
29. William Ratcliffe, to be brigadier general of the 14th brigade vice.
30. William Ratcliffe, to be brigadier general of the 14th brigade vice.
31. Alfred O. Powell, to be quarter master of the 26th brigade vice.
32. James Howey, to be lieutenant colonel of the 23d regiment vice Jno. Morris, resigned.
33. Josiah Miller, to be major of the 3d regiment vice J. Howey, if promoted.
34. John M. Jordon, to be major of the 5th regiment vice C. Swindler, resigned.
35. James B. Payne, to be colonel of the 10th regiment vice H. C. Payne, resigned.
36. William B. Johnson to be lieutenant colonel of the 10th regiment vice D. Harp, resigned.
37. Caleb J. Sanders, to be major of the 10th regiment vice W. H. Parker, resigned.
38. Joseph Reveal, to be lieutenant colonel of the 13th regiment vice W. H. Russell, removed.
39. David Mann, to be major of the 13th regiment vice J. Reveal, if promoted.
40. Louis Strader, to be lieutenant colonel of the 16th regiment vice Jeremiah Hatcher.
41. Robert Hutchins, to be major of the 16th regiment vice Louis Strader, if promoted.
42. Jeremiah Long, to be lieutenant colonel of the 18th regiment vice George Burge, resigned.
43. Jeremiah Holley, to be major of the 18th regiment vice Jeremiah Long, if promoted.
44. Samuel Black, to be major of the 19th regiment vice William Watts, resigned.
45. William R. Hand, to be colonel of the 21st regiment vice Robert Rawlings, resigned.
46. Thomas Hart, to be lieutenant colonel of the 21st regiment vice William R. Hand, if promoted.
47. John Wheeler, to be major of the 21st regiment vice Thomas Hart, if promoted.
48. James M. Bradford, to be major of the 22d regiment vice A. H. Renick, promoted.
49. Thomas W. Townsend, to be colonel of the 23d regiment vice.
50. Sherwood W. Atkinson, to be lieutenant colonel of the 23d regiment vice.
51. John Sprout, to be major of the 23d regiment, vice.
52. Henry D. Samuel, to be colonel of the 26th regiment, vice Wm. Faulkner resigned.
53. Michael Ray, to be lieutenant colonel of the 26th regiment, vice Henry D. Samuel if promoted.
54. W. G. Brank, to be major of the 26th regiment, vice M. Ray, if promoted.
55. Thomas Hord, to be colonel of the 29th regiment, vice J. Dougherty, resigned.
56. Wm. Reid jr. to be lieutenant colonel of the 29th regiment, vice Thomas Hord, if promoted.
57. Elecana Jefferson, to be major of the 29th regiment, vice J. G. Bailey removed.
58. Matthew M. Townes, to be major of the 33d regiment, vice Allen Rose who refused to accept.
59. Robert Dunkison, to be colonel of the 39th regiment, vice James McKinney removed.
60. Wm. Morrow, to be lieutenant colonel of the 29th regiment, vice R. Dunkison if promoted.
61. David Myers, to be major of the 39th regiment, vice John J. Thompson removed.
62. Wm. Anderson, to be colonel of the 45th regiment, vice Samuel Anderson resigned.
63. Newberry Smith, to be lieutenant colonel of the 45th regiment, vice Wm. Anderson if promoted.
64. Joseph W. Evans, to be major of the 45th regiment, vice N. Smith if promoted.
65. L. Thurman, to be colonel of the 46th regiment, vice J. M. Emmerson if promoted.
66. H. S. Emmerson, to be lieutenant colonel of the 46th regiment, vice L. Thurman if promoted.
67. Jesse Smith, to be major of the 46th regiment, vice H. S. Emmerson if promoted.
68. Jesse Stevens, to be major of the 55th regiment, vice Wm. Johnson removed.
69. John Cole, jr., to be lieutenant colonel of the 61st regiment, vice James McFadden removed.
70. James Hendrick, to be major of the 61st regiment, vice T. J. Denton resigned.
71. John Crume, to be lieutenant colonel of the 62d regiment, vice Thomas Stone, deceased, who had been appointed, vice R. L. Murphy resigned.
72. Solomon Coffman, to be major of the 62d regiment, vice John Crume if promoted.
73. James Collier, to be lieutenant colonel of the 63th regiment, vice Wm. Hamilton removed.
74. Wm. C. Hackley, to be major of the 63d regiment, vice Samuel Moore resigned.
75. John H. Puckett, to be colonel of the 66th regiment, vice Benjamin Porter resigned.
76. Wm. Harrison, to be lieutenant colonel of the 66th regiment, vice John H. Puckett if promoted.
77. John Honaker, to be major of the 66th regiment, vice Wm. Harrelson if promoted.
78. James Cooper, to be major of the 69th regiment, vice Robert Means, who refused to accept.
79. Daniel Higgins, to be major of the 70th regiment, vice Hugh A. Poague promoted.
80. John G. Boyd, to be colonel of the 78th regiment, vice Abson Oldham, deceased.
81. John B. Powell, to be lieutenant colonel of the 78th regiment, vice John G. Boyd if promoted.
32. Andrew Alexander, to be major of the 78th regiment, vice J. B. Powell if promoted.
33. Joshua H. Davis, to be colonel of the 23rd regiment, vice Joseph R. Delaney promoted.
34. Henry Threlkild, to be lieutenant-colonel of the 83rd regiment, vice J. H. Davis if promoted.
35. Thomas A. Brooking, to be major of the 83rd regiment, vice H. Threlkild if promoted.
36. James W. Leagh, to be lieutenant-colonel of the 84th regiment, vice L. Oliver refused to accept.
37. Robert Doake, to be colonel of the 85th regiment, vice Wm. Bayne resigned.
38. Wm. Johnson, to be lieutenant-colonel of the 85th regiment, vice R. Doake if promoted.
39. Avery M. Buckner, to be major of the 85th regiment, vice Wm. Johnson if promoted.
40. Robert Chriswell, to be major of the 88th regiment, vice Benj. Allen resigned.
41. Wm. Reece, to be major of the 90th regiment, vice Daniel Sherer resigned.
42. Garland Lillard, to be colonel of the 92d regiment, vice Samuel Payne resigned.
43. Wm. Mothershead, to be lieutenant-colonel of the 92d regiment, vice G. Lillard, if promoted.
44. David G. Roach, to be major of the 92d regiment, vice Wm. Mothershead if promoted.
45. Job Sharp, to be lieutenant-colonel of the 93d regiment, vice Hiram Royce, to be major of the 93d regiment, vice.
46. Samuel P. Bowdry, to be major of the 94th regiment, vice Wm. D. Harlow resigned.
47. Joseph W. Rowlett, to be major of the 100th regiment, vice Benjamin Glass, resigned.
48. Aylett H. Buckner to be major of the 101st regiment, vice John Wilson resigned.
49. Wm. Barr, to be major of the 106th regiment, vice Pres-ley N. Pepper who refused to accept.
50. Henry C. Williams, to be colonel of the 107th regiment, vice.
51. John F. Lowe, to be lieutenant-colonel of the 107th regiment, vice.
52. Micajah B. Clarke, to be major of the 107th regiment, vice.
106. Robert K. White, to be colonel of the 116th regiment, vice S. B. Steele resigned.
107. Abram Kightley, to be lieutenant colonel of the 116th regiment, vice R. K. White if promoted.
108. Isaac R. Smith, to be major of the 116th regiment, vice A. Kightley if promoted.
109. George Powell, to be colonel of the 56th regiment, vice Wm. Ratcliffe, promoted.
110. Pharmer Lasley, to be lieutenant colonel of the 56th regiment, vice George Powell if promoted.
111. John Boling, to be major of the 56th regiment, vice Pharmer Lasley if promoted.
112. Christopher Lillard, to be major general of the 3d division, vice Robert McHatton resigned.
113. Elisha Collins, to be lieutenant colonel of the 67th regiment, vice Reuben Graves over age, and refuses to serve.
114. John Cave, to be major of the 67th regiment, vice Elisha Collins if promoted.

THOMAS METCALFE.

November, 15th, 1831.

The Senate received official information that the Governor, on the 10th instant, approved and signed an enrolled bill, which originated in the Senate, entitled, "an act allowing an additional term to the county court of Henry county.

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

By Mr. Wickliffe, from the committee of Courts of Justice—
1. A bill to amend the laws concerning the trial and convicting of slaves.

By Mr. Clark, from the committee of Proposities and Grievances—2. A bill to authorize certain county courts to permit gates to be erected across certain roads. And,
By Mr. Ray—3. A bill to appropriate the fines and forfeitures of Hardin county towards lessening the county levy.

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

The rule of the Senate, constitutional provision, and second reading of the third bill, having been dispensed with, it was laid on the table.

Ordered, That the Public Printer, print one hundred and fifty copies of the first bill, for the use of the General Assembly.

The speaker laid before the Senate, a letter from the chairman of the commissioners, for rebuilding the capitol, which was read as follows, viz:
Frankfort, November 15, 1831.

Sir—The commissioners appointed by an act of the General Assembly, to superintend the rebuilding of the capitol, having completed the important work confided to their care and superintendence, in the execution of which they have for five years, devoted much of their time and personal attention, have instructed me to announce to the legislature their readiness and anxiety to submit the books, accounts and vouchers, for examination and final settlement.

To effect this object, which is now very desirable to them, I am also instructed to ask respectfully the appointment of a joint committee of the legislature, to examine their books, accounts and vouchers, (which are necessarily very voluminous) and on being fully satisfied that the duties assigned the commissioners have been faithfully executed, to surrender their obligations for cancelment, which are on file in the office of the secretary of state.

I have the honor to be, respectfully,

P. DUDLEY,
Chairman commissioners rebuilding the capitol.

HON. JOHN BREATHITT, Speaker of the Senate.

Messrs. Taylor, Wingate and Fleming, were appointed a committee on the part of the Senate, agreeably to the request in the said letter.

Ordered, That Mr. Taylor inform the House of Representatives thereof.

Mr. Faulkner, from the committee to whom was referred a bill to prevent the people of Harlan county from burning the woods, reported the same without amendment.

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

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

Resolved, That the 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. Rodman,
A bill to change the constables district in the first battalion, in the 38th regiment of Kentucky militia.

On motion of Mr. Casey,
A bill for the benefit of Samuel Woodson, clerk of the Hopkins county court.

Messrs. Rodman, Wood and Owsley, were appointed a committee to prepare and bring in the former. And,

Messrs. Casey, Campbell and Cunningham the latter bill.

After a short time Mr. Rodman from the former committee, re-
ported the said bill, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second and third readings of the said bill having been dispensed with, and the same being engrossed.

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

Mr. Maupin moved for leave to bring in a bill, to take the sense of the people of this commonwealth, as to the necessity and expediency of calling a convention.

Mr. Faulkner moved to lay the 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. Maupin and Dougherty, were as follows, to wit:


A bill from the House of Representatives entitled an act to continue in force, an act for the benefit of the Head right and Tellico settlers, and for other purposes, was read the second time.

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

A bill from the House of Representatives entitled an act to amend the law in relation to Idiots, was read the second time, and committed to the committee of Courts of Justice.

A bill from the House of Representatives entitled an act to amend the law in relation to summoning guards to conduct convicts to the Penitentiary, was read the second time, and ordered to be read a third time.

A bill from the House of Representatives entitled an act to amend the several laws concerning the opening and changing public roads, was read a second time. The said bill requires a majority of all the justices in the county to be present in court, when a road is ordered to be opened or changed.

Mr. Maupin moved to amend the same, so as to require two thirds of the justices to be present; and the question being taken on the said motion, it was decided in the negative.

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


NAYS—Messrs. Allen, Beauman, Bibb, Boyd, Brown, Campbell, Casey, Conner, Cunningham, Dougherty, Faulkner, Fleming, G.
The said bill was then committed to a committee of Messrs. Wingate, Harris and Thompson.

A message was received from the House of Representatives, announcing the passage of bills which originated in that house, of the following titles, viz:

1. An act to establish an additional election precinct on Long run, in Jefferson county.
2. An act to establish an election precinct in Christian county.
3. An act to establish election precincts in the city of Louisville, and for other purposes.
4. An act for the benefit of George Owens.
5. An act to repeal in part an act passed on the 13th day of January, 1831, entitled an act to establish a state road from Hopkinsville, by the way of Cadiz, Canton, &c. to Columbus, on the Mississippi river.
6. An act to authorize the sale of the undivided interest of Margaret and Matthew Castells, in and to two hundred acres of land in Wayne county. And,
7. An act to repeal an act entitled an act to improve certain roads in Caldwell county, passed the 14th January, 1831.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second reading of the fourth bill having been dispensed with, it was referred to the committee of Finance.

The rule of the Senate, constitutional provision and second and third readings of the first, second, third and seventh bills having been dispensed with, and the third being amended,

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

And then the Senate adjourned.

WEDNESDAY, NOVEMBER 16, 1831.

The Senate assembled.

The speaker laid before the Senate, the annual report of the receiver of public money west of the Tennessee river, which is as follows, viz:

To the Honorable Legislature of the Commonwealth of Kentucky:

The undersigned, receiver of public monies west of Tennessee river, reported to your honorable body at your last session, the to-
tal amount of money that he had, at that time, received for vacant land in the district west of Tennessee river; which report was as follows, to wit:  
Total amount received by me, $144,922.82  
Amount of cashiers receipts, 137,206.67  
Percentage received by me, 5.715.95  
Nov. 18th, 1830; amount in my hands, $5,515.95  
And will now submit the following report for your consideration.  
Since I made the last annual report, I have received, $45,930.32  
Total amount received since I made the last report, and the amount in my hands at that time, $51,446.33  
By amount of deposits, made as per cashiers receipts since my last report, 32,156.14  
Percentage allowed by law, and retained by me, 300.00  
Leaving a balance in my hands of $18,990.19  
All of which is respectfully submitted to your honorable body.  
EDMUND CURD,  
Receiver of public monies west of Tennessee river.  
Wadesboro Nov. 1st. 1831.  
Ordered, That the said report be referred to the committee of Finance.  
Mr. Cunningham presented the petition of Douglas Butler, praying that a law may pass, remitting to him the right of the State to two small tracts of land in Logan county, which he failed to list for taxation within the time prescribed by law. And,  
Mr. Ray presented the petition of sundry citizens of the town of Brandenburg and its vicinity, praying that a law may pass increasing the powers of the trustees of said town, and to establish a seminary of learning therein.  
The said petitions were received, read and referred; the former to a committee of Messrs. Cunningham, Bibb and Gholson; and the latter to a committee of Messrs. Ray, Conner and Boyd.  
Mr. Wood from the committee of Religion, to whom was referred a bill for the relief of Reuben Drysdale, reported the same without amendment; and said bill was recommitted to a committee of Messrs. Brown, Faulkner, Fleming and Wood.
Mr. Casey from the committee appointed for that purpose, reported a bill for the benefit of Samuel Woodson, clerk of the Hopkins county court, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

On motion of Mr. Beaseman,

Resolved, That the committee of Internal Improvement, be instructed to enquire into the expediency of removing the obstructions in main Licking river, from its mouth to Claysville, in Harrison county, so as to render it navigable for steam boats.

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

On motion of Mr. Casey—1. A bill for the benefit of Edmund H. Earle.

On motion of Mr. Bibb—2. A bill to open a State road from the Yellow Banks, by the way of Hartford, to Russellville.

On Motion of Mr. Ray—3. A bill to establish a whiskey inspection in the town of Brandenburg, in Meade county. And,

On motion of Mr. Rodman—4. A bill to amend an act, entitled, an act to open a road from Frankfort to King's ferry on the Ohio river, by the way of Newcastle, in Henry county.

Messrs. Casey, Campbell, Cunningham and Bibb, were appointed a committee to prepare and bring in the first; Messrs. Bibb, Cunningham and Griffith the second; Messrs. Ray, Guthrie and Allen the third; and Messrs. Rodman, Dougherty, Boyd, Wood and Fleming the fourth.

On motion,

Ordered, That Mr. Rodman be added to the committee of Religion.

On motion of Mr. Wingate,

Resolved, That the committee on Internal Improvements, be instructed to inquire into the expediency and necessity of appropriating any sum not exceeding three hundred dollars, for the purpose of removing certain obstructions in the Kentucky river, between its mouth and the town of Frankfort.

A bill from the House of Representatives, entitled, an act to amend the law in relation to summoning guards to conduct convicts to the penitentiary, was read the third time.

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

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

1. An act for the benefit of Henry Weddington.
2. An act for the benefit of John Despoili.
3. An act for the benefit of Wm. S. Shackleford.
An act to establish the town of Canton in Trigg county.

An act further to regulate the town of Princeton.

An act to repeal the law establishing an election precinct in Muhlenburg county, and for other purposes.

An act allowing three additional terms to the Bracken county courts. And,

An act to legalize the proceedings of the trustees of the town of Shepherdsville in Bullitt county.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and the second reading of the first, second, third, fifth and seventh bills, and the second and third readings of the fourth bill, having been dispensed with, the first second and third were committed to the committee of Finance: the fifth to a committee of Messrs. Campbell, Gholson and Allen; and the seventh to a committee of Messrs. Parks, Bibb and Fleming.

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

A bill to authorize certain county courts to permit gates to be erected across certain roads, was read a second time, and ordered to be engrossed and read a third time.

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

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

A bill to appropriate the fines and forfeitures of Hardin county towards lessening her county levy, was taken up, amended and ordered to be engrossed, and read a third time.

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

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

A bill from the House of Representatives, entitled, an act to repeal in part, an act passed on the 13th day of January, 1831, entitled, an act to establish a State road from Hopkinsville, by the way of Cadiz, Canton, &c. to Columbus, on the Ohio river, was read the second time, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading having been dispensed with,

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

A bill from the House of Representatives, entitled, an act to authorize the sale of the undivided interest of Margaret and Matthew Castello, in, and to, two hundred acres of land in Wayne
county, was read the second time, and referred to the committee of courts of Justice.

A message was received from the House of Representatives, announcing that they had received official information, that the Governor, on the ninth instant, approved, and signed an enrolled bill, which originated in that house, entitled, an act allowing additional terms to the grant county court; and that on the tenth instant, he approved and signed an enrolled bill, which originated in that house, entitled, an act to authorize the publishing of advertisements in the Mountsterling Herald, and Lancaster Journal. And that they had adopted a resolution for the appointment of joint committees, to examine the different offices, &c.

The said resolution was twice read and concurred in, and is as follows, viz:

In House of Representatives, November 15, 1831.

Resolved by the Senate and House of Representatives, That a committee of three from the Senate, and six from the House of Representatives be raised to examine and report the condition of the Auditor's office.

That a committee of three from the Senate, and six from the House of Representatives, be raised to examine and report the condition of the Treasurer's Office.

That a committee of three from the Senate, and six from the House of Representatives, be raised to examine and report the condition of the Register's Office.

That a committee of three from the Senate, and six from the House of Representatives, be raised to examine and report the condition of the Bank of Kentucky.

That a committee of three from the Senate, and six from the House of Representatives, be raised to examine and report the condition of the Bank of the Commonwealth of Kentucky. And, that three from the Senate, and six from the House of Representatives, be appointed to examine and report the condition of the Penitentiary.

Twice read and adopted.

Attest—R. S. TODD, C. H. B.

Whereupon, Messrs. Wood, George and Conner, were appointed a committee on the part of the Senate, to examine the Auditor's Office.

Messrs. Harris, Owley and Stephens, the Treasurer's Office.

Messrs. J. Payne, Beaseman and Griffith, the Register's Office.

Messrs. Fleming, Taylor and Bibb, the Bank of Kentucky.

Messrs. Selby, Boyd and W. C. Payne, the Bank of the Commonwealth. And,

Messrs. Brown, Wickliffe and Wingate, the Penitentiary.
A bill to amend the execution laws of this commonwealth, was taken up and placed in the orders of the day.
And then the Senate adjourned.

THURSDAY NOVEMBER 17, 1831.

The Senate assembled.
Mr. Clark presented the petition of Lincefield Burbridge, praying a divorce from his wife Sarah Burbridge. And,
Mr. Casey presented the petition of Andrew Luttrell and Hosea Smith, praying that a law may pass authorizing the sale of the interest of their infant children in a house and lot in the town of Morganfield.

The said petitions were each received and referred; the former to the committee of religion, and the latter to the committee of courts of justice.

Mr. Selby from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled an act to protect the actual settlers west of the Tennessee river, reported the same without amendment.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall not be lawful for any person within twelve months after the passage of this act, to enter any quarter section or fractional quarter section of land, which has been improved by any actual settler in the land district, west of the Tennessee river at the passage of this act; and any entry made contrary to the provisions of this act, is hereby declared null and void: Provided however, That said settler or improver may at any time enter the same.

Mr. Faulkner moved to strike out the word “twelve” printed in italics, and to insert in lieu thereof “ten.”

Mr. Wood called for a division of the question, and the question was taken on striking out the word “twelve,” and it was decided in the negative.

The yeas and nays being required thereon by Messrs Faulkner and Maupin, were as follows, viz:


The said bill was then amended and ordered to be read a third time,
The rule of the Senate, constitutional provision and third reading of the said bill having been dispensed with.

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

A message was received from the House of Representatives informing the Senate that they have appointed a committee on their part, to examine the accounts of the commissioners for rebuilding the capitol.

Mr. Wingate, from the committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to continue in force "an act for the benefit of the Head right and Tellico settlers," and for other purposes.
An act to incorporate the Russellville female Academy.
An act to establish an additional election precinct on Long run, in Jefferson county.
An act to establish an election precinct in Christian county.

And,

An act to repeal an act entitled "an act to improve certain roads in Caldwell county," passed the 14th January, 1831.

And had found the same truly enrolled, and that said bills were signed by the speaker of the House of Representatives; whereupon the speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time Mr. Wingate reported that the committee had performed that duty.

Mr. Brown from the committee to whom was referred a bill for the relief of Reuben Drysdale, reported the same without amendment; the said bill was amended.

And the question being taken on engrossing the said bill, and reading it a third time, to-morrow, it was decided in the affirmative.

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


Mr. Campbell from the committee to whom was referred a bill from the House of Representatives, entitled an act further to regulate the town of Princeton, reported the same without amendment.

Ordered, That the said bill be read a third time.
The rule of the Senate, constitutional provision and third reading of the said bill having been dispensed with,

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

Mr. Casey from the committee appointed for that purpose reported a bill for the benefit of Edward H. Earle, which was read the first time, and ordered to be read a second time.

The rule of the Senate constitutional provision and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

The message in writing received from the Governor on the 15th inst. was taken up.

Resolved, That the Senate advise and consent to the appointment of all the persons nominated in the said message, except Joseph Clarke as sheriff of Franklin county, Job Sharpe as lieutenant colonel of the 33d regiment, and William Johnson as lieutenant colonel of the 85th regiment.

Ordered, That Mr. Fleming inform the Governor thereof.

The nomination of the said Joseph Clarke was referred to the committee of Courts of Justice, and the nominations of the said Job Sharpe and William Johnson were laid on the table.

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

1. On the motion of Mr. Rodman — A bill for the benefit of the heirs of Rowland Thomas, deceased. And,
2. On the motion of Mr. Selby — A bill to amend the law on the subject of divorces.

Messrs. Rodman, Wood and Griffin were appointed a committee to prepare and bring in the former; and Messrs. Selby, Thompson and Fleming the latter bill.

On the motion of Mr. Casey,

Resolved, That the committee on Internal Improvements be instructed to enquire into the expediency of making an appropriation for improving the navigation of Trade water.

Bills from the House of Representatives entitled an act to repeal the law establishing an election precinct in Muhlenburg county, and for other purposes. And,

An act to legalize the proceedings of the trustees of the town of Shepherdsville, in Bullitt county, were each read the second time, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the former bill having been dispensed with,

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

A message was received from the House of Representatives, announcing the passage of bills which originated in that house of the following titles, viz.
1. An act to reduce the price of Head Right lands on the South side of Green River, and for other purposes.

2. An act allowing sheriffs and other officers, fees in certain cases.

3. An act for the benefit of John W. Brite.

4. An act to authorize the trustees of Bowling-Green, and the county court of Warren, to improve said town. And,

5. An act for the benefit of Micajah Harrison, clerk of the Montgomery county court.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, second and third bills; and the second and third readings of the fourth and fifth bills having been dispensed with.

The first was committed to the committee of Finance; the second to the committee of courts of Justice; and the third to the committee of Religion.

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

And then the Senate adjourned.

FRIDAY, NOVEMBER 18, 1831.

The Senate assembled.

Mr. Wood from the committee of Religion, to whom was referred a bill for the benefit of John W. Brite, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with;

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

Mr. Allen from the committee of Internal Improvements, made the following report, viz:

The committee on Internal Improvement, to whom was referred a resolution to instruct our Senators in Congress, and to request our Representatives to use their influence to obtain aid from the General Government, to open a road from the Ohio river, opposite Portsmouth, to the State of South Carolina, by the way of Prestonsburg and Jonesborough; have had the same under consideration, and make the following report:

The proposed road commences at, or opposite to Portsmouth, on the Ohio river, and at the termination of the Erie and Ohio Canal, and running through several counties of this State to the
Cumberland Mountain, at the sounding gap; thence through several counties of Virginia, through the eastern part of Tennessee, through the State of North Carolina, to the South Carolina line, near the Linville Mountain, where it meets with the road which leads to the city of Charleston. The proposed road will be of great public benefit, by opening a commercial intercourse between the Northern and Southern States, and will furnish facilities for a speedy conveyance of the mail through parts, in which, at present the progress of the mail is tardy, for the want of a direct rout.

Your committee are well aware of the difference of opinion, in relation to the powers of the General Government to appropriate money for Internal Improvements, to construct roads and canals, and to subscribe for stock in individual associations.

Your committee acquiesce in the opinion, that the General Government has a right to appropriate money for works of a national character.

Although the committee acquiesce in the received opinion, that the General Government have the power to appropriate money for improvements of a national character, yet difficulties arise in relation to what are the requisites to constitute a work of improvement, national. It seems to your committee, that a road, which tends to bind the States more closely together; to increase the facilities of communication between them; to lessen the time and distance of the intercourse of the citizens of different States with each other; to diminish sectional feelings and jealousies; to increase feelings of kindness and affection, and to promote general prosperity and happiness, might properly be denominated a road of a national character.

Your committee, therefore, are of opinion, that the road proposed by the resolution, comes within their views of what may be considered a road of national character and national benefit.

Resolved, therefore, That it is the opinion of the committee, that the aforesaid resolution ought to pass, together with the following resolution:

Be it further resolved, That the Executive of this State be requested to transmit to each of our Senators and Representatives in the Congress of the United States, a copy of the foregoing preamble and resolution.

Which was twice read and committed to the committee of the whole house for Tuesday next.

Ordered, That the Public Printer, print one hundred and fifty copies of the said report, and original resolution, for the use of the General Assembly.

Mr. Allen from the committee of Internal Improvements, to whom was referred a bill to amend the laws concerning the
Turnpike and Wilderness road, reported the same without amendment.

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

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

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

Mr. Allen from the same committee to whom was referred a bill from the House of Representatives, entitled an act to authorize the county courts of Montgomery, Bath, Morgan, Floyd and Pike to change the state road in their respective counties, leading from Mountsterling to the Virginia state line through Prestonburg, reported the same with an amendment which was twice read and concurred in.

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

The rule of the Senate, constitutional provision and third reading of the said bill having been dispensed with,

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

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

By Mr. Rodman—1. A bill for the benefit of the heirs and personal representatives of Rowland Thomas, deceased.

By Mr. Campbell—2. A bill to regulate the time of holding certain circuit courts in the 16th judicial district.

By Mr. Cunningham—3. A bill for the benefit of Douglas Butler. And,

By Mr. Selby—4. A bill to amend the law on the subject of divorces.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first and third bills, and second and third readings of the second bill having been dispensed with, the first and third were committed to the committee of Courts of Justice.

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

Mr. Selby from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of William S. Shackleford, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Parks from the committee to whom was referred a bill.
from the House of Representatives, entitled an act allowing three additional terms to the Bracken county court, reported the same without amendment, and it was ordered to be read a third time.

The rule of the Senate, constitutional provision and third reading of the said bill having been dispersed with,

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

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

On the motion of Mr. Campbell—A bill for the benefit of the Cumberland Hospital. And,

On motion of Mr. Rudd—A bill to amend an act to incorporate a turnpike road company from Louisville to Bardstown, and to Springfield and Lebanon, approved January 8th, 1831. Messrs. Campbell, Casey and Gholson were appointed a committee to prepare and bring in the former; and Messrs. Rudd, Guthrie, Hardin, Selby and Casey the latter bill.

A bill to amend the execution laws of this commonwealth, was committed to a committee of Messrs. Maupin, Wingate, Campbell, Rudd, Thornton, Faulkner, Clarke and Thompson.

An engrossed bill, entitled an act for the relief of Reuben Drysdale, was read the third time, and amended by way of engrossed rider.

And the question being taken on the passage of the said bill, it was decided in the affirmative.

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


Resolved, That the title of the said bill be, an act for the relief of Reuben Drysdale, and others.

A message in writing was received from the Governor, by Mr. Crittenden, Secretary of State, also official information, that the Governor, on the 15th inst. approved and signed an enrolled bill, which originated in the Senate, entitled an act to change the name of Elizabeth Boyd to that of Elizabeth Foreman.

Mr. Wingate from the committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to repeal in part an act passed on the 13th January, 1831, entitled an act to establish a state road from Hopkinsville by the way of Canton, Cadiz, &c. to Columbus, on the Mississippi river.

An act for the benefit of John W. Brite.
An act to amend the law in relation to summoning guards to conduct convicts to the Penitentiary. And,

An act to establish the town of Canton in Trigg county; and had found the same truly enrolled, and that said bills were signed by the speaker of the House of Representatives.

Whereupon the speaker of the Senate affixed his signature thereto; and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time Mr. Wingate reported that the committee had performed that duty.

A bill from the House of Representatives entitled: an act to legalize the proceedings of the trustees of the town of Shepherdsville; in Bullitt county, was read a third time.

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

A message was received from the House of Representatives announcing the passage of bills which originated in that house of the following titles, viz:

An act to amend an act entitled an act to appropriate certain vacant lands to the improvement of the public roads in the counties of Russell, Monroe, Allen and Cumberland, approved January 28th, 1830. And,

An act providing for the improvement of the navigation of the Kentucky river, from Frankfort to the Ohio river.

The said bills were each read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the former bill: and the second readings of the latter bill having been dispensed with, the latter bill was committed to the committee of Internal Improvements.

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

On motion of Mr. Thompson,

Resolved, That the committee of Courts of Justice, be instructed to enquire into the necessity and expediency of explaining and amending the law in relation to the responsibility of Sheriff's and other officers, for the title of property sold by them under executions.

On motion of Mr. Campbell—

Resolved, That the committee on Internal Improvement be instructed to enquire into the propriety of making an appropriation to aid in building bridges over Mayfield's creek, and Clark's river, at the most important and impassible points.

And then the Senate adjourned.
The Senate assembled.
A message was received from the House of Representatives, announcing the passage of bills which originated in that house, of the following titles, viz.
An act to regulate ferries and the owners and keepers of ferries, across the Ohio river, within this commonwealth, and for other purposes.
An act to divorce Elizabeth Francis.
An act for the benefit of Jether Stroud, and Minerva Alma Right Stroud.
An act to confer certain powers on the county and circuit courts of Scott county.
An act to repeal in part an act, entitled, "an act to amend the law in relation to opening and repairing the public roads in certain counties.
An act to regulate ferries in this commonwealth. And,
An act for the benefit of the trustees of Edmundson county Seminary.
Mr. Fleming from the committee of Courts of Justice, to whom was referred a bill for the benefit of Paskell D. Craddock, reported the same with the following resolution thereon, viz:
Resolved, That the said bill ought not to pass.
Mr. Allen moved to amend the said resolution by striking out the word "not."
And the question being taken on the said motion, it was decided in the negative; and so the said bill was rejected.
The yeas and nays being required thereon by Messrs. Fleming and Griffith, were as follows, viz:
The said bill is as follows, viz:
Whereas, at the September term of the Green county court, in the year 1815, a certificate of actual settlement on 400 acres of land before the 6th day of Feb'ry, 1815. (No. 433) was obtained from said Court, by Jacob Hoover, who proceeded to have the land surveyed, and plat and certificate of survey made out, but failed to lodge the certificate of actual settlement in the Register's office, and obtain a warrant before the survey was made. By reason whereof, the Register entertains doubts as to the propriety of issuing a patent therefor; and whereas the aforesaid
plat and certificate has been regularly assigned to the aforesaid Paskell D. Craddock. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Register of the Land office, is hereby authorized and required, to issue a patent to the said Paskell D. Craddock, for the aforesaid land, upon his paying into the Treasury the sum of ten dollars per 100, for the aforesaid 400 acres of land, and producing a certificate from the Auditor that the money has been paid into the Treasury.

A message was received from the House of Representatives, by Mr. Phelps informing the Senate that they have appointed a committee of conference on their part, for the purpose of taking into consideration the expediency and propriety of adopting some mode different from the one now practised, in taking the joint vote of the two branches of the Legislature.

Whereupon Messrs. Wingate, Wickliffe and Casey were appointed a committee on the part of the Senate.

Mr. Maupin from the committee to whom was referred a bill to amend the execution laws of this commonwealth, reported the same with an amendment in lieu of the bill.

The said bill is as follows, viz:

Whereas, The existing laws exempt from sale under execution, for debt or distress for rent, the implements of husbandry, and household furniture necessary and indispensable to the support and maintenance of the families of poor debtors; and yet by the present laws, the standing crop produced by the labor of such debtors, with other necessary provisions, are wholly subject to be divested from the purposes contemplated by law by a sale under execution. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, whenever an execution or distress warrant shall be levied upon any corn, wheat, or other grain, either standing in the field or that may have been gathered, or shall have been put in cribs, barns, or any other house, it shall be the duty of the sheriff or other officer, on or before the day of sale, to summon two discreet housekeepers of the immediate neighborhood, who being duly charged upon oath or affirmation by the sheriff or other officer, who is hereby authorized to administer said oath or affirmation, faithfully to discharge the duties required of them, without favor, partiality or affection, and diligently to inquire into the circumstances and condition of the defendant or defendants in such execution or distress warrant, and by a writing under their hands and seals, return to said sheriff or other officer, the quantity or amount of grain in their opinion necessary to the moderate sustenance and support of the owner, his wife, and so many of his children as may not be able to make a support by their labor during that season, or until the next ensuing crop of
grain shall be ripe, and shall set the same apart for the use of said family; and the portion thus set apart, shall remain exempt from execution or distress, and the remainder may be sold as heretofore.

Sec. 2. Be it further enacted, That the commissioners mentioned in the foregoing section, may also in like manner, whenever an execution or distress warrant shall be levied on bacon, pork, or hogs, set apart so much thereof as in their opinion will be necessary to furnish a sufficient supply of meat for one year for the use of the owner, his wife, or so many of his children as are not able to make by labor, a sufficiency for their maintenance, which shall in like manner be exempt from execution or distress. Provided, however, That in no case shall this act apply to any person or persons, who is the owner of any slave or slaves—all laws contrary to this act shall be, and the same is hereby repealed.

Sec. 3. Be it further enacted, That said house-keepers summoned under this act, shall be allowed the sum of fifty cents each day they may be actually engaged in discharging the duties enjoined by this act: which shall be collected as other fees are, and which shall be taxed against the plaintiff or plaintiffs, in any such executions or distress warrants, provided they shall report to such sheriff or other officer, that they have not set apart more provision of any such debtor than is sufficient for the maintenance of his or her families, as prescribed by this act.

The said amendment is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in addition to the property now exempted from execution, there shall be allowed to every family so much of their crop of corn, wheat or other grain, either standing in the field, or which may have been gathered, or shall have been put in cribs, barns or any other house, as may be necessary to their sustenance until the next ensuing harvest. And there shall also be allowed to every family, so much of their bacon, beef, pork or other dead victuals, as may be necessary for their use for one year; and of their hogs, sheep or other cattle put up for fattening for their own proper use, as may be necessary for their next year's consumption. And it shall be the duty of the sheriff or other officer who may levy any execution or executions upon any of the above specified property, upon the application of the defendant or defendants in any such execution or executions, to go before the nearest and most convenient Justice of the peace of the county, and it shall be the duty of such Justice upon the application so made, to appoint a discreet housekeeper, neighbor to such defendant or defendants, and upon his failing or refusing to act, to appoint one who will act, who being duly sworn by said Justice, faithfully to discharge the duties required of them by this act, without favor or affection, to inquire into the condition of said defendant or defendants and fam-
ily, and by a writing under his hand and seal returned to said officer making the levy, set apart so much of the different kind of property mentioned in this act, as he may believe should be exempted from sale under said execution or executions, for the necessary use and sustenance of said defendant and his or her white family; and that portion so set apart, shall not be liable to execution or sale, but shall remain to the use of said defendant and family. And said housekeeper so appointed, shall be allowed fifty cents for each day he may be actually engaged in discharging the duties required by this act, which shall be collected as other fees, and shall be taxed against the plaintiff or plaintiffs in the execution, provided there shall not remain any of said property subject to sale by virtue of said execution or executions, under the provisions of this act.

Be it further enacted, That where any levy of any execution or executions shall be made by any sheriff or other officer upon any property mentioned in this act, and the defendant or defendants fail to procure the appointment of said housekeepers under this act, or shall fail to cause to be set apart, by the day of sale so much thereof as may be right and just, under the provisions of this act, it shall be the duty of said sheriff or other officer to proceed under said execution or executions, as if this act had never passed.

Be it further enacted, That nothing in this act shall be so construed as to protect any property mentioned in this act, from distress for rent or from the payment of the revenue tax or county levy.

This act shall commence and be in force from and after the first day of June next.

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

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


Mr. Faulkner then moved to amend the said bill as amended, by substituting therefor the following, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That in all cases hereafter, arising on contracts entered into after the first day of— when an execution shall issue from any clerk's office in this commonwealth, or from any justice of the peace, the defendant may call on one housekeeper, and the officer in whose hands such execution may be placed, shall call on one other housekeeper, and said house-keep-
ers shall have power, and shall proceed to value all the property shown to them by said defendant and said officer, as the property of said defendant; and if the property of said defendant shall not exceed the sum of———, said property shall be exempt from execution.

SEC. 2. Be it further enacted, That said house-keepers shall receive fifty cents a day for their services, and shall return the report of their proceedings to the officer, who shall be governed thereby according to the foregoing section, and shall return said report of the house-keepers with the execution.

And the question being taken on adopting the said amendment proposed by Mr. Faulkner, it was decided in the negative.

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


NAYS—Messrs. Allen, Beaseman, Bibb, Campbell, Casey, Clark, Conner, Cunningham, Dejarnett, Dougherty, Gholson, Griffin, Griffith, Harris, Maupin, Parks, Ray, Rudd, Selby, Stephens, Thompson, Wingate and Wood—23.

Mr. Thornton moved to amend the said bill, by adding to the first section the following proviso, viz:

"Provided, That this act shall not apply to contracts or causes of action entered into before the passage of this act."

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

The yeas and nays being required by Messrs. Ray and Thornton, were as follows, viz:


NAYS—Messrs. Allen, Beaseman, Bibb, Campbell, Dougherty, Gholson, Griffin, Harris, Maupin, Parks, Ray, Rudd and Selby—13.

Mr. Faulkner moved to amend the first section of the said bill, by adding thereto the following proviso, viz:

"Provided, further, That the provisions of this act shall not be construed to bar a collection in favor of a creditor, whose circumstances may be adjudged by the said commissioner more indigent than the debtor."

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

The yeas and nays being required by Messrs. Faulkner and Griffith, were as follows, viz:


NAYS—Messrs. Allen, Beaseman, Bibb, Campbell, Casey,
Ordered, That the said bill be engrossed and read a third time on Monday next.

On motion,  
Ordered, That leave of absence from the service of the Senate be granted to Mr. Rodman until Tuesday next.

Leave was given to bring in the following bills, viz:  
On motion of Mr. Stephens—1. A bill to incorporate the Newport manufacturing company.

On motion of Mr. Thornton—2. A bill concerning suits in alimony.

On motion of Mr. Beaseman—3. A bill to amend the road law.

On motion of Mr. Griffith—4. A bill for an appropriation to crossway, or otherwise improve the State road leading from Owenborough to Franklin, where it crosses the falls of Panther Creek in the county of Daviess.

On motion of Mr. Harris—5. A bill to provide for building a bridge across Slate creek in Bath county, near Owingsville. And,  
On motion of Mr. Parks—6. A bill for the relief of John H. Rudd, late sheriff of Bracken county.

Messrs. Stephens, Dougherty, Griffith, Wingate and Dejarnett were appointed a committee to prepare and bring in the first bill; Messrs. Thornton, Clark and Allen the second; Messrs. Beaseman, Fleming, Faulkner and Parks the third; Messrs. Griffith, Bobb and Wickliffe the fourth; Messrs. Harris, Fleming, Parks, Conner and Williams the fifth; and Messrs. Parks, Beaseman and Fleming the sixth.  

The following bills were reported from the several committees, appointed to prepare and bring in the same, viz:  
By Mr. Thornton—1. A bill for the benefit of Radford McCargo.

By Mr. Campbell—2. A bill for the benefit of the Cumberland Hospital.

By Mr. Stephens—3. A bill to incorporate the Newport manufacturing company. And,  

By Mr. Bibb—4. A bill to provide for opening a State road from the Yellow Banks, by the way of Hartford, to Russellville.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were committed; the first and third to the committee of Courts of Justice; the second to the committee of Finance; and the fourth to the committee of Internal Improvements.

On the motion of Mr. Harris,
Ordered, That the following statement be entered on the Journal, viz:

On the 11th instant, on the motion of Mr. Griffith, it was resolved, that so much of the Governor's message as relates to the removal of the obstructions in Green river, at the Vienna falls, be submitted to the committee of Internal Improvements; and on the motion of Mr. Harris, it was resolved, that the committee of Internal Improvements, be instructed to enquire into the expediency and propriety of improving the road from the mouth of Big Sandy, by way of Owingsville, Mountsterling and Winchester to Lexington. But by a mistake in printing the Journal, page 39, it is stated that Mr. Harris moved the former, and Mr. Griffith the latter resolution.

And then the Senate adjourned.

MONDAY, NOVEMBER 21, 1831.

The Senate assembled.

A message was received from the House of Representatives announcing the passage of bills which originated in that house of the following titles, viz:

An act to authorize certain county courts to permit gates to be erected across certain public roads.
An act to amend the several laws establishing and regulating the town of Covington.
An act to appropriate some of the vacant lands of this commonwealth, to improve certain roads in certain counties.
An act to incorporate the Rolling fork bridge company.
An act to change the place of taking the votes of the Salt river precinct in Anderson county.
An act to amend the duelling law.
An act requiring tavern keepers, pedlars of clocks, and the owners and keepers of covering horses and jacks, to pay taxes in advance and obtain license.
An act for the benefit of the surveyor of Jefferson county.
An act to amend the law concerning executors and administrators. And,

An act to amend an act, approved, January 29th, 1830, incorporating the Green river navigation company.
And that they had also passed a bill which originated in the Senate, entitled,

An act to authorize certain county courts to permit gates to be erected across certain roads.
And that they had received official information, that the Gov.
error had approved and signed bills which originated in that house of the following titles, viz:

On the 13th instant,

An act to provide for the appointment of trustees to the Stanford and Rockcastle seminaries, and for other purposes.

An act authorizing the insertion of advertisements in the “Farmer’s Record,” “Maysville Monitor,” “Lexington Observer” and “Louisville Price Current and Commercial Register.”

An act to add a part of the land of Richard Forrest to the town of Lebanon.

An act to regulate the town of Westport in Oldham county.

On the 17th instant,

An act to incorporate the Russellville female academy.

An act to continue in force an act for the benefit of the Head Right and Tellico settlers, and for other purposes.

An act to repeal an act entitled, an act to improve certain roads in Caldwell county, passed 14th January, 1831.

An act to establish an election precinct in Christian county.

An act to establish an additional election precinct on Long run, in Jefferson county.

On the 18th instant,

An act for the benefit of John W. Brite.

An act to establish the town of Canton, in Trigg county.

An act to repeal in part, an act passed on the 13th January, 1831, entitled, “an act to establish a State road from Hopkinsville, by the way of Cadiz, Canton, &c. to Columbus on the Mississippi river.” And,

An act to amend the law in relation to summoning guards to conduct convicts to the penitentiary.

Mr. Cunningham presented the petition of sundry citizens of Grayson county, praying an appropriation of money to improve the navigation of Caney creek.

Which was received, read and referred to the committee of Finance.

The Speaker laid before the Senate, a letter from the president of the Maysville, Washington, Paris and Lexington turnpike road company, enclosing the annual report of the said company.

The said letter and report are as follows, viz:

Maysville, 12th November, 1831.

The Hon. John Breathitt, Lieut. Gov. of Kentucky.

Sir—I have the honor of transmitting the report of the President and Directors of the Maysville, Washington, Paris and Lexington Turnpike road company, which you will please lay before the house over which you preside.

Respectfully, your ob’t serv’t,

John Armstrong, Pres.
To the General Assembly of the Commonwealth of Kentucky.

The President and Directors of the Maysville, Washington, Paris and Lexington Turnpike road company, beg leave to report:

That since their report to your honorable body at the last session, they have ascertained that the nett costs of the road from Maysville to the south boundary of Washington, which is four miles, thirty-five and a half poles, is $32,000. That on the 8th of November, 1830, they erected a toll gate, and on the 1st of April last declared a dividend of five dollars on each share of stock, and on the 1st of October last, made a dividend of six dollars and fifty cents on each share, making a dividend of eleven and half per cent from the 8th November, 1830, to the 1st October, 1831, and leaving a balance after paying all expenses, of $40.77 cents in the Treasury.

That owing to the balance of the road being unimproved, and the hardship there would be in compelling wagoners to pay full toll for so short a distance, they reduced the toll upon wagons with five and six horses to 25-cents since the first of April last, and have not required toll from passengers in stages, or carriages, or on foot.

That under the act authorizing the extension of the road from the south boundary of Washington to Lexington, they have obtained subscription of stock in the following counties, to-wit:

<table>
<thead>
<tr>
<th>County</th>
<th>Shares</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mason, by individuals</td>
<td>154</td>
<td>$15,400</td>
</tr>
<tr>
<td>Nicholas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bourbon, at Millersburg</td>
<td>93</td>
<td>9,300</td>
</tr>
<tr>
<td>&quot; Paris</td>
<td>360</td>
<td>36,000</td>
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<tr>
<td>Fayette</td>
<td>290</td>
<td>29,000</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>67</td>
<td>6,700</td>
</tr>
<tr>
<td>Fayette county court</td>
<td>150</td>
<td>15,000</td>
</tr>
<tr>
<td>Trustees of Maysville</td>
<td>280</td>
<td>28,000</td>
</tr>
<tr>
<td></td>
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<td>$141,500</td>
</tr>
</tbody>
</table>

The State of Kentucky | 250 | $75,000   |

$216,500

The road from the south boundary of Washington to Lexington is 56 miles and 275 poles; of which they have under contract 39 miles and 128 1-2 poles, to-wit: From Washington towards the Blue Licks, 15 miles; from Paris towards Maysville, 14 miles and 129 poles; and from Lexington towards Paris, 9 miles and 319 1-2 poles; the graduation not to exceed two degrees. The cost of grading, stoning, erecting bridges and culverts on that part of the road, amounts to $206,406 95 cents, leaving a balance of $10,093 04 cents to cover the contingent expenses.

The amount paid into the Treasury on the 1st day of October last, was,
From the Treasurer of the State of Kentucky, $24,900
Individul stockholders in Mason, 6,129
" " at Millersburg, 3,680
" " at Paris, 14,590
" " at Lexington, 15,772
Trustees of Maysville, 3,000

The amount paid out on the 1st of October was, 45,908.84

Balance in the hands of the Treasurer, $22,164.16
The President and Directors have had an estimate made by their engineer of the cost of constructing the balance of the road, which is 19 miles and 146 1/2 poles, to-wit:
From the termination of the present letting to the
Blue Licks, 5 miles and 160 poles, $25,280
From the Blue Licks to Gov. Metcalfe's the termination of the letting from Paris, 6 miles and 300 1/2 poles, 29,785.75
The street of Paris, 251 poles, 5,020
From Paris to the letting from Lexington, 6 miles 50 poles, 29,400

Two bridges at Paris, $97,485.75

That part of the road now under contract is in great forwardness, and a large proportion of it will be ready for travellers by the first of June next; and it would afford the President and Directors great pleasure if they could report to your honorable body, that they had the means of placing the balance of it under contract; but they are compelled to state, that notwithstanding every exertion on their part, they have not been able to procure the necessary funds. Capitalists appear to be unwilling to make investments where they cannot immediately derive an income; and from the time it takes to construct a turnpike road, a dividend of profits cannot be made under eighteen months or two years, and it is from this circumstance, they presume, that they have failed in procuring the subscription of stock necessary to complete the road. They feel confident that as soon as it is completed, the stock will be at an advance, as they believe it will yield from eight to ten per cent upon the capital. They have predicated this estimate upon the amount of toll received at the gates now erected, notwithstanding the great reduction that has been made. The travelling must increase as soon as the road is completed, as it
is the nearest and easiest channel of communication between the Ohio river and the interior of the state.

The President and Directors find that great inconvenience will arise, unless they are authorized to purchase an acre of land at each of the toll gates, or to have an acre of land condemned upon paying its value, in case they cannot purchase.

A correct statement of the progress of the work and of the funds and prospects of the company has now been laid before you, and we appeal to your honorable body, whether this important link of internal improvement shall languish for want of the aid of the government. The sum that is necessary to complete the work is inconsiderable, when compared with the immense importance of the road, and the great advantage the state will derive from the income upon the capital invested.

All which is respectfully submitted.

JOHN ARMSTRONG, Pres.

Ordered, That the said report be referred to the committee of Finance.

Mr. Selby from the committee of Courts of Justice, to whom was referred a bill for the benefit of Radford McCargo, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

On motion of Mr. Clark, he was excused from voting on said bill.

Mr. Hardin from the committee to whom was referred a bill from the House of Representatives, entitled, an act to establish an election precinct in Pike county, and for other purposes, reported the same with an amendment, which was twice read and concurred in.

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

The rule of the Senate, constitutional provision and third reading of the said bill having been dispensed with,

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

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

By Mr. Wickliffe from the committee of Courts of Justice, as unfinished business of last session—1. A bill to improve the public grounds around the capitol, and to secure the public property from injury.

By Mr. Harris—2. A bill for building a bridge over Slate creek, in Bath county. And,

By Mr. Thornton—3. A bill concerning suits for alimony.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second

K
reading of the said bills having been dispensed with, they were committed.

The first to a committee of the whole house, on the State of the commonwealth for Wednesday next; the second to the committee of Finance; and the third to the committee of Courts of Justice.

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

On motion of Mr. Thompson—A bill to amend the act, entitled, an act for the benefit of the heirs of Elizabeth Jones, approved, January 15th, 1831. And,

A bill to amend an act, entitled, an act to punish shooting or stabbing in sudden affrays, approved, February 13th, 1828. Messrs. Thompson, Boyd and Parks were appointed a committee to prepare and bring in the former; and Messrs. Thompson, Brown and Bibb the latter bill.

Mr. Wickliffe read and laid on the table the following resolution, to wit:

Resolved by the General Assembly of the Commonwealth of Kentucky, That a law ought to pass levying a tax on all slaves brought into this State from other States; and all slaves taken out of this State, to raise a fund for the removal of the free persons of color from this State out of the United States.

On Motion of Mr. Clark,

Resolved, That the committee on elections enquire into the expediency of so amending the election laws, as to make it the duty of the electors residing in election precincts, to vote at the respective places fixed by law for holding elections; and prohibiting those residing out of the precincts from voting in said precincts.

Mr. Wingate from the committee of enrollments, reported, that the committee had examined enrolled bills, and a resolution of the following titles, viz:

An act to authorize the county courts of Montgomery, Bath, Morgan, Floyd and Pike, to change the State road in their respective counties, leading from Mountsterling to the Virginia State line, through Prestonsburg.

An act to establish election precincts in the City of Louisville, and for other purposes.

An act to establish an election precinct in Pike county, and for other purposes.

An act to amend an act, entitled, an act appropriating certain vacant lands to the improvement of the public roads in the counties of Russell, Monroe, Allen and Cumberland, approved January 25th, 1830.

An act to legalize the proceedings of the trustees of the town of Shepherdsville in Bullitt county.

An act allowing three additional terms to the Bracken county court.

An act for the benefit of William S. Shackleford.
An act further to regulate the town of Princeton.
An act to repeal the law establishing an election precinct in Muhlenburg county, and for other purposes.
An act for the benefit of Micajah Harrison, clerk of the Montgomery county court.
An act to authorize the trustees of Bowling-Green, and the county court of Warren to improve said town. And also,
A joint resolution for the appointment of committees to examine and report the condition of the Auditor’s, Treasurer’s and Register’s office, the Bank of Kentucky, the Bank of the Commonwealth and the Penitentiary. And had found the same truly enrolled, and that they were signed by the Speaker of the House of Representatives.
Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature; after a short time Mr. Wingate reported, that the committee had performed that duty.
Mr. Maupin moved for leave to bring in a bill to providing the deficit in the Treasury, and for an equal distribution of the funds in the Bank of Kentucky, and Commonwealth’s Bank, for the purpose of Internal Improvements; and the question being taken on granting leave to bring in said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Maupin and Hardin, were as follows, viz:
NAYS—Messrs. Casey, Clark, Faulkner, George, Gholson, Owley, Thornton and Wickliffe—8.

Ordered, That the committee of Finance prepare and bring in said bill.

A bill to amend the law on the subject of divorces, was read the second time, and referred to the committee of Courts of Justice.

An engrossed bill, entitled, an act to amend the execution laws of this commonwealth, was read the third time.

And the question being taken on the passage of the said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Maupin and Dougherty, were as follows, viz:
YEAS—Messrs. Allen, Beasman, Bibb, Campbell, Casey, Clark, Conner, Cunningham, Dejarnett, Dougherty, Gholson, Griffin, Guthrie, Harris, Maupin, Parks, J. Payne, Ray, Selby, Stephens, Thompson, Wingate and Wood—23.
Resolved, That the title of the said bill be as aforesaid.
Bills from the House of Representatives, of the following titles, viz:
1. An act to regulate ferries and the owners and keepers of ferries across the Ohio river, within this commonwealth, and for other purposes.
2. An act to divorce Elizabeth Francis.
3. An act for the benefit of Jether Stroud and Minerva Alma Right Stroud.
4. An act to confer certain powers on the county and circuit courts of Scott county.
5. An act to repeal in part an act entitled "an act to amend the law in relation to opening and repairing the public roads in certain counties.
6. An act to regulate ferries in this commonwealth.
7. An act for the benefit of the trustees of Edmonson county seminary.
8. An act to authorize certain county courts to permit gates to be erected across certain public roads.
9. An act to amend the several laws establishing and regulating the town of Covington.
10. An act to appropriate some of the vacant lands of this commonwealth to the improvement of certain roads in certain counties.
11. An act to incorporate the Rolling fork bridge company.
12. An act to change the place of taking the votes of the Salt river precinct in Anderson county.
13. An act to amend the duelling law.
14. An act to amend the law concerning executors and administrators.
15. An act to amend an act approved January 29th, 1830, incorporating the Green river navigation company. And,
Were severally read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, second, sixth, eighth, ninth, tenth, eleventh, fourteenth, fifteenth and sixteenth bills having been dispensed with, they were severally committed: The first, ninth and fourteenth to the committee of Courts of Justice; the second to the committee of Religion; the sixth to a committee of Messrs. Maupin, Campbell, Parks, Hardin, W. C. Payne and Casey; the eighth to a committee of Messrs. Harris, Stephens, Dejarnett, J. Payne, Thornton and Griffin; the eleventh to a committee of Messrs. Hardin, Rudd, Ray and Guthrie; the tenth and fifteenth to the committee of Internal Improvements; and the sixteenth to the committee of Finance.

The rule of the Senate, constitutional provision, and second
and third readings of the fourth, fifth, seventh and twelfth bills having been dispensed with, and the fourth being amended,

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

And then the Senate adjourned.

TUESDAY, NOVEMBER 22, 1831.

The Senate assembled.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

An act to amend the laws in relation to the erection of mills in this commonwealth.

An act to authorize the trustees of Pikeville, to sell the seminary lands of Pike county, and for other purposes.

An act to establish an election precinct in Hardin county.

An act to amend an act, entitled, an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness State road; approved, January 29th, 1830; and an amendatory act thereto, approved, December 30th, 1830.

Mr. Dougherty presented the petition of sundry citizens of Bracken county, praying that a part of said county be added to the county of Pendleton.

Which was received, and referred to the committee of Propositions and Grievances.

Mr. Fleming from the committee of Courts of Justice, made the following report, viz:

The committee of Courts of Justice, to whom was referred the nomination of Joseph Clarke, to be sheriff of Franklin county, have had the same under consideration, and have come to the following resolution thereon:

Resolved, That the Senate do advise and consent to said appointment.

Which was twice read and concurred in.

Ordered, That Mr. Fleming inform the Governor thereof.

Mr. Selby from the committee of Courts of Justice, to whom was referred a bill for the relief of Douglas Butler; and a bill from the House of Representatives, entitled, an act to organize a fire company in the town of Nicholasville, reported the same without amendment.

Ordered, That the said bills be read a third time, and that the former bill be engrossed.

The rule of the Senate, constitutional provision, and third reading of the said bills, having been dispensed with, and the former being engrossed,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Guthrie from the committee of Courts of Justice, made the following report, viz:

The committee of Courts of Justice, have agreeable to order, had under consideration the petition of George W. Damron, guardian for Ann Elizabeth Squires, praying a law may pass to render valid a sale of slaves made by the guardian; and have come to the resolution, that said petition be rejected.

Which was twice read, and on the motion of Mr. Selby, amended by striking out the words, be rejected, and inserting in lieu thereof, the words, is reasonable; and concurred in.

Ordered, That the committee of Courts of Justice prepare and bring in a bill pursuant thereto.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred, a bill to incorporate a company under the style of the Louisville Merchants Insurance company; and a bill for the benefit of the Mechanics of the City of Louisville, reported the same without amendment.

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

The rule of the Senate, constitutional provision, and third reading of the former bill having been dispensed with, and the same being engrossed,

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

Mr. Guthrie from the same committee, to whom was referred, a bill from the House of Representatives, entitled, an act to authorize the sale of the undivided interest of Margaret and Matthew Castillo, in, and to, two hundred acres of land in Wayne county, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass; which was twice read and concurred in; and so the said bill was disagreed to.

Mr. Guthrie from the same committee, to whom was referred, a bill to incorporate the Newport manufacturing company, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Guthrie from the same committee, to whom was referred, a bill to amend the law on the subject of divorces, reported the same with amendments.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That any woman or man, whose husband or wife, hath theretofore obtained a divorce in any circuit court of this State, or by an act of the Legislature thereof, shall be released from the pains and penalties which the law prescribes against a marriage, whilst a former husband or wife, is living, upon condition, that the person thus aggrieved, makes application to the circuit court of
the county wherein the applicant resides; and upon proof being made to the satisfaction of such court, that such applicant has reformed, and from all appearance, will continue to live as a moral and respectable citizen, a decree shall be rendered accordingly: Provided, however, That no such decree shall be rendered in favor of any applicant for a release, until the expiration of one full year after the time of granting the original divorce, if founded upon abandonment alone; and if founded upon abandonment and adultery, it shall require two full years; and if founded upon cruel, barbarous and inhumane treatment, so as to endanger life, or felony in the man, or felony in the woman, it shall require the lapse of five full years, from the date of the original divorce, before a decree under this act shall be rendered, so as to be considered an effectual release.

The said amendments propose to strike out the word one, printed in italics, and to insert in lieu thereof two; and to strike out the word two, printed in italics, and to insert in lieu thereof three.

Mr. Hardin moved to lay the said bill and amendments on the table until the first day of June next.

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

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


NAYS—Messrs. Campbell, Cunningham, Dejarnett, Fleming, Griffin, Selby and Thompson—7.

Mr. Guthrie from the same committee, to whom was referred a bill concerning suits for alimony, reported the same with amendments, which were twice read and concurred in.

The said bill was further amended and ordered to be engrossed, and read a third time, to-morrow.

Mr. Guthrie from the same committee, reported a bill to encourage the publication of a Digest of the Decisions of the Court of Appeals, which was read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

On motion of Mr. Campbell,

Ordered, That the public printer print one hundred and fifty copies of the number of voters in the several counties in this state, furnished by the Auditor to the committee on the ratio bill, and that the same be entered on the Journal of the Senate.
State of Kentucky, Auditor's Office, Frankfort 21st Nov. 1831.

A statement of the number of white males over 21 years of age for the year 1831.

<table>
<thead>
<tr>
<th>COUNTIES</th>
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<th>COUNTIES</th>
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<td>Knox</td>
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<td>Harlan</td>
<td>do 425</td>
<td>Wayne</td>
<td>do 1194</td>
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Total number by the above returns are 95,401.

* Taken from the books of 1830.
Mr. Allen from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled an act providing for the improvement of the navigation of the Kentucky river, from Frankfort to the Ohio river, reported the same with an amendment; which was twice read and concurred in.

Mr. Hardin moved to commit the said bill to the committee of Finance.

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

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


Mr. Maupin from the committee to whom was referred a bill from the House of Representatives, entitled an act to regulate ferries in this commonwealth, reported the same with an amendment, which was twice read, as follows, viz:

Be it further enacted, That the owner of the ferry commonly called Abney's ferry, in Green county, where the Lexington and Nashville road crosses Green river, shall on or before the first day of August next, pave with stone the road on the south side of Green river, from low water mark to high water mark, at least ten feet wide, and upon his failure or refusal to do so, he shall forfeit and pay at least one dollar per day, for every day said road shall remain unpaved, to be proceeded against by presentment of the grand jury, as in other road cases, &c.; to be collected as other fines are, and the said fines shall go towards lessening the county levy of Green county. And it shall be the duty of the owner or renter of said ferry when said road shall have been paved, to keep the same in good order and repair thereafter; and upon a failure so to do, it shall be the duty of the grand jury of Green county to proceed against the owner or renter of said ferry, as in other road cases. And when said pavement shall have been completed, it shall and may be lawful for said ferry keeper to charge and receive sixty-two and a half cents for each four horse wagon, crossing in said ferry.

And the question being taken on concurring in the said amendment, it was decided in the affirmative.

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

YEAS—Messrs. Allen, Beaseman, Bibb, Campbell, Clark,
Conner, Cunningham, Dejarnett, Dougherty, Faulkner, George, Griffin, Griffith, Guthrie, Hardin, Harris, Maupin, Parks, J. Payne, W. C. Payne, Rodman, Selby, Stephens, Thompson and Wood—25.


The first section of the said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter at all general elections in this Commonwealth, it shall be the duty of all owners or keepers of public ferries, to ferry free of charge when the stream is not fordable, all qualified voters going to and returning from said election; and upon his or their failure to do so, they shall for each and every failure forfeit and pay ten dollars, recoverable before any Justice of the peace of the county.

Mr. Campbell moved to amend the said bill by striking out the said section after the enacting clause.

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

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


NAYS—Messrs. Allen, Bibb, Casey, Clark, Conner, Cunningham, Dougherty, Faulkner, Fleming, Gholson, Griffin, Harris, Maupin, Owsley, Parks, W. C. Payne, Rodman, Stephens and Wood—19.

Mr. Campbell moved to amend the said section by inserting after the word "fordable" printed in italics, these words: "and all keepers of toll bridges and turnpike gates, to permit to pass free from toll."

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

The yeas and nays being required thereon by Messrs. Campbell and Ray, are as follows, viz:

YEAS—Messrs. Beaseman, Campbell, Casey, Cunningham, Faulkner, Maupin, Selby and Wingate—8.


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

The yeas and nays being required thereon, by Messrs. Maupin and Wingate, were as follows, viz:
YEAS—Messrs. Allen, Bibb, Casey, Clark, Conner, Cunningham, DeJarnett, Dougherty, Faulkner, Gholson, Griffin, Harris, Maupin, Parks, Payne, Stephens and Wood—17.


Mr. Stephens from the committee, to whom was referred a bill from the House of Representatives, entitled, an act to authorize certain county courts to permit gates to be erected across certain public roads, reported the same with an amendment, which was twice read and concurred in.

Resolved, That the said bill as amended be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Wingate from the committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend the several laws, concerning the opening and changing public roads, reported the same without amendment.

Ordered, that the said bill be read a third time.

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

By Mr. Thompson—1. A bill to amend an act, entitled, an act to punish shooting or stabbing in sudden affrays, approved, February 13th, 1828.

By Mr. Parks—2. A bill to amend an act, entitled, an act for the benefit of John H. Rudd. And,

By Mr. Ray—3. A bill establishing an academy in the town of Brandenburg, in Meade county.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the second bill, and the second and third readings of the third bill having been dispensed with; the second was referred to the committee of Finance.

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

Mr. Hardin, from the committee, to whom was referred, a bill to allow an additional justice of the peace to Greenup county, reported the same with an amendment, which was twice read and concurred in.

The said bill was further amended.

Mr. Taylor moved to amend the said bill, by striking out so much thereof, as requires the persons to be appointed justices of the peace to reside at the time of their appointments, in certain parts of their counties, specified in said bill.
And the question being taken thereon, it was decided in the
negative.

The yeas and nays being required thereon by Messrs. Flem-
ing and Parks, were as follows, viz:


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

And then the Senate adjourned.

WEDNESDAY, NOVEMBER 23, 1831.

The Senate assembled.

A message was received from the House of Representatives,
announcing the passage of a bill which originated in the Senate,
entitled, an act to authorize a fire company in the town of Bow-
ing green, and for other purposes; with amendments.

And that they have received official information that the Gov-
ernor on the 21st instant, approved and signed enrolled bills,
which originated in that House, of the following titles, viz:

An act to repeal the law establishing an election precinct in Muhlenburg county, and for other purposes.

An act for the benefit of Micajah Harrison clerk of the Mont-
gomery county court.

An act further to regulate the town of Princeton.

An act to authorize the trustees of Bowling-Green, and the county court of Warren to improve said town.

An act for the benefit of William S. Shackleford.

An act to amend an act, entitled, an act appropriating certain vacant lands to the improvement of the public roads in the counties of Russell, Monroe, Allen and Cumberland, approved January 28th, 1830.

An act to protect the actual settlers west of the Tennessee river.

An act to legalize the proceedings of the trustees of the town of Shepherdsville in Bullitt county.

An act allowing three additional terms to the Bracken county court.

An act to authorize the county courts of Montgomery, Bath, Morgan, Floyd and Pike, to change the State road in their respective counties, leading from Mountsterling to the Virginia line, through Prestonsburg.
An act to establish election precincts in the City of Louisville, and for other purposes.

A joint resolution for the appointment of committees to examine and report the condition of the Auditor's, Treasurer's and Register's offices, the Bank of Kentucky, the Bank of the Commonwealth and the Penitentiary.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law concerning executors and administrators, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in; and so the said bill was disagreed to.

Mr. Guthrie from the same committee, to whom was referred bills from the House of Representatives of the following titles, viz:

An act to amend the law in relation to Idiots.
An act to regulate ferries and the owners and keepers of ferries across the Ohio river, within this commonwealth, and for other purposes. And,
An act to amend the several laws, establishing and regulating the town of Covington; reported the same with amendments to each; which were twice read and concurred in.

Ordered, That the said bills be read a third time.

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

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

The following bills were reported, viz:

By Mr. Guthrie from the committee of Courts of Justice.
1. A bill authorizing the Louisville and Portland canal company to increase their capital stock.
2. A bill for the punishment of persons guilty of receiving bank notes, and other writings, knowing them to be stolen.
3. A bill for the benefit of the heirs of Stephen Ashby, jr. dec.
4. A bill for the benefit of the children of Andrew Luttrell and Hosea Smith.
5. By Mr. Selby from the same committee, a bill for the benefit of George W. Damron.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first, third and fifth bills having been dispensed with, and the same being engrossed,

Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.
Mr. Allen from the committee of Internal Improvements, made the following report, viz:

The committee on Internal Improvement to whom was referred a resolution instructing them to inquire into the propriety of making an appropriation to aid in building bridges across certain streams, south west of the Tennessee river, at the most important and impassable points, have had the same under consideration, and beg leave to report: That they have carefully inquired into the subject, and have heard the statements of gentlemen who profess to be well acquainted with that country, and the committee are of opinion that the Legislature should extend some aid to the counties south west of the Tennessee river, for the purpose of erecting bridges over the Obion, on the road from Clinton to Mayfield; and across Mayfield’s creek on the road from Mayfield to Waidboro; and across Clark’s river, on the road from Waidboro to Smithland; and from Waidboro to Hopkinsville; and across Island creek where the road from the mouth of Clark’s river to Paducah crosses the same. Your committee would state, that in consequence of the large sums which have been paid into the land office, amounting to near two hundred thousand dollars, there appears from the representations made to the committee, to be a great scarcity of money in those counties; and the county court of Hickman county having let out the building of several bridges in that county, the cost of which appears to be $1313; your committee would therefore advise, that a sum of money, not exceeding $400 be appropriated to said county to aid in the construction of said bridges. The committee are satisfied, that the erection of bridges at said points, are not only necessary to the present convenience of the people south west of the Tennessee river, but would add much to forward the improvement of that section of the state, thereby affording great and necessary facilities for travelling and for the transportation of produce to market. The committee are impressed with the opinion that the state ought to contribute at least two thirds in money, of the sums necessary to build said proposed bridges; they believe it to be consonant with the true principles of legislation and consistent with justice. The people of that section have paid, as before stated, large sums into the public treasury, and no appropriation to any purpose whatever, has ever been made to that section of the state. The committee are of opinion that there are various objects to which appropriations might be beneficially made in those counties, but none that would result in greater good than those now proposed by the committee.

The committee have inquired into the probable costs of building the bridges proposed and here recommended, and are of opinion that the sum of $1000 would be an ample sum to aid those
counties to build good and substantial bridges at the points spoken of aforesaid. Therefore,

Resolved, That a bill be reported to the Senate, embracing the objects of the aforesaid report, entitled a bill for the benefit of Hickman county, and to aid the counties of Calloway, Graves and McCracken, to build certain bridges.

The said bill was reported by Mr. Allen and read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Mr. Wingate from the committee of Enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

- An act for the benefit of the trustees of the Edmonson county seminary.
- An act to change the place of taking the votes of the Salt river precinct in Anderson county.
- An act to repeal in part an act entitled "an act to amend the law in relation to opening and repairing the public roads in certain counties.
- An act to authorize certain county courts to permit gates to be erected across certain roads.

And had found the same truly enrolled.

That the said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature; after a short time. Mr. Wingate reported that the committee had performed that duty.

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

On motion of Mr. Campbell—1. A bill for the benefit of Martin Stafford, and others.

On motion of Mr. Rodman—2. A bill to change the place of voting in the Floydsburg precinct in Oldham county. And,

On motion of Mr. Hardin—3. A bill to improve the navigation of Salt river.

Messrs. Campbell, Gholson and Bibb, were appointed a committee to prepare and bring in the first.

Messrs. Rodman, Dougherty, and Boyd the second. And,

Messrs. Hardin, Thompson and Guthrie the third.

On motion, leave of absence from the service of the Senate was granted to Mr. Brown, until Monday next.

On motion of Mr. Beaseman,

Resolved, That the committee of Internal Improvement be instructed to inquire into the expediency and propriety of appropriating the fines and forfeitures of Harrison county, to aid in
keeping in repair some one of the public roads in said county, leading through the same to the City of Cincinnati, and report which of said roads in their opinion (if either) said fines and forfeitures should be applied to.

The amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to authorize a fire company in the town of Bowling-green, and for other purposes, were twice read and concurred in.

An engrossed bill, entitled, an act for the benefit of Radford McCargo, was read a third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

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


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

A bill from the House of Representatives, entitled, an act for the benefit of Jether Stroud, and Minerva Alma Right Stroud, was read the second time, and ordered to be read a third time.

The rule of the Senate, constitutional provision and third reading of the said bill having been dispensed with,

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

A bill from the House of Representatives, entitled, an act to amend the dueling law, was read the second time.

And the question being taken on reading the said bill a third time, it was decided in the affirmative.

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


Mr. Clark from the committee of Propositions and Grievances, made the following report, viz:

Resolved, That the petition of sundry citizens of Washington county, praying a division of said county, ought not to be granted.

Which being twice read, the question was taken on concurring therein, and it was decided in the affirmative.
The yeas and nays being required thereon by Messrs. Allen and Rudd, were as follows, viz:


On motion, Ordered, That the parties have leave to withdraw their papers.

A bill from the House of Representatives, entitled, an act requiring tavern keepers, pedlars in clocks, and the owners and keepers of covering horses and jacks, to pay taxes in advance, and obtain license, was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill, having been dispensed with, it was referred to the committee of Finance.

Bills from the House of Representatives, of the following titles, viz:

An act to amend the laws in relation to the erection of mills in this commonwealth.

An act to authorize the trustees of Pikeville, to sell the seminary lands of Pike county, and for other purposes. And,

An act to establish an election precinct in Hardin county,

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

The rule of the Senate, constitutional provision and second and third readings of the said bills having been dispensed with, Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to amend an act, entitled an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness State road, approved, January 29th, 1830; and an amendatory act thereto, approved, December 30th, 1830.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Internal Improvement.

A bill to amend an act entitled an act to punish shooting or stabbing in sudden affrays, approved February 13th, 1828, was read the second time, and referred to the committee of Courts of Justice.

A bill from the House of Representatives, entitled an act to regulate ferries in this commonwealth, was read the third time as M
amended, and it was committed to a committee of Messrs. Wood, Maupin, Allen, Campbell, Parks and Gholson.

Engrossed bills of the following titles, viz:

An act for the benefit of the mechanics of the city of Louisville.

And,

An act to incorporate the Newport manufacturing company,

were each read the third time.

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

A bill from the House of Representatives, entitled an act to amend the several laws concerning the opening and changing public roads, was read the third time.

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

An engrossed bill entitled an act to allow an additional justice of the peace to Greenup county, was read the third time.

Resolved, That the said bill do pass, and that the title thereof be, "An act to allow additional justices of the peace to certain counties."

An engrossed bill entitled an act concerning suits for alimony, was read the third time, and amended by way of engrossed rider.

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

Mr. Rodman from the committee appointed for that purpose, reported a bill to change the place of voting in the Floydsburg precinct in Oldham county, was read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

And then the Senate adjourned.

THURSDAY, NOVEMBER 24, 1831.

The Senate assembled.

Mr. Allen from the committee of Internal Improvements, made the following report, viz:

The committee of Internal Improvement, to whom was referred a resolution, on so much of the Governor's message as relates to the removal of obstructions in Green river, at the Vienna falls, have had the same under consideration, and report as follows:

They have endeavored to procure from individuals, whose op-
opportunities enabled them to give the best information on the subject, and through them, have procured the subjoined statement of facts.

The length of the falls is about 160 poles; the width of the river at the upper end of the falls, is about 22 poles, and at the lower end, about 18 poles; about mid-way of the falls 50 poles. The descent is gradual, and nowhere perpendicular. The whole descent, or perpendicular height of the fall at the lower end, is 8 feet 6 inches. The strata is slate soap stone, some part of which is hard, but mostly soft enough to cut with an axe. There is a large column of water about 16 feet deep at the upper end of the falls, at low water mark; at the lower end also, it is very deep. The strata of rock resembles a ridge across the stream. It is believed that a channel cut through the rock about 50 feet wide, and 10 feet deep at the upper, and 6 feet at the lower end, that it would afford sufficient water for the passage of steam boats, when the river is in a proper stage for navigation. If the current in the channel should prove to be too swift to be encountered by the power of the steam boat, this current could be overcome by cordelling.

No danger is to be apprehended from the channel producing shoals or sand bars above the falls, inasmuch as the water is very deep for many miles above, and scarcely any current. By concentrating the water in the channel, the motion of the water above might be a little accelerated, but not a great deal; for the water which spreads over the rock from shore to shore, all being embodied in the channel, would be very little lowered at the upper end of the channel.

Your committee are inclined to believe that the bill reported from the House of Representatives, and referred to your committee, will best answer the purpose of removing the obstructions in the said river at the falls.

Therefore, resolved, That the said bill be reported to the Senate with an amendment, as embracing the object of said resolution.

Mr. Allen from the same committee reported the said bill from the House of Representatives, entitled, an act to amend an act, approved, January 29th, 1830, incorporating the Green river navigation company, with amendments, which were twice read and concurred in.

Ordered, That the said bill be committed to the committee of Finance.

Mr. Allen from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to appropriate some of the vacant lands of this commonwealth, to improve certain roads in certain counties, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be read a third time.
The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Allen from the same committee, to whom was referred a bill to incorporate a company to build a bridge across the Ohio river near the falls, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Richard Apperson and Andrew Trumbo, jr. reported the same with amendments.

The bill provides that the Auditor of Public Accounts issue his warrant on the Treasurer, in favor of Richard Apperson, for the sum of thirty-three dollars and thirty-three cents, for his services rendered as commonwealth's attorney in the 11th judicial district, in the Pike and Lawrence circuit courts, during the vacancy occasioned by the resignation of James Trimble, and before his successor was sworn.

The first amendment proposes to strike out "thirty-three dollars and thirty-three cents," and to insert in lieu thereof, "eighteen dollars thirty-three and a half cents."

And the question being taken on concurring in the said amendment, it was decided in the affirmative.

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


NAYS—Messrs. Bibb, Casey, Clark, Conner, Harris, Rudd, Thornton and Williams—8.

The other amendment was then concurred in, and the said bill was ordered to be read a third time as amended.

The rule of the Senate, constitutional provision and third reading of the said bill having been dispensed with,

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

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of George Owens, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.
Mr. Campbell moved to amend the said resolution by striking out the word "not."

And the question being taken thereon, it was decided in the negative, and so the said bill was disagreed to.

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

YEAS—Messrs. Campbell, Gholson and Griffith—3.


Mr. Hardin from the same committee to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the surveyor of Jefferson county, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Hardin from the same committee to whom was referred a bill for the benefit of Samuel Woodson, clerk of the Hopkins county court, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Mr. Casey moved to amend the said report by striking out the word "not."

And the question being taken thereon, it was decided in the negative, and so the said bill was rejected.

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

On motion of Mr. Maupin—1. A bill to provide for removing the obstructions in Beaver creek, from the mouth of the south fork to Big Barren river.

On motion of Mr. Dougherty—2. A bill to appoint one additional justice of the peace and Constable for the county of Gallatin. And,

On motion of Mr. Campbell—3. A bill to improve the road from Salem to the mouth of Cumberland river.

Messrs. Maupin, Allen and W. C. Payne, were appointed a committee to prepare and bring in the first; Messrs. Dougherty, Stephens and Dejarnett the second; and Messrs. Campbell, Gholson and Bibb the third.

On motion of Mr. Dougherty,

Resolved, That the committee on Internal Improvements be
instructed to enquire into the propriety and expediency of erecting a bridge across Licking, at Falmouth.

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

By Mr. Thompson—1. A bill to amend an act entitled an act for the benefit of the heirs of Elizabeth Jones, deceased, approved January 15th, 1831. And,

By Mr. Ray—2. A bill establishing an inspection of whiskey, flour, beef and pork in the town of Brandenburg, Meade county.

The said bills were each read the first time, and ordered to be read a second time.

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

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

A bill for the punishment of persons guilty of receiving bank notes, and other writings, knowing them to be stolen. And,

A bill for the benefit of the children of William Luttrell and Hosea Smith, were each read the second time, and ordered to be engrossed and read a third time, the former on to-morrow.

The rule of the Senate, constitutional provision and third reading of the latter bill having been dispensed with, and the same being engrossed,

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

A message was received from the House of Representatives, announcing the passage of bills which originated in that house, of the following titles, viz:

1. An act to regulate the tax upon merchandize.

2. An act for the benefit of the administrator of Marquis D. Richardson.

3. An act authorising the sale of the Mountsterling Seminary and lot, and for other purposes.

4. An act to establish an election precinct in Harrison county. And,

5. An act appointing trustees to the town of Fredericksburg, in Gallatin county, and to Clinton, in Hickman county.

The said bills were severally read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the first, third and fifth bills, and second and third readings of the fourth bill having been dispensed with, the first was referred to the committee of Finance; the third to the committee of Courts of Justice; and the fifth to a committee of Messrs. Dougherty, Stephens, Campbell and Taylor.

Resolved, That the fourth bill do pass, and that the title thereof be as aforesaid.
A bill from the House of Representatives, entitled an act to amend the duelling law, was read the third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

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


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

Mr. Campbell from the committee appointed for that purpose, reported a bill to improve the road from Salem to the mouth of Cumberland river, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill was dispensed with.

And then the Senate adjourned.

FRIDAY, NOVEMBER 25, 1831.

The Senate assembled.

Mr. Faulkner from the committee of Privileges and Elections made the following report, viz:

The committee of Privileges and Elections, have, according to order, had under consideration the returns from the several Senatorial districts, and report the following gentlemen elected, viz:

From the counties of Adair, Russell and Casey, Benjamin Selby; from the counties of Barren and Edmondson, Robert D. Maupin; from the counties of Cumberland and Monroe, William Wood; from the counties of Allen and Warren, William C. Payne; from the counties of Butler, Grayson and Muhlenburg, William Cunningham; from the counties of Logan and Simpson, John B. Bibb; from the counties of Hopkins, Henderson and Union, Samuel Casey; from the counties of Calloway, Graves, Hickman, McCracken, Livingston and Caldwell, James Campbell; from the counties of Christian, Trigg and Todd, James Gholson; from the counties of Daviess, Ohio, Breckenridge and Hancock, William R. Griffith; from the counties of Green and Hart, James Allen; from the counties of Hardin and Meade, John C. Ray; from the counties of Jefferson and Bullitt, James Guthrie; from the counties of Lincoln, Rockcastle and Laurel, Henry Owsley; from the counties of Henry and Oldham, John Rodman; from the county of
Shelby, William G. Boyd; from the county of Washington, Christopher A. Rudd; from the county of Mercer, John B. Thompson; from the county of Garrard, John Faulkner; from the county of Madison, James Dejarnett; from the counties of Pulaski and Wayne, John Griffin; from the counties of Knox, Clay, Harlan, Perry and Whitley, Robert George; from the counties of Nelson and Spencer, Benjamin Hardin; from the counties of Campbell and Boone, Leonard Stephens; from the counties of Grant, Pendleton and Gallatin, Robert S. Dougherty; from the county of Scott, John Payne; from the counties of Franklin, Owen and Anderson, Cyrus Wingate; from the county of Harrison, John O. Beaseman, James Allen, John C. Ray, John Faulkner, John Griffin, Cyrus Wingate, John Payne and Samuel L. Williams, expire in the year 1832.


And that of James Gholson, William R. Griffith, James Guthrie, John Rodman, Benjamin Hardin, Robert Taylor, William P. Fleming, James Clark and David K. Harris, in the year 1835.

On motion,

Ordered, That the Committee of the whole be discharged from the further consideration of a bill to improve the public ground around the capitol, and to secure the public property from injury; and that the said bill be placed in the orders of the day.

A message was received from the House of Representatives, announcing the passage of a bill from that House, entitled, an act establishing an election precinct in Hardin county.

And the passage of bills from the Senate, entitled, an act for the benefit of Reuben Drysdale and others. And,

An act to incorporate the Newport manufacturing company.

On motion of Mr. Rudd, leave was given to bring in a bill
further to regulate conveyances; and Messrs. Rudd, Thompson and Ray were appointed a committee to prepare and bring in the same.

Mr. Dougherty, from the committee appointed for that purpose, reported a bill to appoint one additional justice of the peace and constable to Gallatin county.

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

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed.

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

A message was received from the Governor, by Mr. Crittenden Secretary of State, informing the Senate, that the Governor, on the 24th, instant, approved and signed an enrolled bill which originated in the Senate, entitled, an act to authorize certain county courts to permit gates to be erected across certain roads.

The Senate according to the standing order of the day, resolved itself into a committee of the whole house on the State of the commonwealth, Mr. Faulker in the chair. After some time spent in committee, Mr. Speaker resumed the chair, when Mr. Faulker reported that the committee had, according to order, had under consideration, the preamble and resolution read and laid on the table by Mr. Harris, on the 12th instant, and the report of the committee of Internal Improvements thereon; and had gone through the same without making any amendment thereto.

The said resolution and report were laid on the table.

On motion of Mr. Ray.

Resolved, That the committee on Internal Improvements, be instructed to enquire into the propriety and expediency of incorporating a company to turnpike the road leading from Louisville to Nashville.

Mr. Wickliffe from the committee appointed for that purpose, reported a bill to repeal in part the charter of Louisville, and for other purposes; which was read the first time, and ordered to be read a second.

A bill to improve the road from Salem to the mouth of Cumberland river, was ordered to be engrossed and read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispersed with, and the same being engrossed.

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

An engrossed bill, entitled, an act for the punishment of persons guilty of receiving Bank notes, and other writings, knowing
the same to be stolen, was read the third time, and committed to
the committee of Courts of Justice.
A message in writing was received from the Governor by Mr.
Crittenden, Secretary of State. The rule of the Senate having
been dispensed with, it was taken up and read as follows, viz:

Gentlemen of the Senate—The accompanying letter of Colonel
Wm. Bailey, will explain to you the reasons why I have respect-
fully to ask leave to withdraw the nomination of Job Sharp, as
lieutenant colonel of the 93d regiment, and to nominate in his
stead, for your advice and consent, James Ewing.
THOMAS METCALFE.

Resolved, That leave be given to withdraw the nomination of
the said Job Sharp, and that the Senate advise and consent to the
appointment of James Ewing, as lieutenant colonel of the 93d
regiment.
Ordered, That Mr. Selby inform the Governor thereof.
The message in writing received from the Governor, on the
18th instant, was taken up and read as follows, viz:

Gentlemen of the Senate—I nominate to you for your advice and
consent the following gentlemen to fill the offices respectively
annexed to their names, viz:
116. Avery M. Buckner, to be lieutenant colonel of the 85th
regiment, vice William Johnson, deceased.
117. John T. Stout, to be major of the 85th regiment, vice A.
M. Buckner, if promoted.
118. John Swansey, to be lieutenant colonel of the 24th regi-
tment, vice Alexander Coleman who refused to accept.
119. Robert Coffield, to be major of the 24th regiment, vice
John Swansey if promoted.
THOMAS METCALFE.

Resolved, That the Senate advise and consent to the said ap-
pointments.
Ordered, That Mr. Conner inform the Governor thereof.
A bill from the House of Representatives, entitled an act for
the benefit of the administrator of Marquis D. Richardson, was
read the second time, and ordered to be read a third time.
The rule of the Senate, constitutional provision, and third read-
ing of the said bill having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof,
be as aforesaid.
A bill from the House of Representatives, entitled an act es-
ablishing an election precinct in Hardin county, was read the
first time.
And the question being taken on reading the said bill a second time, it was decided in the negative; and so the said bill was disapproved of.

A bill to improve the public ground around the capitol, and to secure the public property from injury, together with the amendment offered thereto, were referred to the committee of Finance.

On motion of Mr. Taylor, leave was given to bring in a bill to authorize an additional subscription on behalf of the commonwealth, in the stock of the Maysville, Washington, Paris and Lexington turnpike road company, and to amend the several acts incorporating said company; and Messrs. Taylor, Thornton, Parks, Fleming and Wickliffe, were appointed a committee to prepare and bring in the same.

An engrossed bill, entitled an act to incorporate a company to build a bridge across the Ohio river at the falls, was read a third time.

And then the Senate adjourned.

SATURDAY NOVEMBER 26, 1831.

The Senate assembled.

Mr. Wingate from the committee of Enrollments, reported that the committee had examined enrolled bills of the following titles,

viz: An act to organize a fire company in the town of Nicholasville.

An act to establish an election precinct in Hardin county.

An act for the benefit of Jether Stroud and Minerva Alma Right Stroud.

An act to amend the several laws concerning the opening and changing public roads.

An act to amend the laws in relation to the erection of mills in this commonwealth.

An act to authorize the trustees of Pikeville to sell the seminary lands in Pike county, and for other purposes. And,

An act to authorize a fire company in the towns of Bowling-green and Bardstown, and for other purposes.

An act to amend the duelling law.

An act to establish an election precinct in Harrison county.

An act to incorporate the Newport manufacturing company.

An act for the benefit of Reuben Drysdale, and others.

And had found the same truly enrolled; and that the said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature. After a
short time Mr. Wingate reported, that the committee had performed that duty.

Mr. Clark presented the petition of the trustees, and sundry citizens of the town of Winchester, praying that the bounds of the said town may be enlarged.

Which was received and referred to the committee of Propositions and Grievances.

Mr. Guthrie presented the annual report of the managers of the Louisville Hospital, which is as follows, viz.

To the honorable the Senate and House of Representatives of the State of Kentucky, in Frankfort assembled.

The managers of the Louisville Hospital, in compliance with the will of the Legislature establishing the same, would respectfully state: That since the date of their last report to your honorable body, they have received into the Hospital, one hundred and twenty-eight patients, of whom one hundred and one have been discharged as cured; fifteen have died, and twelve yet remain under their care. The treasurer's accounts exhibits the receipts of the hospital fund, to be $3,679.76, and its expenditures $3,607.73 within the same period of time.

Your managers have viewed from year to year with great satisfaction, the progress of this institution, fulfilling to a considerable extent the charitable objects for which it was founded, viz: That of healing the sick, causing the lame to walk, the blind to see, and the lepers to be cleansed. To extend these blessings, they would again recall the attention of the Legislature to the subject matter of the various petitions which they have annually presented before you, urging the necessity of a further appropriation of five thousand dollars, to complete the building and furnish it in such a manner as shall render it more extensively useful.

Your managers have no wish to occupy your time for a moment, in pressing upon you the great necessity of this allowance. As the representatives of so humane and so enlightened a State as that of Kentucky, will receive at once that with the rapid increase of the trade of the mighty rivers of the west, every succeeding year adds largely to the number of those who have just claims upon this institution. In behalf of this portion of our community, would we again implore the representatives of the people, to take this child of their benevolence under their parental protection, and make such provision for it, yet in its infancy, as shall secure to all diseased and disabled boatsmen and mariners of the west, a secure and comfortable asylum within its walls.

Signed,

J. J. Jacob, Pres.

A true copy from the minutes,

W. S. Vernon, Sec'y.
Ordered, That the said report be referred to the committee of Finance.

Mr. Wood from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled an act to divorce Elizabeth Francis, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in; and so the said bill was disagreed to.

A message in writing was received from the Governor by Mr. Crittenden, Secretary of State.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

An act to regulate the forfeiture of residents' lands for taxes.

An act to regulate the compensation to attorneys for the commonwealth in certain cases.

An act authorizing bail to be taken in cases brought before justices of the peace, for causes of less value than five pounds.

An act for the relief of the surveyor of Green county.

An act for the benefit of Joel Holder, and the heirs of Fielding Holder.

An act to regulate the establishing of Ferries in this commonwealth.

An act for the benefit of Isaac Smith.

An act for the benefit of John Hockersmith. And,

An act for the benefit of Sarah Pace.

Mr. Hardin from the committee of Finance, to whom was referred a bill to amend an act for the benefit of John H. Rudd, reported the same with an amendment.

The said bill and amendment were laid on the table.

A message was received, from the House of Representatives by Mr. Prince, announcing that they had received official information that the Governor, on the 24th instant, approved and signed enrolled bills which originated in that House of the following titles, viz:

An act for the benefit of the trustees of the Edmondson county seminary.

An act to repeal in part an act, entitled, an act to amend the laws in relation to opening and repairing the public roads in certain counties. And,

An act to change the place of taking the votes of the Salt river precinct in Anderson county.

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Henry Weddington, reported the same, with the following resolution thereon, viz.
Resolved, That the said bill ought not to pass.
Which was twice read and concurred in, and so the said bill was disagreed to.

Mr. Hardin from the same committee, to whom was referred a bill for the benefit of the Cumberland Hospital, reported the same without amendment.

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

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

Mr. Clark from the committee of Propositions and Grievances, reported a bill to extend the limits of the town of Winchester in Clarke county, which bill was read the first time, and ordered to be read a second time.
The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed.

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

On motion of Mr. Fleming,

Ordered, That a message be sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate, to a bill from that house, entitled an act establishing an election precinct in Hardin county.

Leave was given to withdraw the said report, when Mr. Fleming who voted in the majority, moved to reconsider the vote by which the said bill was disagreed to; and the question being taken thereon, it was decided in the affirmative.

Ordered, That the said bill be read a second time.
The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with,

Resolved, That the 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. Griffith—1. A bill to amend the laws regulating the appointment and duties of the trustees of Stephensport, in Breckenridge county.

On motion of Mr. Thornton—2. A bill for the benefit of Ann D. Vancy.

On motion of Mr. Harris—3. A bill more effectually to secure to the occupant and actual settlers, their homes, in this commonwealth. And,

On motion of Mr. W. C. Payne—4. A bill to amend an act entitled an act to amend the laws in trials cognizable before justices of the peace, approved, February 18th, 1828.
Messrs. Griffith, Guthrie and Ray, were appointed a committee to prepare and bring in the first; Messrs. Harris, Dougherty, Stephens and Conner the third; Messrs. W. C. Payne, Thompson and Thornton the fourth.

Ordered. That the committee of Courts of Justice prepare and bring in the second.

After a short time Mr. Guthrie from the first committee and Mr. Harris from the third, reported the said bills, which were each read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the first bill, and second reading of the third bill having been dispensed with, the latter was referred to the committee of Courts of Justice.

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

And then the Senate adjourned.

MONDAY, NOVEMBER 28, 1831.

The Senate assembled.

Mr. Brown presented the petition of sundry citizens of the town of Nicholasville, praying that the bounds of the said town may be enlarged.

Which was received and referred to the committee of Propositions and Grievances.

A message was received from the House of Representatives, announcing the passage of bills which originated in that house of the following titles, viz:

An act to add an additional Justice of the peace to the counties of Wayne and Russell.

An act prescribing the mode of choosing electors to vote for President and Vice President.

An act to divorce Elizabeth Paschal.

An act to amend the Whitley turnpike law, approved, January 15, 1831.

An act to establish an inspection of tobacco, whiskey, pork, flour, &c. at Brandenburg, in Meade county, and at Elizabeth-town, in Hardin county. And,

That they had disagreed to a bill which originated in the Senate, entitled "An act to appropriate the fines and forfeitures of Hardin county, towards lessening her county levy.

Mr. Hardin from the committee appointed for that purpose, reported a bill to fix the ratio and apportion the representation for the ensuing four years.

Which was read the first time, and ordered to be read a second time.
Ordered, That the Public Printer, print 150 copies thereof for the use of the General Assembly.

Mr. Ray from the committee appointed for that purpose, reported a bill to appropriate money out of the public treasury, to assist the county of Hardin to build a bridge across Nolin, where the State road crosses the same leading from Elizabethtown to Nashville.

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

The rule of the Senate, constitutional provision and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Mr. Rodman from the committee appointed for that purpose, reported a bill to sell the Baptist meeting house in the town of Newcastle, in Henry county.

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

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to a committee of Messrs. Rodman, Wood and Wingate.

On motion, leave of absence from the Senate was granted to Mr. Harris, until next Thursday week.

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

On motion of Mr. Bibb, a bill to authorize the appointment of a watch in the town of Russellville. And,

On motion of Mr. Guthrie, a bill to amend the charter of the City of Louisville; Messrs. Bibb, W. C. Payne and Gholson, were appointed a committee to prepare and bring in the former; and Messrs. Guthrie, Fleming and Hardin the latter bill.

Mr. Bibb from the former committee, reported the said bill, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second and third readings of the said bill having been dispensed with, and the same being engrossed;

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

Bills from the House of Representatives of the following titles, viz:

An act to regulate the establishing of ferries in this commonwealth.

An act to amend the Whitley turnpike law, approved, January 15th, 1831. And,

An act to establish an inspection of tobacco, whiskey, pork, flour, &c. at Brandenburg, in Meade county, and at Elizabethtown in Hardin county, were severally read the first time; and ordered to be read a second time.
Bills from the House of Representatives of the following titles, viz:
1. An act to regulate the forfeiture of residents' lands for taxes.
2. An act for the benefit of Joel Holder, and the heirs of Fielding Holder.
3. An act prescribing the mode of choosing electors to vote for President and Vice President.
4. An act to regulate the compensation of attorneys for the commonwealth in certain cases.
5. An act for the benefit of Isaac Smith.
6. An act for the benefit of John Hockersmith.
7. An act for the benefit of Sarah Pace.
8. An act to divorce Elizabeth Paschal.
9. An act authorizing bail to be taken in cases brought before justices of the peace, for causes of less value than five pounds.
10. An act for the relief of the surveyor of Green county.
11. An act to add an additional justice of the peace to the counties of Wayne and Russell.

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

The rules of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first, second and third were referred to the committee of Courts of Justice; the fourth, fifth, sixth and seventh to the committee of Finance; the eighth to the committee of Religion; the ninth to a committee of Messrs. Campbell, Fleming and Faulkner; the tenth to a committee of Messrs. Allen, Wood and Campbell; and the eleventh to a committee of Messrs. Hardin, Griffin and Selby.

And then the Senate adjourned.

TUESDAY, NOVEMBER 29, 1831.

The Senate assembled.

A message was received from the House of Representatives, announcing the passage of a bill which originated in that house, entitled, an act for the benefit of the collector of militia fines for the 49th regiment.

A message was received from the Governor, by Mr. Crittenden, Secretary of State, announcing that the Governor, on the 26th instant, approved and signed enrolled bills which originated in the Senate, entitled, an act for the benefit of Reuben Drysdale, and others.

An act to incorporate the Newport manufacturing company.
And,
An act to authorize a fire company in the towns of Bowling-green and Bairdstown, and for other purposes.

Mr. Wickliffe from the committee of Courts of Justice, as unfinished business of last session, reported a bill concerning the Lunatic Asylum.

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

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Mr. Wickliffe from the same committee, to whom was referred the petition of Thomas Anderson, praying that a law may pass, authorizing him to sell and convey a tract of land in Green county, belonging to his infant children, and to vest the proceeds in other lands, reported that the said petition ought to be rejected.

Mr. Bibb moved to amend the report by striking out "ought to be rejected," and to insert in lieu thereof "is reasonable."

And the question being taken on the said motion, it was decided in the negative, and so the said petition was rejected.

Mr. Wickliffe from the same committee who were instructed to enquire into the propriety of surrendering to the occupant or actual settler, the States interest in all the forfeited and relinquished lands belonging to the State, to the extent of the claim of such occupant or actual settler, provided they are under record title, reported that it is inexpedient to do so, which was concurred in.

Mr. Wickliffe from the same committee, to whom was referred the petition of Mary Lawler, reported that the said petition ought to be rejected, which was concurred in.

Mr. Wickliffe from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz.

An act authorizing the sale of the Mountsterling seminary and lot, and for other purposes.

An act prescribing the mode of choosing electors, to vote for President and Vice President. And.

An act allowing sheriffs and other officers fees in certain cases; reported the same without amendment.

Ordered, That the said bills be read a third time.

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

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

Mr. Wickliffe from the same committee, to whom was referred a bill for the benefit of the heirs and personal representatives of Rowland Thomas, deceased, reported the same with the following resolution thereon, viz:
Resolved, That the said bill ought not to pass.
Which was twice read, and the said bill was laid on the table.
Mr. Wickliffe, from the same committee, to whom was referred a bill more effectually to secure to the occupant and actual settlers their homes, in this commonwealth, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.
Which was twice read and concurred in, and so the said bill was rejected.

Mr. Wickliffe, from the same committee, to whom was referred a bill more effectually to secure to the occupant and actual settlers their homes, in this commonwealth, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.
Which was twice read; and Mr. Maupin moved to amend the said resolution, by striking out the word "not;" and the question being taken on the said motion, it was decided in the negative; and so the said bill was disagreed to.

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


The said bill is as follows, viz:

A bill for the benefit of Joel Holder and the heirs of Fielding Holder.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for the heirs of Fielding Holder, the infant heirs, by their mother Joel Holder, to petition the Barren circuit court, setting forth the facts which make it necessary and proper, that certain slaves, to wit, Visa a negro woman and Porter a child about one year old, owned by said heirs, and in which Joel Holder is entitled to dower, should be sold; and the court shall thereupon investigate the matter, and if it shall appear to the satisfaction of the court, that it would be to the interest of the said heirs, owing to the character of said slaves, to have them sold, the court may direct a sale thereof, and appoint a commissioner to carry the decree rendered, into effect: Provided, however, That the mother of said heirs shall unite in the petition to the court, giving her assent to the sale of the dower in said slaves.

Be it further enacted, That the Barren circuit court, in case it decrees a sale of said slaves, shall take bond with approved security, from the commissioner appointed to make the sale, conditioned for the faithful performance of all such duties as the court,
may assign him. The bond shall be made payable to those interested in the slaves to be sold, and it shall be the duty of the court to cause the money arising from the sale of the slaves, to be laid out in the purchase of other slaves for the heirs of said Holder, giving however, in the property so purchased, the same estate to the wife of said Holder, as she possessed in the slaves sold.

Mr. Wickliffe from the same committee, reported a bill for the benefit of Ann D. Yancey; which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill, having been dispensed with, and the question being taken on engrossing the said bill, and reading it a third time, it was decided in the affirmative.

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


NAYS—Messrs. Maupin—1.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

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

Mr. Wickliffe from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to regulate the forfeiture of residents lands for taxes, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in, and so the said bill was disagreed to.

Mr. Wickliffe from the same committee, to whom was referred a bill for the punishment of persons guilty of receiving bank notes and other writings, knowing them to be stolen, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be re-engrossed and again read a third time to-morrow.

Mr. Wickliffe from the same committee, reported a bill to amend the laws in relation to usury, which was read the first time, and the question being taken on reading the said bill a second time, it was decided in the affirmative.

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

YEAS—Messrs. Allen, Beaseman, Bibb, Brown, Campbell,
The following bills were reported from the committees appointed to prepare and bring in the same, viz:

By Mr. Rudd, a bill further to regulate conveyances. And,
By Mr. W. C. Payne, a bill to amend the law concerning trials cognizable before justices of the peace.

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

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Courts of Justice.

Ordered, That the public printer print one hundred and fifty copies of the former bill for the use of the General Assembly.

Mr. Hardin from the committee to whom was referred, a bill from the House of Representatives, entitled, "an act to incorporate the Rolling Fork bridge company," reported the same with amendments; which were twice read and concurred in.

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

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Boyd presented the annual report of the board of internal improvements for Shelby county, which is as follows, viz:

To the honorable the Senate and House of Representatives of the Commonwealth of Kentucky.

By authority of an act of the Legislature of Kentucky, entitled "an act to amend an act to constitute a board of Internal Improvements for Shelby county," passed and approved at the last session, the persons therein named, met and were organized on the 2d day of April, 1831, and appointed David B. Allen, Treasurer and Henry Radford, Collector, both of whom gave bond with good security. On the 22d day of February, 1831, the Governor, under the provisions of the act, subscribed, in addition to the one hundred and fifty shares, already held by the State, for one hundred and fifty seven shares of stock, in the turnpike road to be constructed through Shelby county. At an early period after the organization of the board, a contract was entered into with a company for grading and paving four miles and one hundred and thirty-seven and two third poles, at thirteen dollars and twenty-two cents per rod, commencing at the termination of that part of the road completed last season, and extending in the direction towards Shelbyville. A second contract was made for the construction of two hundred and fifty-seven rods, at thirteen dollars and twenty-two cents per rod. A third contract was made for the construction of eighty rod, at eleven hundred dollars. And a fourth contract was made for the construction of one mile and one hundred and sixty-nine and three quarter rods, at thirteen dollars and twenty-five cents per rod. This cost is however exclusive of stone bridges and culverts. The whole of the road from the termination of the,
Shelbyville and Louisville turnpike, to Shelbyville, is now completed; and two toll gates have been erected on the ten miles made by this board under the provisions of the act of Assembly.

<table>
<thead>
<tr>
<th>Miles</th>
<th>Cost in Dollars</th>
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<tbody>
<tr>
<td>Four miles one hundred and thirty-seven and two-thirds rods</td>
<td>$18,741 54</td>
</tr>
<tr>
<td>Two hundred and fifty-seven rods</td>
<td>3,397 54</td>
</tr>
<tr>
<td>Eighty rods, at $1100</td>
<td>1,100 00</td>
</tr>
<tr>
<td>One mile one hundred and sixty-nine and two-thirds rods</td>
<td>6,480 19</td>
</tr>
<tr>
<td>Damages paid the proprietors of land for the location of the road</td>
<td>338 16</td>
</tr>
<tr>
<td>Damages allowed for quarries, rock and fees of chain carriers, &amp;c.</td>
<td>636 22</td>
</tr>
<tr>
<td>Cost of bridges and culverts</td>
<td>1,091 39</td>
</tr>
<tr>
<td>Balance due contractors for work done last year</td>
<td>4,295 71</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$36,089 75</strong></td>
</tr>
</tbody>
</table>

There was paid to our treasurer on account of subscription for stock made by the county court and individuals from the 6th Nov. 1830, to the 9th Nov. 1831, the sum of $16,175 90.

And there has been paid out of the treasury of the state on account of subscriptions made by the Governor upon the drafts of the board, up to the same time, the sum of 19,541 01.

Making the sum total then paid $35,716 91.

Which deduct from $36,089 75, then left a balance of $372 84 to be paid to our contractors, which we shortly anticipate from our stockholders.

By a comparison of the report made by this board to the Legislature at its last session with this, it will be seen that the total cost of the ten miles of road made by this board, amounts to the sum of $41,882 54, being $4,183 25 cents per mile. There is believed to be a few claims against the board that have not yet been presented for settlement, but the amount is small and cannot increase the cost of the road twenty dollars per mile.

At the last session of the Legislature an act was passed authorizing the board to erect a toll gate and receive half toll on that part of the road completed last season. The board accordingly had said gate erected and opened on the 10th day of January, 1831, which continued up until the 6th day of November, 1831; when five miles of the road having been completed, this board was authorized by the license of the Governor to receive full tolls.
Tolls received at the half gate, from the 10th Jan. 1831, to 6th Nov. same year, being nine months and twenty-four days, is $768 25.
Pull tolls received from the 7th to the 21st Nov. being fourteen days, is 169 31.

Total of tolls received, is $937 57.

The whole of which has been appropriated by the board towards erecting toll gates and toll houses, buying stoves for the toll houses, paying gate keepers and superintendents salaries, repairing of the road and making some necessary improvements and alterations in that part of the road constructed last year, and the extension of the present road. The second gate having been erected since the 21st November, the tolls received at it have not been taken into the above calculation.

The board are of opinion, that the tolls which will be received at the toll gates, will pay all the expenses of repairs of the road, the gate keepers salaries, and a dividend to the stockholders, of at least six per cent.

The first two years after the completion of the road (within which time it is calculated the road will become firm,) the repairs will be considerable, but after that time the expenses for repairs will be greatly diminished. By the statements of the amount paid by the stockholders since November last, it will be seen that the State, upon her stock, has paid the sum of $8365 11 1-3 cents, more than the other stockholders, which arises from this circumstance; the first subscription on the part of the State, was for one fourth of the stock, and the balance was subscribed by the county court of Shelby. During the last year, the State paid but one fourth of the whole amount of stock paid in—when the Governor afterwards subscribed for one half of the stock on the part of the state, this board drew upon the Treasurer of the state, for amount sufficient to make the payment of the state equal to that paid in by other stockholders during the last year. The board are desirous to progress with the road next season through the county, but the county will be unable, as this board is informed, to advance the funds upon her stock; and from the unwillingness to take the stock, manifested by individuals, the further progress of the road must be delayed, unless the Legislature will make an appropriation out of the public funds equal to the cost of the road; or if this be considered too large an appropriation, the board will suggest the propriety of making one sufficient to pay for the stock already subscribed on the part of the state, which is something like one hundred shares, upon which nothing has yet been paid.

The board are satisfied from the situation of the ground and the abundance of materials on the line of the road yet to be completed, that it can be made for a sum much less than the aggregate.
cost of that which has been completed. And from satisfactory
evidence they are warranted in assuring the Legislature, that the
tolls will yield a dividend of at least six per cent per annum.
From this circumstance and the great benefits that will result to
the public from an improvement of this road, that is known to be
one of the principal highways through the state, and leading to
the only market for the staple commodities of the country. This
board would respectfully ask of the Legislature, an appropriation
to aid in the completion of the undertaking.

JAMES BRADSHAW, Chairman B. I. I. S. C.

November 21st, 1831.

Ordered, That the said report be referred to the committee of
Internal Improvements.

Mr. Wickliffe moved the following resolution, viz:

Resolved. That the Clerk of the Federal Court be requested,
to furnish for the use of the Senate, a statement of the aggregate
numbers of free white males above twenty years of age, and the
aggregate of population in each county in this state, from the cen­
sus of the Marshall for the year 1830.

And the question being taken on adopting the said resolution,
it was decided in the negative.

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

YEAS—Messrs. Beaseman, Boyd, Brown, Clark, Conner, Faulk­
er, Fleming, Griffith, J. Payne, Rudd, Thornton, Wickliffe, and
Williams,—18.

NAYS—Messrs. Allen, Bibbi, Campbell, Casey, Cunningham,
Dejarnett, Dougherty, George, Gholson, Griffin, Guthrie, Hardin,
Maupin, Owley, Parks, W. C. Payne, Ray, Rodman, Selby,

A message was received from the House of Representatives,
announcing that they have concurred in the amendments propos­
ded by the Senate to bills from that house, of the following titles,

viz:

An act to establish an election precinct in Pike county, and for
other purposes.

An act to amend the law in relation to idiots.

An act to incorporate the City of Lexington.

An act to authorize certain county courts to permit gates to be
erected across certain public roads.

An act to regulate ferries, and the owners and keepers of ferries,
across the Ohio river within this commonwealth, and for other
purposes. And,

An act to confer certain powers on the county and circuit
courts of Scott county; and that they have concurred in the amend­
ments proposed by the Senate, to a bill from the House, entitled,
"an act to appropriate some of the vacant lands of this commonwealth to the improvement of certain roads in certain counties, with amendments; and that they have disagreed to the amendments proposed by the Senate, to bills from that house, of the following titles, viz:

An act for the benefit of Richard Apperson and Andrew Trumbo, junior. And,
An act for the benefit of the Surveyor of Jefferson county.

And that they have passed a bill from the Senate, entitled, "an act to change the constables district in the first battalion of the 88th Regiment of Kentucky Militia."

And then the Senate adjourned.

WEDNESDAY, NOVEMBER 30, 1831.

The Senate assembled.

A message was received from the House of Representatives, announcing that they have received official information, that the Governor, on the 26th instant, approved and signed enrolled bills which originated in that House, of the following titles, viz:

An act to amend the laws in relation to the erection of mills in this commonwealth.
An act to amend the several laws concerning the opening and changing public roads.
An act to establish an election precinct in Harrison county.
An act to amend the dueling law.
An act to organize a fire company in the town of Nicholasville.
An act to authorize the trustees of Pikeville, to sell the seminary lands of Pike county, and for other purposes.
An act to establish an election precinct in Hardin county.
An act for the benefit of Jether Stroud and Minerva Alma Right Stroud.

And that they have passed bills which originated in that House, of the following titles, viz:
An act prescribing the duties of attorneys appointed by the county courts of each respective county, of the commonwealth of Kentucky.
An act to provide for the erection of a bridge across Rockcastle river, on the turnpike and wilderness road.
An act for the benefit of Temple S. Perrin.
An act to amend the third section of an act for the regulation of the town of Cadiz, in Trigg county, approved, December 16th, 1828.

An act authorizing Baxter Alexander, of Trigg county, to erect
gates on the road, leading from Cadiz to Mount Pleasant meeting house.

An act to authorize John Riley and Jesse Thomas to build a mill dam on the middle fork of the Kentucky river.

An act for the benefit of William W. Ater and others.

Mr. Ray presented the petition of Polly Clemons, praying a divorce from her husband Benjamin Clemons.

Which was received and referred to the committee of Religion.

Mr. Guthrie from the committee appointed for that purpose, reported a bill to amend the charter of the City of Louisville, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

Mr. Dougherty from the committee to whom was referred a bill from the House of Representatives, entitled an act appointing trustees to the town of Fredericksburg, in Gallatin county, and to Clinton, in Hickman county, reported the same with amendments; which were twice read and concurred in.

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

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

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

On motion of Mr. Wingate—A bill to alter the time of holding the Owen circuit court. And,

On motion of Mr. Clark—A bill to create an additional election precinct in the county of Clarke.

Messrs. Wingate, Beaseman and Dougherty, were appointed a committee to prepare and bring in the former; and Messrs. Clark, Bibb and Wingate the latter bill.

A message in writing was received from the Governor, by Mr. Crittenden, Secretary of State.

An engrossed bill, entitled, an act to incorporate a company to build a bridge across the Ohio river, at the falls, was taken up, and the question being taken on the passage of the said bill, it was decided in the affirmative.

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


NAYS—Messrs. Boyd, Conner, Faulkner, Fleming, Owsley,
Resolved. That the title of the said bill be as aforesaid.
And then the Senate adjourned.

THURSDAY, DECEMBER 1, 1831.

The Senate assembled.
Mr. Wood from the committee of Religion, to whom was referred the petition of Polly Clemons, praying a divorce from her husband, William Clemons, reported the same with the following resolution thereon, viz.

Resolved, That the said petition is reasonable.
Which was twice read and concurred in.

Ordered, That the committee of Religion, prepare and bring in a bill pursuant thereto.

A message was received from the House of Representatives, announcing the passage of bills which originated in that house, of the following titles, viz:
An act to amend the penal laws of this commonwealth. And,
An act for the divorce of George Ross,
And that they have concurred in the amendments proposed by the Senate, to bills from that house, of the following titles, viz:
An act for the relief of the surveyor of Green county.
An act to amend the several laws establishing and regulating the town of Covington. And,
An act to incorporate the Rolling fork bridge company.

Mr. Wood from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act for the divorce of Elizabeth Paschal, reported the same without amendment.

The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage heretofore existing between Elizabeth Paschal and her husband William Paschal is hereby dissolved, so far as relates to the said Elizabeth; and that she shall hereafter be considered in law an unmarried woman.

The question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was disagreed to.

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

The Senate.


Mr. Allen from the committee of Internal Improvements, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act, entitled an act, for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness State road, approved, January 29th, 1830, and an amending act thereto, approved, December 30th, 1830, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Hardin from the committee of Finance, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Sarah Pace. And,
An act for the benefit of John Despoint; reported the same with the following resolution thereon, viz:

Resolved, That the said bills ought not to pass.

Which was twice read and concurred in, and so the said bills were disagreed to.

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

By Mr. Wingate, a bill to alter the time of holding the Owen circuit court. And,

By Mr. Griffith, a bill to improve the State road from Owenborough on the Ohio river, where it crosses Panther creek flats in Daviess county.

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

The rule of the Senate, constitutional provision and second reading of the latter bill having been dispensed with, it was referred to the committee of Finance.

Mr. Campbell from the committee, to whom was referred a bill from the House of Representatives, entitled, an act authorizing bail to be taken in cases brought before justices of the peace, for causes of less value than five pounds, reported the same with an amendment; and the said bill and amendment were referred to the committee of Courts of Justice.

A bill to fix the ratio and apportion the representation for the ensuing four years, was read the second time.

Mr. Wingate moved an amendment to the said bill.

The said bill and amendment were laid on the table.
Ordered, That the public printer print one hundred and fifty copies of the said amendment, for the use of the General Assembly.

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

On motion of Mr. Hardin—1. A bill for the benefit of Mary M. Gore, Abner E. Gore, Margaret A. Gore and Maria D. Gore.

On motion of Mr. Guthrie—2. A bill to authorize constables to hold inquests of forcible entry and detainer. And,

On motion of Mr. Maupin—3. A bill to amend the execution laws in relation to constables, and for other purposes.

Messrs. Hardin, Casey and Griffin were appointed a committee to prepare and bring in the first; Messrs. Guthrie, Stephens and DeJarnett the second; and Messrs. Maupin, Hardin, Campbell and Clark the third.

The amendment proposed by the House of Representatives, upon concurring in the amendments proposed by the Senate, to a bill from that House, entitled, an act to appropriate some of the vacant lands of this commonwealth, to improve certain roads in certain counties, was twice read and concurred in.

Resolved, That the Senate insist on the amendments proposed by them, to a bill from the House of Representatives, entitled, an act for the benefit of Richard Apperson and Andrew Trumbo, jr. and that the committee of Finance be appointed a committee of conference thereon, on the part of the Senate.

Ordered, That the clerk inform the House of Representatives thereof.

After a short time, a message was received from the House of Representatives, announcing the appointment of a committee of conference on their part.

A bill to amend the laws concerning the trial and convicting of slaves, was read the second time, amended and referred to a committee of Messrs. Campbell, Wickliffe and Clark.

A bill to repeal in part, the charter of Louisville, and for other purposes, was read the second time, and ordered to be engrossed and read a third time to-morrow.

Bills from the House of Representatives of the following titles, viz:

An act to amend the Whitley turnpike law, approved, January 15th, 1831.

An act to establish an inspection of Tobacco, Whiskey, Pork, Flour, &c. at Brandenburg, in Meade county, and at Elizabethtown, in Hardin county.

Were each read a second time, and the former bill was referred to the committee of Finance.

Ordered, That the latter bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the latter bill having been dispensed with,
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act to regulate the establishing of ferries in this commonwealth, was read the second time, and laid on the table until the first day of June next.

An engrossed bill, entitled, an act for the punishment of persons guilty of receiving Bank notes and other writings, knowing them to be stolen, was read the third time.

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

A bill to amend the laws in relation to usury, was read the second time.

And then the Senate adjourned.

FRIDAY, DECEMBER 2, 1831.

The Senate assembled.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

An act to regulate the mode of accounting for taxes received by clerks, &c. on law process, deeds seals, &c. collected for revenue purposes.

An act for the benefit of John J. Posey.

An act to divorce Harriet H. Rudd.

An act to authorize an election of trustees in the town of Maxville, Washington county.

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

An act making an appropriation to assist the county of Hardin to build a bridge across Nolin river, near Robert Slaughters, where the main road leading from Louisville to Nashville crosses the said stream.

An act for the benefit of John H. Slaughter of Rockcastle county.

An act for the benefit of William Henson.

An act for the benefit of Philip Graves. And,

An act to fix the compensation of the clerks of the Senate and House of Representatives of this commonwealth, and for other purposes.

Mr. Wood from the committee of Religion, reported a bill for the divorce of Polly Clemons from her husband Benjamin Clemmons, which was read the first time, and ordered to be read a second time.

Mr. Hardin from the committee of Finance, to whom was re-
ferred a bill from the House of Representatives, entitled, an act for the benefit of Isaac Smith, reported the same with the following resolution thereon.

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in, and so the said bill was disagreed to.

Mr. Casey moved the following resolution, viz.

Resolved, That the hour of the meeting of the Senate, for the residue of the session, shall be 9 o'clock.

Which was twice read and rejected.

Mr. Guthrie from the committee appointed for that purpose, reported a bill to authorize constables to hold inquests of forcible entry and detainer; which was read the first time, and the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

The bill to fix the ratio and apportion the representation for the ensuing four years, was taken up.

Mr. Thompson moved to lay the said bill on the table until Wednesday next. Mr. Wickliffe called for a division of the question. And the question being taken on laying the said bill on the table, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Beaseman, were as follows, viz.

YEAS--Messrs. Allen, Boyd, Dougherty, Faulkner, Fleming; George, Griffin, Parks, J. Payne, Rodman, Rudd, Selby; Thompson, Thornton, Wingate and Wood—16.


The two first sections of the bill are as follows, viz.

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the ratio for the ensuing four years shall be nine hundred and fifty-four voters for each Representative; and the representation for that period shall be; and the same is hereby apportioned among the several counties in this commonwealth for the House of Representatives in the following manner, to wit:

The county of Adair shall be entitled to one representative; Allen one; Anderson one; Bourbon two; Bracken one; Bullitt one; Bath one; Barren two; Breckinridge and Hancock one; Boone one; Butler and Edmondson one; Campbell two; Caldwell one; Cumberland one; Christian two; Clarke two; Clay and Harlan one; Calloway and McCracken one; Casey one; Daviess one; Estill and Perry one; Fleming two; Franklin one; Fayette three; Floyd and Pike one; Garrard one; Green two; Greenup one; Gallatin one; Graves and Hickman one; Grant and Pendleton one; Grayson one; Harrison two; Hardin and Meade three; Harf
one, Henderson one, Hopkins one, Henry two, Jefferson two, City of Louisville two, Jessamine one, Knox and Whitley one, Lincoln two, Lawrence and Morgan one, Lewis one, Livingston one, Logan two, Laurel and Rockcastle one, Mason three, Monroe one, Mercer two, Madison two, Montgomery two, Muhlenburg one, Nelson two, Nicholas one, Oldham one, Ohio one, Owen one, Pulaski two, Russell one, Shelby two, Scott two, Simpson one, Spencer one, Trigg one, Todd one, Union one, Warren one, Woodford one, Washington three, and Wayne one.

Sec. 2. And for the purpose of apportioning the representation in the Senate, this State is hereby laid off into thirty-eight Senatorial districts as follows, to-wit: The counties of Calloway, Hickman, McCracken and Graves, shall compose the first Senatorial district; Livingston, Caldwell and Trigg the second; Christian and Todd the third; Logan and Simpson the fourth; Henderson, Union and Hopkins the fifth; Warren and Allen the sixth; Burren and Edmonson the seventh; Green and Hart the eighth; Cumberland and Monroe the ninth; Adair, Casey and Russell the tenth; Pulaski and Wayne the eleventh; Breckenridge, Hancock, Ohio and Daviess the twelfth; Butler, Grayson and Muhlenburg the thirteenth; Hardin and Meade the fourteenth; the City of Louisville, Jefferson and Bullitt the fifteenth; Oldham and Henry the sixteenth; Shelby the seventeenth; Nelson and Spencer the eighteenth; Washington the nineteenth; Mercer and Anderson the twentieth; Lincoln, Rockcastle and Laurel the twenty-first; Garrard the twenty-second; Madison the twenty-third; Knox, Clay, Harlan and Whitley the twelfth-fourth; Gallatin, Boon and Grant the twenty-fifth; Campbell and Pendleton the twenty-sixth; Bracken and Nicholas the twenty-seventh; Scott and Franklin the twenty-eighth; Harrison and Owen the twenty-ninth; Bourbon the thirtieth; Fayette the thirty-first; Woodford and Jessamine the thirty-second; Montgomery and Bath the thirty-third; Greenup, Lewis and Lawrence the thirty-fourth; Fleming the thirty-fifth; Mason the thirty-sixth; Morgan, Floyd, Pike and Perry the thirty-seventh; and Clarke and Estill shall compose the thirty-eighth Senatorial district.

The amendment proposed by Mr. Wingate, on yesterday, proposes to strike out the said sections after the enacting clause, and to insert the following, viz:

That the ratio for the ensuing four years, shall be, nine hundred and fifty-four voters for each Representative; and twenty-five hundred and ten for each Senator. And the representation for that period shall be, and the same is hereby apportioned among the several counties in this commonwealth for the House of Representatives, in the following manner, viz:

The county of Adair shall be entitled to one representative; Allen one; Anderson one; Bourbon two; Bath one; Barren two;
Bullitt one; Breckenridge and Hancock one; Bracken one; Boone one; Butler and Edmundson one; Clay and Harlan one; Caldwell one; Clark two; Campbell two; Christian two; Cumberland one; Casey one; Calloway and McCracken one; Daviess one; Estill one; Fayette three; Floyd and Morgan one; Fleming two; Franklin one; Grayson one; Greenup one; Garrard one; Green two; Gallatin one; Grant one; Hardin two; Harrison two; Henry two; Hopkins one; Hickman and Graves one; Henderson one; Knox and Whitley one; Jefferson two; Jessamine one; Lincoln two; Logan two; Livingston one; Lewis one; Lawrence one; City of Louisville one; Madison two; Mason two; Mercer three; Muhlenburg one; Montgomery one; Monroe one; Meade one; Nelson two; Nicholas one; Ohio one; Owen one; Oldham one; Pendleton one; Pulaski two; Perry and Pike one; Rockcastle and Laurel one; Russell one; Scott two; Shelby three; Simpson one; Spencer one; Trigg one; Todd one; Union one; Woodford one; Warren one; Wayne one; Washington three.

That for the purpose of apportioning the representation in the Senate of this state it is hereby laid off into thirty-eight Senatorial districts, as follows, to wit:

The counties of Wayne and Pulaski shall constitute the first; Adair, Casey and Russell the second; Cumberland and Monroe the third; Barren and Edmondson the fourth; Warren and Allen the fifth; Logan and Simpson the sixth; Butler, Muhlenburg and Grayson the seventh; Hopkins, Henderson and Union the eighth; Livingston, Caldwell and Trigg the ninth; Christian and Todd the tenth; Hickman, McCracken, Graves and Calloway the eleventh; Daviess, Ohio, Hancock and Breckenridge the twelfth; Hardin and Mead the thirteenth; Green and Hart the fourteenth; Whitley, Knox, Harlan and Clay the fifteenth; Lincoln, Rockcastle and Laurel the sixteenth; Garrard and Jessamine the seventeenth; Mercer the eighteenth; Washington the nineteenth; Nelson and Spencer the twentieth; Shelby the twenty-first; Henry and Oldham the twenty-second; Jefferson and Bullitt the twenty-third; the City of Louisville the twenty-fourth; Franklin, Anderson and Owen the twenty-fifth; Gallatin, Grant and Pendleton the twenty-sixth; Campbell and Boone the twenty-seventh; Harrison and Bracken the twenty-eighth; Nicholas and Bath the twenty-ninth; Bourbon the thirtieth; Fayette the thirty-first; Lewis, Greenup and Lawrence the thirty-second; Clarke and Montgomery the thirty-third; Scott and Woodford the thirty-fourth; Mason the thirty-fifth; Madison the thirty-sixth; Estill, Morgan, Floyd, Pike and Perry the thirty-seventh, and Fleming the thirty-eighth.

The question being taken on adopting the said amendment proposed by Mr. Wingate, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Beaseman, were as follows, viz.

YEAS—Messrs. Allen, Beaseman, Campbell, Casey, Conner,
Dec. 2]

THE SENATE.

Dejarnett, Dougherty, Griffin, Guthrie, Maupin, Parks, J. Payne, Rodman, Selby, Stephens, Thompson, Wingate and Wood—18.


Mr. Hardin moved to amend the first section of the said bill, so that the county of Pulaski shall be entitled to one member, and the county of Warren two.

Mr. Selby called for a division of the question; and the question being taken on taking one member from the county of Pulaski; it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hardin and Dougherty, are as follows, viz.


The question was then taken on adding another member to the county of Warren; and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hardin and Dougherty, were as follows, viz.


Mr. Conner from the committee of Enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

An act establishing an election precinct in Hardin county.

An act authorizing the sale of the Mountsberling Seminary and lot, and for other purposes.

An act for the benefit of the administrator of Marquis D. Richardson.

An act to incorporate the Rolling fork bridge company.

An act to confer certain powers on the county and circuit courts of Scott county.

An act prescribing the mode of choosing electors to vote for President and Vice President.

An act to amend the several laws establishing and regulating the town of Covington.
An act allowing sheriffs and other officers' fees in certain cases.
An act to regulate ferries and the owners and keepers of ferries across the Ohio river, within this commonwealth, and for other purposes.
An act for the relief of the surveyor of Green county, and the coroner of McCracken county.
An act to authorize certain county courts to permit gates to be erected across certain public roads.
An act to amend the law in relation to Idiots.
An act to establish an election precinct in Pike county, and for other purposes. And,
An act to change the constables district in the first battalion in the 38th regiment of Kentucky militia.
And had found the same truly enrolled, and that they had been signed by the Speaker of the House of Representatives.
Whereupon the Speaker of the Senate affixed his signature thereto; and the said bills were delivered to the committee to be laid before the Governor for his approbation and signature.
After a short time Mr. Conner reported that the committee had performed that duty.
And then the Senate adjourned.

SATURDAY DECEMBER 3, 1831.

The Senate assembled.

The Speaker laid before the Senate a report of the President of the Bank of Kentucky, which is as follows, viz.

Bank of Kentucky, December, 1, 1831.

Sir:—It has heretofore been our practice to close the books of this institution on the 10th instant, for the purpose of making an annual report to the Legislature; but as that body has been convened at an earlier period than usual, and as it has been intimated to me, that it may be necessary in the course of Legislation, to have a report at as early a period as practicable, I have now the honor of enclosing, herewith, a general statement, showing the condition of the institution on this day, inclusive.

The entire amount of capital stock now held in the institution, (exclusive of the residuary interest,) is $283,380; of which the State of Kentucky is the owner of 5967 shares, amounting nominally to $149,175; and corporate and individual stockholders own 5333 shares, amounting nominally to $134,405, by which, it will be seen that the State owns 584 shares, amounting to $14,
of the complete stock, more than all the individual and corporate stockholders collectively.

By a comparison of the present, with the last annual report, it will be seen, that since that period the institution has redeemed of its capital stock, 31 shares, amounting to $190; and by means of negotiations and compromises with individuals for bad debts, and in part by the sale of real estate, effected a redemption of 2135 shares of the residuary interest, of one fifth on each share, amounting nominally to $42,700; leaving of that stock unredeemed, in the hands of individuals, 785 C shares, amounting nominally to the sum of $160,700.

Since my last annual report, the President and Directors have made two distributions of the capital stock of $5 on each share, and have paid to the Treasurer, $29,335 in silver, and a like amount in notes of the Bank of the Commonwealth and its branches, which, when added to the previous distributions made and paid over, is 75 per cent. or $75 on each share, leaving 5 per cent. or $5 on each share remaining to be paid to the State and those individuals who have not surrendered their stock, and when paid, will place all the stockholders in the institution on an equality, in relation to the amount they shall have received. This desirable object, it is confidently believed by the President and Directors can, with proper exertions, be effected by the first April next.

The "current profits" of the institution, since the first day of January last, amount to $14,834, 26 and the "current expenses" for the same period, to $6,105 60, which, deducted from the "current profits" leaves a nett gain of clear profit, of $8,728 66; which will at the end of the year, together with that which may accumulate in the interim, be carried to the general account of surplus profits. It will be seen by a comparison of the present, with the last report, that but a small reduction has been effected in the "current expenses" of the institution. Nor can I perceive any source from which to expect a further reduction to any considerable extent, except in discontinuing two of the agencies, and consequently, two of the agents now attached to the institution. This will be done as soon as those two agents shall have completed their present tour of collections, and settled their accounts at this office.

The real estate owned by the institution, and disposed of within the current year amounts to the sum of $55,306 64, the whole of which, was by express stipulation paid, or made payable in stock of the institution, or gold or silver, within the current year. Notes of the corporation made payable to bearer, which were then in circulation, amounting to the sum of $1,083 25 only, have been redeemed at this office by payment in silver, and were subsequently cancelled and burnt in the presence of the Auditor and Treasurer of this State, which reduces the amount now in circu-
This fact is conclusive to my mind, that our gain by the loss and destruction of the notes of the corporation will exceed the estimate heretofore made.

It sometimes happens that debtors to the institution, from whom nothing can be made by execution, are the owners of more or less of its joint stock, which cannot be reached but by a bill in chancery, the expenses of which would, in many instances, equal or exceed the amount in contest. It not unfrequently happens with debtors thus situated, to sell their stock to individuals for money, which stock by an ordinance of the President and Directors should remain as some indemnity to the institution for those debts. Whether the bank has a lien on the stock in such cases, or precedence over other creditors or purchasers, has never been directly decided in relation to this institution. But the same question has been decided in the case of Dana vs. Brown, 1st J. J. Marshall's Reports, page 304. It is therefore respectfully submitted to the consideration of the Legislature, whether it is not just and proper to give the Bank a lien on all such stock where there are no other resources of procuring payment.

At the last session of the Legislature, a resolution was passed by the Senate, requesting "the President and Directors to make out by the next session of the Legislature, an expose of the surplus profits and losses of the Bank, in conformity to the principles of this report." In compliance with which, the labor has been commenced, and the work is progressing as rapidly as the limited means within the control of the institution will permit, consistent with the ordinary or current business of the day.

Its completion however cannot be anticipated within the time prescribed by the resolution, nor can it be material as regards legislation on the subject, because another session of the Legislature must intervene before the institution will be in a condition to make a distribution subsequent to that alluded to in a previous part of this communication.

The period fixed by law for finally closing the concerns of this institution, is not now distant, and it must be a desirable object with the Legislature and individual stockholders, as it is with the officers of the Bank, that it should be effected with as little delay as practicable. All good debts due the institution, whether for original accommodation or for the purchase of real estate, will be collected before the expiration of the time limited by law, for closing the concern of the Bank; but to collect all the doubtful and bad debts, will be impracticable. The period too will soon arrive, when the profits of the institution will not defray its expenses. Can it be wise policy then, to prolong the existence of an institution with a set of officers running over the country in search of insolvent debtors, and perhaps not collecting as much money in the course of the year as will pay their salaries?
The President and Directors are using every effort in their power, to make compromises with the individual debtors to the institution, from whom nothing can be made by execution; but they doubt their authority to sell and transfer those debts to third parties. It is, therefore, respectfully submitted to the consideration of the legislature, whether authority should not be given the President and Directors, at their discretion, to dispose of such debts at public auction or otherwise, at such time and place, and in such manner as they may deem best, for the interest of the institution, and to give to the purchaser, as assignee, all the rights which the institution had in the prosecution of its claim. If this course is adopted, the state and individual stockholders will soon realize the remaining interests they respectively hold in the institution, and the Bank of Kentucky will exist no longer.

I have the honor to be, respectfully,

P. DUDLEY, Pres't.

The Hon. John J. Crittenden, Speaker of the H. R.

Statement of the situation of the Bank of Kentucky, Nov. 30th, 1831.

Due to other Banks, $11 88
Notes issued, 32,571.14
Surplus profits, 290,516 06
Current profits, 14,834 26
Stock, 283,580 00
Do. (residuary), 156,000 00
Due to individuals, 81,904 42

$859,417 76

Current expenses, $6,105 60
Due from other Banks 27,079 08
Real estate, 242,459 64
Due from individuals, 540,567 17
Defalcation at branches, 21,333 99

Cash on hand—
Silver, $2,941 54
Notes of specie Banks, 13,163 00
Do. Bank of the Commonwealth, 5,558 74
Do. uncurrent Banks, 206 00
Do. Bank Kentucky, 3 00

21,872 28

$859,417 76

Attest, H. BLANTON, C'tk.

Ordered, That the said report be referred to the committee of Finance.
Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill to amend the charter of the City of Louisville, reported the same without amendment.

Ordered, That the said bill be engrossed and read a third time on Monday next.

Mr. John Payne from the joint committee, appointed to examine the Register's office, made the following report, viz.

The joint committee of the Senate and House of Representatives, appointed to examine and report the state of the Land office, have performed the duty required, and report,

That they find transmitted from the Virginia Land office, surveys in bundles, numbered from 1 to 273, neatly labelled, with an alphabet. Also, 13 bundles containing the caveated and defective surveys, on which Grants have issued; 4 bundles of caveated surveys; 2 bundles defective surveys, and one bundle of surveys mislaid from their proper bundles, all neatly labelled and recorded in 11 volumes, well bound, with a complete alphabet; 2 bundles of warrants located and mislaid; 1 bundle copies of wills; 16 volumes, the record of grants, issued on the aforesaid surveys, in good order, with a complete alphabet; the record of military warrants from the Virginia Land office, in two volumes, with alphabets, in good order; a list of Virginia treasury warrants in two volumes; the record of preemption warrants, in one volume; and one volume containing the record of warrants under the proclamation of 1763, with alphabets, and in good order; commissioners certificates granted in 1779 and 180, in 3 volumes with alphabets in good order; the sale books of non-residents lands, for the years 1800, 1, 2 and 4, have a new alphabet, (though the books are somewhat worn.) The books in which the sales of 1805, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, are recorded, they find in good order with alphabets; two volumes in which surveys have been registered since 1792, in good order. The said surveys are tied up in bundles, numbered from 1 to 145, neatly labelled with an alphabet; the record of these surveys together with the record of some grants in 11 volumes with an alphabet, in good order; the grants issued on the aforesaid surveys are in 19 volumes, with an alphabet, in good order; the surveys on headright claims are neatly registered in three volumes, with two alphabets, (one of which is much worn); the headright plats and certificates of survey are filed in bundles numbered from 1 to 313, neatly labelled, and are recorded in 17 volumes, with two alphabets, in good order. The grants issued thereon are recorded in 23 volumes, well bound with two alphabets, in good order. Land warrants issued under the act of 1800, the surveys and grants on the same, and also, the Tellico surveys and grants, are in three volumes; they are registered in one volume, the original surveys tied up in 13 bundles, neatly labelled, all in good order; 9 bun-
dles of certificates, on which warrants have issued; 7 bundles of certificates of sale of non-residents' lands on which deeds have issued; one bundle of Attorney General's opinions to the Register; 3 bundles county court certificates; 7 bundles of caveats since 1792; 4 bundles caveated surveys since 1792; 2 bundles of surveys not registered for want of fees since 1792; 1 bundle defective surveys since 1792; 41 bundles of vouchers on which the late Kentucky land warrants have issued, all neatly labelled and in good order; one volume containing the surveys under the proclamation of 1763, with an alphabet; 2 volumes of certificates granted in 1786, and three volumes in 1798, with alphabets; Anderson and Croghan's military entry books, in two volumes with alphabets; the transcript of Lincoln entries, in two volumes, with an alphabet in good order; May's entries (so called) transcribed in five volumes, with two alphabets in good order; one volume of Green's deputy register of surveys, made previous to June 1792; one volume relinquishments in tolerable order; a list of Kentucky land warrants issued under the act of 1814, and subsequent acts in 3 volumes, and the record of said warrants in 10 volumes. The original surveys made on said warrants are tied up in 312, bundles neatly labelled and recorded in 16 volumes, well bound, the grants issued thereon recorded in 26 volumes, with two alphabets in good order; the said surveys are neatly registered in 4 volumes with three alphabets in good order; 3 volumes in which caveats are recorded, with alphabets; 11 books of original entries from the county of Fayette, neatly transcribed in 4 volumes, well bound with an alphabet, in good order, agreeably to an act of Assembly approved 5th January 1824; one book of original entries from the county of Mercer; one from Bourbon, and one from Nelson, have been returned by the surveyors of said counties to the Register's office agreeably to an act of Assembly approved Feb. 12th 1820; all of which books of entries are in order fit to be used. The Surveyor of Jefferson county has failed to return the original entries of that county to the Register's office, as your committee have been informed by the Register; 1 volume of military grants for land west of the Tennessee river; 1 volume in which the surveys of that land are recorded, and one in which they are registered, the surveys are neatly tied up in 6 bundles, each volume having a separate alphabet; 2 volumes in which certificates of sales of land west of the Tennessee river are recorded; 3 volumes of grants issued thereon, with alphabets in good order; 1 volume of Henderson's field notes; 1 volume in which surveys of land south of Walker's line are recorded; 2 volumes of grants, one volume in which the same are registered, with alphabets in good order. The surveys of the lands are tied up in 19 bundles neatly labelled; 1 volume of the list of warrants south of Walker's line; 1 volume in which those warrants are recorded;
one volume in which the surveys on forfeited lands are registered; one volume of the record of grants on the same, with alphabets in good order; 7 bundles certificates of sale of lands west of the Tennessee river, on which grants have issued, neatly labelled. The whole office exhibits diligence and care in the Register.

Your committee further report that the Register's office produces to the revenue collectable from the treasury out of its fees a handsome sum. By the report of the Auditor to the present General Assembly, the amount paid in by the Register for the last fiscal year, is $832 11. Since the enactment of the law requiring the Register to pay into the treasury the contingent fees of his office, the business of that office has greatly increased, by various laws passed, relating to the public lands, and particularly by those laws respecting the appropriation of the public lands to seminaries, roads, and the land south west of the Tennessee river. Were the usual fees paid on all these services, the revenue on all this gratuitous service would greatly enhance the amount of revenue from this source.

The committee are of opinion that the labour of the office is greatly increasing, and requires the service of an additional Clerk, which the Register is unable to employ out of his present salary, and believing as they do, that the office is of greater importance than any other, because of its being exclusively the deposit of the evidence of the land titles of the country, they would respectfully recommend the passage of a law, authorising the Register to retain out of the fees of his office in his settlement with the Auditor the sum of $ to be employed in the employment of an additional clerk, in his office. They recommend the adoption of the following resolution:

Resolved, That a law ought to pass allowing the Register to retain out of the contingent fees of his office, a reasonable sum to enable him to employ an additional clerk in his office.

JOHN PAYNE, 
WILLIAM R. GRIFFITH, 
JOHN O. BEASEMAN, 

DAVID WHITE, 
F. GORIN, 
G. A. HENRY, 
H. GRIDER, 
JOSEPH HASKIN, 
JEFFERSON PHELPS, 

Of the Senate.

Of the House of Representatives.

The said resolution was twice read and laid on the table. Leave was given to bring in the following bills, viz.

On motion of Mr. Guthrie—A bill to establish the Bank of Louisville. And,
A bill to incorporate the Bardstown and Louisville turnpike company.

Messrs. Guthrie, Hardin and Boyd were appointed a committee to prepare and bring in the former; and Messrs. Guthrie, Hardin, Rudd, Allen and Griffin the latter bill.

After a short time Mr. Guthrie from the said committees, reported the said bills.

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

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

The former was referred to the committee of Courts of Justice, and the latter to the committee of Internal Improvements.

Mr. Dougherty presented the petition of Robert Taylor and James Taylor, praying that a law may pass authorising the sale of a small tract of land in Bourbon county, which belonged to the deceased wife of the said Robert, and mother of said James, and others who are infants.

Which was received and referred to the committee of Courts of Justice.

On motion,

Ordered, That the bill to fix the ratio and apportion the representation for the ensuing four years, be the order of the day for Wednesday next.

A bill to amend the laws in relation to usury, was taken up, and is as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That an act entitled “an act against usury, approved January 26th, 1798,” be and the same is re-enacted, renewed and declared to be in full force and effect from and after the day of 183

SEC. 2. Be it further enacted, That an act entitled “an act to alter and amend the law concerning usury, approved, February 6, 1819,” be and the same is hereby repealed: this act shall be in force from and after the day of 183

Mr. Fleming moved to postpone the further consideration of the said bill until the first day of June next.

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

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


NAVS—Messrs. Campbell, Casey, Dougherty, Gholson, Griffin,

A bill to alter the time of holding the Owen circuit court, was read a second time, and ordered to be engrossed and read a third time on Monday next.

An engrossed bill, entitled, an act to repeal in part, the charter of Louisville, and for other purposes, was read the third time.

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

A bill for the divorce of Polly Clemens from her husband Benjamin Clemens, was read the second time, and ordered to be engrossed and read a third time on Monday next.

Resolved, That the Senate insist on the amendment proposed by them, to a bill from the House of Representatives, entitled, an act for the benefit of the surveyor of Jefferson county; and that the committee of Finance be a committee of conference thereon, on the part of the Senate.

Ordered, That the clerk inform the House of Representatives thereof.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House of the following titles, viz.

An act authorising the county courts of Bath and Nicholas to open a road to Andrews' ferry on Licking, under certain restrictions.

An act authorising the county court of Harrison county to permit Edward Coleman to erect two gates across a public road in said county.

An act to reduce into one, the several acts concerning the town of Augusta, in Bracken county.

An act to add additional constables and magistrates to sundry counties.

An act to provide for building a bridge across Rough creek at Hartford.

An act to improve the navigation of Big Barren river.

An act to alter and extend the terms of certain circuit courts in this commonwealth.

An act for the benefit of John D. Hay.

An act to enable the circuit courts to make allowance to committees of idiots and lunatics for keeping them out of their own estates.

An act to amend the revenue laws. And,

An act to amend the law regulating appeals from the judgment of justices of the peace.

And that they had concurred in the amendment proposed by the Senate to a bill which originated in that house, entitled, "an act appointing trustees to the towns of Fredericksburg, in Gallatin county, and to Clinton in Hickman county."
Bills from the House of Representatives of the following titles, viz.

An act prescribing the duties of attorneys appointed by the county court of each respective county.

An act to amend the penal laws of this commonwealth.

An act to regulate the mode of accounting for taxes received by clerks, &c. on law process, deeds, seals, &c. collected for revenue purposes.

An act to reduce into one the several acts concerning the town of Augusta, in Bracken county.

An act to extend and alter the terms of certain circuit courts of this commonwealth.

An act to enable the circuit courts to make allowance to committees of idiots and lunatics, for keeping them out of their own estates.

An act to amend the law regulating appeals from the judgment of justices of the peace. And,

An act to amend the revenue laws,

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

The rule of the Senate, constitutional provision, and second readings of the said bills, having been dispensed with, they were severally referred to the committee of Courts of Justice.

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

Bills from the House of Representatives, of the following titles, viz.

An act for the benefit of the collector of militia fines for the 49th regiment.

An act to amend the third section of an act, for the regulation of the town of Cadiz, in Trigg county, approved, December 16th, 1828.

An act to add additional constables and magistrates to sundry counties.

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

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with; the first was referred to a committee of Messrs. Faulkner, Fleming and Bibb; the second to a committee of Messrs. Gholson, Campbell and Bibb; and the third to a committee of Messrs. Hardin, Allen, Fleming, Parks and Beaseman.

Bills from the House of Representatives, of the following titles, viz:

An act to provide for the erection of a bridge across Rockcastle river, on the turnpike and wilderness road.

An act for the benefit of William W. Ater and others.

An act for the benefit of William Henson.
An act for the benefit of John H. Slaughter of Rockcastle county.

An act making an appropriation to assist the county of Hardin to build a bridge across Nolin river, near Robert Slaughter's, where the main road leading from Louisville to Nashville crosses the said stream.

An act for the benefit of John J. Posey.

An act for the benefit of Philip Graves.

An act to fix the compensation of the clerks of the Senate and House of Representatives of this commonwealth, and for other purposes.

An act to provide for building a bridge across rough creek, at Hartford. And,

An act to improve the navigation of Big Barren river,

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

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, they were referred to the committee of Finance.

Bills from the House of Representatives of the following titles, viz:

An act for the divorce of George Ross.

An act for the divorce of Harriet H. Rudd.

An act to authorize John Riley and Jesse Thomas to build a mill dam on the middle fork of the Kentucky river,

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

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the two former were referred to the committee of Religion, and the latter to the committee of Internal Improvements.

Bills from the House of Representatives of the following titles, viz:

An act for the benefit of Temple S. Perrin.

An act to authorize Baxter Alexander, of Trigg county, to erect gates on the road leading from Cadiz to Mount Pleasant meeting-house.

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

An act to authorize the election of trustees in the town of Maxville, Washington county. And,

An act authorizing the county court of Harrison county to permit Edward Coleman to erect two gates across a public road in said county.

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

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

A bill from the House of Representatives, entitled an act authorizing the county courts of Bath and Nicholas to open a road to Andrews' ferry on Licking, under certain restrictions, was read the first time, and ordered to be read a second time.

A bill from the House of Representatives, entitled an act for the benefit of John D. Hay, was read the first time, and ordered to be read a second time.

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

Mr. Guthrie moved to commit the same to the committee of Courts of Justice.

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

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


The said bill was then referred to the committee of Finance.

Mr. Faulkner from the committee to whom was referred a bill from the House of Representatives, entitled an act for the benefit of the collector of militia fines for the 49th regiment, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

And then the Senate adjourned.

MONDAY, DECEMBER 5, 1831.

The Senate assembled.

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of John Hockersmith, reported that the said bill ought not to pass, and it was laid on the table.

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William Henson, reported the same with an amendment, which was twice read and concurred in.
Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to amend the Whitley turnpike law, approved, January 15th, 1831, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

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

By Mr. Clark—1. A bill to create an additional election precinct in the county of Clarke. And,

By Mr. Campbell—2. A bill for the benefit of Martin Strafford and others.

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

The rule of the Senate, constitutional provision, and second reading of the latter bill having been dispensed with, it was referred to the committee of Finance.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

An act to divorce Mary Jane Caldwell. And,

An act to change the time of the setting of the August term of the Madison county court.

The said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the former, and second and third readings of the latter bill, having been dispensed with; the former was referred to the committee of Religion.

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

Mr. Maupin moved for leave to bring in a bill, authorising the President and Directors of the Bank of the Commonwealth of Kentucky, to receive seventy-five cents specie, in lieu of one dollar paper, which is due to said bank, and at that rate for all debts due to said institution.

The question being taken on granting leave to bring in said bill, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Fleming and Hardin, were as follows, viz.

**YEAS—Messrs. Maupin—1.**


On motion of Mr. Campbell, leave was given to bring in a bill to amend an act, entitled, an act for the benefit of James Lockridge, approved, January 15th, 1831. And Messrs. Campbell, Wingate, Stephens, George and Gholson, were appointed a committee to prepare and bring in the same.

After a short time, Mr. Campbell from the said committee, reported the said bill, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

Mr. Maupin moved for leave to bring in a bill authorising the President and Directors of the Bank of the Commonwealth of Kentucky, to receive specie, in lieu of one dollar paper, which is due to said bank, and at that rate for all debts due said institution.

The question being taken on granting leave to bring in said bill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Fleming and Williams, were as follows, viz.

**YEAS—Messrs. Casey, Faulkner, Griffin and Maupin—4.**


An engrossed bill, entitled, an act to amend the charter of the City of Louisville was read the third time.

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

An engrossed bill, entitled, an act for the divorce of Polly Clemons, from her husband Benjamin Clemons, was read the third time.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Griffin and Hardin, were as follows, viz.

**YEAS—Messrs. Brown, Campbell, Conner, Cunningham, Dejarnett, Fleming, Gholson, Griffin, Griffith, Guthrie, Owsley, Wood—24.**
Resolved, That the title of the said bill be as aforesaid.

A bill from the House of Representatives, entitled, an act authorising the county courts of Bath and Nicholas, to open a road to Andrews' ferry on Licking, under certain restrictions, was read the second time, and referred to a committee of Messrs. Parks, Williams and Fleming.

After a short time, Mr. Parks from the said committee, reported the said bill with an amendment, which was twice read and concurred in.

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

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

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

On motion of Mr. Thornton—1. A bill to extend the powers of the county courts of this Commonwealth: On motion of Mr. Rudd—2. A bill to amend an act, entitled, an act to prevent the future migration of free negroes and mulattoes to this State, approved, February 23rd, 1808. And on motion of Mr. Brown—3. A bill to amend the law concerning unlawful assemblies.

Ordered, That the committee of Courts of Justice, prepare and bring in the first: Messrs. Rudd, W. C. Payne, Gholson and Campbell, were appointed a committee to prepare and bring in the second: And Messrs. Brown, Hardin and Allen the third.

After a short time, Mr. Brown from the said committee, reported the third bill, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill, having been dispensed with, it was referred to the committee of Courts of Justice.

Mr. Wood moved for leave to bring in a bill, to amend an act entitled, an act to amend the law in relation to venire men, approved, January 29th, 1829.

And the question being taken on granting leave to bring in the said bill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wood and Wingate, were as follows, viz.


NAYS—Messrs. Brown, Campbell, Clark, Conner, Cunningham, DeJarnett, Faulkner, Fleming, Griffith, Hardin, Maupin,
The Speaker laid before the Senate, the annual report of the commissioners of the Lunatic Asylum, which is as follows, viz.

To the honorable the General Assembly of the Commonwealth of Ky.

In conformity with your act, the Commissioners of the Lunatic Asylum beg leave to report: That in the annexed paper marked A, will be found a list of the patients, their disease, age, from what county, and the date when received; also, the number admitted since this humane institution was founded by your honorable body. Shewing that since then, one hundred and eleven have been restored to society and their friends, out of three hundred and eight. During the past year thirty-seven patients have been received. Nine of whom have been restored, and two have died. Of those remaining at last report, seven have been discharged cured; and seven cases of mortality have occurred. The number now in the house is one hundred and two.

The document marked B, exhibits the receipt and expenditure of the institution for the past year, shewing a balance in the hands of the commissioners of nineteen hundred and thirty-two dollars and twenty-five cents.

For the comfortable accommodation of the patients, it is absolutely necessary that the original plan of the building should now be completed. To enable your commissioners to do which, and support the institution, will require an appropriation of ten thousand dollars. All which is respectfully submitted.

JOHN W. HUNT, Chairman.
JOHN BRAND,
R. HIGGINS,
THO: P. HART,
RICH'D ASHTON,

Lexington, 1st December, 1831.

List of Patients remaining in the Lunatic Asylum, 19th Nov. 1831.

<table>
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<tr>
<th>Date</th>
<th>Disease</th>
<th>Sex</th>
<th>County</th>
<th>Age</th>
<th>No.</th>
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<td>Idiocy</td>
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<td>Fayette</td>
<td>27</td>
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<tr>
<td>do.</td>
<td>do.</td>
<td>Female</td>
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<td>25</td>
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<td>do.</td>
<td>do.</td>
<td>Breckridge</td>
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<td>do.</td>
<td>do.</td>
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<td>Amat</td>
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<td>Scott</td>
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<td>A dolore</td>
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<td>Scott</td>
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<td>Butler</td>
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<tr>
<td>Date</td>
<td>Disease</td>
<td>Sex</td>
<td>County</td>
<td>Age</td>
<td>No.</td>
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<td>Fayette</td>
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<tr>
<td>do.</td>
<td>Epilepsy</td>
<td>do</td>
<td>do</td>
<td>31</td>
<td>139</td>
</tr>
<tr>
<td>do.</td>
<td>Puerperil</td>
<td>Female</td>
<td>Washington</td>
<td>52</td>
<td>140</td>
</tr>
<tr>
<td>do.</td>
<td>Idiocy</td>
<td>Male</td>
<td>Pendleton</td>
<td>28</td>
<td>144</td>
</tr>
<tr>
<td>do.</td>
<td>Idiocy</td>
<td>Male</td>
<td>do</td>
<td>26</td>
<td>147</td>
</tr>
<tr>
<td>do.</td>
<td>Idiocy</td>
<td>Female</td>
<td>Fayette</td>
<td>47</td>
<td>149</td>
</tr>
<tr>
<td>do.</td>
<td>Mania</td>
<td>Female</td>
<td>Christian</td>
<td>62</td>
<td>155</td>
</tr>
<tr>
<td>do.</td>
<td>Mania</td>
<td>Male</td>
<td>Breck'side</td>
<td>12</td>
<td>157</td>
</tr>
<tr>
<td>do.</td>
<td>Idiocy</td>
<td>Male</td>
<td>Logan</td>
<td>45</td>
<td>159</td>
</tr>
<tr>
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<td>Mania</td>
<td>Male</td>
<td>McCracken</td>
<td>40</td>
<td>161</td>
</tr>
<tr>
<td>1828</td>
<td>Dolore</td>
<td>Female</td>
<td>Mississippi</td>
<td>42</td>
<td>165</td>
</tr>
<tr>
<td>do.</td>
<td>Apoee</td>
<td>Male</td>
<td>Mercer</td>
<td>30</td>
<td>169</td>
</tr>
<tr>
<td>do.</td>
<td>Epilepsy</td>
<td>Male</td>
<td>Mercer</td>
<td>24</td>
<td>170</td>
</tr>
<tr>
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<td>Mania</td>
<td>Female</td>
<td>Laurel</td>
<td>29</td>
<td>173</td>
</tr>
<tr>
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<td>Mania</td>
<td>Male</td>
<td>Fayette</td>
<td>42</td>
<td>179</td>
</tr>
<tr>
<td>do.</td>
<td>Mania</td>
<td>Male</td>
<td>do</td>
<td>32</td>
<td>180</td>
</tr>
<tr>
<td>do.</td>
<td>Epilepsy</td>
<td>Female</td>
<td>Spencer</td>
<td>33</td>
<td>181</td>
</tr>
<tr>
<td>do.</td>
<td>Idiocy</td>
<td>do</td>
<td>Wayne</td>
<td>43</td>
<td>183</td>
</tr>
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<td>Mania</td>
<td>Male</td>
<td>Mercer</td>
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<td>184</td>
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<tr>
<td>do.</td>
<td>Mania</td>
<td>Male</td>
<td>Barren</td>
<td>35</td>
<td>193</td>
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<tr>
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<td>Idiocy</td>
<td>Female</td>
<td>Allen</td>
<td>25</td>
<td>196</td>
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<tr>
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<td>Male</td>
<td>Logan</td>
<td>33</td>
<td>199</td>
</tr>
<tr>
<td>1829</td>
<td>Apoee</td>
<td>Male</td>
<td>Jefferson</td>
<td>42</td>
<td>206</td>
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<tr>
<td>do.</td>
<td>Mania</td>
<td>Male</td>
<td>Logan</td>
<td>37</td>
<td>208</td>
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<tr>
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<td>Mania</td>
<td>Female</td>
<td>Bourbon</td>
<td>35</td>
<td>211</td>
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<td>Mania</td>
<td>Male</td>
<td>Monroe</td>
<td>36</td>
<td>217</td>
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<tr>
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<td>Epilepsy</td>
<td>do</td>
<td>Simpson</td>
<td>34</td>
<td>220</td>
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<td>Dolore</td>
<td>do</td>
<td>Mercer</td>
<td>16</td>
<td>224</td>
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<tr>
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<td>Dolore</td>
<td>do</td>
<td>Barren</td>
<td>28</td>
<td>226</td>
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<tr>
<td>Date</td>
<td>Disease</td>
<td>Sex</td>
<td>County</td>
<td>Age</td>
<td>No.</td>
</tr>
<tr>
<td>------------</td>
<td>---------</td>
<td>-------</td>
<td>---------</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>1829, Dec.</td>
<td>Mania</td>
<td>do</td>
<td>Hopkins</td>
<td>37</td>
<td>227</td>
</tr>
<tr>
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<td>do.</td>
<td>Male</td>
<td>Madison</td>
<td>42</td>
<td>228</td>
</tr>
<tr>
<td>21 do.</td>
<td>do.</td>
<td>do.</td>
<td>Scott</td>
<td>38</td>
<td>230</td>
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<td>do. Oct.</td>
<td>5</td>
<td>Apothe</td>
<td>Fayette</td>
<td>34</td>
<td>234</td>
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<td>do.</td>
<td>Logan</td>
<td>35</td>
<td>240</td>
</tr>
<tr>
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<td>7 do.</td>
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<td>24</td>
<td>244</td>
</tr>
<tr>
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<td>do.</td>
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<td>Hopkins</td>
<td>27</td>
<td>245</td>
</tr>
<tr>
<td>1829, Mar.</td>
<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>66</td>
<td>246</td>
</tr>
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<td>do.</td>
<td>do.</td>
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<td>66</td>
<td>247</td>
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<tr>
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<td>do.</td>
<td>do.</td>
<td>Scott</td>
<td>53</td>
<td>248</td>
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<tr>
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<td>do.</td>
<td>do.</td>
<td>Male</td>
<td>38</td>
<td>249</td>
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<td>do.</td>
<td>do.</td>
<td>do.</td>
<td>28</td>
<td>250</td>
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<td>Madison</td>
<td>23</td>
<td>251</td>
</tr>
<tr>
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<td>do.</td>
<td>do.</td>
<td>Missouri</td>
<td>39</td>
<td>252</td>
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<tr>
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<td>do.</td>
<td>Male</td>
<td>Do</td>
<td>29</td>
<td>253</td>
</tr>
<tr>
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<td>do.</td>
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<td>41</td>
<td>254</td>
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<td>255</td>
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<td>256</td>
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<td>do.</td>
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<td>Fayette</td>
<td>21</td>
<td>259</td>
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<tr>
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<td>do.</td>
<td>do.</td>
<td>Nicholas</td>
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<td>260</td>
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<td>Ohio</td>
<td>51</td>
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<td>Garrard</td>
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<td>Male</td>
<td>Pike</td>
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<td>do.</td>
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<td>265</td>
</tr>
<tr>
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<td>do.</td>
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<td>Mercer</td>
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<td>266</td>
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<td>do.</td>
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<td>Mercer</td>
<td>26</td>
<td>267</td>
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<tr>
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<td>do.</td>
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<td>Brevard</td>
<td>33</td>
<td>268</td>
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<td>50</td>
<td>269</td>
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<td>270</td>
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<td>do.</td>
<td>Female</td>
<td>Mercer</td>
<td>45</td>
<td>271</td>
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<tr>
<td>24 do.</td>
<td>do.</td>
<td>Male</td>
<td>Nicholas</td>
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<td>272</td>
</tr>
<tr>
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<td>do.</td>
<td>Female</td>
<td>Grayson</td>
<td>45</td>
<td>273</td>
</tr>
<tr>
<td>28 do.</td>
<td>do.</td>
<td>Female</td>
<td>Todd</td>
<td>25</td>
<td>274</td>
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<tr>
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<td>do.</td>
<td>Male</td>
<td>Fayette</td>
<td>21</td>
<td>275</td>
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<tr>
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<td>do.</td>
<td>Male</td>
<td>Jefferson</td>
<td>21</td>
<td>276</td>
</tr>
<tr>
<td>19 do.</td>
<td>do.</td>
<td>Male</td>
<td>Mercer</td>
<td>21</td>
<td>277</td>
</tr>
<tr>
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<td>do.</td>
<td>Male</td>
<td>Fayette</td>
<td>21</td>
<td>278</td>
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<td>do.</td>
<td>Male</td>
<td>Simpson</td>
<td>42</td>
<td>279</td>
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<tr>
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<td>do.</td>
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<td>Scott</td>
<td>18</td>
<td>280</td>
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<td>do.</td>
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<td>Mason</td>
<td>45</td>
<td>281</td>
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<tr>
<td>Nov. 19</td>
<td>do.</td>
<td>Male</td>
<td>Washington</td>
<td>60</td>
<td>282</td>
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</tbody>
</table>

Males 50—Females 52. In all 102.
Remained in Hospital 25th December, 1830, per last report, 90.
Of whom have since died, 7
    discharged, 7
—14

Received since last report to 19th Nov. 1831, 37
Of whom have died, 2
    discharged, 9
—11 25

Males, 50) of whom are 10 Boarders, 10
Females, 52) of whom are 92 Paupers, 92
102 102

Remain this 19th November, 1831, 102

From January, 1824, to 19th Nov. 1831—Patients received, 308
Of whom have died, 30
    discharged, 111
    eloped, 15
—206

Males, 198
Females, 110

Remain, 102

308

The Patients are from the following Counties:—Fayette 13, Jefferson 10, Mercer 10, Logan 7, Breckenridge 4, Scott 4, Nicholas 3, Madison 3, Barren 3, Bourbon 3, Simpson 3, Ohio 3, Shelby 2, Wayne 2, Mason 2, Harrison 2, Washington 2, Pendleton 2, Casey 1, Franklin 1, Butler 1, Clarke 1, Warren 1, Fleming 1, Christian 1, McCracken 1, Spencer 1, Monroe 1, Hopkins 1, Hardin 1, Pike 1, Grayson 1, Laurel 1, Allen 1, Nelson 1, Garrard 1, Todd 1—Mississippi and Tennessee 5.—Total 102.

(B)

Receipt and Expenditures of the Lunatic Asylum, from the 29th December 1830, to the 1st December 1831.

<table>
<thead>
<tr>
<th>CHARGE.</th>
<th>DISCHARGE.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dec. 29, 1830—To balance on hand per last report, $1,289 23</td>
<td>By amount paid for provisions, $2,865 74</td>
</tr>
<tr>
<td>1831—State appropriation, 7,000 00</td>
<td>Ditto do, clothing, 1,410 92</td>
</tr>
<tr>
<td>Cash received for board of pay patients, 1,253 53</td>
<td></td>
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</tbody>
</table>
The Senate assembled.
The Speaker laid before the Senate the annual report of the trustees of the Asylum for the instruction of the Deaf and Dumb, which is as follows, viz.

To the Honorable the Speaker,
of the House of Representatives.

The Trustees of the Asylum for the instruction of the deaf and dumb, would respectfully report:

That the pupils in the institution have, during the past year, enjoyed good health generally, and made satisfactory progress in the acquirement of useful knowledge.

It will be perceived by the annexed list of pupils, that the number has been somewhat increased during the year. In view of a further addition the Trustees have deemed it necessary to add a few rooms to their buildings for their proper and healthful accommodation. This work is in progress, and expected to be finished during the next month. The expenditure for this object will appear in the next year's amount of disbursements.

By the annexed statement it will be seen that during the past year the sum of $1000 only, has been received from Florida. This sum was immediately placed on loan at six per cent. interest in pursuance of the design heretofore expressed by the Board, of creating a permanent and productive fund for the support of the institution. A greater amount would have been forwarded if collections of our debts could have been effected by our Agent. He informs us that the unusual sickness prevalent in that Terri-
the Board has produced such a stagnation in business as to disappoint
his expectations.

In the month of September last the Board sent Mr. Jacobs and
one of the pupils to visit the Legislature of Tennessee, then in
session at Nashville, with a view to induce that state to make
provision by law for the instruction at this institution, of their
indigent mutes, as has been done by the state of Mississippi.

Mr. Jacobs reports. That he was cordially received by the
Governor and Legislature, and thinks that the object of his
mission will be effected. The Board has not as yet learned the
result.

The Board would respectfully refer to the annexed statement
for a detailed amount of their funds, names of officers, &c.

By Order,

D. G. COWAN, Committee.

Danville, Nov. 3, 1831.

Statement showing the situation of the funds of the Deaf and Dumb
Asylum on the 3d. Nov. 1831.

To balance on hand 3d Nov. 1830, per last report $5,623 16
To amount received from Treasury for support of
indigent pupils for the year ending 3d. Nov. 1831. 2,809 37
To amount received from sales of land in Florida,
since last report $1000 specie.
To received for tuition.

$9,623 48

By amount paid to Mr. Kerr for boarding indigent
pupils the last year. 1,441 41
By his salary for same time. 400 00
By amount paid to Mr. Jacobs, principal teacher. 820 56
By amount paid for boarding and clothing of
B. McMahon, tutor. 71 19
By fuel for school room. 16 67
By contingent expenses, including repairs to build-
ings. 161 07
By loss sustained on debts, due for loans to John
L. Bridges and B. F. Pleasants in 1823, besides the
interest, notes being drawn for commonwealth paper
and scaled to specie. 76 52

$2,987 42

Balance on hand, (one thousand of which is in
specie.) $6,636 07

JAMES HARLAN, Secretary.
### Officers of the Asylum

- **Mrs. Frances Kerr**, matron.
- **John A. Jacobs**, principal teacher.
- **William D. Kerr**, assistant teacher.

### Physicians
- Drs. Fleece and Weisiger.

### Trustees
- James C. Barns, Chairman.
- James Barbour, Treasurer.

### Pupils in the Asylum 3d. November, 1831.

<table>
<thead>
<tr>
<th>Names</th>
<th>Ages</th>
<th>When entered.</th>
<th>Where from.</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew J. King,</td>
<td>14</td>
<td>1829, Jan. 19.</td>
<td>Mercer Co. Ky.</td>
<td>do</td>
</tr>
<tr>
<td>Emily Grissom,</td>
<td>22</td>
<td>&quot; Apl. 14.</td>
<td>Adair Co.</td>
<td>do</td>
</tr>
<tr>
<td>Frances Barlow,</td>
<td>10</td>
<td>&quot; Apl. 25.</td>
<td>Washington</td>
<td>do</td>
</tr>
<tr>
<td>David Arnett,</td>
<td>23</td>
<td>&quot; Aug. 5.</td>
<td>Bath</td>
<td>do</td>
</tr>
<tr>
<td>Lucinda Philips,</td>
<td>16</td>
<td>&quot; 7.</td>
<td>Madison</td>
<td>do</td>
</tr>
<tr>
<td>Silas Ford,</td>
<td>18</td>
<td>&quot; Sept. 25.</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>John S. Langdon,</td>
<td>13</td>
<td>1830, May 13.</td>
<td>Pulaski</td>
<td>do</td>
</tr>
<tr>
<td>Henry Grissom,</td>
<td>13</td>
<td>&quot; Sept. 27.</td>
<td>Adair</td>
<td>do</td>
</tr>
<tr>
<td>Edward Busby,</td>
<td>13</td>
<td>&quot; &quot;</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>Thomas G. White,</td>
<td>13</td>
<td>&quot; Oct. 11.</td>
<td>Cynthiana</td>
<td>do</td>
</tr>
<tr>
<td>Larry Flournoy,</td>
<td>13</td>
<td>&quot; Oct. 11.</td>
<td>Caldwell</td>
<td>do</td>
</tr>
<tr>
<td>Adeline Flournoy,</td>
<td>11</td>
<td>&quot; &quot;</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>Jesse Forsythe,</td>
<td>20</td>
<td>&quot; Dec. 23.</td>
<td>Pendleton</td>
<td>do</td>
</tr>
<tr>
<td>James Keith,</td>
<td>19</td>
<td>&quot; &quot;</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>William Hoagland,</td>
<td>21</td>
<td>1831, Mar. 22.</td>
<td>Washington</td>
<td>do</td>
</tr>
<tr>
<td>Curtis Gatewood,</td>
<td>14</td>
<td>&quot; May 11.</td>
<td>Nelson</td>
<td>do</td>
</tr>
<tr>
<td>William Gatewood,</td>
<td>13</td>
<td>&quot; &quot;</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>Sally Gatewood,</td>
<td>11</td>
<td>&quot; &quot;</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>Zoulena Kinchelo,</td>
<td>16</td>
<td>&quot; Sept. 19.</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>Jesse Van Wynkle,</td>
<td>9</td>
<td>&quot; 30.</td>
<td>Wayne</td>
<td>do</td>
</tr>
<tr>
<td>Thomas Kennon,</td>
<td>26</td>
<td>1827, May 3.</td>
<td>Mississippi</td>
<td>P'd. char.</td>
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<tr>
<td>Andrew D. Holt,</td>
<td>13</td>
<td>1829, May 29.</td>
<td>Bourbon Co. Ky.</td>
<td>do</td>
</tr>
<tr>
<td>William P. Moore,</td>
<td>18</td>
<td>&quot; Oct. 2.</td>
<td>Tennessee</td>
<td>do</td>
</tr>
<tr>
<td>John G. Bell,</td>
<td>21</td>
<td>1831, Feb. 7.</td>
<td>&quot;</td>
<td>do</td>
</tr>
<tr>
<td>Walter Wood,</td>
<td>12</td>
<td>&quot; June 21.</td>
<td>Mississippi</td>
<td>do</td>
</tr>
</tbody>
</table>

Total, 27.
Ordered, That the said report be referred to the committee of Finance.

The Speaker laid before the Senate the annual report of the President of the Bank of the Commonwealth of Kentucky, which is as follows, viz:

[See the annexed folding leaf.]

Ordered, That the said report be referred to the committee of Finance; and that the Public Printer print 150 copies of the report without the tables, for the use of the General Assembly.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill to amend the law concerning trials cognizable before justices of the peace, approved. February 13th, 1828, reported the same with the following resolution thereon, viz:

Resolved, That the said bill be rejected.

Which was twice read, and concurred in.

Mr. Guthrie from the same committee, to whom was referred the petition of Robert Taylor, reported the same with the following resolution thereon, viz:

Resolved, That the case is already provided for, and that the said petition be rejected.

Which was twice read and concurred in.

Mr. Guthrie from the same committee, to whom was referred a bill to amend an act, entitled, an act to punish shooting or stabbing in sudden affrays, approved, February 3d, 1828, reported the same with an amendment.

Which was twice read and concurred in.

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

Mr. Guthrie from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to reduce into one, the several acts concerning the town of Augusta, in Bracken county. And,

An act to enable the circuit courts to make allowance to committees of idiots and lunatics, for keeping them out of their own estates, reported the same without amendment.

Ordered. That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third readings of the said bills having been dispensed with,

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

Mr. Allen from the committee of Internal Improvements, to whom was referred a bill to incorporate the Bardstown and Louisville turnpike company, reported the same without amendment.

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

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed, and the blanks therein filled,
To amount due Literary Fund, $1
" amount due Individual Depositors, $2
" amount due William D. Barret, Cashier, $3
" amount due Principal Bank, $4
" amount of discounts since 30th Nov. last, $5

DR. Situation of the Harrodsburg
To amount due Principal Bank, $16
" amount due Individual Depositors, $17
" amount of discounts since 30th Nov. last, $18
" amount due literary fund, $19

DR. Situation of the Bowlinggreen
To amount due Principal Bank, $13
" amount of discounts since 30th Nov. last, $14
" amount due Individual Depositors, $15
" amount due literary fund, $16

DR. Situation of the Princeton
To amount due Principal Bank, $22
" amount due Individual Depositors, $23
" amount of discounts since 30th Nov. last, $24
" amount due literary fund, $25
" amount due R. Rowland, late Cashier, $26
" amount of profit and loss, $27

$35
for the Committee of the House of Representatives, December 6, 1831.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

I. Statement of the Depository Branch District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

II. Statement of the Louisville District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

III. Statement of the Lexington District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

IV. Statement of the Frankfort District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

V. Statement of the Mount Vernon District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

VI. Statement of the Courthouse District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

VII. Statement of the Courthouse Branch District, for the 30th November, 1831, CR.

To the Honorable Senate and House of Representatives of the United States, in Congress assembled, we send the following report on the Bank

VIII. Statement of the Courthouse Branch District, for the 30th November, 1831, CR.
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

Mr. Clark from the committee of Propositions and Grievances, to whom was referred the petition of sundry citizens of Bracken county, praying that a part of said county be added to the county of Pendleton, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which being twice read, Mr. Dougherty moved to amend the same, by striking out the words "be rejected," and inserting in lieu thereof, "is reasonable."

And the question being taken on said motion, it was decided in the negative, and so the said report was concurred in.

Ordered, That leave be given to withdraw the said petition.

The messages in writing received from the Governor, on the 26th and 30th of last month, were taken up, and read as follows, viz.

"Gentlemen of the Senate—I nominate for your advice and consent William C. Hackley, to be lieutenant colonel of the 63d regiment, in the place of James Collier removed.

Nathan McClure, to be major in the place of William C. Hackley if promoted.

THOMAS METCALFE.

Gentlemen of the Senate—I nominate to you, for your advice and consent, the following persons to fill the offices respectively annexed to their names, viz.

Caleb J. Sanders, to be lieutenant colonel of the tenth regiment, Kentucky militia, vice William B. Johnson resigned.

Also Thomas A. Russell, to be major of the tenth regiment, vice Caleb J. Sanders if promoted.

THOMAS METCALFE.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Owsley inform the Governor thereof.

The rule of the Senate, constitution provision, and second and third readings of a bill, to create an additional election precinct in Clarke county, were dispensed with, and the said bill being engrossed.

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

An engrossed bill, entitled, an act to alter the time of holding the Owen circuit court, was read the third time, and committed to a committee of Messrs. Wingate, Dougherty and Stephens.

After a short time, Mr. Wingate from the said committee, reported the said bill with an amendment, which was twice read and concurred in.

Ordered, That the said bill be re-engrossed and again read a third time.
The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with, and the same being engrossed.

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

A message was received from the House of Representatives, announcing the passage of a bill from the Senate, entitled an act to regulate the time of holding certain circuit courts in the 16th judicial district, with amendments.

The said amendments were twice read, amended, and laid on the table.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz.

1. An act for the divorce of James Lockridge.
2. An act to pay off the deficit in the Treasury, by allowing the treasury a credit in the Commonwealth's Bank, for the amount borrowed of said Bank.
3. An act to provide for the appointment of auditors to settle with executors, administrators and guardians.
4. An act to remove the seat of justice of McCracken county from Wilmington, to the town of Paducah.
5. An act to regulate the law of costs in certain cases.
6. An act to amend the laws concerning mortgages and deeds of trust.
7. An act to amend the militia law.
8. An act to amend an act to improve the road from Mounts-terling to the Virginia line, approved, January 15th, 1831.
9. An act to authorise William Cupp, to sell and convey a certain tract of land.
10. An act to authorise the several county courts in this commonwealth to permit gates to be erected on the public roads, with certain exceptions and restrictions.
11. An act to establish a road from Greensburg to the State line, in a direction to Knoxville, Tennessee. And,
12. An act to amend the law in relation to idiots and lunatics.

And that they had adopted a resolution fixing a day for the final adjournment of the legislature.

The said resolution was laid on the table.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills, except the fifth, having been dispensed with;

The first was referred to the committee of Religion; the second and eleventh, to the committee of Finance; the third, sixth
and twelfth, to the committee of Courts of Justice; the fourth to the committee of Propositions and Grievances; the seventh, to a committee of Messrs. Dougherty, Stephens, Rudd, Faulkner, Conner, Williams, Boyd and Allen; the eighth and tenth to the committee of Internal Improvements; and the ninth to a committee of Messrs. Hardin, Taylor, Guthrie and Clark.

Mr. Hardin from the committees to whom was referred bills from the House of Representatives, entitled, an act to add an additional justice of the peace to the counties of Wayne and Russell, and an act to add additional constables and magistrates to sundry counties, reported the same, without amendment to the former, and with an amendment to the latter bill.

The said amendment was twice read and concurred in.

Ordered, That the said bills be read a third time.

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

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

On motion of Mr. Maupin,

A message was sent to the House of Representatives, requesting leave to withdraw the report of the Senate, having disagreed to a bill from that House, entitled, an act for the benefit of Jael Holder, and the heirs of Fielding Holder.

And then the Senate adjourned.

WEDNESDAY, DECEMBER 7, 1831.

The Senate assembled.
A message was received from the House of Representatives, announcing the passage of bills which originated in that house, of the following titles, viz.

An act to incorporate a company to establish a turnpike road from the City of Louisville, by the mouth of Salt river, Elizabethtown, Munfordsville and Bowlingreen, to the state line, in a direction to Nashville.

An act to amend the law concerning divorces.

An act to divorce Pamela Parker and her husband.

An act for the benefit of Harriet W. Johnson.

An act for the benefit of Jeremiah S. Pierce.

An act to change the place of voting in the Grace and Burnett's precincts, in Trigg county.

Also bills which originated in the Senate of the following titles, viz:

An act to extend the limits of the town of Winchester, in Clarke county.
An act to appoint one additional justice of the peace and constable to Gallatin county.
An act to amend an act, entitled, an act for the benefit of the heirs of Elizabeth Jones, approved, January 15th, 1831.
An act for the benefit of the Mechanics of the City of Louisville.
An act authorising the Louisville and Portland canal company to increase their capital stock.
An act for the benefit of the heirs of Stephen Ashby jr. deceased.
An act to change the place of holding elections in the Floydsburg precinct in Oldham county.
An act for the benefit of George W. Dameron.
An act to incorporate an insurance company under the style of the Louisville merchants insurance company.
An act establishing an academy in the town of Brandenburg, in Meade county.
An act for the benefit of Douglas Butler. And,
An act to prevent the people of Harlan county from burning the woods.
And that the House of Representatives had concurred in the amendments proposed by the Senate, to bills from that House, of the following titles, viz.
An act for the benefit of William Henson. And,
An act authorising the county courts of Bath and Nicholas to open a road to Andrews' ferry on Licking, under certain restrictions.
Mr. Parks presented the petition of Thomas Clark and Hezekiah Vanskaik, administrators of the estate of David Grimes, deceased, praying that a law may pass authorizing the sale of a small tract of land, belonging to the infant children of the said David.
Mr. Guthrie presented the petition of sundry persons praying that a law may pass authorizing the sale of several lots in the town of Bedford, belonging to the infant heirs of David M'Coy, deceased, for the purpose of paying his debts.
Which petitions were received and referred to the committee of Courts of Justice.
Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled an act to amend the laws concerning mortgages and deeds of trust, reported the same with the following resolution thereon, viz:
Resolved, That the said bill ought not to pass.
Which was twice read and concurred in, and so the said bill was disagreed to.
Mr. Guthrie from the same committee, to whom was referred a bill
from the House of Representatives, entitled an act to provide for the appointment of auditors to settle with executors, administrators and guardians, reported the same with amendments, which were twice read and concurred in.

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

Mr. Guthrie from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to amend the law in relation to Idiots and Lunatics, reported the same with amendments, which were twice read and concurred in.

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

Mr. Guthrie from the same committee, to whom was referred a bill to establish the Bank of Louisville, reported the same with an amendment, which was twice read and concurred in.

The said bill as amended, is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That there shall be, and is hereby established in the City of Louisville, a bank by the name of the Bank of Louisville, "with a capital stock of one million of dollars: to be divided into shares of one hundred dollars each, and subscribed and paid for by individuals, companies or corporations, in the manner hereinafter mentioned and specified; which subscribers and shareholders shall be, and are hereby created a body politic and corporate, by the name and style of 'the President, Directors and Company of the Bank of Louisville'—and shall so continue a body politic and corporate, until the first day of January, one thousand, eight hundred and seventy-two; and by that name shall be competent to contract and be contracted with, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places, and in all matters whatsoever, as natural persons, with full power and authority to acquire, hold, possess, use, occupy and enjoy, and the same to sell, convey, and dispose of all such real estate as shall be necessary and convenient for the transaction of its business, or which may be conveyed to said bank as collateral security for, or received in payment of any debt which may become due or owing to the same, or which may be conveyed or purchased in satisfaction of any judgment of a court of law, or any order or decree of a court of equity in their favor; and may have and use a common seal, and alter, change or renew the same at pleasure; and may make, ordain and establish, and put in execution such byelaws, ordinances, rules and regulations, as may be necessary and proper for the good government of said bank, and the prudent and efficient management of its affairs: Provided, the same shall not be in any wise contrary to the constitution and laws of this State, or of the United States.

Sec. 2. That said bank shall have and keep an office of dis-
count and deposit in the City of Louisville, and at no other place, where its banking business shall be transacted, and its books of accounts, journals and records shall be kept; and it shall be lawful for said bank to loan money, buy, sell and negotiate bills of exchange, checks and promissory notes, and stocks in incorporated companies, and to discount upon banking principles and usages, bills of exchange, post notes, promissory notes, and other negotiable paper or obligations for the payment of a sum of money certain; also to issue bills or bank notes payable to bearer on demand; and at their office of discount and deposit, also to draw and issue post notes and bills of exchange on individuals, companies or corporations, payable to order, and at such place, and at such time or day, as the directors for the time being may deem expedient: Provided, That it shall not be lawful for said bank to issue any bank notes, post notes, promissory notes, checks or orders payable to bearer, or to any individual or individuals, companies or corporations of a less denomination than five dollars; nor shall it issue any bills, notes, checks or orders payable to bearer, other than such as are made payable on demand at its Office of Discount and Deposit. The promissory notes made payable to the President, Directors and Company of the Bank of Louisville, and by said Bank discounted; and the promissory notes made payable and negotiable at the Bank of Louisville, and endorsed to and discounted by said Bank, shall not be liable to be impeached in their hands nor subject to set off, except debts due from the Bank to drawers thereof.

Sec. 3. That said Bank shall not at any time owe, whether by bond, bill, note or other contract, an amount exceeding twice the amount of their capital stock actually paid in, exclusive of sums due on deposits; and in case of excess, the President and Directors under whose administration it shall have occurred, shall be liable for all or any of the debts of said Bank in their natural and private capacities, by a joint or several actions of debt against them, their, or any of their respective heirs, executors or administrators, in any court having jurisdiction thereof, by any creditor or creditors of said bank, and may be prosecuted to judgment and execution, any condition or agreement to the contrary notwithstanding—and this shall not be construed to exempt said bank or the lands, tenements, goods, chattels and funds of the same, from being also liable and charged therewith; and if the president or any director shall be absent when the excess may be contracted or created, or being present shall dissent from the resolution or act by which the excess is about to be contracted or created, he or they shall not be liable, under this section, if he or they shall within ten days from the creation or discovery thereof, make affidavit of the fact of their absence or dissent, and file the same for record with the proper recording officer of the county or-
The Senate.

City, and shall, moreover, within the said ten days, give notice thereof, in one of the public newspapers printed in the City of Louisville, and said notice shall call a meeting of the shareholders, which they are hereby authorized and required to do.

Sec. 4. That said bank shall not at any time, suspend, fail or refuse payment in gold or silver of any of its notes, bills or other obligations, due and payable, or any monies received on deposit; and in case the officers in the usual banking hours, at the office of discount and deposit of said bank, shall fail, refuse or unreasonably delay payment in gold or silver, of any note or bill of said bank, there presented for payment, or the payment of any money previously deposited therein, and there demanded by any person or persons entitled to receive payment of the same, said bank shall be liable to pay as additional damages, at the rate of twelve per centum per annum on the amount thereof, from the time of such failure, refusal or delay, until the payment thereof; and the charter of said bank shall also be liable to be withdrawn on such terms and in such manner as the legislature of the Commonwealth of Kentucky may prescribe, within one year after such failure.

Sec. 5. That the real and personal estate, business, property, funds and prudential concerns of said bank, and the administration of its affairs, shall be under the direction, management and control of a board of nine directors, who shall be stockholders to the amount of not less than ten shares each, and residents of this State, and citizens of the United States; and after the first election, they shall be elected annually on the first Monday in May, by the stockholders, at such time of the day, and at such place in the City of Louisville, as the president and directors for the time being may prescribe. They shall hold their offices for the term of one year, and until their successors shall be chosen: and notice of every such election shall be published in at least two public newspapers printed in the City of Louisville, for at least three weeks next preceding the same; and shall be by ballot and plurality of votes, to be read in public and counted after all the ballots are taken, by and under the inspection of three stockholders under oath, and not directors at the time, and previously appointed by the president and directors for that purpose. At every election and meeting of the stockholders held under the provisions of this charter, each and every shareholder shall be entitled to one vote for each and every share he may hold in his own right, up to fifty, and one vote for every additional five shares he may hold in his own right, above fifty shares: Provided no shareholder shall have more than one hundred votes. And after the first election, no share shall confer the right of suffrage which shall not have been held by the then owner thereof, and so appear on the books of the said bank, at least three calendar
months previous to the election. Any stockholder not personally
attending such election or other regular meeting of the stock-
holders, and having a right to vote, may vote by proxy, such
proxy being granted to a stockholder actually attending the elec-
tion or meeting; and no director of any other bank shall be eligi-le to the office of director of this bank, notwithstanding he may
be a stockholder therein; and any director of this bank accepting
any office in another bank shall be deemed to have vacated his
place in this bank—and if it shall so happen that an election of
directors should not be made on any day when by this act it ought
to have been made, the corporation shall not, for that cause be
dissolved, but it shall be lawful for the stockholders to make an
election of directors on any other day that may be designated by
their bye-laws; and if the president, cashier, or any director shall
fail, or become insolvent, after his election or appointment, he
shall thereby become incapable to serve in that capacity; and his
place shall be supplied in the manner prescribed in the sixth sec-
tion.

Sec. 6. That the directors chosen under the provisions of this
charter, shall, as soon as may be after the first and every an-
nual or other election, elect a president from their own body, who
shall preside at the board until the next election; and in case of
the death, absence or resignation of the president, the board shall
choose a president pro tempore; they shall fill all vacancies
which may occur in their own body, during the time for which
they shall have been elected—and appoint a cashier, and subor-
dinate officers, clerks, agents and servants of said bank; fix their
compensation, define their powers and prescribe their duties; and
shall require from them such bonds, and in such penalties and
with such conditions and sureties as they shall deem right; which
officers shall remain during the pleasure of the board, under such
regulations, restrictions and limitations as the president and di-
rectors for the time being may prescribe, not contrary to the
provisions of this charter, and the bye-laws, rules and regulations
of the bank. They may from time to time make such bye-laws,
rules and regulations for their own government and for the man-
agement and disposition of the property, estate, funds and busi-
ness of the bank, and all matters appertaining thereto, which
they may judge expedient, not contrary to the provisions of this
charter, and the bye-laws, rules and regulations which the stock-
holders may from time to time prescribe at their annual or other
meetings. They shall hold stated meetings at least once in ev-
ev week, on such day and at such hour of the day, as they may
from time to time appoint, and at such other times as the presi-
dent shall order and direct, and a majority shall constitute a quor-
um and be competent to the transaction of any business within
the scope of their powers, and connected with their official duty,
and all questions before the board shall be decided viva voce, by a majority of those present, any two of whom may require the yeas and nays to be taken on any proposition submitted, entered and recorded on their journal of proceedings; and no vote shall be reconsidered when a less number are present than when the original vote was given. They shall on the first Mondays in January and July, annually, make and declare such dividends resulting from the profits of said bank, as shall not in any wise lessen the capital stock of the same, and cause such dividends to be paid on demand to the several stockholders thereof; Provided, however, that no dividend shall be declared of the profits of said bank until there shall be a surplus or contingent fund of twenty thousand dollars, which surplus or contingent fund, shall never thereafter be reduced by any dividend of the profits below twenty thousand dollars. And if the president and directors of said bank shall at any time make any dividend of the profits or other property of the bank by which the capital stock thereof shall in anywise be lessened or impaired, or shall by any mismanagement or neglect of duty, cause any loss or deficiency of the capital stock of the bank, the directors consenting thereto, or guilty of such mismanagement or neglect of duty, shall be jointly or severally liable in their individual capacities to any stockholder or creditor of said bank, who may sustain injury thereby, to double the amount of the injury; and the president and each and every director shall be deemed to have consented to such dividend and been guilty of such mismanagement or neglect unless he shall forthwith give notice of his dissent thereto, or absence from the institution, in like manner as is provided in the fourth section of this charter, and call a meeting of the stockholders, as therein provided for.

Sec. 7. That the board of directors shall allow and pay to the president of said bank, such compensation as they shall from time to time deem just; but no compensation, salary or reward shall be allowed to any director for his services, unless the same shall be voted by the stockholders at some regular meeting: And it shall be the duty of the president and directors, and they are hereby required as often as once in every month, to cause a strict examination to be made of the accounts of the cashier, and a full and complete settlement thereof, and a statement of such examination and settlement shall be entered on the journals of the proceedings of the board. It shall not be lawful for the cashier or other subordinate officer, clerk or teller of said bank, either directly or indirectly, to engage in or carry on any other business than that of said bank, without the special license of the president and directors of said bank, under the penalty of five thousand dollars, to be recovered in the corporate name and for the use of said bank; nor shall the cashier or other subordinate officer, clerk or teller of said bank, either directly or indirectly become
indebted to said bank, either as a borrower or endorser or surety; nor shall the president, cashier, clerk or teller of said bank be permitted to vote at any election for directors, as the attorney, agent or proxy of any stockholder.

Sec. 8. That it shall be the duty of the president and directors of said bank in the month of January in each year, to transmit to the Auditor of this State an accurate and just statement of the condition of the bank as it existed on the first day of January; which statement shall specify the amount of capital stock actually paid in, and the value of the real estate belonging to the same, together with its cost, the amount of stock (if any,) subscribed and not paid for, the total amount of debts due to and from said bank, the amount of gold and silver and other coined metal on hand, the money deposited, of bills in circulation, of bills on hand of solvent banks incorporated by this State, and of those incorporated by each of the other States, or by the United States, the number of notes in circulation of each denomination issued by the bank, the rate and amount of each dividend of profits made by the bank, with the amount of the surplus or contingent fund of said bank; which statement shall be laid before the Legislature of Kentucky at its then or next session; and the Auditor shall cause the same to be published at the expense of the bank, in a public newspaper printed at the seat of government, and in one printed in the City of Louisville.

Sec. 9. That said President and Directors shall keep a record or journal of their proceedings, which they shall produce to the stockholders, when by them demanded at any regular meeting—and they shall be open to the inspection and examination of any three or more stockholders, holding together in their own right one hundred shares of the capital stock, at any time within thirty days of an annual election for Directors, on application by them to the President or Cashier; and the books, papers, correspondence and funds of said Bank, shall at all times be subject to the inspection of the Board of Directors or any committee thereof, appointed for that purpose—and also to any committee which the Legislature of Kentucky may appoint for that purpose, and whose duty it shall be to examine the state and condition of said Bank, to inspect the books and minutes of the proceedings of the President and Directors, to ascertain the amount of gold and silver and other coined metals on hand, the amount of deposits therein, of notes and bills in circulation, an exact list of balances due to and from the Bank, and all other affairs of the Bank, and make report thereon according to their instructions.

Sec. 10. That the certificates of deposits, bills, notes, bills of exchange, post notes or orders of said Bank, signed by the President and countersigned by the Cashier, promising or directing the payment of money to any person or persons, or order, or to bearer,
shall be obligatory on said Bank, though not under the seal there
of; and all such bills, notes or orders, payable to order, shall be
transferable and negotiable by endorsement; and those payable to
bearer, by delivery. That the shares of the capital stock of said
Bank shall be considered and held in law as personal property,
and assignable and transferable only on the books of the same,
in the presence of the President or Cashier thereof, or in such
manner as the President and Directors shall prescribe. It shall
not be lawful for the corporation hereby created, either directly
or indirectly to use or employ any of its capital stock, money,
funds or effects, in the trade or business of buying and selling
goods, wares and merchandise, in any way or manner whatsoever.

Sec. 11. That said Bank may agree and undertake to pay in-
terest, less than the rate of interest allowed by the laws of this
State, on deposits for a certain time, provided the regulations
therefor are prescribed by the Stockholders at some general
meeting. And in all cases where money may be received on de-
posite for a certain time, and at interest, a certificate of deposite
shall be given, signed by the President, and countersigned by the
Cashier, stating the sum received on deposite, the rate of interest
and the time of payment, and may be made payable to bearer or
order, at the will of the depositor.

Sec. 12. That said Bank shall not contract for or receive a
greater rate of interest than at the rate of six per cent. per annum
for the loan or forbearance of money; and interest of promisory
notes negotiable and payable at said Bank, and there discounted,
shall be calculated on the true time such notes have to run, and
shall be paid in advance.

Sec. 13. That a general meeting of the Stockholders of said
Bank, shall be held in the City of Louisville, on the first Monday
in May in each year, at the time and place of holding the election
for Directors; to which meeting the Directors for the year imme-
diately preceding shall present an exact and particular statement
of the condition and affairs of said Bank, and of the surplus and
contingent fund (if any) arising from the profits thereof, after de-
ducting losses and dividends; and general meetings of the Stock-
holders may be held in Louisville, at any other time when ordered
by the President and Directors, or by any number of Stockhol-
ders their bye-laws may prescribe.

Sec. 14. That
all of the City of Louisville, are hereby constituted and appointed
Commissioners to open and receive subscriptions for the capital
stock of said Bank, and to superintend the election of the first
board of Directors thereof; any three of whom shall be compe-
tent to exercise the powers and perform the duties required of
them by this act. They shall have power, and they are hereby
authorised, on the second Monday in April next, having given
previous notice thereof, in the newspaper printed in Louisville, to open books of subscription at some suitable place or places in Louisville for the capital stock of said Bank, and to keep said books open from ten o'clock in the forenoon until four o'clock in the afternoon, for sixty days (Sundays excepted) or until at least two thousand five hundred shares of said stock shall have been subscribed, when the same may be closed; and if more than ten thousand shares shall have been subscribed, the said Commissioners shall deduct the amount of such excess from the largest subscriptions, in such manner as no subscription shall be reduced while any one remains larger, and in case the full amount of ten thousand shares shall not have been subscribed for at the time of closing the subscription books as aforesaid, the said books may be re-opened for subscription, under the superintendence of the President and Directors of said Bank on the second Monday in May in each year, or at any other time they may choose, and may be kept open from ten o'clock in the forenoon until four o'clock in the afternoon, for thirty days (Sundays excepted) at some suitable place or places in the City of Louisville, until the whole capital stock of said Bank shall have been taken; the said President and Directors causing due notice of the re-opening of the books of subscription for the capital stock of said Bank to be given in at least two newspapers printed in the City of Louisville—and the said Commissioners, on the closing of the books of subscription, or when the two thousand five hundred shares have been subscribed, shall give public notice thereof in two of the newspapers printed in Louisville; and by the same notice, shall appoint the day, hour and place in said City, not less than fifteen nor more than twenty days from the date of such notice, for the subscribers of said stock to meet and choose the first board of Directors for said Bank, who shall continue in office until the first Monday in May succeeding their election, and until their successors are elected; at which election the said Commissioners or any three of them, shall act as judges and inspectors; and having taken the necessary oath or affirmation for that purpose, shall perform all the duties incident to judges and inspectors of elections in other like cases.

Sec. 15. That the payment of shares of said capital stock shall be made in gold or silver, and completed by the subscribers respectively at the times and in the manner following, to wit: At the time of subscribing, ten dollars on each share; within ten days after the election of the first Directors the further sum of twenty dollars on each share; in ninety days from such election of Directors, the sum of twenty dollars on each share; and the balance due on each share shall be in payments of twenty five dollars in three months, and twenty five dollars in six months thereafter; but any subscriber may, at his own option, pay the full amount of
his subscription at any time. And all subsequent subscriptions for
said stock shall be paid as follows: Twenty-five dollars at the time
of subscribing; and twenty-five dollars in sixty, ninety and one
hundred and twenty days thereafter. But no dividend shall be
awarded on any share subscribed for after the first election of Di-
rectors, until six months shall have expired after the same has
been fully paid; and when any stock shall be fully paid, the Presi-
dent and Directors shall issue scrip to the owner thereof, in such
form as the Stockholders may have prescribed. But if any subcri-
bers fail to make the second payment of twenty dollars on
each share, at the time the same shall be payable, as herein before
required, such subscriber shall forfeit to the said company, the sum
of ten dollars before paid; and such shares shall thereafter be
liable to be resold by the President and Directors, as other unsu-
scribed stock; and if there shall be any failure in any of the sub-
sequent payments for any of the capital stock after thirty dollars
shall have been paid on each share, the subscriber so failing, shall
be entitled to no dividend, until his stock is fully paid up.

Sec. 16. That so soon as one hundred and fifty thousand dollars
of the capital stock shall have been paid in, in gold or silver, the
President and Directors shall cause the Governor of this State to
be notified thereof, who is hereby authorised to appoint some suit-
able person to examine and count the money so paid, and actual-
ly existing in the vaults of said Bank, as such capital stock; whose
duty it shall be, at the expense of the Bank, to make such exami-
nation and count and ascertain by the oath of the President and
at least six of the Directors, that said money has been actually
paid in bona fide as part of the capital stock of the Bank, and
forthwith to make due return thereof to the Governor, who, on
the sum of two hundred thousand dollars appearing to have been
actually paid as part of the capital stock of said Bank in gold or
silver, and existing in the vaults thereof, shall cause proclamation
to be made to that effect, and published in one of the newspapers
printed in Frankfort, and in one printed in Louisville, at the ex-
 pense of the Bank; and on the first publication of such procla-
mation, it shall be lawful for the said Bank to commence its busi-
ness operations as a Banking institution, and not before.

Sec. 17. Be it further enacted, That the President, Directors
and Company of the Bank of Louisville shall, as a bonus, and in
lieu of all tax on the stock, subscribe, within one year from the
time said bank shall commence business, one hundred thousand
dollars in stock in the continuation of the Louisville turnpike to
Bardstown, or to the continuation of the turnpike road from
Louisville by the mouth of Salt River to Elizabethtown, or in
some other turnpike commencing at Louisville, and extending into
the interior of the State, and shall actually apply said one hun-
dred thousand to the construction of such road within four years
after subscribing the same,
The question being taken on engrossing the said bill and reading it a third time, it was decided in the negative, and so the said bill was rejected.

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


Mr. Clark from the committee of Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled an act to remove the seat of justice of McCracken county from Wilmington to the town of Paduca, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Wood from the committee of Religion, to whom was referred the petition of Lincefield Burbridge praying a divorce from his wife Sarah Burbridge, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Which was twice read and concurred in.

Mr. Wood from the same committee to whom was referred a bill from the House of Representatives, entitled, an act to divorce James Lockridge, reported the same without amendment.

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

Mr. Allen from the committee of Internal Improvements, to whom was referred a bill to provide for opening a State road from the Yellow Banks by the way of Hartford to Russellville, reported the same without amendment.

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

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

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

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act
for the benefit of John H. Slaughter of Rocheastle county, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with.

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

Mr. Maupin from the committee appointed for that purpose, reported a bill to amend the execution laws in relation to constables, which was read the first time and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

The bill from the House of Representatives, entitled, an act for the benefit of Jael Holder and the heirs of Fielding Holder, having been returned to the Senate, Mr. Faulkner who voted in the majority, moved to reconsider the vote by which the said bill was disagreed to.

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

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with.

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

On motion of Mr. Thompson leave was given to bring in a bill to authorise the publication of orders of court and other advertisements in the newspaper printed at Danville, called "Olive Branch," and Messrs. Thompson, Rudd and W. C. Payne were appointed a committee to prepare and bring in the same.

Mr. Wingate from the joint committee of enrollments reported that the committee had examined enrolled bills of the following titles, to wit:

An act to incorporate the City of Lexington.
An act for the benefit of the sheriff of Garrard county.
An act to authorise an election of trustees in the town of Maxville, Washington county.
An act authorising Baxter Alexander of Trigg county, to erect gates on the road leading from Cadiz to Mountpleasant meeting house.
An act authorising the county court of Harrison county to permit Edward Coleman, to erect two gates across a public road in said county.
An act for the benefit of Temple S. Perrin. And,
An act for the benefit of the collector of militia fines for the 49th regiment.
And had found the same truly enrolled, and that the said bills were signed by the speaker of the House of Representatives.

Whereupon the speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be laid before the Governor for his approbation and signature.

After a short time Mr. Wingate reported that the committee had performed that duty.

Mr. Dougherty from the committee of Enrollments, reported that the committee had examined enrolled bills of the following titles, to-wit:

- An act to appropriate some of the vacant lands of this commonwealth, to improve certain roads in certain counties.
- An act to establish an inspection of Tobacco, Whiskey, Pork, Flour, &c. at Brandenburg, in Meade county, and at Elizabethtown, in Hardin county.
- An act to amend an act entitled, "an act for the improvement of the road from Mountsterling by way of Irvine and Manchester, to intersect the wilderness State road," approved, January 29th, 1830, and an amendatory act thereto, approved, December 30th, 1830. And,
- An act appointing trustees to the town of Fredericksburg, in Gallatin county, and to Clinton, in Hickman county.

And had found the same truly enrolled, and that the said bills had been signed by the speaker of the House of Representatives.

Whereupon the speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time Mr. Dougherty reported that the committee had performed that duty.

A bill to fix the ratio and apportion the representation for the ensuing four years, was taken up and amended.

Mr. Hardin moved to amend the said bill, so that the counties of Scott and Harrison compose one senatorial district; and the question being taken thereon, it was decided in the affirmative.

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


Mr. George moved to amend the said bill, by taking one member from the county of Lincoln, and giving the member to the county of Whitley.

Mr. Maupin called for a division of the question, and the ques
tion being taken on taking one member from the county of Lincoln, it was decided in the negative.

The yeas and nays being required thereon by Messrs. George and Owsley, were as follows, viz.


Mr. Dougherty moved to amend the said bill by taking one member from the county of Montgomery, and giving to the counties of Pendleton and Grant one member each.

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

The yeas and nays being required thereon by Messrs. Dougherty and J. Payne, were as follows:


Mr. Dougherty moved to amend the said bill by taking one member from the county of Mason, and giving to the counties of Pendleton and Grant one member each.

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

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


Mr. Boyd moved to take one member from Jefferson county, and to add one member to Shelby county.

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

The yeas and nays being required thereon by Messrs. Guthrie and Boyd, were as follows, viz.


And then the Senate adjourned.

THURSDAY, DECEMBER 8, 1831.

The Senate assembled.

Mr. Wickliff from the committee to whom was referred a bill to amend the laws concerning the trial and convicting of slaves, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be engrossed and read a third time to-morrow.

Mr. Clark from the committee of Propositions and Grievances, reported a bill to extend the limits of the town of Nicholasville; which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed.

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

Mr. Gholson from the committee to whom was referred a bill from the House of Representatives, entitled, an act to amend the third section of an act for the regulation of the town of Cadiz in Trigg county, approved, Dec. 26th, 1828, reported the same with an amendment, which was twice read and concurred in.

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

The rule of the Senate, constitutional provision, and third readings of the said bill having been dispensed with,

Resolved, That the said bill as amended, do pass, and the title be amended by striking out "1828," and inserting 1829.

Mr. Dougherty from the committee to whom was referred a bill from the House of Representatives, entitled, an act to amend the militia law, reported the same without amendment.

Mr. Rodman moved to lay the said bill on the table, until the first day of June next.

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

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

YEAS—Messrs. Allen, Beaseman, Boyd, Brown, Campbell,
Mr. Hardin from the committee of Finance, made the following report, viz:

The Committee of Finance has had the situation of the Bank of the Commonwealth under consideration, and Report:

The available funds of the Bank are as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notes under discount</td>
<td>$611,242 80</td>
</tr>
<tr>
<td>Notes in suit</td>
<td>205,329 56</td>
</tr>
<tr>
<td>Real estate</td>
<td>57,860 52</td>
</tr>
</tbody>
</table>

Total available funds $874,432 88

From this sum the paper in circulation is to be deducted.

The amount of notes payable, $350,000
Of that sum there is in Bank, 134,648

Notes in actual circulation, 215,352
Which sum when deducted from the $874,432 88, leaves $659,080 80
Which sum is subject to the following deductions:
Actual and estimated loss, 210,459 68

Due from the Commonwealth’s Bank to the Bank of Kentucky, 12,051 16

Neat balance after all deductions are made, $436,589 96

The debt due from the Treasurer is $128,060 67,
Which will not effect the balance as above exhibited, because should the Treasurer pay the same, it would lessen the amount of paper in actual circulation to that amount. And as it is not intended to be paid, but only to balance the book, the above expose will in no way be affected by said debt. The estimate of bad and doubtful debts are contained in a paper marked (A.) and made part of this report.

The Committee has also directed its attention to the policy necessary to be pursued to wind up the concerns of said Bank, which never can be done so long as the revenues are collected in Commonwealth’s paper, and the disbursements are in the like paper, the only remedy is to collect the revenue and county levies in gold and silver, and disburse to the public creditors and county claimants the like money.
The debts due the Bank will take in all the paper in one year, except the sum which the Government must pay out in Bank paper until the revenue for next year can come in, for not until then can payments be made to public creditors in gold and silver. To effect the above object, the Committee report a bill.

A statement shewing the probable loss to the Bank of the Commonwealth of Kentucky, viz.

<table>
<thead>
<tr>
<th>Area</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>At Principal Bank</td>
<td><strong>$6,477 35</strong></td>
</tr>
<tr>
<td>&quot; Bowling Green</td>
<td><strong>$71,131 84</strong></td>
</tr>
<tr>
<td>&quot; Flemingsburg</td>
<td>1,966 66</td>
</tr>
<tr>
<td>&quot; Falmouth</td>
<td>1,652</td>
</tr>
<tr>
<td>&quot; Greensburg</td>
<td>7,932 14</td>
</tr>
<tr>
<td>&quot; Hartford</td>
<td>514</td>
</tr>
<tr>
<td>&quot; Harrod'sburg</td>
<td>23,579 56</td>
</tr>
<tr>
<td>&quot; Louisville</td>
<td>4,213</td>
</tr>
<tr>
<td>&quot; Lexington</td>
<td>1,479 62</td>
</tr>
<tr>
<td>&quot; Mountsterling</td>
<td>4,101 32</td>
</tr>
<tr>
<td>&quot; Princeton</td>
<td>4,734</td>
</tr>
<tr>
<td>&quot; Somerset</td>
<td>2,033 48</td>
</tr>
<tr>
<td>&quot; Winchester</td>
<td>5,338 06</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$131,153</strong></td>
</tr>
</tbody>
</table>

Estimated loss on real estate,

Armstead Morhead, late Cashier at Bowling Green, 15,203 29

Balance of profit and loss in said Bank against Bank, 785 54

Do. Flemingsburg, do. 220 85

Do. Winchester, do. 194 39

Do. Greensburg, do. 277 76

Independent Banks and individual tickets, Harrod'sburg District, 2,887 57

Profit and loss, do. 157 43

B. F. Pleasants, late Cashier, do. 14,849 42

Profit and loss at Louisville, including robbery, 25,284 08

T. W. Riley, Attorney, for amount collected and not paid, 690 47

Profit and loss at Principal Bank, 2,993 94

**Total** 210,459 68

Ordered, That the public printer print five hundred copies of the said report for the use of the General Assembly.

Mr. Hardin from the same committee, reported a bill further to regulate the collection of the revenue and county levies, and
for other purposes, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.

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

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

On motion of Mr. Clark—A bill for the benefit of the heirs of Catlett Conaway, deceased, late of Orange county, State of Virginia.

On motion of Mr. Campbell—A bill to provide for selling the public buildings and property, in the town of Wilmington, McCracken county.

Messrs. Clark, Hardin and Dejarnett, were appointed a committee to prepare and bring in the former. And,

Messrs. Campbell, Beaseman and Faulkner, the latter bill.

After a short time, Mr. Clark and Mr. Campbell, from the said committees, reported the said bills, which were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the former, and second and third readings of the latter bill having been dispensed with, the former was referred to the committee of Finance.

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

Mr. Thompson from the committee appointed for that purpose, reported a bill to authorise the publication of orders of Court, and other advertisements, in the newspaper called "Olive Branch," printed in Danville, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed.

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

Mr. Guthrie moved the following resolution, viz.

Resolved, That the Senate will, during the balance of the session, meet at nine o'clock in the morning.

And the question being taken on adopting the said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Guthrie, were as follows, viz.


Mr. Hardin from the committee to whom was referred a bill from the House of Representatives, entitled, an act to authorise William Cupp to sell and convey a certain tract of land, reported the same with an amendment, which was twice read and concurred in.

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

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Resolved, That the said bill, as amended, do pass, and that the title thereof be amended, by adding thereto, "and for the benefit of William T. Yeatman,

The report of the committee of Finance, that a bill from the House of Representatives, entitled, an act for the benefit of John Hockersmith, ought not to pass, was concurred in, and so the said bill was disagreed to.

The amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to regulate the time of holding certain circuit courts in the 16th judicial district; were referred to a committee of Messrs. Campbell, Maupin and Cunningham.

A bill from the House of Representatives, entitled, an act to regulate the law of costs in certain cases, was read the second time, and referred to the committee of Courts of Justice.

An engrossed bill, entitled, an act to amend an act, entitled, an act to punish shooting or stabbing in sudden affrays, approved, February 13th, 1828, was read the third time.

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

Mr. Wingate from the committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz.

An act for the benefit of William Henson.

An act to amend the Whitley turnpike law, approved, January 15, 1831.

An act to change the time of the sitting of the August term of the Madison county court.

An act authorising the county courts of Bath and Nicholas to open a road to Andrews' ferry on Licking, under certain restrictions.

And had found the same truly enrolled; and that said bills had been signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto; and they were delivered to the committee to be presented to the Governor for his approbation and signature.
After a short time, Mr. Wingate reported that the committee had performed that duty.

A bill from the House of Representatives, entitled, an act to amend the law in relation to idiots and lunatics, was read the third time as amended.

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

Bills from the House of Representatives of the following titles, viz.

1. An act to incorporate a company to establish a turnpike road from the City of Louisville, by the mouth of Salt river, Elizabethtown, Munfordsville and Bowlinggreen, to the State line in a direction to Nashville.
2. An act to change the place of voting in the Grace's and Burnett's precincts, in Trigg county.
3. An act to amend the law concerning divorces.
4. An act to divorce Pamela Parker and her husband.
5. An act for the benefit of Harriet W. Johnson. And,
6. An act for the benefit of Jeremiah S. Pierce.

Were severally read the first time.

The third bill was laid on the table until the first day of June next; and the first, second, fourth, fifth and sixth were ordered to be read a second time.

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

Mr. Maupin moved an amendment to the first bill, which bill, with the amendment was referred to the committee of Internal Improvements; the second was referred to the committee of Propositions and Grievances; and the fourth, fifth and sixth to the committee of Religion.

A message was received from the House of Representatives, announcing the passage of a bill from the Senate, entitled, an act for the benefit of Ann D. Yancy.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz.

1. An act to authorize the county courts of Breckenridge and Hopkins counties to appoint one additional constable in said counties.
2. An act to change the name of the town of Fredericksburg in Gallatin county to that of Warsaw.
3. An act to prevent hawkers, pedlars, sellers of spirituous liquors, and other persons from vending their goods, wares, and merchandize, nearer than one mile to any camp ground or other place of worship in this commonwealth.
4. An act to legalize the acts of John B. Cobb, a constable of Hart county, and for other purposes.
5. An act to improve certain roads in certain counties.
6. An act to appropriate some of the vacant lands in Muhlenburg, Hopkins, and Logan counties to the improvement of the roads.
7. An act for the benefit of Martha Burk.
9. An act for the benefit of Jacob Hubbs.
10. An act to incorporate the Lexington, Chilesburg and Winchester turnpike road company. And,
11. An act appropriating some of the vacant lands in Greenup, Fleming, Bath, and Montgomery counties, to improve the road leading from Mountsterling to the mouth of Big Sandy.

The said bills were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bills, except the third, having been dispensed with, the fourth and seventh were referred to the Committee of Courts of Justice; the fifth, sixth, eighth, and ninth, to the Committee of Finance; the tenth to the Committee of Internal Improvements; and the eleventh to a committee of Messrs. Fleming, Williams, and Conner.

The rule of the Senate, constitutional provision, and second and third readings of the first and second bills having been dispensed with.

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

Mr. Clark presented the petition of sundry citizens of Clark county, praying that the route for a turnpike road from Lexington to Winchester may not be fixed in the law incorporating a company to make said road, which was received and referred to the Committee of Internal Improvements.

And then the Senate adjourned.

FRIDAY, DECEMBER 9, 1831.

The Senate assembled.

Mr. Wingate presented the petition of John Scott, administrator with the will annexed, of the estate of Thomas Ayres, deceased, praying that a law may pass authorising the sale of two negroes belonging to the said estate, and that the proceeds be divided amongst the legatees.

Which was received and referred to the committee of Courts of Justice.

Mr. Wickliffe from the committee of Courts of Justice to whom
was referred bills from the House of Representatives, of the following titles, viz:

An act for the benefit of Martha Burk. And,
An act to legalize the acts of John B. Cobb, a constable of Hart county, and for other purposes.

Reported the same with amendments to each, which were twice read and concurred in.

Ordered, That the said bills be read a third time.

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

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

Mr. Wickliffe from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to amend the penal laws of this commonwealth. And,
An act to regulate the mode of accounting for taxes received by clerks, &c. on law process, deeds, seals, &c. collected for revenue purposes.

Reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the latter bill having been dispensed with,

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

Mr. Wickliffe from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act prescribing the duties of attorneys appointed by the county courts of each respective county of the commonwealth of Kentucky, reported the same with an amendment, which was twice read and concurred in.

The said bill was further amended and is as follows, viz:

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be the duty of the several attorneys appointed by the respective county courts in the commonwealth, to attend each court helden for the county of which they are the attorneys, and it shall be their duty, whenever any matter or thing in which the county may have an interest is presented to the court, to represent the interest of the county.

SEC. 2. Be it further enacted, That it shall be the duty of said attorneys to oppose the granting of licences for keeping taverns by the county courts, to any person or persons whatever, except such as may shew himself or themselves to be entitled to such licence by law.

SEC. 3. Be it further enacted, That each attorney shall call upon every person who may be indebted, or owing, to the county of which he is the attorney, any thing, and cause a settlement
thereof to be made in the manner prescribed by law; and if payment be not made, it shall be his duty to enforce payment by action or motion, as the case may require. It shall be his duty from time to time, and at least once in every year, at the court by which the county levy is laid, to report in writing all debts which may be owing to the county, and by whom, and for what owing. He shall also report, at the same time, the amount of money by him collected for the county, and pay the same to such person or persons as the court by its order may direct.

Sec. 4. Be it further enacted, That it shall be the duty of each county attorney whenever there may be any application to the court of which he is the attorney, to open, alter, change, or abolish any public road, to represent the interest of the public; and it shall be a violation of his official duty to be employed in any such case by any person or persons whatever.

Sec. 5. Be it further enacted, It shall be the duty of any attorney or attorneys for the county, to prosecute offenders against the penal laws of this commonwealth, when brought before justices of the peace for examination: provided any justice or justices of the peace call upon said attorney or attorneys so to do. But it shall be deemed an infraction of his duty to defend any person or persons in the circuit court, who may have been prosecuted by him before the justices.

Sec. 6. Be it further enacted, That before any attorney for the county shall enter upon the discharge of the duties of his office, he shall take the oath prescribed by the constitution, and that he will faithfully discharge the duties of attorney for the county court of the county for which he is the attorney, so long as he continues in office.

Sec. 7. Be it further enacted, That from and after the passage of this act, any attorney for the county appointed by the county courts of each respective county of this commonwealth, who shall act in violation of, or shall not act in accordance with the provisions of this act, shall be removed from office by the county court of the county to which he may be appointed the attorney; and shall subject himself to a fine of fifty dollars, recoverable before any justice of the county wherein said attorney resides, the one half of which fine shall go to the informer, and the other half to lessening the county levy: Provided, however, That no attorney shall be removed from office by the county court under the provisions of this act, unless a majority of all the justices composing the court shall be present and concur therein.

Sec. 8. Be it further enacted, That the attorney for any county may at any time resign his appointment to that office, by filing his resignation in writing with the clerk of the county court of his county.

Sec. 9. Be it further enacted, That hereafter it shall require a
majority of all the justices of the county court to be present at a court when the county attorney shall be appointed; and any county court at which a majority shall be present, may remove any county attorney from office.

Sec. 10. Be it further enacted, That no county court shall allow to any county attorney for his services more than at the rate of seventy dollars per annum.

The question being taken on reading the said bill, as amended, a third time, it was decided in the negative, and so the said bill was disagreed to.

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


The Senate being equally divided the speaker voted in the negative.

Mr. Wickliffe from the same committee, to whom was referred bills of the following titles, viz:

A bill further to regulate the collection of the revenue and county levies, and for other purposes. And,

A bill to amend the several acts against unlawful gaming.

Reported the same with amendments to each, which were twice read and concurred in.

Ordered, That the said bills be engrossed and read a third time to-morrow.

Mr. Wickliffe from the same committee, to whom was referred bills from the House of Representatives, of the following titles, viz:

An act to regulate the law of costs in certain cases. And,

An act authorising bail to be taken in cases brought before justices of the peace for causes of less value than five pounds.

Reported the same with the following resolution thereon.

Resolved, That the said bills ought not to pass.

Which was twice read and concurred in, and so the said bills were disagreed to.

Mr. Wickliffe from the same committee, to whom was referred a bill further to regulate conveyances, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Mr. Rudd moved to amend the said report by striking out the word “not,” and the question being taken thereon, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs. Rudd and Beaseman, were as follows, viz:
The said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That all deeds, mortgages and powers of attorney, made by any party or parties, residing in any county in this commonwealth, may be acknowledged by the party or parties making the same, or proved by two subscribing witnesses, before any two justices of the peace in which such party or parties actually reside; which acknowledgment or proof, the said justices are hereby enabled and authorized to take; and also to examine, each and every feem covert, who shall be a party to any such deed or mortgage, and if she or they shall freely consent thereto, and agree that the same may be recorded, such justices shall certify such acknowledgment and consent on such deed or mortgage, in the substance as followeth, to-wit: "We the subscribers, two justices of the peace in and for the county of in the State of Kentucky, do certify, that on this day and his wife, of said county, parties to the foregoing deed, as well known, came personally before us in our said county, and acknowledged the said deed to be their act and deed; that we examined the said privily and apart from the said her husband, and having read and explained the said deed to her, she declared that she had signed, sealed, delivered and acknowledged the same of her own free will and consent, without the persuasions, influence or compulsion of the said her husband, and that she was willing that the said deed shall be recorded in the proper office, and did not wish to retract her said acknowledgment. In witness whereof we do hereto set our hands, this day of 18 ." If such deed or mortgage be proved by two witnesses before two justices as aforesaid, they shall certify such acknowledgment on the deed or mortgage, in substance as followeth, to-wit: "We the subscribers, two justices of the peace, in and for the county of in the State of Kentucky, do certify that on this day the foregoing deed was acknowledged before us in our said county, by a party thereto, as well known, to be his voluntary act and deed, we having previously read and explained the same to him or her. In testimony whereof we do hereto set our hands, this day of 18 ." And if such deed or mortgage be proved by two witnesses before two justices of the peace as aforesaid, they shall certify such proof on such deed or mortgage in substance as followeth, to-wit: "We the subscribers, two jus-
tices of the peace in and for the county in the State of Kentucky, do certify that on this day and to us well known, came personally before us in our said county, and made oath that a party to the foregoing deed, acknowledged the same in their presence to be his voluntary act and deed, that they subscribed their names as witnesses to said deed at his (or if a female,) request, and that the said is well known to them. In witness whereof we do hereto set our hands, this day of 18. And that powers of attorney acknowledged or proved before two justices as aforesaid, such acknowledgment or proof shall be certified on such powers in the same manner as is required as aforesaid, in the case of deeds or mortgages, made by unmarried persons.

Sec. 2. Be it further enacted, That all deeds, mortgages and powers of attorney, acknowledged, or proved before two justices of the peace as aforesaid, they shall forthwith certify the same as before directed, and deliver the same to the party to whom the same is made, his, her or their agent or attorney, and if the estate lies in the county where the acknowledgment of such deed or mortgage is made, or where the business is to be done under such power, the said deed, mortgage or power, shall, within twenty days after the said acknowledgment, or proof shall have been made, deliver the same to the clerk of the county court, of the estate, and he shall note the time he receives the same, and shall record the said deed, mortgage or power of attorney, and the certificate or certificates endorsed thereon, and all other papers annexed thereto, as part thereof in his office, which deed, mortgage, or power so certified and recorded, shall be good, valid and effectual in law.

Sec. 3. Be it further enacted, If the estate shall be so conveyed or mortgaged by any such deed or mortgage, or the business is to be done under such power in any other county than the one where the same shall be acknowledged or proved as aforesaid, then such deed, mortgage or power, shall be delivered to the clerk of the county court of the county where the estate lies, or the business is to be done, within days after the date of the certificate of the said justices, and he shall note the time he receives the same, and shall record such deed, mortgage or power in his office, which shall be good, valid and effectual in law.

Sec. 4. Be it further enacted, That any widow or feme covert, under the age of twenty one years, shall be, and is hereby rendered able and capable to release and convey any right or dower, which she may have in any land in this commonwealth, the said widow, by her own deed and such feme covert, by the deed of her husband and herself; which deed may be acknowledged before two justices of the peace, and certified and recorded in the manner aforesaid, or may be acknowledged before the clerk of the county court, of the county where the land so conveyed lies.
and be recorded by him; and in each of said cases, any deed so
made shall be good, to pass the dower of such infant widow, or
feme covert, in the premises by such deed conveyed, or intended
to be conveyed.

A message was received from the Governor by Mr. Crittenden,
Secretary of State, announcing that the Governor, on the second
instant, approved and signed an enrolled bill which originated in
the Senate, of the following title, viz:

An act to change the constables district in the 1st battalion in
the 38th regiment of Kentucky militia.

Mr. Guthrie, from the committee of Courts of Justice, to whom
was referred a bill from the House of Representatives, entitled,
an act to amend the revenue laws, reported the same with amend­
ments, which were twice read and concurred in.

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

Mr. Wood from the committee of Religion, to whom was refer­
red a bill from the House of Representatives, entitled, an act for
the benefit of Jeremiah S. Pierce, reported the same without
amendment.

And the question being taken on reading the said bill a third
time, it was decided in the negative, and so the said bill was disa­
greed to.

Mr. Wood from the same committee, to whom was referred a
bill from the House of Representatives, entitled, an act to di­
vorce Mary Jane Caldwell, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third
reading of the said bill having been dispensed with,

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

Mr. Wood from the same committee, to whom was referred a
bill from the House of Representatives, entitled, an act to divorce
Harriet H. Rudd, reported the same without amendment.

And the question being taken on reading the said bill a third
time, it was decided in the affirmative.

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

YEAS—Messrs. Beaseman, Bibb, Boyd, Cunningham, Dejar­
nett, Gholson, Griffin, Guthrie, Owsley, Parks, J. Payne, Ray,
Rodman, Rudd, Williams and Wingate—16.

NAYS—Messrs. Brown, Campbell, Dougherty, Faulkner,
George, Hardin, W. C. Payne, Selby, Taylor, Thompson, Thornton
and Wood—12.

Mr. Hardin from the committee of Finance, to whom was re­
ferred a bill from the House of Representatives, entitled, an act
for the benefit of Philip Graves, reported the same with the fol­
lowing resolution thereon, viz:
Resolved, That the said bill ought not to pass.

Which was twice read and concurred in, and so the said bill was disagreed to.

Mr. Hardin from the same committee, appointed a committee of conference on the part of the Senate, on the bill from the House of Representatives, entitled, an act for the benefit of the surveyor of Jefferson county, reported that the Senate recede from the amendments proposed by them to the said bill, with an amendment, which was twice read and concurred in.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to establish a road from Greensburg to the State line in a direction to Knoxville, Tennessee, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be laid on the table.

Mr. Hardin from the same committee, made the following report, viz:

The committee of Finance has had the situation of the Bank of Kentucky under consideration, and report:

That the attention of the committee has been directed principally to the interest which the State now owns in said institution. In doing so, they have reviewed the report made on that subject at the last session, to be found in the journal of the Senate, page 139.

That report the committee, and so do the officers of the Bank, believe to be substantially correct, with such small modifications as experience has since pointed out, and which will be noticed in this report.

According to the report of last session, the interest which the State owned in said Bank, after deducting distributions made to the Treasurer, and to the roads and bridges up to that time, and also the further sums that were then appropriated out of the State's interest in said Bank, and which appropriations had not been called for, there still remained the sum of $117,678 68

From which sum deduct the following appropriations of last session:

<table>
<thead>
<tr>
<th>Road/Site</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maysville road</td>
<td>$30,000</td>
</tr>
<tr>
<td>Shelbyville road</td>
<td>15,000</td>
</tr>
<tr>
<td>Rockcastle bridge</td>
<td>1500</td>
</tr>
<tr>
<td>Taylorsville bridge</td>
<td>500</td>
</tr>
</tbody>
</table>

Balance after deducting appropriations of last session: $67,000 00

According to the committee's plan of distributing the surplus profits, which plan was adopted by the Senate, the State's interest in said Bank will be increased thirty thousand dollars more, making an aggregate of $184,678 68

This estimate the committee believe to be substantially cor-
rect. The officers of the Bank informed the committee, that the estimate last year of loss on real estate was too low, and the estimate of gain to the Bank by the loss and destruction of its paper, was also too low; and that the loss on the one hand, would about balance the gain on the other, and leave the estimate upon the whole correct.

Ordered, That the public printers print five hundred copies of the said report for the use of the General Assembly.

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

Resolved, by the General Assembly of the Commonwealth of Kentucky, That the president and directors of the Bank of the Commonwealth shall, on or before the fourth Monday in April next, in the presence of the Auditor and Treasurer, destroy by burning, one hundred thousand dollars in the notes of said Bank that have been redeemed from circulation.

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

Mr. Hardin, from the same committee to whom was referred a bill for the benefit of Edward H. Earle, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.
Which was twice read and laid on the table.

Mr. Campbell, from the committee to whom was referred the amendments proposed by the House of Representatives to a bill from the Senate, entitled, an act to regulate the time of holding certain circuit courts in the 16th judicial district, reported the same with the following resolution thereon, viz.

Resolved, That the said amendments be disagreed to.
Which was twice read and concurred in.
Leave was given to bring in the following bills, viz.

On the motion of Mr. Wickliffe, a bill for the benefit of the Auditor of Public Accounts, and the Register of the Land Office, and

On the motion of Mr. Thompson, a bill to organize a fire company in the town of Harrodsburg.

Messrs. Wickliffe, Hardin, and Clarke were appointed a committee to prepare and bring in the former; and Messrs. Thompson, Rudd, and Selby, the latter bill.

After a short time, Mr. Wickliffe, from the said committee, reported the former bill; which was read the first time, and ordered to be read a second time.

Mr. Williams moved to re-consider the vote by which a bill from the House of Representatives, entitled an act to amend the militia laws, was laid on the table until the first day of June next.
And the question being taken thereon, it was decided in the affirmative.
The said bill was recommitted to a committee of Messrs. Williams, Rodman, Dougherty, and Boyd.

Mr. Guthrie, from the Committee of Courts of Justice, reported a bill to amend the execution laws, and for other purposes, which was read the first time and ordered to be read a second time.

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

Ordered, That the public printer print one hundred and fifty copies of the said bill for the use of the General Assembly.

A message was received from the House of Representatives, announcing that they had concurred in the report of the committee of Conference on the bill from that House, entitled, an act for the benefit of Richard Apperson and Andrew Trumbo, jr.

The said report was twice read and concurred in.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, to wit:

An act for the benefit of Elizabeth Barnes.

An act to authorize the employment of an engineer to examine the obstructions to the navigation of Cumberland river.

An act to authorize the trustees of the town of Monticello to levy a tax on the citizens thereof to pave a foot walk in front of each house and lot in said town.

An act to appropriate certain vacant lands in Casey county to the improvement of certain roads and for other purposes.

An act to endow the Mount Pleasant school in Franklin county, and for other purposes.

An act for the benefit of the heirs of Catlett Conway, deceased, late of Orange county, Virginia.

An engrossed bill, entitled an act to amend the law concerning the trial and convicting of slaves, was read the third time as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That so much of every act or parts of acts of the General Assembly, as authorizes every judge or justice to inflict or cause to be inflicted, punishment upon slaves sworn as witnesses, without trial and regular conviction, shall be, and the same are hereby repealed.

Sec. 2. Be it further enacted, That every slave that may hereafter be charged with the crime of perjury, shall have the benefit of a trial by jury, and be proceeded against in the same manner as is directed where a slave is charged with the commission of felony; and on conviction, shall be sentenced to, and receive the punishment prescribed by law for a slave who is guilty of perjury.

Sec. 3. Be it further enacted, That the oath or affirmation ad-
ministered to slaves shall be the same as is prescribed to be administered to free white persons.

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

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


And then the Senate adjourned.

SATURDAY DECEMBER 10, 1831.

The Senate assembled.

Mr. Hardin from the committee of Finance, to whom was referred bills from the House of Representatives, entitled, an act to reduce the price of the headright lands on the south side of Green river, and for other purposes. And,

An act to improve certain roads in certain counties, reported the same without amendment.

Ordered, That the said bills be read a third time.

The rule of the Senate, constitutional provision, and third reading of the former bill having been dispensed with.

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

A bill from the House of Representatives, entitled, an act for the benefit of the heirs of Calleth Conway, deceased, late of Orange county, Virginia, was read a first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with,

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

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Jacob Hubbs, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in, and so the said bill was disagreed to.

Mr. Hardin from the same committee to whom was referred a bill to encourage the publication of a digest of the decisions of the court of appeals of Kentucky, reported the same with amendments which were twice read and concurred.
Ordered, That the said bill be engrossed and read a third time on Monday next.

A message was received from the House of Representatives, announcing the passage of bills which originated in that house of the following titles, to-wit.

An act to incorporate the eagle, copper and lead company.
An act to amend an act, passed 13th January, 1830, appropriating the fines and forfeitures in Monroe county, to the improvement of the public roads in said county.
An act for the benefit of the heirs of Peter Abel.
An act to regulate the terms of the Anderson county courts.
An act to amend the law relative to the Woodford academy.
That the House of Representatives had also passed bills which originated in the Senate of the following titles, viz.
An act for the benefit of the Cumberland hospital. And,
An act for the benefit of Radford McCargo.
And that they had received official information that the Governor had approved and signed enrolled bills which originated in that house of the following titles, viz.
An act to incorporate the Rolling fork bridge company.
An act prescribing the mode of choosing electors to vote for President and Vice President.
An act to confer certain powers on the county and circuits courts of Scott county.
An act allowing sheriffs and other officers fees in certain cases.
An act for the relief of the surveyor of Green county and the coroner of M'Cracken county.
An act authorising the sale of the Mountsterling seminary and lot and for other purposes.
An act for the benefit of the administrator of Marquis D. Richardson.
An act to establish an election precinct in Hardin county.
An act to amend the law in relation to Idiots.
An act to establish an election precinct in Pike county, and for other purposes.
An act to amend the several laws establishing and regulating the town of Covington.
An act to regulate ferries and the owners and keepers of ferries across the Ohio river, within this commonwealth, and for other purposes.
An act to authorise certain county courts to permit gates to be erected across certain public roads.
An act to incorporate the City of Lexington.
An act to authorise the election of trustees in the town of Maxville, Washington county.
An act for the benefit of the sheriff of Garrard county.
An act for the benefit of the collector of militia fines for the 49th regiment.

An act for the benefit of Temple S. Perrin.

An act authorising the county court of Harrison county to permit Edward Coleman to erect two gates across a public road in said county.

An act authorising Baxter Alexander of Trigg county to erect gates on the road leading from Cadiz to Mountpleasant meeting-house.

An act appointing trustees to the town of Fredericksburg, in Gallatin county and to Clinton, in Hickman county.

An act to appropriate some of the vacant lands of this commonwealth to improve certain roads in certain counties.

An act to amend an act, entitled, "an act for the improvement of the road from Mountsterling by way of Irvine and Manchester, to intersect the wilderness State road, approved, January the twenty-ninth, one thousand eight hundred and thirty, and an amendatory act thereto, approved, December thirtieth, one thousand eight hundred and thirty.

An act to establish an inspection of Tobacco, Whiskey, Pork, Flour, &c. at Brandenburg, in Meade county, and at Elizabethtown, in Hardin county.

Mr. Dougherty who voted in the majority, moved to reconsider the votes, by which bills from the House of Representatives, entitled, an act for the benefit of Philip Graves. And,

An act for the benefit of Jeremiah S. Pierce, were disagreed to by the Senate.

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

The former bill was laid on the table; and the latter was referred to the committee of Religion.

Mr. Wood from the committee to whom was referred a bill from the House of Representatives, entitled, an act to regulate ferries in this commonwealth, reported the same with an amendment.

The said bill as amended by the Senate, is as follows, viz.

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter, at all general elections in this commonwealth, it shall be the duty of all owners, or keepers of public ferries, to ferry free of charge when the stream is not fordable, all qualified voters going to, and returning from said election. And upon his or their failure to do so, they shall for each and every failure, forfeit and pay ten dollars, recoverable by warrant before any justice of the peace of the county.

Sec. 2. Be it further enacted, That the owners or keepers of ferries on Green and Big Barren rivers, shall not be allowed to
charge more than fifty cents for setting over a wagon, team and driver.

SEC. 3. Be it further enacted That the owner of the ferry (commonly called Abney's ferry) in Green county, where the Lexington and Nashville road crosses Green river, shall, on or before the first day of August next, pave with stone the road on the south side of Green river, from low water mark to high water mark, at least ten feet wide, and upon his failure or refusal to do so, he shall forfeit and pay at least one dollar per day for every day said road shall remain unpaved, to be proceeded against by presentment of the grand jury as in other road cases, and to be collected as other fines are; and the said fine shall go toward lessening the county levy of Green county: and it shall be the duty of the owner or renter of said ferry, when said road shall have been paved, to keep the same in good order and repair thereafter, and upon a failure so to do, it shall be the duty of the grand jury of Green county to proceed against the owner or renter of said ferry as in other cases: and when said ferry shall have been completed, it shall and may be lawful for said ferry keeper to charge and receive sixty-two and a half cents for each four-horse wagon crossing in said ferry.

The amendment reported by Mr. Wood, proposes to amend the said bill by striking it all out, after the word "election," in the first section, printed in italics, and to insert in lieu thereof, the following, viz.

SEC. 2. Be it further enacted, That it shall be the duty of the county court of the county in which such ferry may be, to levy at their next court of claims, a sum not exceeding three dollars for each day of the general election, such ferry may be kept free, as provided for in the first section of this act, to the use and benefit of the owner or keeper thereof.

Mr. Campbell moved to lay the said bill and amendment on the table until the first day of June next.

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

The yeas and nays being required thereon, by Messrs. Wood and Campbell, were as follows, viz.


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

On motion of Mr. Winbush—A bill to establish an election precinct in the county of Franklin. And,
On motion of Mr. Guthrie—A bill to amend the act of 1823, concerning unlawful gaming.

Messrs. Wingate, J. Payne and Dougherty, were appointed a committee to prepare and bring in the former; and Messrs. Guthrie, Wood, Thornton, Campbell and Beaseman the latter bill.

A bill from the House of Representatives, entitled, an act to prevent hawkers, peddlers, sellers ofspirituous liquors and other persons, from vending their goods, wares and merchandise nearer than one mile to any camp ground, or other place of worship in this commonwealth; was read the second time.

Mr. Guthrie moved to lay the said bill on the table until the first day of June next.

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

The yeas and nays being required thereon by Messrs. Beaseman and George, were as follows, viz.


The said bill was referred to the committee of Courts of Justice.

Bills from the House of Representatives of the following titles, viz.

1. An act for the benefit of Elizabeth Barnes.
2. An act to authorise the appointment of an engineer to examine the obstructions to the navigation of Cumberland river.
3. An act to authorise the trustees of the town of Monticello to levy a tax on the citizens thereof, to pave a foot walk in front of each house and lot in said town.
4. An act to appropriate certain vacant lands of Casey county, to the improvement of certain roads, and for other purposes.
5. An act to endow the Mountpleasant school in Franklin county, and for other purposes.

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

The rule of the Senate, constitutional provision, and second reading of the said bills having been dispensed with, the first, fourth and fifth were referred to the committee of Finance; the second to the committee of Internal Improvements; and the third was ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with.

Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
A bill from the House of Representatives, entitled, an act to amend the penal laws of this commonwealth, was read the third time, and laid on the table until the first day of June next.

A bill from the House of Representatives, entitled an act for the divorce of Harriet H. Rudd; was read the third time.

And the question being taken on the passage of the said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Faulkner and Parks, were as follows:


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

Mr. Dougherty, from the committee of enrolments, reported that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of the heirs of Catlett Conway, deceased, late of Orange county, Virginia.

An act to remove the seat of justice of M'Cracken county from Wilmington to the town of Paduca.

And an act for the benefit of John H. Slaughter, of Rockcastle county.

And had found the same truly enrolled: and that said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time, Mr. Dougherty reported, that the committee had performed that duty.

A bill for the benefit of the Auditor of Public Accounts, and the Register of the Land Office, was read the second time, and referred to the committee of Finance.

Bills from the House of Representatives of the following titles, viz:

An act to amend an act, passed 13th January, 1830, appropriating the fines and forfeitures of Monroe county to the improvement of the public roads in said county.

An act for the benefit of the heirs of Peter Abell.

An act to regulate the terms of the Anderson county court.

And an act to amend the law relative to the Woodford Academy.

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

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with,
Resolved, That the said bills do pass, and that the titles thereof be as aforesaid.

Mr. Owseley, from the joint committee appointed to examine the Treasurer's office, made the following report, viz:

The joint committee from the Senate and House of Representatives, appointed to examine the Treasurer's office, have performed the duty assigned them, and make the following report:

We have with great labour carefully examined and compared the number and amount of warrants issued by the Auditor from the 10th day of October 1830, to the 10th day of October 1831, with the book in which the Treasurer had entered the amount paid by him for the fiscal year, commencing on the 11th day of October 1830, and ending on the 10th day of October 1831, inclusive, and we find the same to accord. We further examined and ascertained the amount of money received by the Treasurer for the fiscal year commencing on the 11th day of October 1830, and ending on the 10th day of October 1831, inclusive, and we find the same to correspond with the amount, with which he was charged on the Auditor's books for the same year, and the debts and credits so far as we were able to ascertain by a comparison of the books and vouchers, accord with the Treasurer's report, and the true condition of the fiscal concerns of said office, to be fully and fairly represented and set forth in said report. The committee, therefore deem it unnecessary to go into a detailed account of said office, which would only be a repetition of the Treasurer's report.

Your committee are highly gratified in the neat and orderly manner in which the books of said office are kept, and are much pleased with the frank and accommodating manner in which the Treasurer presented the books of said office for the inspection of your committee; all of which, is respectfully submitted.

HENRY OWSELEY,
Of the Senate,

SHEROD WILLIAMS,
HENRY E. INNES,
EDMUND SLONE,
E. THURSTON,
JOB STEVENSON,
Of the House of Representatives.

And then the Senate adjourned.
The Senate assembled.

A message was received from the House of Representatives, announcing that they had insisted on the amendments, proposed by them, to a bill from the Senate, entitled, an act to regulate the time of holding certain circuit courts in the 16th judicial district; and that they have appointed a committee of conference thereon, on their part, and requesting the appointment of a committee on the part of the Senate.

Whereupon Messrs. Casey, Campbell, Cunningham, Bibb and W. C. Payne were appointed a committee on the part of the Senate.

A message was received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate, to bills from that House of the following titles, viz:

- An act to add additional constables and magistrates to sundry counties.
- An act to amend the law in relation to idiots and lunatics.
- An act to amend the third section of an act, for the regulation of the town of Cadiz, in Trigg county, approved, December 16th, 1829. And,
- An act to authorise William Cupp to sell and convey a certain tract of land.

That they have received official information that the Governor had approved and signed enrolled bills which originated in that House of the following titles, viz:

On the 9th instant.

- An act to change the time of the setting of the August term of the Madison county court.
- An act for the benefit of William Henson.
- An act authorising the county courts of Bath and Nicholas to open a road to Andrews' ferry on Licking, under certain restrictions.
- An act to amend the Whitley turnpike law, approved, January 15th, 1831.

On the 10th instant.

- An act to remove the seat of justice of McCracken county from Wilmington, to the town of Paducah.
- An act for the benefit of John H. Slaughter of Rockcastle county.
- An act for the benefit of the heirs of Catlett Conway, deceased, late of Orange county, Virginia.

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

- An act to allow additional justices of the peace to certain counties. And,
And act concerning suits for alimony.
With amendments.
The amendments proposed to the latter bill, were twice read
and concurred in.
And that they had passed bills of the following titles, viz:
1. An act for the relief of Thomas Mitchell, jailor of Lewis
   county.
2. An act providing a mode for a settlement with the reciver of
   public monies for the land district west of the Tennessee.
3. An act to incorporate the Green river rail-road company.
5. An act for the benefit of Fanny Richardson and her children.
6. An act authorising Polly W. Johnson to sell certain real
   estate.
7. An act to authorise the administrators of Isaac Jackson, de-
   ceased, to sell the lands of said Jackson for the purpose of pay-
   ing his debts.
8. An act to add one justice of the peace and constable to
   Harlan county, and for other purposes.
9. An act to authorise the county court of Jefferson county to
   increase the allowance of the patrole of said county. And,
10. An act to amend the several acts in relation to the road
    leading from Franklin to Owenborough.
The said bills were severally read the first time, and ordered
to be read a second time.
The rule of the Senate, constitutional provision, and second
reading of the second, third, fourth, fifth, sixth, seventh and eighth
bills, and the second and third readings of the first, ninth and
tenth bills having been dispensed with, and the first being amended,
The second was referred to the committee of Finance; the
third, fifth, sixth and seventh to the committee of Courts of Justice;
the fourth to the committee of Religion; and the eighth to
a committee of Messrs. Hardin, George and Maupin.
Resolved, That the first, ninth and tenth bills do pass, the first
as amended, and that the titles of the ninth and tenth be as
foresaid, and that the title of the first be amended by adding
thereeto, "and Richard Oldham jailor of Jefferson county."
A bill from the House of Representatives, entitled, an act to
incorporate the Eagle copper and lead company, was read the
first time, and ordered to be read a second time.
The rule of the Senate, constitutional provision, and second
reading of the said bill having been dispensed with, it was re-
ferred to the committee of Courts of Justice.
Mr. Beaseman presented the petition of John H. Rudd, pray-
ing a divorce from his wife Harriet H. Rudd. And,
Mr. Casey presented the report of the commissioners appoint-
ed by an act of the legislature, to open and improve the naviga-
tion of trade water; and the petition of sundry citizens, praying an appropriation of money to improve the navigation of said stream.

Which were received, and the former was referred to the committee of Religion; and the latter to the committee of Internal Improvements.

Mr. Wickliffe from the committee of Courts of Justice, to whom was referred the petition of John Scott, administrator with the will annexed, of the estate of Thomas Ayres, deceased, reported the following resolution thereon, viz.

Resolved, That the said petition be rejected.

Which was twice read and concurred.

Leave was given to withdraw the said petition.

Mr. Wood from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Jeremiah S. Pierce, reported the same without amendment.

The said bill is as follows, viz.

Be it enacted by the General Assembly of the commonwealth of Kentucky, That the marriage contract heretofore existing between Jeremiah S. Pierce and his wife Mary W. Pierce, is hereby dissolved, so far as relates to the said Jeremiah S. Pierce, and he is hereby restored to all the rights and privileges of an unmarried man.

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

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

YEAS—Messrs. Beauregard, Bibb, Boyd, Clark, Cunningham, Dougherty, George, Owsley, Rodman, Williams and Wingate—11.


Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of John J. Posey, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill, having been dispensed with,

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

Mr. Hardin from the same committee to whom was referred a bill from the House of Representatives, entitled an act to pay off the deficit in the Treasury, by allowing the Treasury a credit in
the commonwealth's bank, for the amount borrowed of said bank, reported the same with the following resolution thereon, viz.

Resolved, That the said bill be laid on the table until the first day of June next.

Which was twice read.

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

The yeas and nays being required thereon by Messrs. Faulkner and Wingate, were as follows, viz.


The said bill is as follows, viz.

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the president and directors of the bank of the commonwealth be, and they are hereby required to give and enter upon their books, a credit to the Treasury of the Commonwealth, for the amount the Treasury is indebted to said bank, the Treasurer having over drawn the amount of the deposit in said bank.

SEC. 2. Be it further enacted, That the president and directors, upon giving the Treasury a credit for the amount the Treasury is indebted to said bank, shall be allowed the amount in setting and adjusting the concerns of said institution with the State.

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

The yeas and nays being required thereon by Messrs. Wood and Dougherty, were as follows, viz.


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

By Mr. Wingate—A bill erecting an election precinct in Franklin county. And,

By Mr. Guthrie—A bill to amend an act, entitled, an act more affectually to suppress gaming, approved, December 29th, 1823.

Which bills were each read the first time, and ordered to be read a second time.
The rule of the Senate, constitutional provision, and second and third readings of the former, and the second reading of the latter bill having been dispensed with; the latter was referred to the committee of Courts of Justice.

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

A bill from the House of Representatives, entitled, an act to provide for the appointment of auditors to settle with executors, administrators and guardians, was taken up and the question being taken on reading the same a third time, as amended, it was decided in the negative, and so the said bill was disagreed to.

An engrossed bill entitled an act to amend the several acts against unlawful gaming was recommitted to the committee of Courts of Justice.

A message in writing was received from the Governor by Mr. Crittenden Secretary of State.

A bill from the House of Representatives, entitled, an act to improve certain roads in certain counties, was read the third time, as amended.

Mr. Wickliffe moved to amend the said bill by adding thereto the following section, viz:

That all acts and parts of acts which authorise the issuing of any land office treasury warrants, appropriating land north of Walker's line shall be and are hereby repealed.

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

The yeas and nays being required thereon by Messrs. Wickliffe and J. Payne, were as follows, viz:


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

An engrossed bill entitled an act to encourage the publication of a digest of the decisions of the Court of Appeals of Kentucky, was read the third time.

Mr. Maupin moved to amend the said bill by adding thereto the following section by way of rider, viz:

Be it further enacted, That on the delivery of a copy to the attorneys, clerks, and judges, each one of them shall pay two dollars and fifty cents therefor, which shall be transmitted by the several clerks authorised to receive said copies to the public treasury.
And the question being taken thereon, it was decided in the negative.

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


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

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


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

Mr. Wingate from the committee of Enrollments, reported that the committee had examined enrolled bills of the following titles, to-wit:

An act to appoint one additional justice of the peace and constable to Gallatin county.

An act to incorporate an insurance company, under the style of the Louisville merchants’ insurance company.

An act to establish an academy in the town of Brendenburg, in Meade county.

An act for the relief of Douglas Butler.

An act to amend an act entitled, an act for the benefit of Elizabeth Jones, approved, January 15th, 1831.

An act for the benefit of George W. Damron.

An act to change the place of holding elections in the Floydsburg precinct, in Oldham county.

An act to prevent the people of Harlan county from burning the woods.

An act to extend the limits of the town of Winchester, in Clark county. And,

Act an authorising the Louisville and Portland canal company to increase their capital stock.

And had found the same truly enrolled, and that the said bills were signed by the speaker of the House of Representatives.

Whereupon the speaker of the Senate affixed his signature thereto, and they were delivered to the committee to presented to the Governor for his approbation and signature.
Dec. 12]

THE SENATE.

After a short time Mr. Wingate reported that the committee had performed that duty.

Mr. William C. Payne, from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz.

An act to authorize the county courts of Breckinridge and Hopkins counties to appoint one additional constable to said counties.

An act to reduce into one the several acts concerning the town of Augusta, in Bracken county.

An act to add an additional justice of the peace to the counties of Wayne and Russell.

An act to enable the circuit courts to make allowance to committees of idiots and lunatics, for keeping them out of their own estates.

An act for the benefit of Jael Holder, and the heirs of Fielding Holder.

And an act to change the name of the town of Fredericksburg, in Gallatin county, to that of Warsaw.

And had found the same truly enrolled; that said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto; and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time, Mr. W. C. Payne reported that the committee had performed that duty.

On the motion of Mr. Wickliffe,

Resolved, That the committee of Finance enquire into the propriety of repealing, or amending the laws authorizing the issue of land office treasury warrants.

On the motion of Mr. Selby, he was excused from serving on the committee appointed to examine the Bank of the Commonwealth.

Mr. Dougherty was added to the said committee.

A bill from the House of Representatives, entitled, an act for the benefit of Philip Graves was taken up, and is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby directed to issue a warrant upon the Treasury for one hundred dollars in favor of Philip Graves, of Boone county, Kentucky, as a compensation for keeping an idiot; which warrant the Treasurer is hereby directed to pay out of any money not otherwise appropriated.

And the question being taken on reading the said bill a third time, it was decided in the negative; and so the said bill was disagreed to.
The yeas and nays being required thereon by Messrs. Hardin and Stephens, were as follows, viz:

YEAS—Messrs. Bibb, Casey, Dougherty, George, Maupin Owsley, Rudd, Selby, Stephens, Thornton and Wingate—11.


And then the Senate adjourned.

TUESDAY, DECEMBER 13, 1834.

The Senate assembled.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House, of the following titles, viz:

An act to prevent the increase of intemperate habits amongst persons of color.

An act to legalize the proceedings of the Whitley county court, held in April, 1830; and an act to amend the act incorporating the Lexington and Ohio railroad company.

Mr. Wickliffe, from the committee of courts of justice, to whom was referred an engrossed bill, entitled an act further to regulate the collection of the revenue and county levies, and for other purposes, reported the same without amendment.

The said bill is as follows, viz.

Be it enacted, by the General Assembly of the Commonwealth of Kentucky, That the collectors of the revenue and county levy for the year eighteen hundred and thirty-two, and for ever thereafter, until otherwise directed by law, shall collect the revenue and county levy in gold and silver.

SEC. 2. Be it further enacted, That collectors for the county levy shall, for the year eighteen hundred and thirty-two, and until otherwise directed by law, pay off the county claimants in gold and silver, at the times now prescribed by law to pay the same.

SEC. 3. Be it further enacted, That all claims and demands against the public treasury, which shall accrue after the 10th day of December, eighteen hundred and thirty-two, shall be paid in gold and silver.

SEC. 4. Be it further enacted, That the clerks of the several courts in this Commonwealth shall collect and pay all taxes on alienations and other money, which they may collect in gold or silver, in the same manner and under like limitations as is prescribed to collectors of revenue and county levies, any law, cus...
tom, or usage, to the contrary, notwithstanding: all acts, and parts of acts, which come within the perview of this act, shall be, and the same are hereby repealed.

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

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

Mr. Wickliffe, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act to prevent hawkers, pedlars, sellers of spirituous liquors, and other persons, from vending their goods, wares, and merchandise, nearer than one mile of any camp ground, or other place of worship in this commonwealth, reported the same with amendments, which were twice read and concurred in.

And the said bill was recommitted to a select committee of Messrs. Hardin, Clark, Griffin, and Rodman.

Mr. Clark, from the committee of propositions and grievances, to whom was referred a bill from the House of Representatives, entitled, an act to change the place of voting in the Grace's and Burnett's precincts, in Trigg county, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

On the motion of Mr. Wickliffe, the committee of courts of justice, was discharged from the duty of preparing and bringing in a bill to extend the powers of the county courts of this commonwealth.

Mr. Campbell moved to suspend the ordinary business of the day for the purpose of taking up a bill to fix the ratio and apportion the representation for the ensuing four years.

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

The yeas and nays being required thereon by Messrs. Wickliffe and Williams, were as follows, viz:  
NAYS—Messrs. Allen, Bibb, Boyd, Brown, Casey, Faulkner,
Mr. Wickliffe, from the committee of courts of justice, to whom was referred bills from the House of Representatives, of the following titles, viz.:

An act authorising Polly W. Johnson to sell certain real estate.

And an act for the benefit of Fanny Richardson and her children.

Reported the said bills with the following resolution thereon, viz.

Resolved, That the said bills ought not to pass.

Which was twice read and concurred in, and so the said bills were disagreed to.

Mr. Wickliffe, from the same committee to whom was referred a bill to amend the law concerning unlawful assemblies, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in; and so the said bill was rejected.

A message in writing was received from the Governor by Mr. Crittenden Secretary of State.

Mr. Wickliffe from the committee of Courts of Justice, to whom was referred an engrossed bill, entitling an act to amend the several acts against unlawful gaming, reported the same without amendment.

And the said bill was recommitted to the same committee.

Mr. W. C. Payne from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to reduce the price of head right lands on the south side of Green river, and for other purposes.

An act to divorce Mary Jane Caldwell.

An act to authorise William Cupp to sell and convey a certain tract of land.

An act to amend the law in relation to idiots and lunatics.

An act to add additional constables and magistrates to sundry counties.

An act to regulate the mode of accounting for taxes received by clerks, &c. on law process, deeds, seals, &c. collected for revenue purposes.

An act to amend the third section of an act for the regulation of the town of Cadiz, in Trigg county, approved, December 16th, 1827.

An act for the benefit of Richard Apperson and Andrew Trumbo, jr.

An act for the benefit of the heirs of Peter Abel.

An act to amend the law relative to the Woodford academy.

An act to amend an act passed 18th January, 1830, appropri-
ating the fines and forfeitures in Monroe county, to the improve-
ment of the public roads in said county.

An act to authorize the trustees of the town of Monticello, to
levy a tax on the citizens thereof to pave a foot walk in front of
each house and lot in said town.

An act to regulate the terms of the Anderson county courts.

An act to divorce Harriet H. Rudd.

And had found the same truly enrolled; and that the said bills
were signed by the speaker of the House of Representatives.

Whereupon the speaker of the Senate affixed his signature
thereeto, and they were delivered to the committee to be presented
to the Governor for his approbation and signature.

After a short time Mr. W. C. Payne reported that the committee
had performed that duty.

Mr. Hardin from the committee of Finance, to whom was re-
ferred a bill to authorize an additional subscription in the stock
of the Maysville, Washington, Paris and Lexington turnpike road
company, and to amend the several acts incorporating said company,
reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Which was twice read and the consideration thereof postponed.

Mr. Hardin from the committee of Finance, to whom was re-
ferred a bill from the House of Representatives, entitled, an act
for the benefit of John D. Hay, made the following report there-
on, viz:

The committee of Finance has had under consideration a bill
from the House of Representatives, directing the president and
directors of the bank of Kentucky, to pay John D. Hay, the same
proportion of $3,100 that the interest of the State in said bank
bears to the whole amount of stock, and report thereon.

The petition of Mr. Hay alleges, that on the 21st of Janua-
ry, 1814, his house in Vincennes and store, were consumed by
fire; that he had on hand $3,100 in notes on the bank of Ken-
tucky, which, with a large amount of other property, were de-
based by the conflagration, and prays the Legislature to afford
him relief. The evidence of the petitioner, of competent char-
ter, proves the destruction of the house and store as stated, and
the further afflicting loss of three infant children of Mr. Hay; al-
so, that Mr. Hay was at the time a merchant of high standing.
and great respectability; that Kentucky paper was, at that time,
very plenty in Vincennes, and that Mr. Hay was in the habit of
dealing in it; there is no proof besides the affidavit of the peti-
tioner, that he then had any Kentucky paper on hand, and that
the same was destroyed by fire; the opinion of persons that he
had, seems to be predicated upon the statements of Mr. Hay. It
is further in proof, that he has made, at different times, applica-
tion to the bank for payment, which has been refused. The first
question presented for the consideration of the committee, is the
affidavit of the petitioner, admissible and competent evidence? The committee are of opinion it is not. That this is the settled law of the land none can doubt for a moment.

The next question is, shall that rule of law be violated in this particular case. The committee are of opinion it ought not.

What is to distinguish this from any other case, when a person of good credit swears to the loss of Kentucky or Commonwealth's bank paper? The committee can perceive nothing. The misfortunes of Mr. Hay, although they may awaken and enlist our sympathies, add very little to the strength of his claim over any other that depends solely upon oath of the applicant. If Mr. Hay has lost the paper, our courts of justice are open to him, and why does he not go there? The reason is obvious; he has no proof that would be received in court, nor ought the Legislature to hold out such a temptation to the consciences of men.

It is alleged in behalf of the claim, that the Legislature is not bound by the same rules of evidence that bind courts of justice; it is true, they may act arbitrarily without rule; but when we are called upon by an applicant, to adjudge a claim and demand against the State and our constituents, ought we to receive less evidence than a chancellor or a court of justice would? Ought we to receive evidence which the wisdom of ages, for five hundred years back has said is not to be credited? How many of the officers of the bank will swear that the paper of said bank was lost by fire and robberies, although they themselves have used it, if we permit them to swear in their own cases; and if we permit one man, we must extend the same privilege to others. If this claim should be paid, do we not make proclamation to the world, come and swear to the loss of either Kentucky or Commonwealth's paper, and you shall be paid, as long, at least, as any paper of those banks shall appear to be out. The precedent is too dangerous a one to be set.

The committee submit the following resolution.

Resolved, That said bill ought not to pass.

Which being twice read, Mr. Guthrie moved to reverse the said report, and the question being taken on the motion of Mr. Guthrie, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hardin and Parks, were as follows, viz.


The said bill was ordered to be read a third time.

And then the Senate adjourned.
The Senate assembled.

Mr. Harris presented the petition of Thomas F. Cecil and Nancy Cecil, administrators of the estate of John Hibbard, deceased, praying that a law may pass authorising a sale of some lots in the town of Pikeville, for the purpose of paying the debts of the deceased.

Also, the petition of Samuel K. Friends, praying that a law may pass authorising the county or circuit court of Floyd to appoint a commissioner to convey to him a lot in the town of Floydsburg, purchased by him from Solomon Derositt.

Also, the petition of Wiley Saleberry, representing that he stands indicted upon a charge of felony in the Floyd circuit court, and that owing to the undue influence of the prosecutor, he does not believe he can obtain a fair trial, and praying a change of venue to some other county.

The said petitions were received, and referred to the committee of Courts of Justice.

Mr. Guthrie presented the petition of James T. Martin, praying that a law may pass allowing him the sum of nine dollars and seventy-five cents, which was received and referred to the committee of Finance.

A message was received from the House of Representatives, announcing the passage of bills which originated in that House of the following titles, viz:

An act to prescribe the mode of proceeding in actions against bodies corporate and incorporated companies.

An act for the benefit of John Hart, of Caldwell county.

An act to authorise the county court of Nicholas county to permit John Allison and others to erect gates on a certain public road in said county.

An act to change the place of voting in an election precinct in Monroe county, and

An act for the benefit of Transylvania University.

Mr. W. C. Payne from the committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to amend the several acts in relation to the State road leading from Franklin to Owenborough.

An act to authorise the county court of Jefferson county to increase the allowance to the patrol of said county.

An act for the benefit of John J. Posey.

And had found the same truly enrolled; that said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature.
thereof; and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time Mr. W. C. Payne reported that the committee had performed that duty.

Mr. Owsley moved for leave to bring in a bill to divorce Elizabeth McClure.

The said motion was referred to the committee of Religion.

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

On motion of Mr. Harris—A bill to alter the time of holding the circuit courts of Morgan, Floyd, Pike and Lawrence counties.

And,

On motion of Mr. George—A bill to regulate the circuit courts in the 1st judicial district.

Messrs. Harris, Fleming, Conner and Williams were appointed a committee to prepare and bring in the first; and Messrs. George, Stephens, and Harris the second bill.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill from the House of Representatives, entitled, an act to amend the law regulating appeals from the judgment of justices of the peace, reported the same with an amendment.

Which was twice read and disagreed to.

The said bill was amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Hardin, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act to appropriate certain vacant lands of Casey county to the improvement of certain roads, and for other purposes, reported the same with amendments to each, which were twice read and concurred in.

Ordered, That the said bills be read a third time as amended.

The rule of the Senate, constitutional provision, and third readings of the said bills having been dispensed with,

Resolved, That the said bills, as amended, do pass, and that the titles thereof be as aforesaid.
Mr. Hardin, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act to fix the compensation of the clerks of the Senate and House of Representatives of this commonwealth, and for other purposes, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.
Which being twice read,
Mr. Maupin moved to reverse the said report.
An the question being taken on the said motion, it was decided in the negative; and so the said bill was disagreed to.
The yeas and nays being required thereon by Messrs. Maupin and Wingate, were as follows, viz:


The said bill is as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That from and after the expiration of the present session of the Legislature, the principal clerk of the Senate and of the House of Representatives of this commonwealth shall be allowed seven dollars per day for every day their respective houses are in session, and for four days after the final adjournment, at the end of each session, to wind up their business: and the assistant clerk of each house shall be allowed four dollars per day for the same time, to be paid in the same circulating medium in which members of the Legislature are paid.

Sec. 2. Be it further enacted, That the serjeants at arms of the Senate and House of Representatives shall be allowed three dollars per day for their services during the session of the Legislature; and the door-keepers of the Senate and House of Representatives shall be allowed three dollars per day for their services during the session of the Legislature.

A bill to fix the ratio and apportion the representation for the ensuing four years, was taken up.
Mr. Boyd moved to amend the said bill so as to take one member from the city of Louisville, and to add one member to the county of Shelby.
Mr. Faulkner called for a division of the question, and the question being taken on taking one member from the city of Louisville, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Boyd and Parks, were as follows, viz:

YEAS—Messrs. Beaseman, Boyd, Conner, Cunningham, Faulk-
Mr. Dougherty moved to amend the said bill by taking one member from the county of Fayette, and giving to the counties of Grant and Pendleton one member each.

Mr. Maupin called for a division of the question, and the question being taken on taking one member from the county of Fayette, it was decided in the negative.

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


Mr. Faulkner moved to amend the said bill by taking one member from the county of Lincoln, and adding one member to Garrard county.

Mr. Owlsley called for a division of the question.

Mr. Faulkner presented the following certificate, which was read, viz:

Auditor's Office, Kentucky,  
Frankfort, 3d Dec. 1831.

I do certify, that an additional list of white males from Garrard county for the year 1831 was this day received at this office, containing 263 names, making the whole number of white males in Garrard county 1614, as per the certificates on file. Given under my hand, the date above.

THO. S. PAGE, for  
P. CLAY, Aud.

Mr. Owlsley objected to the said certificate being received as evidence.

Mr. Hardin moved the previous question, and the question taken, "shall the main question be now put?" it was decided in the affirmative.

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


It being half past one o'clock, P. M. Mr. Conner moved that the Senate do now adjourn.

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

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


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

The yeas and nays being required thereon by Messrs. Conner and Fleming, were as follows, viz.


Mr. Fleming from the committee to whom was referred a bill from the House of Representatives, entitled, an act appropriating some of the vacant lands in Greenup, Fleming, Bath and Montgomery counties to improve the road leading from Mount Sterling to the mouth of Big Sandy, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

And then the Senate adjourned.
The Senate assembled.
Mr. Cunningham presented the petition of sundry citizens of Grayson county, praying that the place of voting in an election precinct in said county may be changed.
Which was received and referred to a committee of Messrs. Cunningham, W. C. Payne and Brown.
Mr. Harris presented the following report, viz:
To the honorable the General Assembly,
of the Commonwealth of Kentucky,
To which is respectfully submitted the report of James P. Harris, Thomas Owens, Sr. and Samuel Mars, of the practicability of making a good road from the mouth of Shelby's creek on Sandy river, or from the town of Pikeseville to the top of Cumberland mountain, the dividing line between the State of Virginia and the State of Kentucky, we, the undersigned, commissioners appointed by an act of the General Assembly on the 15th of January, 1830, of the State of Kentucky, and in conformity thereto, was duly sworn before John D. Mims, a justice of the peace for Pike county, and proceeded to view and mark the proposed road, agreeably to the requisitions of the act of Assembly; we respectfully report to your honorable body, that we proceeded carefully to view the ground over which the road should pass, beginning at the top of Cumberland mountain, as above designated, and viewed and marked the ground from the top, diverging from the old road for about one quarter of a mile, and again, before reaching the valley of the Elk Horn creek, intersecting with the old road about one and a half mile, according to the meandering of the proposed road, and then keeping the old road until we descended fully into the Elk Horn Valley, and continuing to do so with occasional changes of a new paces, which we deem unnecessary to mention to your honorable body, until we left the Elk Horn Valley, and fall over on the valley of Shelby’s creek; after passing over a very low gap between the valley of Elk Horn, and the valley of Shelby, thence keeping down the valley of Shelby's creek, and occupying the ground on which the old road is at present, with occasional changes, until we arrived at the confluence of forks of Shelby creek, where the long fork forms a junction with main Shelby; thence leaving the main creek, and ascending the long fork, to the mouth of Indian creek, a tributary stream of the long fork, up the same to its source, passing a low gap to the valley of Robertson, a branch of main Shelby, and down the same to its junction with main Shelby; thence down main Shelby, and with the old road for a very short distance to the mouth of a small branch; thence leaving the valley of Shelby, and up the valley of the branch before mentioned to its source, and ascending a hill
of considerable size to the mouth of the valley of Island creek, a tributary stream of Big Sandy river, down the same to its mouth; thence down the river to the town of Pikeville, a distance of 2 miles from the mouth of Island creek, to the town of Pikeville, keeping on the south side of the river. We further respectfully report to your honorable body, that we have viewed the road 1 mile above from the mouth of the small branch where the road that leads to Pikeville, and finally leaves main Shelby, down the valley of Shelby to its junction with the Sandy river, by keeping the old road, with a few changes of a minor character. By reference to the act of Assembly, it appears to us a duty, to report to your honorable body the "practicability of a good road, to be cut thirty feet wide, smoothly dug, and made firm, either by throwing up or otherwise, eighteen feet wide, and the probable expense of making said road." As to the practicability of making a road, agreeably to the act of Assembly, we can have no hesitation in reporting to your honorable body in the affirmative: the Cumberland mountain is considered the greatest obstacle that presents itself to us, and a road can be made from the top to the valley of the Elk Horn creek with no great difficulty, agreeably to the act of Assembly, so that six horses could draw up the mountain with a burthen of four thousand pounds weight; the road passes over mostly gravelly ground, which would require no blowing, with exception of a few feet on the side of the Cumberland. The valley of Elk Horn creek is a level flat surface, chiefly of loose gravel, and every necessary material for the making of the road is convenient. We further report, that the low gap before referred to in this report, between the valleys of Elk Horn and Shelby, forms no difficulty, and may be regarded comparatively with the Elk Horn valley as offering no obstacle to the completion of the road; the surface is the same, and correspondent convenience of materials, &c. We then fall over on the valley of Shelby creek, which in a great measure may be considered a gradual inclined plain, consisting with a loose gravelly surface, and abundant materials for the completion of the road. We then kept down the valley of main Shelby until we arrive at the confluence of the long fork of Shelby, up the same to the mouth of Indian creek, and up the same after passing the hill at the source of Indian creek, we fall over on Robertson, the ground up the long fork and up Indian creek, is of loose gravel kind, and the hill is so low that it may be regarded as no obstacle whatever. The ground down the Robertson, over which the road is to pass, may be considered of the same kind as the valley of Elk Horn and main Shelby, and the same conveniences so far as regards materials for making the road abounds. The road from the mouth of the Robertson, till it leaves main Shelby, leading on to Pikeville, is generally flat and level sandy surface, with a correspondent
convenience of materials, &c. But we beg leave to report to your honorable body, that after leaving the main Shelby valley, at the small branch before designated in a preceding part of this report, and keeping up the same to its source, a good road can be made, as its surface is of the same kind of valleys of Robertson Indian, Elk Horn and Shelby, together with materials, &c. until arriving at the hill at the head of the branch as before mentioned. This hill may be justly considered the second difficulty which is to be encountered; but we respectfully report, that by a serpentine course from the foot of the hill to its summit, a good road can be made, with much less difficulty than the Cumberland mountain. The hill is short, and its surface may be considered as a tough clay and gravel, with every convenience as to materials for the road. The valley of Island creek next presents itself for our consideration. It will be only essential to remark, that from the source to the mouth, little or no difficulty presents itself as to Island creek. A good road can undoubtedly be made with no great difficulty. It would be proper to state, that the mouth of Island creek is the distance of five miles from the mouth of Shelby, the other point designated by the act of Assembly, and two miles above the town of Pikeville, the other point. As an actual admeasurement has not been made, we cannot state positively the exact distance from the top of Cumberland mountain to the mouth of Shelby, and also to the mouth of Island creek; but certainly the distance in favor of the former is not more than one mile, and of course but three miles in favor of the mouth of Shelby, over the route to Pikeville. The road thence from the mouth of Island creek to Pikeville will pass over a flat surface, with a little side cutting on the river bank, and a small bridge across a branch that empties into the river at Pikeville. Materials to complete the road is as convenient at this point as any other part of the road.

The next duty that devolves on us, is to report relative to the other route, to the mouth of Shelby's creek. If the road should be made down the valley of Shelby to its junction with Sandy river, the road should leave the other route about a mile above the small branch referred to before, where the roads leave main Shelby for the town of Pikeville, and down the valley of Shelby to its junction with the river. This route would unquestionably be more difficult than the other at Pikeville, because the frequent crossing of Shelby creek, the projecting cliffs on the side of the creek, all combine to render this route much more difficult than the other. The distance from Cumberland mountain according to our estimate to the mouth of Shelby creek, is twenty-seven miles; the distance to the town of Pikeville, is thirty miles according to the most accurate estimate we can arrive at.

The last significant duty that is required of us to report, is "the probable expense of making said road," in conformity to the act
of Assembly. We further beg leave to state, as we have no data by which we could estimate exactly, we can only report an estimate made by us as to the probable expense per mile; that the road would cost, after taking into consideration the abundant materials which can be had so convenient to the road to construct it, and the ground over which the road would pass, agreeable to this act and this report. We respectfully report the two hundred dollars a mile would complete the road to Pikeville from Cumberland mountain. It would be proper here to state, that a small saving would be in the route to the mouth of Shelby, but it is certainly more practicable to Pikeville. All which is respectfully submitted.

THOS. OWEN, Sr.  
JAMES P. HARRIS,  
SAMUEL MARS,

November 28th, 1831.

Ordered, That the said report be referred to the committee of Internal Improvements.

Mr. Wickliffe from the committee of Courts of Justice, to whom was referred an engrossed bill, entitled, an act to amend the several acts against unlawful gaming, reported the same with amendments.

Which were twice read and concurred in.

Ordered, That the said bill be re-engrossed and again read a third time to-morrow.

Mr. Wickliffe from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to incorporate the Green river rail-road company, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Wickliffe from the same committee, to whom was referred the petition of Thomas F. Cecil, and Nancy Cecil, and the petition of Samuel K. Friends, made the following report thereon, viz:

Resolved, That the said petitions be rejected.

Which was twice read and concurred in.

On motion of Mr. Wickliffe, a message was sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate to a bill from that House, entitled, an act authorising Polly W. Johnson to sell certain real estate.

Mr. Wood from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act to divorce George Ross, reported the same without amendment.
The said bill was amended, and the question being taken on reading the said bill a third time, as amended, it was decided in the affirmative.

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


Mr. Wood from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Harriet W. Johnson reported the same without amendment. The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage contract now existing between Harriet W. Johnson and her husband Robert W. Johnson, be and the same is hereby dissolved, so far as it relates to the said Harriet W. Johnson, who is hereby restored to all the rights and privileges of a feme sole.

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

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

YEAS—Messrs. Allen, Beaseman, Bibb, Cunningham, Dejarnett, Griffin, Harris, Maupin, Owsley, Parks, J. Payne, Ray, Rodman, Rudd and Wingate—15.


Mr. Wood from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to divorce Stephen Sampson and Caty Sampson, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

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

The yeas and nays being required thereon by Messrs. Hardin, and Dougherty, were as follows:

YEAS—Messrs. Campbell, Dejarnett, Faulkner, George, Griffin, Owsley, Ray and Rodman—8.

NAYS—Messrs. Allen, Beaseman, Bibb, Boyd, Brown, Casey,
The said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the marriage contract heretofore existing between Stephen Sampson and his wife Caty Sampson, be and the same is hereby dissolved, to all intents and purposes.

Mr. Wood from the same committee, reported a bill for the divorce of Elizabeth McClure, which was read the first time, and the question being taken on reading the same a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Hardin, from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of Elizabeth Barnes, reported the same with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in, and so the said bill was disagreed to.

Mr. Hardin, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act requiring tavern keepers, pedlars of clocks, and the owners and keepers of covering horses and jacks, to pay taxes in advance and obtain license, reported the same without amendment.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

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


NAYS—Messrs. Beaseman, Conner, Harris, Rodman, Selby, and Wickliffe—6.

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

A message was received from the House of Representatives, announcing that they have adopted a resolution fixing upon a day for the election of a treasurer, public printer, president and directors of the Bank of Kentucky, and a president and directors of the Bank of the Commonwealth of Kentucky.

Mr. Clark moved to dispense with the ordinary business of the day, for the purpose of taking up an engrossed bill, entitled, an
act to fix the ratio and apportion the representation for the ensuing four years.

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

The yeas and nays being required thereon, by Messrs. Conner and Brown, were as follows, viz.


The said bill was taken up, and read the third time.

Mr. Conner moved to commit the said bill to a select committee.

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

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


Mr. Harris moved to lay the said bill on the table until the first day of June next.

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

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

YEAS—Messrs. Beaseman, Boyd, Conner, Dougherty, Faulkner, George, Griffin, Harris, Parks, J. Payne, Rodman, Selby, Thompson, Thornton and Wickliffe—15.


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

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

YEAS—Messrs. Bibb, Brown, Campbell, Casey, Clark, Cunningham, Dejarnett, Gholson, Griffith, Guthrie, Hardin, Maupin,

NAYS—Messrs. Beaseman, Boyd, Conner, Dougherty, Faulkner, George, Griffin, Harris, Parks, J. Payne, Rudd, Selby, Thompson, Thornton and Wickliffe—15.

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

And then the Senate adjourned.

FRIDAY, DECEMBER 16, 1831.

The Senate assembled.

A message was received from the House of Representatives, announcing their disagreement to the amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled, "an act to amend the law regulating appeals from the judgment of justices of the peace."

That they had concurred in the amendments proposed by the Senate, to bills which originated in that House, of the following titles, viz:

An act to improve certain roads in certain counties.

An act for the benefit of Martha Burk.

An act to legalize the acts of John B. Cobb, a constable of Hart county, and for other purposes.

An act for the relief of Thomas Mitchell, jailor of Lewis county.

An act to appropriate certain vacant lands of Casey county to the improvement of certain roads, and for other purposes.

An act providing a mode for a settlement with the receiver of public monies for the land district west of Tennessee river.

An act appropriating some of the vacant lands in Greenup, Fleming, Bath and Montgomery counties, to improve the road leading from Mountsberling to the mouth of Big Sandy.

That they had passed a bill which originated in the Senate, entitled, "an act for the divorce of Polly Clemmons from her husband Benjamin Clemmons;" also, bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize the appointment of an additional constable in the town of Bowling-green.

An act to change the State road leading from Falmouth, in Pendleton county, to Peter Jones', in Scott county.

An act to add to the county of Nicholas that part of the county of Bourbon that lies north of Hinkston, at the mouth of Taylor's creek.

An act to authorize the insertion of advertisements in "The Na-
An act for the benefit of Mary Ann Flournoy.

An act to amend the road laws so far as respects the counties of Mason and Bracken.

And that they had concurred in the report made by the committee of conference on a bill which originated in the House of Representatives, entitled, an act for the benefit of the surveyor of Jefferson county.

Mr. Taylor from the joint committee appointed to settle the accounts of the commissioners for rebuilding the capitol, made the following report thereon, viz:

The joint committee appointed to examine and settle the accounts of Peter Dudley, John Brown, John Harvie and James Shannon, commissioners for rebuilding the capitol, have performed that duty, and report herewith an account current, as a part of their report, showing an aggregate amount of the funds received, and the disbursements made by the said commissioners, which account is sustained by vouchers exhibited to your committee, and by which it appears, that the said commissioners have faithfully disbursed the funds placed in their hands by the commonwealth. Therefore, your committee recommends the adoption of the following resolution.

Resolved by the General Assembly of the Commonwealth of Kentucky, That the bonds executed by Peter Dudley, John Brown, John Harvie and James Shannon, commissioners for rebuilding the capitol, which are filed in the office of the Secretary of State, be cancelled and given up to them, upon their depositing the vouchers and other papers relating thereto, in the office of the Secretary of State.

And whereas, the commissioners superintending the rebuilding of the capitol, claims such compensation for their services respectively, as may be reasonable and just; but the joint committee conceive, that that subject is not directly referred to them. A majority of them conceive, that another, and a different course should be taken by each branch of the General Assembly, should they concur.

Wherefore a majority of the joint committee recommend the adoption of the following additional resolution.

Resolved, That a bill ought to pass, allowing a compensation to each of the commissioners, for their services in superintending the rebuilding of the capitol, the sum of five hundred dollars.

John Brown, Peter Dudley, John Harvie and James Shannon, Commissioners for rebuilding the capitol, in account with the State of Kentucky.

To amount drawn from the Treasury, $75,500.
"part of premium awarded for plan of capital refunded to us by Mr. Kennedy, 28.50
"Cash refunded to us by John Rodman, 100.00
"do. received for remnant of blue cloth, 3.00
"do. for scraps of copper sold, 166.50
"amount drawn from the Penitentiary in labor and manufactured articles, 18,300.62

By disbursements in notes of the Bank of the Commonwealth as per receipts and vouchers, $75,818.00
"amount drawn on the keeper of the Penitentiary for labor and manufactured articles, 18,300.62

The rule having been dispensed with, the first resolution was twice read and adopted, and the second resolution was referred to the committee of Finance.

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act regulating the tax on merchandise, reported the same with amendments, which were twice read.

Mr. Wickliffe moved that the said bill be recommitted to the committee of Finance, with direction to amend the bill so as to equalize the taxation upon the value of the whole property of the State, so as to make the revenue meet the annual expenditure of the State.

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

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


NAYS—Messrs. Allen, Campbell, Casey Cunningham, Dougherty, Faulkner, Griffin, Guthrie, Hardin, Harris, Owsley, W. C. Payne, Ray and Thompson—14.

Mr. Hardin from the same committee, to whom was referred a bill concerning the Lunatic Asylum, and a bill from the House of Representatives, entitled, an act for the benefit of William W. Ater, and others, made the following report thereon, viz:

The committee of Finance has had the claim of Andrew McCalla, and others claiming an additional allowance and compensation for the Lunatic Hospital, over and above what has al-
ready been made them by the State, under consideration, and report, from all the information they can obtain, that about 1817, the citizens of Lexington and its vicinity determined to build a hospital for the accommodation of the poor and diseased of the town and county; that considerable donations and contributions were made to effectuate said object; that a suitable piece of ground was purchased of Mrs. Mary O. Russel, about one mile from Lexington, and a building commenced of the following description—about sixty four feet long and sixty-two feet wide; the lower story, which was partly under ground, of stone, and three stories of brick; stone and brick work were finished; the window and door frames were in; the joice were also put in, the roof framed, and part covered. At this stage of the building, the funds of the building committee were exhausted; in consequence thereof, applications were made to the Legislature from time to time, to take the building off their hands, by those concerned in its erection. In December, 1822, (see session act, page 174), the Legislature appointed commissioners to procure a suitable building, and have it finished for a lunatic hospital, and appropriated $10,000 for that object. The commissioners reported to the Legislature, the 21st of November, 1823, that they had purchased ten acres of ground of Mrs. Mary O. Russel, and obtained a deed from her to the Commonwealth, on which ground was erected a skeleton of a house. For this ground they paid her $600, this being the balance of the purchase money due her from the building committee appointed by the people of Lexington, the original price agreed to be given by said committee for said ground was $2,800.

No contract seems to have been made by the commissioners on the part of the State and the building committee for said ground and skeleton of a house. Why none was made, if any was intended, your committee is unable to state. They would remark, that from the fact of no contract being made, and also from having conversed with one of the commissioners, they are induced to believe that the contract understood between the parties was this, the State of Kentucky to finish the house and other needful buildings, convert it into a hospital, and pay the balance due for the ground, and upon those conditions take it. The entire silence of the parties on the subject of compensation at the time, and until 1826, leave little or no doubt on the minds of the committee, that the understanding of the parties was as is above expressed.

In 1827, upon the application of the present petitioners, or part of them, an act passed appointing commissioners to value the building and ground as it stood in 1822, when the State received it, and also to ascertain the claims of McCalla and others. The act also appropriated $6,000 for the payment of said claims; if the claims exceeded $6,000, the claimants were to be paid rata-
The committee would observe, that the act imports, by a strong implication, that the Legislature only intended to pay $6,000, at all events, be the amount of the claims what they may. The commissioners, in pursuance of the act of 1827, valued the building and ground as it stood in 1822, to $11,500. They give no items of the valuation, no specification and particulars, but just lump it at $11,500. How the commissioners could have valued the building to $8,700, exclusive of the ground, for that was $2,800, the committee is at a loss to know. They would suppose the stone work not to be worth more than $800; the brick not more than $2,400; and wood work, about $600—making an aggregate of $3,800. But suppose the valuation to be correct, and that the State is bound to pay the claims in a ratable proportion, how does it then stand? The valuation $11,500; from that deduct the $600 paid Mrs. Russell, and the $6,000 paid under the act of 1827, which leaves $4,800, the sum claimed by Andrew M'Calla and others. The question presented, is admitting the premises contended for by the petitioners, which is not admitted by the committee. Are the petitioners entitled to the whole valuation, or are the donations to be deducted therefrom? The donations were not made to the petitioners, but free gifts to the building itself. The committee are of opinion, that the donations are to be deducted therefrom; because, they helped to erect the building, and pay for the ground valued, so far as they went. The committee has labored under some difficulty to ascertain the amount of donations, as the subscription list cannot now be had. They have adopted this method to ascertain the principal claimed by the petitioners, exclusive of interest. The commissioners, under the act of 1827, have stated that the principal and interest of the claims of the petitioners amount to $12,704 12. What part of this is principal, and what part interest, is not stated. Mr. Chipley, in his affidavit, says, the work was commenced in 1817; allow the expenditures to be in that year, and the succeeding one, there would be an average interest on the claims of nine years; which deduct from the $12,704 12 leaves $8,047 32; the residue of the cost is donations. Mr. Chipley says, also, in his affidavit, that the building and lot cost $14,000; then the difference between $8,047 12 and $13,000 is donations; which difference is $4,952 88. From these calculations the amount stands thus:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Valuation of building and lot</td>
<td>$11,500</td>
</tr>
<tr>
<td>Paid Mrs. Russell for ground</td>
<td>$600</td>
</tr>
<tr>
<td>Amount paid to M'Calla</td>
<td>$10,900</td>
</tr>
<tr>
<td></td>
<td>$6,000</td>
</tr>
<tr>
<td></td>
<td>$4,900</td>
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</table>
Donations,
Making $32 88 overpaid.
It may however be alleged, that the building and lot cost $13,000 and it afterwards sunk in value to $11,500; that the allowance for donations must sustain an abatement in proportion; according to that it would stand thus:
The petitioners claim would be abated, $928 50
The donations abated, 571 50

$1,500 00

The amount upon that mode of calculation would stand thus:
The valuation by the commissioners under the act of 1827,
Paid Mrs. Russell.


Donations after making abatement, $10,900
Due originally to petitioners, 4,381 38
Of that sum there have been paid, $6,518 62
Balance due upon that estimate, 6,000 00

$518 62

The committee has presented this valuation in every shape which it presented itself to the mind, and which they conceived it susceptible of; they regret the transaction is of such long standing; but taking the case altogether, a majority of the committee is of opinion, that the bill which appropriates and pays to the petitioners $4,900, ought not to pass.
The former bill was laid on the table.
Mr. Wickliffe moved that the latter bill be recommitted to the committee of Finance, with directions to report a bill providing for the valuation of the property at the time in specie, and in Commonwealth's paper, and to ascertain from the best possible means the amount of subscriptions and payments to the building committee.

And the question being taken thereon, it was decided in the negative.
The yeas and nays being required thereon by Messrs. Conner, and Parks, were as follows, viz:


Mr. Clark moved to commit the said bill to a select committee.
And the question being taken thereon, it was decided in the affirmative.

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


NAYS—Mr. Fleming.

Whereupon Messrs. Clark, Guthrie and Allen were appointed the said committee.

Mr. W. C. Payne from the joint committee of enrollments, reported that the committee had examined enrolled bills of the following titles, viz:

An act to legalize the acts of John B. Cobb, a constable of Hart county, and for other purposes.
An act for the benefit of Martha Burk.
An act to change the place of voting in the Grace's and Burnett's precincts, in Trigg county.
An act to improve certain roads in certain counties. And,
An act for the benefit of the surveyor of Jefferson county.
And had found the same truly enrolled, and that the said bills were signed by the speaker of the House of Representatives.
Whereupon the speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time Mr. W. C. Payne reported that the committee had performed that duty.

The resolution from the House of Representatives, fixing a day for the election of a Treasurer, Public Printer, President and Directors of the Bank of Kentucky, and President and Directors of the Bank of the Commonwealth of Kentucky, was taken up, twice read and concurred in.

And then the Senate adjourned.
The Senate assembled.

Mr. Clark, from the committee to whom was referred a bill from the House of Representatives, entitled, an act for the benefit of William W. Ater, and others, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

Mr. Wickliffe moved to amend the said bill by adding thereto the following engrossedayer, viz:

Provided, That no money shall be drawn from the treasury until said Andrew McCalla shall execute bond with one or more approved sureties, in the penalty of $4000 to the commonwealth conditioned that he shall pay and satisfy all just and equitable demands of mechanic's and others not mentioned in this bill, for work done and material found and monies advanced to erect the said building previous to the commonwealth's obtaining a deed therefor, and which he assumed to pay.

The question being taken on adopting the said amendment, it was decided in the negative.

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


Mr. Hardin moved to amend the said bill by adding thereto the following section, viz:

Be it further enacted, That the said persons for whose benefit the appropriations in this act are made, shall, before they severally obtain the warrants in their favor for the money herein appropriated from the auditor of public accounts, file with the auditor a release to the commonwealth of all claims and demands on account of said hospital: And provided, further, That the sums herein appropriated when drawn from the treasury shall be in full of all demands for said hospital.

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

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

YEAS—Messrs. Allen, Bibb, Boyd, Brown, Campbell, Casey, Clark, Conner, Cunningham, Dejarnett, Dougherty, Faulkner,
THE SENATE.

Dec. 17]


NAYS—Mr. Wickliffe, —1.

The question being taken on the passage of the said bill as amended, it was decided in the affirmative.

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


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

On the motion of Mr. Allen, leave was given to bring in a bill for the benefit of the editor or editors of the Kentucky Republican, printed at Greensburg, Green county.

And Messrs. Allen, Griffin, and Beaseman were appointed a committee to prepare and bring in the same.

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

By Mr. Cunningham, a bill to change the place of voting from the Short Creek precinct, in Grayson county, to the Great Falls, on Rough creek.

By Mr. Harris, a bill to alter the time of holding the circuit courts of Morgan, Floyd, Pike, and Laurence counties.

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

The rule of the Senate, constitutional provision, and second and third readings of the former bill, and the second reading of the latter bill having been dispensed with, and the former being engrossed.

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

The latter bill was referred to the committee of Courts of Justice.

A message was received from the House of Representatives, announcing that they had passed a bill from the Senate, entitled, an act to improve the navigation of Salt river, with an amendment.

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

An act to incorporate a company to construct a turnpike road from Lexington through Georgetown and Williamstown to Covington, and from Georgetown to Frankfort.
An act for the benefit of the clerk of the county court of Garrard county.

An act for the benefit of Willis Mc Coy.

An act for the establishment of a State road from Owenton to Warsaw, (late Fredericksburg), in Gallatin county, on the Ohio river.

An act to amend the law of evidence in prosecutions for forgery.

An act to provide for improving the navigation of the Rolling Fork of Salt river, from the mouth of the Beech Fork to the mouth of the Rolling Fork.

And an act more effectually to prevent the importation of slaves into this State.

A message was received from the Governor, by Mr. Crittenden, Secretary of State, announcing that the Governor, on the twelfth instant, approved and signed enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate an insurance company, under the style of "The Louisville Merchants' Insurance Company."

An act authorizing the Louisville and Portland Canal Company to increase their capital stock.

An act to extend the limits of the town of Winchester in Clarke county.

An act to prevent the people of Harlan county from burning the woods.

An act to change the place of holding elections in the Floydsburg precinct in Oldham county.

An act establishing an academy in the town of Brandenburg in Meade county.

An act for the benefit of Douglas Butler.

An act to appoint one additional justice of the peace and constable to Gallatin county.

An act for the benefit of George W. Dawson.

An act to amend an act, entitled "An act for the benefit of the heirs of Elizabeth Jones," approved January the fifteenth, one thousand eight hundred and thirty-one.

Mr. Taylor moved to take up a bill to authorize an additional subscription on behalf of the commonwealth in the stock of the Maysville, Washington, Paris and Lexington Turnpike Road Company, and to amend the several acts incorporating said company.

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

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

YEAS—Messrs. Bibb, Boyd, Brown, Clark, Conner, Cunningham, Dougherty, Fleming, George, Griffith, Guthrie, Hardin,
NAYS—Messrs. Allen, Beaseman, Campbell, Casey, Dejarnett, Faulkner, Gholson, Griffin, Harris, Maupin, J. Payne, Ray, Rudd, Selby and Wood—15.

Mr. Taylor moved to reverse the report of the committee of Finance on the said bill.

A message was received from the House of Representatives, announcing that they were now ready to proceed to the election of public officers.

The said bill was then laid on the table, and a message was sent to the House of Representatives, informing them that the Senate are also ready to proceed to the election of public officers.

After interchanging nominations between the houses, the Senate proceeded to vote for the several officers; and committees were appointed on the part of the Senate to compare the joint vote and report the result, which was as follows, viz:

Mr. James Davidson received the unanimous vote of both houses for treasurer of this commonwealth for the ensuing year, and was declared duly elected.

The first vote of the Senate for public printer was as follows, viz.

And for Mr. James G. Dana—Messrs. Faulkner, George and Gholson—3.

The joint vote stood thus—
For Mr. Marshall, 40; for Mr. Russell, 62; for Mr. Hodges, 22; and for Mr. Dana, 13.

137 votes were given.

No person having a majority, the Senate voted a second time as follows, viz:

For Mr. Russell—Messrs. Beaseman, Casey, Guthrie and Rodman—4.
For Mr. Hodges—Messrs. Allen, Brown, Campbell, Dejarnett, Dougherty, George, Griffin, Harris, Owsley, Parks, J. Payne, W.
The joint vote stood thus—
For Mr. Marshall, 57; for Mr. Russell, 15; and for Mr. Hodges, 63.
137 votes were given.
No person having a majority, the Senate voted a third time as follows, viz:
For Mr. Russell—1.
The joint vote stood thus—
For Mr. Marshall, 62; for Mr. Russell, 2; and for Mr. Hodges, 73—and 137 votes were given.
Mr. Albert G. Hodges having received a majority of all the votes given, was declared duly elected public printer for the ensuing year.
Mr. Peter Dudley received a unanimous vote of both Houses, and was declared duly elected president of the Bank of Kentucky for the ensuing year.
Messrs. Charles S. Morehead and James Shannon, received a unanimous vote of both houses, and were declared duly elected directors of the Bank of Kentucky, on the part of the State, for the ensuing year.
Mr. Henry Wingate received a unanimous vote of the Senate for president of the Bank of the Commonwealth of Kentucky.
The joint vote was reported to stand thus—
For Mr. Henry Wingate, 132; scattering, 3.
Mr. Wingate having received a majority of all the votes given, was declared duly elected president of the Bank of the Commonwealth of Kentucky for the ensuing year.
The joint vote for directors of the Bank of the Commonwealth of Kentucky, stood thus—
For Mr. James Davidson, 129; for Mr. Thomas S. Page, 129; for Mr. Edward P. Johnson, 108; for Mr. Leander J. Sharp, 82; for Mr. Moses B. Morrison, 57; and for Mr. John Morris, 33.
Whereupon Messrs. James Davidson, Thomas S. Page, Edward P. Johnson, and Leander J. Sharp, having each received a majority of all the votes given, were declared duly elected directors of the Bank of the Commonwealth of Kentucky for the ensuing year.
On the motion of Mr. Guthrie,
Leave was given to bring in the following bills, viz:
A bill to incorporate a company for draining the ponds in Jef-
ferson county; and a bill to incorporate the Shep-erdsville and Louisville turnpike company.

Ordered, That the committee of courts of justice prepare and bring in the said bills.

Mr. Wickliffe, from the committee of courts of justice, to whom was referred a bill from the House of Representatives, entitled an act to authorize the administrators of Isaac Jackson, deceased, to sell the lands of said Jackson, for the purpose of paying his debts, reported the same with an amendment, which was twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Allen, from the committee appointed for that purpose, reported a bill to authorize the Kentucky Republican to print certain advertisements.

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

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

Mr. Wingate, from the joint committee of enrollments, reported, that the committee had examined enrolled bills of the following titles, viz:

An act for the benefit of Ann D. Yancy.
An act for the benefit of the heirs of Stephen Ashby, jr. deceased.
An act for the benefit of the mechanics of the city of Louisville.
An act for the benefit of the Cumberland hospital.
An act concerning suits for alimony. And,
An act for the benefit of Radford M'Cargo.
And had found the same truly enrolled, and that they were signed by the Speaker of the House of Representatives.
Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

Mr. Hardin moved to take up the resolution from the House of Representatives fixing upon a day for adjournment of the Legislature; and the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cooper and Rodman, were as follows, viz:
YEAS—Messrs. Allen, Beaseman, Bibb, Boyd, Campbell, Casey, Clark, Conner, Cunningham, Dejarnett, Dougherty, Faulkner, George, Gholson, Guthrie, Hardin, Harris, Maupin, Ray, Rodman, Stephens, Thompson and Williams—23.


The said resolution was twice read as follows, viz:

In House of Representatives, Dec. 5, 1831.
Resolved, by the Senate and House of Representatives of the Commonwealth of Kentucky, That when this Legislature adjourns on the 23d December, 1831, it will adjourn without day.

Twice read and adopted.

Attest, R. S. TODD, C. H. R.

Mr. Wickliffe moved to amend the said resolution by striking out "23d," and inserting "24th."

Mr. Hardin called for a division of the question, and the question being taken on striking out "23d," it was decided in the negative.

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


NAYS—Messrs. Allen, Beaseman, Bibb, Boyd, Brown, Campbell, Casey, Clark, Conner, Cunningham, Dejarnett, Dougherty, Faulkner, George, Gholson, Guthrie, Hardin, Harris, Maupin, Owsley, Ray, Rodman, Rudd, Selby, Stephens, Thompson and Williams—27.

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

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


Mr. Fleming moved that the Senate do now adjourn.

Mr. Hardin moved to amend the said motion by adding there to, "to meet at nine o'clock on Monday morning."

Mr. Fleming called for a division of the question, and the question being taken on the amendment proposed by Mr. Hardin, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Hardin and Parks, were as follows, viz:
Dec. 19]  

THE SENATE.  


And then the Senate adjourned.

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MONDAY, DECEMBER 19, 1831.

The Senate assembled.

Mr. Conner presented the petition of sundry citizens of Greenup county, praying that a law may pass establishing an election precinct in said county.

And Mr. Fleming presented the petition of the trustees and sundry citizens of the town of Flemingsburg, praying that a law may pass authorizing the trustees of said town to tax groceries and coffee-houses, &c. therein.

The said petitions were received and referred; the former to the committee of Propositions and Grievances, and the latter to the committee of Finance.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a bill from that House, entitled an act to incorporate the Green river railroad company.

That they had received official information that the Governor had approved and signed enrolled bills which originated in that House of the following titles, viz:

On the 12th instant,

An act to reduce into one the several acts concerning the town of Augusta in Bracken county.

An act for the benefit of Jael Holder, and the heirs of Fielding Holder.

An act to change the name of the town of Fredericksburg, in Gallatin county, to that of Warsaw.

An act to enable the circuit courts to make allowance to committees of idiots and lunatics for keeping them out of their own estates.

An act to add an additional justice of the peace to the counties of Wayne and Russell.

An act to authorize the county courts of Breckinridge and Hopkins counties to appoint one additional constable in said counties.
On the 13th instant,
An act for the benefit of the heirs of Peter Abell.
An act to amend the law relative to the Woodford Academy.
An act to regulate the terms of the Anderson county courts.
An act to divorce Harriet H. Rudd.
An act to reduce the price of Headright lands on the south side of Green river, and for other purposes.
An act to divorce Mary Jane Caldwell.
An act to amend the third section of an act for the regulation of the town of Cadiz, in Trigg county—approved, Dec. 16th, 1829.
An act for the benefit of Richard Apperson and Andrew Trumbo, Jr.
An act to amend an act passed 13th January, 1830, appropriating the fines and forfeitures of Monroe county to the improvement of the public roads in said county.
An act to authorize the trustees of the town of Monticello to levy a tax on the citizens thereof to pave a foot walk in front of each house and lot in said town.
An act to add additional constables and magistrates to sundry counties.
An act to authorize William Cupp to sell and convey a certain tract of land, and for the benefit of William T. Yeatman.
An act to amend the law in relation to idiots and lunatics.
An act to regulate the mode of accounting for taxes received by clerks, &c. on law process, deeds, seals, &c. collected for revenue purposes.
On the 14th instant,
An act for the benefit of John J. Posey.
An act to amend the several acts in relation to the State road leading from Franklin to Owenborough.
An act to authorize the county court of Jefferson to increase the allowance to the patrole of said county.
And that they had passed a bill entitled an act for the benefit of Richard Elliott.
A bill to authorize an additional subscription on behalf of the Commonwealth in the stock of the Maysville, Washington, Paris and Lexington turnpike road company, and to amend the several acts incorporating the said company, was taken up.
The said bill is as follows, viz:
A bill to authorize an additional subscription on behalf of the Commonwealth in the stock of the Maysville, Washington, Paris and Lexington turnpike road company, and to amend the several acts incorporating said company.
Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Governor be, and he is hereby authorized and directed, to subscribe for and on behalf of the Commonwealth, for the additional number of five hundred shares in
the capital or joint stock of the Maysville, Washington, Paris and
Lexington turnpike road company; and so much of the proceeds
of the stock owned by the State in the Bank of Kentucky as will
pay the amount of the subscription hereby authorized and direct-
ed, be, and the same is hereby appropriated and set apart for that
purpose.

Sec. 2. Be it further enacted, That if in the opinion of the pre-
sident and directors of said turnpike road company, it shall be
necessary to facilitate the completion of said road before the
fund hereby appropriated for the payment of the subscription of
stock directed by this act, can be obtained, it shall and may be
lawful for them to borrow, from time to time, as it may be re-
quired, a sum not exceeding the amount of said subscription, at
a rate of interest not exceeding six per cent. per annum, and ap-
ply the said fund as it shall come to their hands to the extinguish-
ment of such loan or loans; and also to apply the dividends or
profits of the stock of the Commonwealth in said turnpike road
company to the payment of the interest on such loans.

Sec. 3. Be it further enacted, That when the said turnpike road
shall be completed, the said president, directors and company
may contract for, purchase, and hold, to them and their succes-
sors forever, any quantity of land not exceeding one half acre at
the site of each toll gate erected upon the said road, agreeably to
the provisions of the acts to which this act is an amendment; and
if they cannot agree for such quantity of land at their respec-
tive gates, with the owner or owners thereof, they may sue out
from the county court of the county in which the land to be ap-
propriated lies, a writ of ad quem damnum, directed to the sheriff
or other officer, commanding him to summon a jury of inquest to
meet upon the said land, on the day fixed by the said writ, to as-
sess the reasonable value of the land, and the damages which
shall be occasioned to the owner or owners thereof by its con-
demnation to the use of the said company, which writ the said
sheriff or other officer shall proceed immediately to execute
agreeably to its command, giving to the owner or owners of said
land, or their guardians, or next of kin, if they be infants, at least
three days notice in writing of the time and place of convening the
said jury, and return the inquest so taken by him to the court of his
county: And upon the payment by the said president, directors
and company of the value of the said land and damages, if any,
so assessed, the said land shall become vested in the said com-
pany: Provided, however, That in the selection and appropriation
of land under the provisions of this act, the said president, direc-
tors and company shall not include the dwelling-houses, out-
houses, orchards, or yards, or gardens, or any part thereof, of any
person, without their consent; and shall not so locate the said
land as to prevent the owner or owners of the adjacent lands from
access to the said road on either side of any gate to which they
would have had access, if such location had not been made; and,
provided, said appropriation of land shall be confined to one side
of said land.

The committee of Finance having reported that the said bill
ought not to pass,

A motion was made by Mr. Taylor, to reverse the said re-
port.

And the question being taken on the motion of Mr. Taylor, it
was decided in the negative, and so the said bill was rejected.

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

YEAS—Messrs. Boyd, Brown, Clark, Conner, Fleming, George,
Guthrie, Harris, Parks, J. Payne, Stephens, Taylor, Thornton,
Wickliffe, Williams and Wingate—16.

NAYS—Messrs. Allen, Bibb, Campbell, Cunningham, Dejar-
nett, Dougherty, Faulkner, Gholson, Griffin, Hardin, Maupin,
Owston, W. C. Payne, Ray, Rodman, Rudd, Selby, Thompson
and Wood—19.

A bill from the House of Representatives, entitled an act au-
thorizing Polly W. Johnson to sell certain real estate, having
been returned to the Senate, the vote by which it was disagreed
to was reconsidered.

The said bill was amended, and ordered to be read a third
time.

The rule of the Senate, constitutional provision, and third
reading of the said bill having been dispensed with,

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

A message in writing was received from the Governor, by Mr.
Crittenden, Secretary of State.

Mr. Hardin, from the committee of Finance, to whom was re-
ferred a bill from the House of Representatives, entitled, an act
to appropriate some of the vacated lands in Muhlenburg, Hopkins,
and Logan counties to the improvement of the roads, reported
the same with an amendment, which was twice read and con-
curred in.

Mr. Fleming moved to lay the said bill on the table, until the
first day of June next.

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

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

YEAS—Messrs. Beaseman, Boyd, Brown, Dejarnett, Faulk-
ner, Fleming, George, Parks, J. Payne, Wickliffe and Wil-
liams—11.

NAYS—Messrs. Allen, Bibb, Campbell, Casey, Clark, Conner,

The said bill was further amended, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

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


Resolved, That the title be amended by inserting after "Hopkins," the words "Butler, Edmonson, Henderson, Lawrence and Morgan."

Mr. Wickliffe from the committee of Courts of Justice, to whom was referred the petition of Wiley Salsberry, reported the following resolution thereon, viz.

Resolved, That the said petition be rejected.

Mr. Harris moved to reverse the said report.

And the question being taken on said motion, it was decided in the negative, and so the said petition was rejected.

Mr. Wickliffe from the same committee, to whom was referred a bill to alter the time of holding the circuit courts of Morgan, Floyd, Pike and Lawrence, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Harris moved to reverse the said report, and the question being taken on said motion, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie from the committee of Courts of Justice, to whom was referred a bill to amend the execution laws in relation to constables, reported the same with an amendment.

The said bill is as follows, viz.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That hereafter it shall not be lawful for any constable directly or indirectly, to purchase any judgment or any execution, in his hands for collection; and in case any constable shall violate the provisions of this section, he shall for that cause vacate his office, and the county court shall forthwith proceed to appoint another to fill such vacancy; and the execution so purchased shall be considered as paid and satisfied, and the defendant or de-
fendents therein, may rely upon the fact, that said constable has become the owner thereof, by purchase, in bar of the collection of the same.

Be it further enacted, That the security or securities in any constable's bond hereafter executed, shall stand bound on their said bond, for all the official acts of a constable, until he shall renew his bond, which bond shall be renewed once in each year, and the several commonwealth's attorneys shall see that this law is faithfully executed against any constable violating the same.

The said amendment proposes to strike out the first section after the enacting clause, and to insert in lieu thereof, the following, viz.

That hereafter, it shall not be lawful for any constable, directly in his own name, or indirectly, in the name of any other person, to purchase any note, account, claim, judgment or execution, in his hands for collection, or offered to him for collection; and in case any constable shall violate the provisions of this act, he shall for that cause vacate his office, and the county court on the information of any one of their own body, on oath, or the affidavit of any other credible person, shall issue a summons to such constable, to show cause why he shall not be removed for violating the provisions of this act, and stating in the summons the instance or instances, in which he has violated the same; and if on hearing the evidence for and against such constable, the court shall be of opinion, that such constable is guilty, shall enter an order vacating his office, and appoint another in his place; and any such note, account, claim, judgment or execution, shall be considered as paid and satisfied, and the constable shall be held guilty of a trespass in seizing either the person or property, by virtue of any writ or execution, which may be issued to enforce the collection thereof; and the person owing the note, account, claim, judgment or execution, may at any time before the payment thereof, apply to the justice of the peace having the record of the judgment and papers in his hands for a scire facias against the constable and plaintiff in execution and the assignee thereof, if any, to show cause why satisfaction shall not be entered by reason of such constables having violated this act by purchasing such claim; and if on the hearing of the scire facias, the justice shall be of opinion, that the provisions of this act were violated as to that claim, he shall enter satisfaction on the judgment, after which no execution shall issue thereon; either party shall have the right to appeal from his decision as in other cases.

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

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

YEAS—Messrs. Allen, Beaseman, Brown, Campbell, Casey,
Clark, Conner, Cunningham, Dejarnett, Dougherty, Faulkner, George, Griffin, Guthrie, Hardin, Harris, Maupin, Parks, J. Payne, Ray, Rodman, Thompson and Wickliffe—23.


Mr. Fleming moved to lay the said bill on the table until the first day of June next.

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

The yeas and nays being required thereon by Messrs. Fleming and Parks, were as follows, viz.


NAYS—Messrs. Allen, Casey, Clark, Dejarnett, Dougherty, Faulkner, George, Griffin, Guthrie, Hardin, Harris, Maupin, J. Payne, Ray, Rodman and Wickliffe—16.

Mr. Guthrie from the same committee, reported a bill to incorporate a company for draining the ponds in Jefferson county, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed.

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

Mr. Casey from the committee of Conference, on the amendments proposed by the House of Representatives, to a bill from the Senate, entitled, an act to regulate the time of holding certain circuit courts in the 16th judicial district, reported that the Senate recede from their disagreement to the said amendments with amendments; which report was twice read and concurred in.

Mr. Hardin from the committee of Finance, made the following report, viz.

The committee of Finance, has had a bill from the House of Representatives, entitled, an act regulating the tax upon merchandise, again under consideration, and also, a resolution of the Senate accompanying said bill, which directs the committee to report a bill to equalize the taxation upon the value of the whole property of the State, and in obedience to said resolution, respectfully report an amendment to said bill.

The first amendment was amended to read as follows, viz.

*Be it further enacted, That the commissioners who take in the list of taxable property for this commonwealth for the year 1832, and every year thereafter, in addition to the articles of property,
now listed for taxation, shall take and list the value of the whole property (except household and kitchen furniture to the amount of one hundred dollars, and two cows) that the person giving in may possess on the 16th of March in each year, over and above what is specifically subjected to taxation; and upon which property thus valued, the same rate of tax ad valorem shall be assessed, as is upon property specifically made liable to taxation.

The question being taken on concurring in the said amendment, it was decided in the negative.

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


Mr. Hardin moved to amend the said bill by adding the following section, viz:

*Be it further enacted, That the commissioner, in taking in the list of taxable property from and after the passage of this act, shall, whenever any person shall own over four head of cattle on the 10th day of March next, and in each year thereafter, list for taxation the value of the cattle he, she, or they may possess over said four head.*

The question being taken on adopting the said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Maupin and Hardin, were as follows:


NAYS—Messrs. Allen, Bibb, Boyd, Campbell, Conner, Dejarnett, Dougherty, Griffin, Harris, Maupin, Parks, Ray, Rodman, Rudd, Selby and Wood—16.

The second amendment reported by the committee of Finance, proposes to add to the said bill the following section:

*Be it further enacted, That upon each one hundred dollars value of taxable property, there shall be collected from the person listing the same, ten cents, in the same manner and under the same regulations as the revenue is now collected.*

The question being taken on concurring in the said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Maupin and Parks, were as follows, viz:
THE SENATE.


The question was then taken on reading the said bill a third time, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Ray and Maupin, were as follows, viz.


NAYS—Messrs. Beaseman, Campbell, Conner, Dejarnett, Dougherty, Griffin, Guthrie, Harris, Maupin, Ray, Rodman, Rudd, Selby, Stephens and Wood—15.

Mr. Dougherty, from the committee of Enrollments, reported that the committee had examined an enrolled bill entitled, an act for the benefit of William W. Ater, and others, and had found the same truly enrolled, and that the same was signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time, Mr. Dougherty reported that the committee had performed that duty.

Mr. Clark, from the committee of Propositions and Grievances, reported a bill to establish an election precinct in Greenup county; which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

Mr. Taylor, from the committee of Internal Improvements, to whom was referred bills from the House of Representatives of the following titles, viz:

1. An act to amend an act to improve the road from Mountsterling to the Virginia line, approved January 15th, 1831, and for other purposes.

2. An act to incorporate the Lexington, Chilesburg, and Winchester turnpike road company.

3. An act to authorize John Riley and Jesse Thomas to build a mill dam on the middle fork of the Kentucky river.
4. An act to authorize the employment of an engineer to examine the obstructions to the navigation of Cumberland river.

5. An act to incorporate a company to establish a turnpike road from the city of Louisville, by the mouth of Salt river, Elizabethtown, Munfordsville, and Bowlinggreen, to the State line, in a direction to Nashville.

Reported the said bills, with an amendment to the second bill, which was twice read and concurred in; and without amendment to the other bills, the fourth was recommitted to the committee of Finance, and the fifth was laid on the table.

Ordered, That the first, second, and third bills be read a third time.

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

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

Mr. Williams, from the committee to whom was referred a bill from the House of Representatives, entitled, an act to amend the militia law, reported the same with amendments, which were twice read, and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. Brown from the joint committee appointed to examine the penitentiary, made the following report, viz.

The joint committee of the Senate and House of Representatives, have discharged the duties to them assigned, of examining the condition of the penitentiary.

The convicts appear to be as well provided for as the nature of their situation requires; and it is a remarkable fact, that, although there are ninety-four now in the penitentiary, there is not one on the sick list, except a very old man, who is at best very infirm. There is kept up a very regular and exact discipline amongst the convicts; at night they are kept in solitary confinement, and so much of every Sunday as they are not engaged in attending the Sunday school, or attending divine service; during the residue of the week, they are engaged in useful labor. The committee are happy to learn that a number of the convicts who attend the Sunday school, have made considerable progress in spelling and reading; and from information which we have received, and on which we can rely, we have no hesitation in saying that the Sabbath school should be kept up, and books furnished for the use of this unfortunate portion of the human race. The committee are gratified in being able to report that the institution is in a very flourishing condition; it is believed that the profits of the institu
tion after deducting all expense for the current year, will fall little, if any short of $6000; and it is believed it will compare with any other of the kind in the United States.

Upon an examination of the different shops and work houses belonging to the penitentiary, it is believed that great improvement in the institution would be affected by throwing the whole into one room; the convicts are now from necessity, stationed in eight or nine different rooms, and it is not practicable for the keeper or his assistant, to have them at all times in view; and nearly, if not all the mischief, has its origin in these small shops in the absence of the keeper. The committee, therefore, report the following resolution.

Resolved by the Senate and House of Representatives, That the keeper of the penitentiary cause to be built a work shop, thirty-three feet wide, two stories high, commencing at the end of the present principal shop, and extending it to the southern wall; and report on oath to the next Legislature the actual cost of the same.

GEO. I. BROWN,
Chairman of Committee of Senate,
BEN. HARRISON.
House Representatives.

Mr. Hardin from the committee of Finance, to whom was referred a bill to appropriate money out of the Treasury to assist the county of Hardin to build a bridge across Nolin, where the State road crosses the same, leading from Elizabethtown to Nashville, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Ray moved to reverse the said report, and the question being taken on the said motion it was decided in the negative; and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Hardin and Ray, were as follows, viz.


The said bill is as follows, viz.

Whereas, it is represented, that the erection of a bridge across Nolin creek, where the road leading from Louisville through Elizabethtown to Nashville crosses the same, and where the mail stage, on the present arrangement, is required to cross twice every day, and is frequently stopt by high water a week at a time, would greatly conduce to the public interest. And, whereas, the county court of Hardin being advised that the Legislature would aid them in this laudable work, by granting an appro-
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appropriation in money, did, at their last October term, appropriate the sum of $500 for that purpose; and, at the same time, appointed, James Crutcher, Adin Combs, and Robert C. Slaughter, commissioners to superintend the building said bridge, provided the like sum could be obtained from the State. Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of $500, in specie, be, and the same is hereby, appropriated, to be applied towards building said bridge.

Be it further enacted, That before said commissioners enter upon the duties of their office, they shall severally enter into bonds, with good and sufficient security, in the Hardin county court, payable to the Commonwealth of Kentucky, in such penalties as the said court may direct, conditioned for the faithful performance of their duty as commissioners aforesaid; and upon a breach of said bond, or bonds, it shall be the duty of the attorney for the Commonwealth, ex officio, to prosecute a suit, or suits, on said bond, or bonds, as the case may be, to the use of said county court of Hardin, in the circuit court of said county. And any recovery had thereon, shall be, by said county court, applied towards keeping in repair the road passing over said bridge, or in the repair of said bridge, as the said county court may in their discretion deem advisable.

Be it further enacted, That said bridge shall be built on stone piers, and of sufficient height as to be entirely above high water mark.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act providing for the improvement of the navigation of the Kentucky river, from Frankfort to the Ohio river, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Wingate moved to reverse the said report, and the question being taken on the said motion, it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Wingate and Gholson, were as follows, viz.


The said bill is as follows, viz.

Be it enacted, by the General Assembly of the Commonwealth of Kentucky, That Churchill Samuel be, and he is hereby appointed commissioner, whose duty it shall be after the passage of this act,
to proceed in such manner as he may elect, to cause to be removed out of the Kentucky river, between Frankfort and its junction with the Ohio river, all obstructions to the safe navigation of said river, by steam and flat boats ascending or descending the same. And to enable the said commissioner to carry this act into effect, the Auditor of Public Accounts, is hereby directed to issue his warrant on the Treasury for the sum of three hundred dollars in commonwealth's paper, in favor of said commissioner, which the Treasurer shall pay. But before said commissioner shall draw this appropriation, he shall execute bond with approved security in the office of the secretary of State, to be approved by him, in a sufficient penalty payable to the commonwealth of Kentucky, and conditioned for the faithful discharge of the duties herein enjoined. And the commissioner is directed to report to the next Legislature the manner in which he has disbursed the sum here by appropriated.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled an act to improve the navigation of Big Barren river, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Maupin moved to reverse the said report, and the question being taken on the said motion, it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Maupin and Dejarnett, were as follows, viz.


The said bill is as follows, viz.

SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That John Lewis, and Asa Young, of Barren county; Jonas Brown, of Allen county; Stephen Claypool, of Warren county; and John P. Martin, of Monroe county, be, and they are hereby appointed, commissioners to clear out and remove the obstructions to the navigation of Big Barren river, from the mouth of Indian creek, in Monroe county, to the Double Spring Ware House, in Warren county.

SEC. 2. Be it further enacted, That the Auditor of Public Accounts be, and he is hereby authorized and directed, to issue his warrant upon the Treasurer for the sum of five hundred dollars upon the application of the commissioners appointed by this act.

SEC. 2. Be it further enacted, That the commissioners herein
named shall, as soon as they think best, commence at the mouth of the Indian creek, in Monroe county, and proceed to remove obstructions to the navigation of Big Barren river; and the said commissioners, in removing said obstructions, shall have due regard to the obstructions from the mouth of Indian creek to the Double Spring Ware House aforesaid, and proceed until all the money appropriated by this act is expended.

Sec. 4. Be it further enacted, That the commissioners appointed by this act, shall, before they draw the money herein appropriated, execute in the county court clerk's office, Barren county, bond, with approved security, for the faithful expenditure of the money appropriated by this act, for clearing out the obstructions of Big Barren river, from the mouth of Indian creek to the aforesaid Ware House: Provided, however, That said commissioners shall not be permitted to interfere with Mitchell's mill dam, without his consent.

Mr. Hardin from the same committee, to whom was referred the petition of sundry citizens of Grayson county, praying an appropriation of money to improve the navigation of Caney creek, reported the following resolution thereon, viz.

Resolved, That the said petition be rejected.

Which being twice read, the question was taken on concurring in the said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Maupin and Hardin, were as follows, viz.


Mr. Hardin from the same committee, to whom was referred a bill for building a bridge over Slate creek, in Bath county, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Harris moved to reverse the said report, and the question being taken on the said motion, it was decided in the negative, and so the said bill was rejected.

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


NAYS—Messrs. Allen, Beaseman, Bibb, Boyd, Casey, Cunningham, Faulkner, Fleming, George, Gholson, Hardin, Maupin,
Whereas, it is represented that the Bath county court, at their November term, 1831, made an order appointing commissioners for the purpose of ascertaining, by actual survey, the nearest and best way for the continuation of the road from the mouth of Big Sandy river to Lexington, from the point where the same on a straight line from the mouth of said river to Lexington will intersect the Bath county line to Owingsville, thence to Mount Sterling; and from Owingsville by way of Sharpsburg to Paris. And, whereas, it is further represented, that owing to the heavy timber and broken condition of that part of said county through which said road will pass, and the absolute necessity of building a bridge over Slate creek, where said road will pass, to enable the mail and others to pass at all seasons, it will incur very heavy expenditures on the part of said county, if not aided by the State. Therefore,

Be it enacted, by the General Assembly of the Commonwealth of Kentucky, That the sum of five hundred dollars be, and the same is hereby appropriated, for the purpose of aiding said court in building said bridge: Provided, The same shall not be drawn until the sum of five hundred dollars be appropriated by said county court, or secured by the commissioners hereinafter named, to be paid by individuals, at such time as the said commissioners may direct, not exceeding three months from the time of subscribing the same.

Be it further enacted, That Ambrose D. Mann, James Suddath, Andrew Trumbo, jr. and John E. McDannold, be and they are hereby appointed commissioners to carry the provisions of this act into effect, who, or any three of them, may act.

Be it further enacted, That before said commissioners enter upon the discharge of said office, they shall severally enter into bond, with good and sufficient security, in the Bath county court, payable to the commonwealth of Kentucky, in the penalty of two thousand dollars, conditioned for the faithful discharge of their duty as commissioners aforesaid; and upon a breach of any of the conditions of said bond, it shall be the duty of the attorney for the Bath county court, ex officio, to prosecute a suit, or suits, on said bond, or bonds, as the case may be, to the use of said county court of Bath, in the circuit court of said county; and any recovery had thereon, shall be by said county court applied towards the improvement of the said road, at the discretion of said commissioners.

Be it further enacted, That within one month after the passage of this act, if in the mean time said commissioners shall have entered into bond, according to the provisions thereof, it shall be
their duty to open books for subscriptions in said county of Bath, for the purpose of raising the balance of the sum necessary for building said bridge; and so soon as the sum of five hundred dollars shall be appropriated by said county court, or secured to be paid by individuals, said commissioners shall certify that fact to his excellency the Governor of the commonwealth of Kentucky, whose duty it shall be to direct the Auditor of Public Accounts to draw a warrant, on the Treasury, in favor of said commissioners, for the said sum of five hundred dollars.

Be it further enacted, That as soon as practicable after the receipt of said money out of the Treasury as aforesaid, the said commissioners shall proceed to let a contract to the highest bidder for building said bridge, on a plan to be furnished by said commissioners, taking bond with approved security of the undersigned in the penalty of two thousand dollars, conditioned for the faithful performance of said work, payable to the justices of the said Bath county court; and upon a breach of any of the conditions thereof, it shall be the duty of the attorney for said county court of Bath, ex officio, to prosecute a suit, or suits, on said bond, in the circuit court of said county; and any recovery had thereon shall be laid out on said road, at the discretion of said commissioners.

Be it further enacted, That said subscriptions shall be made payable to said commissioners, or such of them as may act, who shall have full power to collect the same by law, in like manner as other debts are now collected; and the same so collected, together with the sum drawn from the Treasury, shall by said commissioners be faithfully paid over to the individuals entitled to the same as undertakers of said bridge, or so much thereof as will comply with said contract on their part, and the balance, if any there be, shall be by said commissioners laid out for the improvement of said road, at their discretion.

Mr. Hardin from the same committee, to whom was referred a bill to improve the State road from Owenborough on the Ohio river, where it crosses the Panther creek flats, in Daviess county; and a bill from the House of Representatives, entitled, an act to provide for the building a bridge across Rough creek at Hartford, reported the same with the following resolution thereon, viz.

Resolved, That the said bills ought not to pass.

Which being twice read, the said bills were laid on the table.

Mr. Hardin from the same committee, to whom was referred a bill for the benefit of Hickman county, and to aid the counties of Calloway, Graves and McCracken, to build certain bridges, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Campbell moved to reverse the said report, and the ques-
tion being taken on the said motion, it was decided in the negative, and so the said bill was rejected.

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


The said bill is as follows, viz.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the sum of four hundred dollars be, and the same is hereby appropriated to the county court of Hickman county, to be by said court applied towards the building of the bridges across the Obine and Byo D'Chen creeks in said county, already let out and under contract; and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said sum in commonwealth money, in favor of said county court, and the Treasurer shall pay the same to the order of said court.

Be it further enacted, That for the purpose of aiding the counties of Calloway, Graves and McCracken, to build good and substantial bridges across the Obine creek, where the road from Clinton to Mayfield passes the same, and across Mayfield's creek, where the road from Mayfield to Wardsboro' crosses the same, and on Clarks river, where the road from Wardsboro' to Smithland crosses the same; and across Clarks river, where the road from Wardsboro' to Hopkinsville crosses the same; and across Island creek, where the road from the mouth of Clarks river to Paducah crosses the same; whenever said counties, or either of them shall lay a sufficient levy to raise at least one third of the expense and cost of building said bridges or either of them; said counties, or either of them, shall proceed to let out the building of said bridges, or either, or any of them to the lowest bidder, and certify the same to the Auditor of Public Accounts; and thereupon, it shall be the duty of the Auditor of Public Accounts to issue his warrant upon the Treasurer in favor of the county court of said counties, or either, or any of them, which shall have made the necessary levy, and shall have let out under contract as aforesaid, any of said bridges, for a sum of money not exceeding two thirds of the cost of building said bridge or bridges, as shall appear to the Auditor from the report of the contracts made to him by said courts: Provided, however, That a sum not exceeding $1000 may be drawn from the Treasury, under the provisions of this section; but in no case, or under any circumstances, shall a greater sum than $1100 be drawn from the Treasury under the
provisions of this section; and the Treasurer shall pay said warrants drawn as aforesaid by the Auditor, to the order of said courts respectively concerned in building any of said bridges.

Be it further enacted, That it shall be the duty of said several courts to report to the Legislature in what manner they have proceeded under this act, and how they have expended and applied the funds hereby appropriated.

Mr. Hardin from the same committee, to whom was referred the petition of sundry citizens, praying an appropriation of money to improve the navigation of Muddy river, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Mr. Bibb moved to amend the said resolution by striking out "be rejected," and inserting "is reasonable," and the question being taken thereon, it was decided in the negative, and so the said petition was rejected.

The yeas and nays being required thereon by Messrs. Hardin and George, were as follows, viz.


Mr. Hardin from the same committee, to whom was referred a bill for the benefit of the Auditor of Public Accounts, and the Register of the Land Office, reported the same with an amendment.

The said bill and amendment were, on the motion of Mr. Hardin, laid on the table until the first day of June next.

And then the Senate adjourned.

TUESDAY, DECEMBER 29, 1831.

The Senate assembled.

Mr. Taylor presented the petition of William Bickley, sen'., praying that a law may pass for refunding to him the amount he has paid for the apprehension of a negro man who fled from justice.

Mr. Dougherty presented the petition of sundry citizens of Russell county, praying that a law may pass, allowing an additional constable to said county.

Mr. Maupin, presented the petition of Margaret Harlow, administratrix of the estate of Randolph Harlow, deceased, pray-
ing that a law may pass authorizing the sale of a tract of land, for the purpose of paying the debts of the deceased.

Which petitions were received and referred—the first, to the committee of Finance; the second, to a committee of Messrs. Dougherty, Selby and Rodman; and the third, to a committee of Messrs. Muupin, Hardin and Allen.

A message was received from the House of Representatives, announcing their concurrence in the amendments proposed by the Senate to bills from that house of the following titles, viz:

An act authorizing Polly W. Johnson to sell certain real estate; and an act to amend the militia laws.

And that they had passed a bill from the Senate, entitled, an act to change the place of voting from the Short creek precinct, in Grayson county, to the Great Falls of Rough creek, with an amendment.

The said amendment was twice read and concurred in.

On the motion of Mr. Thornton,

Leave was given to bring in a bill to amend the several acts concerning the Maysville, Washington, Paris and Lexington turnpike road company.

And Messrs. Thornton, Guthrie and Taylor, were appointed a committee to prepare and bring in the same.

After a short time, Mr. Thornton reported the said bill, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

Mr. Dougherty, who voted in the majority, moved a reconsideration of the vote by which the said bill was passed.

And the question—being taken on the said motion, it was decided in the negative.

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


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

On the motion of Mr. Campbell,

1. A bill for the benefit of the clerk of the county court of Hickman county, and for other purposes.

On the motion of Mr. Ray,
2. A bill for the endowment of a seminary of learning in the town of Brandenburg, in Meade county, and for other purposes.

On the motion of Mr. Campbell,

3. A bill to authorize the clerk of the Hickman circuit court to transcribe his order book, execution and memorandum books.

And on the motion of Mr. Conner,

4. A bill for the benefit of William Watkins,

Messrs. Campbell, Hardin, and Casey were appointed a committee to prepare and bring in the first; Messrs. Ray, Hardin and Parks, the second; the committee of Finance, the third; and Messrs. Conner, Dejarnett and Harris, the fourth.

After a short time, Mr. Campbell reported the first, and Mr. Ray the second bill, which were read the first time, and ordered to be read the second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same having been engrossed,

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

Mr. Allen, from the committee of Internal Improvement, reported a bill to remove the obstructions to the navigation of Trade Water, with a recommendation that it ought not to pass.

And the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was rejected.

Mr. Allen, from the same committee to whom was referred a bill from the House of Representatives, entitled, an act to authorize the several county courts in this commonwealth to permit gates to be erected on the public roads, with certain exceptions and restrictions, reported the same without amendment.

Ordered, That the said bill be read a third time.

Mr. Guthrie, from the committee of Courts of Justice, reported a bill to incorporate the Shepherdsville and Louisville turnpike road company, and for other purposes.

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

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

Mr. Hardin, from the committee to whom was referred a bill from the House of Representatives, entitled, an act to add one justice of the peace and constable to Harlan county, and for other purposes, reported the same without amendment.

Ordered, That the said bill be read a third time.
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The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

Mr. W. C. Payne, from the committee of Enrolments, reported that the committee had examined enrolled bills, and a resolution of the following titles, viz:

An act appropriating some of the vacant lands in Greenup, Fleming, Bath, and Montgomery counties, to improve the road leading from Mountsterling to the mouth of Big Sandy.

An act to appropriate certain vacant lands of Casey county to the improvement of certain roads, and for other purposes.

An act requiring tavern keepers, pedlars in clocks, and the owners and keepers of covering horses and jacks, to pay taxes in advance, and obtain license.

An act providing a mode for a settlement with the receiver of public monies for the land district west of the Tennessee.

An act for the divorce of Polly Clemens from her husband Benjamin Clemens.

And a resolution fixing a day for the election of treasurer, public printer, and president and directors of the Bank of Kentucky, and president and directors of the Bank of the Commonwealth of Kentucky, and had found the same truly enrolled, and that they were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

After a short time, Mr. W. C. Payne reported that the committee had performed that duty.

Mr. Wood, from the committee appointed to examine the Auditor's office, made the following report, viz:

The joint committee appointed by the Senate and House of Representatives, to examine the Auditor's office, have performed that service, partially only. To have undertaken a minute examination of each voucher for the year ending the 10th day of October last, would have required near two weeks close application. They found the books to correspond with the report of the Auditor and Treasurer communicated to the present session. The business of the office appears to be done with neatness and dispatch. The general appearance of the office is highly creditable to the head of that department. The committee are of opinion, that it is highly important that provision should be made by law for the appointment of two qualified resident citizens in Frankfort, whose duty it shall be annually to examine the Auditor's office and the Treasurer's office. Those offices can not be examined with any satisfaction by a committee during the session.
besides, it is requiring too much of their time from legislative duties. The committee, therefore, ask leave to accompany this report by bill. All of which is respectfully submitted.

WM. WOOD, 
ROBT. GEORGE, 
ELISHA SMITH, 
THOS. I. YOUNG, 
C. B. SHEPHERD, 
THOS. C. BARNES, 

From the Senate.

Mr. Wood also reported a bill concerning the Auditor's and Treasurer's offices.
Which was read the first time, and ordered to be read a second time.
The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Courts of Justice.
Mr. Dougherty, from the committee appointed for that purpose, reported a bill to allow additional constables to Russell and Pulaski counties, which was read the first time, and ordered to be read a second time.
The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed.
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.
The amendments proposed by the House of Representatives to bills from the Senate of the following titles, viz:
An act to allow additional justices of the peace to certain counties. And,
An act to improve the navigation of Salt river,
Were twice read and concurred in.
Resolved, That the Senate insist on the amendments proposed by them to a bill from the House of Representatives, entitled, an act to amend the law regulating appeals from the judgment of justices of the peace; and Messrs. Guthrie, Hardin and Maupin were appointed a committee of conference thereon, on the part of the Senate.
A bill to amend the execution laws, and for other purposes, was taken up.
Mr. Clark moved to lay the said bill on the table; and the question being taken on the said motion, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Conner and Parks, were as follows, viz:
YEAS—Messrs. Allen, Beaseman, Bibb, Campbell, Clark, Conner, Cunningham, Dejarnett, Faulkner, George, Gholson,
A bill from the House of Representatives, entitled an act to amend the revenue laws, was read the third time as amended.

And the question being taken on the passage thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Selby and Wingate, were as follows, viz.


NAYS—Messrs. Allen, Boyd, Conner, Dougherty, George, Gholson, Griffin, Harris, Maupin, Parks, Rodman, Rudd, Stephens, Thornton and Wood—16.

Resolved, That the title thereof be as aforesaid.

A bill from the House of Representatives, entitled an act for the benefit of John D. Hay, was read the third time, and the question being taken on the passage thereof, it was decided in the affirmative.

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


NAYS—Messrs. Allen, Beaseman, Brown, Conner, Dejarnett, Faulkner, George, Griffin, Hardin, Harris, Maupin, Owsley, Selby, Thompson and Wingate—16.

Resolved, That the title thereof be as aforesaid.

A bill from the House of Representatives, entitled, an act for the benefit of George Ross, was read the third time as amended. Resolved, That the said bill as amended, do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives of the following titles, viz.

1. An act to prevent the increase of intemperate habits amongst persons of color.

2. An act to legalize the proceedings of the Whitley county court held in April 1830.

3. An act to amend the act incorporating the Lexington and Ohio Rail Road Company.
4. An act to prescribe the mode of proceeding in actions against bodies corporate and incorporate companies.

5. An act for the benefit of John Hart of Caldwell county.

6. An act to authorise the county court of Nicholas county to permit John Allison and others to erect gates on a certain public road in said county.

7. An act to change the place of voting in an election precinct in Monroe county.

8. An act for the benefit of Transylvania University. And,

An act authorising the appointment of an additional constable in the town of Bowling Green.

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

The rule of the Senate, constitutional provision, and second reading of the first, fourth and ninth bills, and the second and third readings of the other bills having been dispensed with, the first and fourth were referred to the committee of Courts of Justice, and the ninth to a committee of Messrs. W. C. Payne, Bibb and Maupin.

Resolved, That the second, third, fifth, sixth, seventh and eighth bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing the passage of a bill from the Senate, entitled, an act for the benefit of the clerk of the county court of Hickman county, and for other purposes.

And that they had passed a bill, entitled, an act for the appropriation of money; which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second reading of the said bill having been dispensed with, it was referred to the committee of Finance.

An engrossed bill, entitled, an act to amend the several acts against unlawful gaming, was read the third time and amended by way of engrossed rider.

And the question being taken on the passage of the said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. George and Hardin, were as follows, viz.


NAYS—Messrs. Allen, Beaseman, Bibb, Campbell, Casey, Clark, Cunningham, Dejarnett, Dougherty, Fleming, George, Gholson, Hardin, Rudd, Selby, Stephens, Thompson and Wood —12.
The following bills were reported from the committees appointed to prepare and bring in the same, viz.

By Mr. Fleming, a bill for the benefit of the devisees of James Lewis, deceased. And,

By Mr. Conner, a bill for the benefit of William Watkins, surveyor of Lewis county.

The said bills were read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed.

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

And then the Senate adjourned.

WEDNESDAY, DECEMBER 21, 1831.

The Senate assembled.

Mr. Dougherty presented the petition of Enos Daniel, late sheriff of Pendleton county, praying that a law may pass allowing him further time to distrain for and collect taxes, levies, &c. in said county;

Which was received and referred to a committee of Messrs. Dougherty, Rodman and Beaseman.

Mr. Wood, from the committee of Religion, to whom was referred the petition of John H. Rudd, praying a divorce from his wife Harriet H. Rudd, reported the following resolution thereon, viz:

Resolved, That the said petition be rejected.

Mr. Beaseman moved to amend the same resolution by striking out "be rejected," and inserting in lieu thereof "is reasonable."

And the question being taken thereon, it was decided in the negative, and so the said petition was rejected.

The yeas and nays being required thereon by Messrs. Beaseman and W. C. Payne, were as follows, viz:


Mr. Wood, from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled, an act
to divorce Pamela Parker and her husband reported the same
with the following resolution thereon, viz:

Resolved, That the said bill ought not to pass.
Which was twice read and concurred in, and so the said bill was
disagreed to.

Mr. W. C. Payne, from the committee to whom was referred
a bill from the House of Representatives, entitled, an act to au-
thorize the appointment of an additional constable in the town of
Bowling-green, reported the same with the following resolution
thereon, viz:

Resolved, That the said bill ought not to pass.
Which was twice read and concurred in, and so the said bill
was disagreed to.

A message in writing was received from the Governor, by Mr.
Crittenden, Secretary of State; the rule of the Senate having
been dispensed with, the said message was taken up, and read as
follows, viz.

Gentlemen of the Senate—I nominate for your advice and con-
sent, Mason Brown, as attorney for the commonwealth, in the
fourth judicial district, vice Charles S. Bibb resigned.

THOMAS METCALFE.

December 21st, 1831.

Resolved, That the Senate, advise and consent to the said ap-
pointment.
Ordered, That Mr. Wingate inform the Governor thereof.

The messages received from the Governor, on the 12th, 13th
and 19th instant, were taken up and read as follows, viz.

Gentlemen of the Senate—I nominate for your advice and con-
sent, Shelton Renfro, to be keeper of the gate on the wilderness
turnpike road for one year, commencing at the expiration of the
term of his present appointment.

Also, Waldemar Mentelle, to be notary public in the City
of Lexington, vice Joseph Towler resigned.

THOMAS METCALFE.

Gentlemen of the Senate—I nominate for your advice and con-
sent, George W. Chambers to be brigadier general of the 29th
brigade; Robert Graham to be colonel of the 1st regiment, in the
place of George W. Chambers if promoted, and Robert Buckner
to be lieutenant colonel in the place of Robert Graham if pro-
moted.

THOMAS METCALFE.

Gentlemen of the Senate—I nominate to you for your advice
and consent, John Woods, Esq. to be quarter master general of
the militia of this State, vice Edmund H. Taylor resigned.

THOMAS METCALFE.

Resolved, That the Senate advise and consent to the said ap-
pointments.
Ordered, That Messrs. Beaseman and Fleming inform the Governor thereof.

On motion of Mr. Clark, a message was sent to the House of Representatives, requesting leave to withdraw the last report made on the bill, entitled, an act to regulate the time of holding certain circuit courts in the 16th judicial district; the said bill having been returned to the Senate.

On motion of Mr. Clark, the vote concurring in the report of the committee of conference on said bill, was reconsidered.

The question was again taken on concurring in the said report, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cunningham, and Campbell, were as follows, viz.


Resolved, That the Senate insist on their disagreement to the amendments proposed by the House of Representatives to the said bill.

Mr. Taylor read and laid on the table resolutions concerning the final settlement of the affairs of the Bank of Kentucky, and the distribution of its funds amongst the stockholders.

The rule of the Senate having been dispensed with, the said resolution was taken up, and referred to the committee of Finance.

On motion of Mr. Beaseman, leave was given to bring in a bill for the benefit of the sheriff of Harrison county; and Messrs. Beaseman, Parks and Fleming, were appointed a committee to prepare and bring in the same.

After a short time Mr. Beaseman from the said committee, reported the said bill, which was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being engrossed,

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

Mr. Fleming moved the following resolution, viz.

Resolved, That the public printer be requested to print two thousand copies of the titles of the acts passed during the present session, and a summary of the provisions of each act for the use of the Senate.

Which was twice read and concurred in.

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

An act to fix the ratio and apportion the representation for the ensuing four years.

An act to improve the road from Salem to the mouth of Cumberland river.

An act to authorise the sale of the Baptist meeting house in Newcastle, Henry county.

An act to amend the laws regulating the appointment and duties of the trustees of Stephensport, in the county of Breckinridge.

An act erecting an election precinct in Franklin county.

An act to alter the time of holding the Mercer circuit and county courts. And,

An act authorising the appointment of a watch in the town of Russellville.

With amendments to the two latter bills.

The said amendments were severally twice read, and those to the former bill concurred in, and those to the latter bill disagreed to.

And that they have receded from the amendments proposed by them, to a bill from the Senate, entitled an act to regulate the time of holding certain circuit courts in the 16th judicial district.

And that they have passed a bill, entitled an act for the benefit of William Davis of Whitley county.

A bill from the House of Representatives, entitled, an act to authorise the insertion of advertisements in the National Republican, and the Farmers Record and Covington Literary Gazette, was read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bill having been dispensed with, and the same being amended.

Resolved, That the said bill, as amended, do pass, and that the title be amended by adding thereto, "and for the relief of the trustees of the first Presbyterian church in the City of Lexington."

Bills from the House of Representatives of the following titles, viz.

1. An act to change the State road leading from Falmouth, in Pendleton county to Peter Jones' in Scott county.
2. An act to add to the county of Nicholas, that part of the county of Bourbon, that lies north of Hinkston, at the mouth of Taylors creek.
3. An act for the benefit of Mary Ann Flournoy.
4. An act to amend the road laws so far as respects the counties of Mason and Bracken.
5. An act to incorporate a company to construct a turnpike road from Lexington, through Georgetown to Frankfort.

6. An act for the benefit of the clerk of the county court of Garrard county.

7. An act for the benefit of Willis McCoy.

8. An act for the establishment of a State road from Owenton, to Warsaw, late Fredericksburg, in Gallatin county, on the Ohio river. And,

9. An act to provide for improving the navigation of the Rolling fork of Salt river, from the mouth of the Beech fork to the mouth of the Rolling fork.

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

The rule of the Senate, constitutional provision, and second reading of the third and ninth bills, and the second and third readings of the fourth, fifth, sixth and eighth bills having been dispensed with, and the fifth being amended.

The third was referred to the committee of Religion, and the ninth to the committee of Finance.

Resolved, That the fourth, fifth, sixth and eighth bills do pass, the fifth, as amended, and that the titles thereof be as aforesaid.

Mr. Selby from the committee of Finance, to whom was referred a bill for the benefit of Martin Strafford and others, reported the same without amendment.

Ordered, That the said bill be read a third time.

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

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

A bill from the House of Representatives, entitled, an act to amend the law of evidence in prosecutions for forgery, was read the first time, and the question being taken on reading the said bill a second time, it was decided in the negative, and so the said bill was disagreed to.

A bill from the House of Representatives, entitled, an act more effectually to prevent the importation of slaves into this State; was read the first time.

Mr. Faulkner, at 35 minutes past one o'clock, P. M. moved that the Senate do now adjourn.

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

The yeas and nays being required thereon, by Messrs. Wickliffe and George, were as follows, viz.

YEAS—Messrs. Allen, Beaseman, Boyd, Brown, Clark, Cunningham, Dejarnett, Faulkner, Fleming, George, Guthrie, Mau-
Mr. Wood from the committee of Religion, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Mary Ann Flournoy, reported the same without amendment.

Ordered, That the said bill be read a third time.

The following bills were reported, viz.

By Mr. Hardin from the committee of Finance, a bill to authorise the clerk of the Hickman circuit court, to transcribe his order, execution and memorandum books.

By Mr. Guthrie—A bill to apply the States dividend in the Shelby turnpike, to the extension of said road.

By Mr. Wickliffe—A bill for the relief of the trustees of the first Presbyterian church in the city of Lexington. And,

By Mr. Thornton—A bill to authorise repairs on the capitol. Which were severally read the first time, and ordered to be read a second time.

The rule of the Senate, constitutional provision, and second and third readings of the said bills having been dispensed with, and the same being engrossed,

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

After a short time, a message was received from the House of Representatives, announcing the passage of the two former bills.

Mr. Hardin from the committee of Finance, to whom was referred the petition of the trustees of Flemingsburg, and the petition of William Bickley, sen, reported the following resolution thereon, viz.

Resolved, That the said petitions be rejected.

Which was twice read and concurred.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act for the appropriation of money, reported the same with amendments. The said bill and amendments were committed to a committee of the whole House on the State of the commonwealth.

The Senate then, according to the standing order of the day, resolved itself into a committee of the whole House, Mr. Brown
in the chair; after some time spent in committee, the Speaker resumed the chair, when Mr. Brown reported that the committee had according to order, had the said bill under consideration, and had gone through the same, and made several amendments thereto, which he handed in at the clerks table.

The said amendments were twice read and concurred in.

One of the said amendments proposes to add to the bill the following clause, viz.

To John Brown, John Harvie, Peter Dudley and James Shannon, the sum of $500 each, for their services in superintending the rebuilding of the capitol.

Mr. Wood moved to amend the said amendment, by striking out $500, and inserting in lieu thereof $300.

Mr. Wingate called for a division of the question, and the question being taken on striking out $500, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Maupin and Wingate, were as follows, viz.


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

The yeas and nays being required thereon by Messrs. Rudd and Wingate, were as follows, viz.


Mr. Maupin moved to amend the said bill, by striking out "sixty dollars per week," as the compensation of the clerks of the Senate and House of Representatives, and inserting in lieu thereof "seven dollars per day.

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

The yeas and nays being required thereon by Messrs. Maupin and Dougherty, were as follows, viz.


NAYS—Messrs. Beaseman, Bibb, Boyd, Brown, Campbell, Casey, Clark, Conner, Faulkner, George, Gholson, Guthrie,
Ordered, That the said bill be read a third time.
The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,
Resolved, That the said bill, as amended, do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing the passage of bills, which originated in that House, of the following, titles, viz.

An act to change the time of holding the courts for the Lewis circuit. And,

An act further to regulate the militia correspondence, and for other purposes.

And that they had passed bills and resolutions from the Senate, of the following titles, viz.
An act for the benefit of the sheriff of Harrison county.
A resolution burning a portion of the notes of the Bank of the Commonwealth.
An act to authorise the Kentucky Republican to insert certain advertisements.
An act to repeal in part, the charter of Louisville, and for other purposes.
An act to amend the charter of the City of Louisville.
An act to extend the limits of the town of Nicholasville.
An act to provide for selling the public buildings in the town of Wilmington, McCracken county.
An act to allow additional constables to Russell and Pulaski counties.
An act to alter the time of holding the Owen circuit court.
An act to provide for opening a State road from the Yellow Banks by the way of Hartford to Russellville.
An act to incorporate a company for draining the ponds in Jefferson county.
An act to establish an election precinct in the county of Green-up.
An act for the endowment of a seminary of learning, in the town of Brandenburg, in Meade county, and for other purposes.
An act for the benefit of the devisees of James Lewis, deceased.
An act to incorporate the Shepherdsville and Louisville turnpike company, and for other purposes.
An act for the benefit of William Watkins, surveyor of Lewis county.
An act for the benefit of Martin Strafford and others. And,
A resolution to cancel the bonds given by the commissioners for rebuilding the capitol.
And that they had passed bills from the Senate, with amendments, of the following titles, viz.

An act to incorporate the Bardstown and Louisville turnpike company.

An act for the benefit of the children of Andrew Luttrell and Hosea Smith.  And,

An act to create an additional election precinct in the county of Clarke.

That they had concurred in the amendments proposed to the Senate, to a bill from that House, entitled, an act to incorporate the Rolling fork bridge company.

That they had disagreed to the amendments proposed by the Senate, to a bill from that House, entitled, an act to authorize the insertion of advertisements in the National Republican, and Farmers Record and Covington Literary Gazette.

The Senate receded from the said amendments.

And that they insisted on the amendments proposed by them to a bill from the Senate, entitled, an act authorising the appointment of a watch in the town of Russellville.

The Senate insisted on their disagreement to the said amendments.

And after a short time a message was received from the House of Representatives, announcing that they had receded from the said amendments.

Mr. Guthrie from the committee of conference, on a bill from the House of Representatives, entitled, an act to amend the law regulating appeals from the judgment of justices of the peace, made a report which was twice read and concurred in.

After a short time a message was received from the House of Representatives, announcing their concurrence in the said report.

Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled, an act to authorise the employment of an engineer, to examine the obstructions to the navigation of Cumberland river, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. George moved to reverse the said report, and the question being taken on said motion, it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. George and Hardin, were as follows, viz.


NAVS—Messrs. Bibb, Boyd, Brown, Campbell, Casey, Clark, H 2
The said bill is as follows, viz.

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That Daniel Garrard of Clay county, James Love of Knox county and John C. Brown of Whitley county, be, and they are hereby appointed commissioners to employ a skillful engineer to examine the obstructions in Cumberland river, at Smith's shoals; and to estimate the cost of their removal, and report to the Legislature at the next session, the nature of said obstructions, and the best and most economical mode of removing them, together with his estimate of the probable cost thereof; and to examine the river, from Smith's shoals, to the falls of Cumberland river, and report the obstructions in said river, to the mouth of Laurel river, and the probable cost of removing the same, together with a description of the river and falls: Provided, That more than the sum of three hundred dollars shall not be expended in employing the said engineer, and the expenses incidental to the examination and report required of him.

Sec. 2. Be it further enacted, That whenever the commissioners shall certify to the Auditor of Public Accounts, that the duties required by this act, of the engineer to be employed by them, have been performed to their satisfaction, it shall be the duty of the said Auditor to draw his said warrant upon the Treasury, for any sum not exceeding three hundred dollars; which the said commissioners shall certify they have expended, or contracted for under the provisions of this act; and the said sum of three hundred dollars is hereby appropriated for the purpose aforesaid.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act making an appropriation to assist the county of Hardin to build a bridge across Nolin river, near Robert Slaughter's, where the main road leading from Louisville to Nashville crosses the said stream, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Maupin moved to reverse the said report, and the question being taken on the said motion, it was decided in the negative, and the said bill was disagreed to.

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


The said bill is as follows, viz.
SEC. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the sum of five hundred dollars, be, and the same is hereby appropriated for the purpose of aiding the county of Hardin in the erection of a bridge across Nolin, where the road leading from Louisville to Nashville crosses the same, in the county of Hardin.

SEC. 2. *Be it further enacted,* That the county court of Hardin, shall, upon their levying a sufficient sum to complete said bridge, be authorized to appoint commissioners to let said work out, and superintend the erection thereof, according to the plan that may be agreed upon by said commissioners; and said commissioners are authorised, and hereby directed to take bond and security from the undertaker, for the due and faithful performance of said work, payable to the commonwealth of Kentucky.

SEC. 3. *Be it further enacted,* That upon the completion of said work, and report made by the commissioners, and the same received by the county court of Hardin, it shall be the duty of the clerk of said court, to certify to the Auditor, who were the undertakers of said work; and that the same has been completed and received by the county court of Hardin.

SEC. 4. *Be it further enacted,* That upon the production of said certificate of the clerk, by said undertaker or undertakers, or upon their order accompanied by said certificate, the Auditor is hereby directed to issue his warrant upon the Treasurer for the said sum of five hundred dollars, which sum the Treasurer is hereby directed to pay out of any money in the Treasury, not otherwise appropriated.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to provide for the improving the navigation of the Rolling fork of Salt river, from the mouth of the Beeck fork, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Mr. Ray moved to reverse the said report, and the question being taken on the said motion, it was decided in the negative, and so the said bill was disagreed to.

The yeas and nays being required thereon by Messrs. Ray and Parks, were as follows, viz.


The said bill is as follows, viz.

SEC. 1. *Be it enacted by the General Assembly of the Common-
wealth of Kentucky. That Henry A. Reed and Benjamin Harrod be, and they are hereby appointed commissioner to improve the navigation of the Rolling fork of Salt river, from the mouth of the Beech fork, to the mouth of the said Rolling fork, by removing, or causing to be removed obvious obstructions to the navigation of said river, who may continue to exercise the powers granted by this act, for the term of one year.

SEC. 2. Be it further enacted, That it shall be the duty of said commissioners to enter into bond in the clerk's office of the county court of Nelson or Hardin county, to the commonwealth of Kentucky, under the penalty of six hundred dollars, for the faithful discharge of the duties prescribed by this act.

SEC. 3. Be it further enacted, That three hundred dollars are hereby appropriated to be expended in removing obstructions and improving the navigation of said Rolling fork, as prescribed in the first section of this act; and the Auditor is hereby directed to issue his warrant on the Treasurer for the sum of three hundred dollars to the commissioners above named, whenever they may produce to him the certificate of the clerk of the county court of Hardin or Nelson county, that they have entered into bond according to the provisions of this act.

SEC. 4. Be it further enacted, That the said commissioners shall report their proceedings to the next General Assembly of this commonwealth.

Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to amend an act approved, January 29th, 1830, incorporating the Green river navigation company, reported the same with an amendment, which was twice read and concurred in.

The question being taken on reading the said bill a third time as amended, it was decided in the affirmative.

The Senate being equally divided, the Speaker voted in the affirmative.

The yeas and nays being required thereon by Messrs. W. C. Payne and Maupin, were as follows, viz.


Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to provide for the erection of a bridge across Rockcastle river, on the turnpike and wilderness road, reported the same without amendment; the said bill was amended, and the question being taken on read-
ing the same a third time as amended, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Maupin and Dejarnett, were as follows, viz.


Mr. Hardin from the same committee, to whom was referred a bill from the House of Representatives, entitled, an act to regulate the compensation to attorneys for the commonwealth, in certain cases, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

Which was twice read and concurred in, and so the said bill was disagreed to.

The following bills were reported from the committee of enrollments, as having been examined and found truly enrolled, viz.

By Mr. W. C. Payne—
An act for the benefit of John D. Hay.
An act to add one additional justice of the peace and constable to Hardin county, and for other purposes.
An act to amend the militia laws.
An act for the benefit of Transylvania University.
An act to change the place of voting in an election precinct in Monroe county.
An act to amend the act incorporating the Lexington and Ohio Rail road company.
An act to legalize the proceedings of the Whitley county court held in April, 1830.
An act to authorise Polly W. Johnson, to sell certain real estate.
An act for the benefit of John Hart of Caldwell county.
An act to authorize the county court of Nicholas county, to permit John Allison and others to erect gates on a certain public road in said county.
An act to incorporate the Green river rail road company.
An act to amend an act to improve the road from Mountsterling to the Virginia line, approved, January 15th, 1831. And,
An act to authorize John Riley and Jesse Thomas to build a mill dam on the middle fork of Kentucky river.

By Mr. Wingate—
An act to fix the ratio and apportion the representation for the ensuing four years.
An act to amend the laws regulating the appointment and du-
ties of the trustees of Stephensport, in the county of Breckenridge.

An act for the benefit of the clerk of the county court of Hickman county, and for other purposes.

An act to change the place of voting, from the short creek precinct in Grayson county, to the Great falls on Rough creek.

An act to authorise the sale of the Baptist meeting house in Newcastle, Henry county.

An act to regulate the time of holding certain circuit courts in the 16th judicial district.

An act to allow additional justices of the peace to certain counties.

An act to improve the navigation of Salt River.

An act to erect an election precinct in Franklin county.

An act to improve the road from Salem to the mouth of Cumberland river.

An act to alter the time of holding the Mercer and Anderson circuit courts.

The said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto; and they were delivered to the committee to be presented to the Governor for his approbation and signature.

Soon after, Messrs. W. C. Payne and Wingate, reported that the committee had performed that duty.

Mr. Ray moved for leave to bring in a bill supplemental to the act to fix the Ratio and apportion the representation for the ensuing four years.

And the question being taken on the said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hardin and Ray, were as follows, viz.


Mr. Hardin from the committee of Finance, to whom was referred a bill from the House of Representatives, entitled an act for the benefit of Joseph B. Crockett and others, reported the same with amendments, which were twice read and concurred in.

Ordered, That the said bill be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

After a short time a message was received from the House of
Representatives, announcing their concurrence in the said amendments.

A message in writing was received from the Governor, by Mr. Crittenden, Secretary of State.

Mr. Clark moved that a message be sent to the House of Representatives, requesting leave to withdraw the report of the disagreement of the Senate, to a bill from that House, entitled, an act for the benefit of Isaac Smith.

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

And then the Senate adjourned.

FRIDAY, DECEMBER 23, 1831.

The Senate assembled.

A message in writing was received from the Governor, by Mr. Crittenden, Secretary of State.

The rule of the Senate having been dispensed with, the said message was read up and read as follows, viz:

Gentlemen of the Senate—I nominate for your advice and consent, Samuel S. Nicholas as third Judge of the Court of Appeals, vice Richard A. Buckner resigned.

THOMAS METCALFE.

Dec. 23d, 1831.

The question was taken on advising and consenting to the said appointment, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Fleming and Conner, were as follows, viz.


Ordered, That Mr. Guthrie inform the Governor thereof.

A bill from the House of Representatives, entitled, an act for the benefit of Willis McCoy, was read a second time, and ordered to be read a third time.

The rule of the Senate, constitutional provision, and third reading of the said bill having been dispensed with,

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

A bill from the House of Representatives, entitled, an act to provide for the erection of a bridge across Rockcastle river, on the turnpike and wilderness road, was read the third time as amended.
Resolved, That the said bill do pass, and that the title thereof be as aforesaid.

The amendments proposed by the House of Representatives, to a bill from the Senate, of the following titles, were twice read and concurred in, viz.

An act to create an additional election precinct in the county of Clarke.

An act for the benefit of William Luttrell and Hosea Smith.

An act to incorporate the Bardstown and Louisville turnpike company.

On motion of Mr. Hardin, the committee of Finance were discharged from the further consideration of the business before them.

On motion of Mr. Wickliffe, the committee of Courts of Justice were discharged from the further consideration of the business before them.

A bill from the House of Representatives, entitled, an act to amend the act, approved, January 29th, 1830, incorporating the Green river navigation company, was read the third time as amended.

The question being taken on the passage thereof, the Senate being equally divided; Mr. Thompson who was in the chair, decided that the bill was disagreed to.

The yeas and nays being required thereon by Messrs. Faulkner and George, were as follows, viz.


Mr. Stephens moved a reconsideration of the last vote.

And the question being taken on the said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conner and Faulkner, were as follows, viz.


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

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

YEAS—Messrs. Bibb, Brown, Casey, Clark, Cunningham,
Dec. 23d]

THE SENATE.


Resolved, That the title thereof be as aforesaid.

The message of the Governor received on yesterday, was taken up and read as follows, viz.

Gentlemen of the Senate—I nominate for your approval Jacob Swigert, Thomas S. Page, John Blain and Henry Owsley as the securities of the Treasurer for the ensuing year.

THOMAS METCALFE.

Dec. 22d, 1831.

Resolved, That the Senate approve of the said securities.

Ordered, That Mr. Guthrie inform the Governor thereof.

A bill from the House of Representatives, entitled, an act to change the times of holding the courts for the Lewis circuit.

An act for the benefit of Richard Elliott. And,

An act further to regulate the militia correspondence, were each read the first time, and ordered to be read a second time.

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

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

A message was received from the House of Representatives, announcing the passage of a bill, entitled, an act to connect the town of Newport and Covington with Cincinnati by a bridge.

Which was read the first time.

And the question being taken on reading the said bill a second time, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Fleming and Stephens, were as follows, viz.


Mr. Stephens moved to dispense with the rule of the Senate, constitutional provision, and second and third readings of the said bill, and the question being taken on the said motion, it was decided in the negative, there not being four fifths in the affirmative.

The yeas and nays being required thereon by Messrs. Conner and Fleming, were as follows, viz.

YEAS—Messrs. Beaseman, Boyd, Brown, Casey, Dejarnett, I 2
Mr. Wickliffe read the following protest, which he moved to have entered on the journal of the Senate, viz.:

The undersigned deem it a duty they owe to their constituents, and the people of the State of Kentucky, to enter their protest against the passage of a bill which originated in the Senate, entitled, an act to fix the ratio and apportion the representation for the ensuing four years; and to assign their reasons for such their protest.

They first deny that the bill was permitted to be passed this body, agreeably to the spirit and direction of the constitution, which declares, that no bill shall have the force of a law until it shall have been read on three several days in each branch of the Legislature, and free discussion allowed thereon.

The bill had been reported by the chairman of the select committee, and on his motion, amended in several particulars, when the Senate adjourned. And at a subsequent day, the bill was again called up, but many members of the Senate being indisposed and several absent, the Senate refused then to consider the bill. When the bill was thus called up, one of the protestants, the Senator from the county of Fayette, gave notice, that when the bill again should come under consideration, he would attempt to show that the bill was, in principle, at war with the constitution, and in its details unequal and oppressive. At a subsequent day of the session the Senate decided to progress with the second reading of the bill; and after the usual announcement from the chair, that the bill was at its second reading and ready for amendment, several Senators in succession for short periods, occupied the Senate with proposals to amend the bill in detail; neither, attacking the principle of the apportionment. While one of these motions was pending before the house, and before the Senator from Fayette could gain the floor to offer his objections to the principle of the bill, and the amendments he intended offering to the bill, the Senator from Nelson, who had reported the bill, moved the "previous question," (as he declared) to prevent all further amendments and debate; to which motion, the Senator from Fayette, replied, that if the house would allow debate and amendments, that he was then ready and had been waiting only to gain the floor, to show the unconstitutional structure of the bill; that it was unequal in its apportionment, and so made, regardless of the directions of the constitution; that he was prepared to offer a substitute for the bill, that in his opinion, conformed to the spirit and meaning of the constitution, and would give a more equal and just distribution of
the members to both houses. But a majority of the Senate decided that the main question should be then put, and thereby precluded all further amendments to, or debate on the bill. The undersigned protest against this proceeding of the Senate, as a violation of their rights as Senators, the rights of the people, and the sacred liberty of debate, guaranteed by the constitution, and beg leave of the Senate, to enter this their protest, lest the high-handed measure taken to force the passage of this bill shall sanctify like attempts in future cases. In making this appeal to the Senate, and the people, they cannot forbear to remind the Senate, that the ancient habit of the Senate, was to go into committee of the whole on an apportionment bill, that every member might have free liberty of discussion and amendment; that it is a bill of the deepest interest to the people; so much so, that whether the right of self government shall remain with the people, must mainly depend upon a fair and just apportionment bill; that it is a matter in which every member ought to feel the highest responsibility that such bill conform to the constitution; and feeling such responsibility, ought to have been permitted to have exerted his best abilities to accomplish that object, of this invaluable right to us and our constituents. We feel free to declare we have been deprived by the power of the majority. We beg leave further to protest against the passage of said bill, as contrary to the constitution; in this, that it does not distribute between the counties and City of Louisville, the representatives to each branch of the Legislature, as near as may be; on the contrary great and astounding inequalities exist in each branch, so much so, that we consider the Legislative power is no longer under the control of a majority of the people. Will any one tell us, that it is apportioning the representation in the Senate, as near as may be, in the bill just passed, which adds the counties of Jefferson, Bullitt and the City of Louisville together, with an aggregate population of 4383 voters, when the ratio for Senator is only 2510 votes. Add to this consideration, the fact, that the adjoining senatorial districts of Nelson and Spencer, and of Henry and Oldham have a surplus of 751 voters; these added together make 5134 voters; leaving a surplus around Louisville of 2694 voters. May we not ask what right, under the constitution, have you in the apportionment bill, to nullify these voters? If the ancient senatorial district of Scott, was to be broken up, here was a senatorial ratio, that by the constitution demanded a Senator; and yet you break up the senatorial district of Scott, and carry her Senator over these voters to the southernmost end of the State; a portion of the State, so far from having the Senatorial ratio, to compete with the City of Louisville, that is already deficient as we believe, in senatorial votes; thereby creating 2510 artificial beings, to legislate for the real freemen of the State. The cal-
Calculations proving this, have been laid before the majority; they rest on figures, and if not correct, could have been disproved. But this was not attempted. It was not pretended, that we know of, that to begin at either end of the State, and apportion the Senators, that the south end could claim the Senator of which Scott is deprived; but the defenders of the bill, say they were enabled to get the Senator from Scott by making three divisions of the State: to-wit, by dividing that part of the State lying south of Green river into one; and that part lying between Green and the Kentucky rivers into one; and the north of the Kentucky into another. By this contrivance, three senators living near the margin of Green river, and two of whose districts include counties lying south of the Green river, were not charged, nor was either of them charged to the southern division. Thus by not charging the south end with Senators, because they live on the north bank of Green river, is Scott disfranchised, and the City of Louisville, also, in the senatorial representation. We give the explanation of the chairman of the committee as we understood them; and here we pause to ask, by what authority, in making an apportionment bill, do you make three separate States? The constitution says, you shall apportion among the counties and towns of the State as near as may be; not among the land and trees between Green river and the Kentucky, or between Green river and the Mississippi. We believe that the constitution is plain, and requires that the apportionment shall be formed by taking the lines of the State from some one end, or line, and pursuing the other lines to the other end, or opposite line. Upon this principle, the distribution can be made equal and uniform, and be regulated by principle; but the mode adopted by the committee admits of no uniform principle, but places the fate of the State, and the rights of the people, upon the caprice of a majority. We have shown, as we think most clearly, that the bill is against the constitution in its principles, and that a whole senatorial district is unrepresented. We will now call the attention of the Senate and the people, to the oppressive and unequal features of this bill in the House of Representatives. By it, the counties of Grant, Bourbon, Estill, Madison, Rockcastle, Mercer, Garrard and Shelby, each, are deprived of a member. These deprivations, we think, generally, not required by the constitution; but if required in part, not to the extent the bill carries them. It is admitted by all, that the north side, has not, according to the chairman's anomalous ratio, her full representation, by about five hundred votes; these votes dropped upon the county of Grant, would have given that county her ratio of 954 votes, and enabled her to retain her member. But this residuum is nullified, or taken to the south. After depriving the counties of Shelby, Mercer, Garrard and Madison; you have residua in the counties falling on the Kentucky, amounting to
2143 voters; these freemen and voters, as to the House of Representatives, you also nullify, and have in other sections, created imaginary beings, to exercise for them the right of free suffrage. To dwell in full detail upon all the errors of the bill, is not our wish; they are, however, two obvious to escape the observation of the people. As we apprehend that the unequal representation given in the bill, will not only greatly weaken the representative principle, the vital spring which our government ought to move by, and these new created ideal beings will hang upon reform, as does the Borough-system of England, we scarce hope, that four years sufferings and endurance under this apportionment bill, will terminate the evils generated by it; but that the next apportionment bill makers, having the strength given so unequally to portions of the State, in this bill, to enable them to act in the same direction, and on the same law of force, will give the same arbitrary and unequal system; so that we believe, that the majority, by thus separating the representative from the voter, will drive the good people of the State into a convention, as the only remedy for the disorders generated by their act. And we are desirous that those who have passed the act shall bear the entire responsibility to the people, for all the consequences which may follow its passage. And while the undersigned admit the same purity of intention to others, and in particular, to the passers of the bill, which they feel in the opposition they make to its passage; and while they admit their own liability to error, as much so, as the majority, they have deemed it their duty thus to submit their difference of opinions from the majority, to their country, that responsibility may rest where it ought to rest, should the good people be compelled by the passage of the said act, to dissolve the government as the only means to regain their liberty.

ROBERT WICKLIFFE, from Fayette.
JOHN PAYNE, from Scott.
WILLIAM G. BOYD, from Shelby.
JOHN GRIFFIN, from Pulaski.
JOHN FAULKNER, from Garrard.
DAVID K. HARRIS, from Floyd.
WILLIAM CONNER, from Greenup.
JAMES PARKS, from Nicholas.

Mr. Hardin moved to lay the same on the table until the tenth day of August next.

The question being taken on the said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wickliffe and Conner, were as follows, viz.


A bill from the House of Representatives, entitled, an act for the benefit of Mary Ann Flournoy, was read the third time.

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

A message in writing was received from the Governor, by Mr. Crittenden, Secretary of State.

The rule of the Senate having been dispensed with, the said message was taken up and read as follows, viz.

Gentlemen of the Senate—I nominate to you for your advice and consent, the following gentlemen, to fill the offices respectively annexed to their names, viz.

Dudley Robertson to be colonel of the 50th regiment, vice George H. Girton removed.

John J. Catlin to be lieutenant colonel of the 50th regiment, vice John Wash, whose office is vacated by a change of the boundary of the Regiment, by which he was excluded.

James McDonald, to be major of the 50th regiment, vice D. Robertson, if promoted.

THOMAS METCALFE.

Resolved, That the Senate advise and consent to the said appointments.

Ordered, That Mr. Rudd inform the Governor thereof.

A message was received from the Governor, by Mr. Crittenden, announcing that on yesterday, he approved and signed enrolled bills which originated in the Senate, of the following titles, viz.

An act for the benefit of Radford M'Carlo.

An act for the benefit of the mechanics of the City of Louisville.

An act for the benefit of the heirs of Stephen Ashby, jr. dec'd.

An act for the benefit of Ann D. Yancey.

An act concerning suits for alimony.

An act for the benefit of the Cumberland Hospital.

An act for the divorce of Polly Clemens from her husband Benjamin Clemens.

An act to alter the time of holding the Mercer and Anderson circuit courts.

An act to amend the laws regulating the appointment and duties of the trustees of Stephensport, in the county of Breckenridge.

An act to erect an election precinct in Franklin county.

An act to improve the road from Salem to the mouth of Cumberland river.
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An act to fix the ratio and apportion the representation for the ensuing four years.
An act to improve the navigation of Salt River.
An act to allow additional justices of the peace to certain counties.
An act to regulate the time of holding certain circuit courts in the 16th judicial district.
An act to authorize the sale of the Baptist meeting house in Newcastle, Henry county.
An act to change the place of voting, from the short creek precinct in Grayson county, to the Great falls on Rough creek. And,
An act for the benefit of the clerk of the county court of Hickman county, and for other purposes.
A message was received from the House of Representatives, announcing the passage of bills from the Senate of the following titles, viz.
An act to incorporate a company to build a bridge across the Ohio river at the falls.
An act to encourage the publication of a digest of the decisions of the court of appeals of Kentucky. And,
An act to amend the execution laws of this Commonwealth, with amendments to the latter bill.
And that they have concurred in the amendments proposed by the Senate to bills from that house of the following titles, viz.
An act for the appropriation of money. And,
An act to provide for the erection of a bridge across Rockcastle river, on the turnpike and wilderness road.
On motion — Leave was given to withdraw the petition and papers of Robert Pogue; the petition and papers of L. Burbridge, and the petition and papers to enlarge the bounds of the town of Winchester.
Mr. Hardin moved to lay all the unfinished business on the table.
And the question being taken on the said motion, it was decided in the affirmative.
The yeas and nays being required thereon, by Messrs. Maupin and George, were as follows, viz.
Messrs. Faulkner and Brown were added to the committee of enrollments.
A message was received from the House of Representatives, announcing the passage of bills from the Senate, entitled an act
for the relief of the trustees of the first Presbyterian church in the City of Lexington. And,

An act to authorize repairs on the capitol.

And a bill which originated in the House, entitled, an act authorising the building of an arsenal in the town of Frankfort.

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

Mr. Wingate moved to dispense with the rule of the Senate, constitutional provision, and second and third readings of the said bill.

And the question being taken thereon, it was decided in the negative, four fifths not having voted therefor.

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


On motion of Mr. Ray, the said vote was reconsidered.

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

The yeas and nays being required thereon by Messrs. Conner and Guthrie, were as follows, viz.


Mr. Maupin from the committee, to whom was referred a bill from the House of Representatives, entitled an act to repeal an act, entitled, an act to amend the law concerning the trustees of the town of Glasgow, and for other purposes, approved January 15th, 1831, reported the same with the following resolution thereon, viz.

Resolved, That the said bill ought not to pass.

On motion of Mr. Maupin the said bill was laid on the table until the first day of June next.

The following bills which originated in the House of Representatives, were reported from the committee of enrollments as examined, and found truly enrolled, viz.

By Mr. W. C. Payne—

An act to incorporate the Lexington, Chilesburg and Winchester turnpike road company.

An act to authorise the administrators of Isaac Jackson, deceas-
ed, to sell the lands of said Jackson, for the purpose of paying his debts.

An act to amend the road laws so far as respects the counties of Mason and Bracken.

An act for the benefit of the clerk of the county court of Garrard county.

An act for the establishment of a State road from Owenton to Warsaw, late Fredericksburg, in Gallatin county, on the Ohio river.

An act to divorce George Ross.

An act to appropriate some of the vacant lands in Muhlenburg, Hopkins, Logan, Butler, Edmonson, Henderson, Laurel and Morgan, to the improvement of the roads.

An act to amend the revenue laws.

An act for the benefit of Joseph Crockett and others.

An act to amend the law regulating appeals from the judgment of justices of peace.

By Mr. Brown—

An act to authorize the insertion of advertisements in the National Republican, and The Farmers Record and Covington Literary Gazette.

An act for the benefit of Willis McCoy.

An act for the benefit of Mary Ann Flournoy.

An act to change the times of holding the courts for the Lewis circuit.

An act to provide for the erection of a bridge across Rockcastle river.

An act to amend an act, approved, January 29th, 1830, incorporating the Green river navigation company.

An act further to regulate the militia correspondence, and for other purposes.

An act to amend the law regulating appeals from the judgment of justices of the peace.

An act for the appropriation of money.

An act for the benefit of Richard Elliott.

An act to amend the several acts in relation to the State road leading from Franklin to Owenborough. And,

An act to incorporate a company to construct a turnpike road from Lexington, through Georgetown and Williamstown to Covington, and from Georgetown to Frankfort, and for other purposes.

The said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.
Messrs. W. C. Payne and Brown, reported that the committee had performed that duty.

After a short time a message was received from the House of Representatives, announcing that they had received official information, that the Governor had approved and signed the said bills.

The following bills and resolutions which originated in the Senate, were reported from the committee of enrollments, as examined, and found truly enrolled, viz.

By Mr. Wingate—

An act to provide for selling the public buildings and property in the town of Wilmington, in McCracken county.

An act to apply the States dividend in the Shelby turnpike road, to the extension of said road.

An act for the benefit of the devisees of James Lewis, dec'd.

An act to establish an election precinct in Greenup county.

An act for the benefit of William Watkins, surveyor of Lewis county.

An act for the benefit of Martin Strafford and others.

An act to alter the time of holding the Owen circuit court.

An act to allow additional constables to Russell and Pulaski counties.

An act to authorise the clerk of the Hickman circuit court to transcribe his order, execution and memorandum books.

An act for the endowment of a seminary of learning, in the town of Brandenburg, in Meade county, and for other purposes.

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

An act to authorise the appointment of a watch in the town of Russellville.

An act to incorporate the Bardstown and Louisville turnpike company.

An act to create an election precinct in the county of Clarke, and for other purposes.

An act to provide for opening a State road from the Yellow Banks, by the way of Hartford to Russellville.

An act to authorise the publication of orders of court and other advertisements in the newspaper called "Olive Branch," printed in Danville.

An act to authorise "The Kentucky Republican" to print certain advertisements.

An act to incorporate a company for draining the ponds in Jefferson County.

An act to extend the limits of the town of Nicholasville.

An act to repeal in part, the charter of Louisville, and for other purposes.

An act to amend the charter of the City of Louisville.
The said bills were signed by the Speaker of the House of Representatives.

Whereupon the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approbation and signature.

Messrs. Wingate and Brown, reported that the committee had performed that duty.

After a short time a message was received from the Governor, by Mr. Crittenden, Secretary of State, announcing that the Governor had approved and signed the said bills.

A message was received from the House of Representatives, announcing that they had received official information, that the Governor had approved and signed enrolled bills which originated in that House, of the following titles, viz.

An act to authorize John Riley and Jesse Thomas to build a mill dam on the middle fork of Kentucky river.

An act to amend the militia law.

An act to authorize Polly W. Johnson to sell certain real estate.

An act to add one additional justice of the peace and constable to Harlan county, and for other purposes.

An act to change the place of voting in an election precinct in Monroe county.

An act to amend the act incorporating the Lexington and Ohio Rail Road Company.

An act to legalize the proceedings of the Whitley county court held in April, 1830.

An act to incorporate the Green River rail road company.

An act for the benefit of John D. Hay.
An act for the benefit of Transylvania University.
An act to amend the revenue laws.
An act for the benefit of Joseph B. Crockett and others.
An act to incorporate the Lexington, Chilesburg and Winchester turnpike road company.
An act to authorize the administrators of Isaac Jackson, dec'd, to sell the lands of said Jackson for the purpose of paying his debts.
An act for the establishment of a State road from Owenton to Warsaw, late Fredericksburg, in Gallatin county.
An act to divorce George Ross.
An act for the benefit of the clerk of the county court of Garrard county.
An act to amend the road laws so far as respects the counties of Mason and Bracken.
An act to appropriate some of the vacant lands in Muhlenburg, Hopkins, Edmonson, Morgan, Laurel, Henderson and Logan counties, to the improvement of the roads.
An act to amend the law regulating appeals from the judgment of justices of the peace.
An act for the benefit of William W. Ater and others.
An act to appropriate certain vacant lands in Casey county, to the improvement of certain roads.
A joint resolution fixing upon a day for the election of a Treasurer, Public Printer, President and Directors of the Bank of Kentucky, and the Bank of the Commonwealth of Kentucky.
An act providing a mode for a settlement with the receiver of public monies for the land district west of the Tennessee.
An act appropriating certain vacant lands in Greenup, Fleming, Bath and Montgomery counties, to improve the road leading from Mount Sterling to the mouth of Big Sandy.
An act requiring tavern keepers, peddlers of clocks, and the owners and keepers of covering horses and jacks, to pay taxes in advance and obtain license.
An act to change the place of voting in the Grace's and Burnett's precincts, in Trigg county.
An act to authorize the county court of Nicholas county, to permit John Allison and others to erect gates on a certain public road in said county.
An act for the benefit of John Hart of Caldwell county.
An act for the benefit of the surveyor of Jefferson county.
An act to improve certain roads in certain counties.
An act to legalize the acts of John B. Cobb, a constable of Hart county, and for other purposes.

An act for the benefit of Martha Burk.

An act to amend an act to improve the road from Mountsterling to the Virginia line, approved January 15th, 1831, and for other purposes.

Ordered, That Mr. Wingate inform the House of Representatives, that the Senate having finished the Legislative business before them, are now ready to adjourn without day.

A message was received from the House of Representatives, announcing that they had finished the Legislative business before them, and were now ready to adjourn without day; and that they had appointed a committee on their part, to wait on the Governor, to inform him of the intended adjournment of the General Assembly, and to know whether he had any further communication to make.

Whereupon, Messrs. Wingate, Parks and Beaseman were appointed a committee on the part of the Senate.

After a short time Mr. Wingate reported that the committee had performed the duty assigned them, and were informed by the Governor, that he had no further communication to make; that he tendered to the Legislature an affectionate farewell.

The Speaker having retired, Mr. Guthrie was called to the chair, when Mr. Hardin moved the following resolution, which unanimously adopted, viz.

Resolved, That the acknowledgments of the Senate be tendered to John Breathitt, Esq. for his able, impartial, and dignified conduct during the present session, in the discharge of his duties as Speaker of the Senate.

The Speaker having resumed the chair, and delivered an appropriate valedictory address, adjourned the Senate without day.